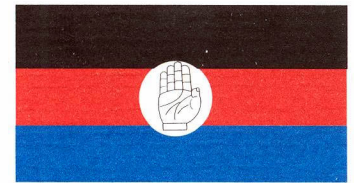


# Uganda Peoples Congress

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# UPC

20<sup>TH</sup> July/2015

## PRESS STATEMENT

### RESPONSE TO THE RUBAIHAYO-WALUBIRI REPORT

1. The Uganda Peoples Congress members and the general Public should know that the appointment and assignment of “The Rubaihayo Commission” in reference to Article 14.3(2)(j) of the UPC Constitution invoked by the former President John Olara Otunnu on 21<sup>st</sup> June 2015 is illegal, unconstitutional, grossly misplaced and void
2. We in UPC base our grounds on the court ruling of 6<sup>th</sup> May 2015 that declared Olara Otunnu defacto Party President since his term of office expired on 13<sup>th</sup> March 2015, the court recognized the Constitution of UPC as Supreme and to be adhered to by all members, this doesn't in anyway exclude Patric Rubaihayo, Peter Walubiri, Anokbonggo W.W, and Kagenda Atwoki and since the defendant(Olara Otunnu) had already issued a roadmap that court upheld and declared him-Olara Otunnu as defacto Party President which implies that he has no Executive powers to appoint the Commission of inquiry because he is no longer a substantive Party President, rendering the Commission of Inquiry report null and void with no legal effect.
3. The Commission's recommendation to cancel the District Conferences Elections of 30<sup>th</sup> May 2015 is a total breach and a violation of article 11.2(6) Duties of the District Conference, quote “ Nominate by majority vote a candidate for the Party Presidency” of The UPC Party Constitution of 2008 and section 11 of the Party Elections guidelines which clearly mandated the returning officers to declare results at the District levels, complete declaration forms and submit original copy to the Party Electoral Commission

**Mission:** A social democratic party that seeks to safe guard national independence and promote national unity, equality, equity and human rights for all.

**Vision:** An independent, united, democratic, just, peaceful and prosperous nation, where all its citizens have equal opportunities and equitable access to national resources.

4. The Uganda Peoples Congress notes with serious concern the attempt by the Rubaihayo –Walubiri Commission to usurp the Constitutional Powers of the Party Organs, specifically the delegates conference in article 13.1 which confers the delegates conference as Supreme Organ and article 13.2(4) that outlines powers of the delegates conference to cancel the elections “Have the right and power to review, ratify, alter or rescind any decision taken by any party organ, committee or officials” of the UPC 2008 Constitution. The commission action is ultra-vires and a total departure from UPC Constitutional order.

**Having laid out the above facts, we now would like to reaffirm as follows;**

**a.** That the UPC District conferences on 30<sup>th</sup> /May/2015 in an election organized by Mr.Olara Otunnu elected their new leader J.Akena, MP **UNOPPOSED** and no amount of desperation from any quarters shall reverse the **WILL OF THE PEOPLE**.

**b.** Hon. J.Akena and party members have been very patient and considerate till 1<sup>st</sup> July 2015 where he was approved as UPC President, otherwise the National Constitution of the Republic of Uganda 1995 in **Article 103 (6A) & (8)** ,provides that in the Presidential Elections at the closure of nominations, if only one candidate is nominated, that candidate should be declared winner of that election and he/she should assume office within 24 hours of closure of nomination.UPC Constitution must conform to the National Constitution where the above articles are operationalised automatically

**c.** In the case of UPC, Hon. J. Akena should have been sworn in within 24 hours from 30<sup>th</sup> May 2015. We have not followed these provisions to the letter simply because we wanted a decent handover via the Delegates Conference that took place on 1<sup>st</sup> July 2015 at Lugogo Uma Show ground.

In conclusion we inform all UPC Party members that the Party business at the Secretariat is running normally and smoothly, therefore you are all free to come in anytime within working hours to access information and programs of the Party as we move forward in attaining the goals and objectives of our Party

**For God and my Country**

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**MICHEAL ORACH OSINDE**  
**ACTING SPOKES PERSONS**