



Advocates for Public International Law Uganda
Advocates de Droit International Public Ouganda

PRESS STATEMENT

CONSTITUTIONAL PETITION CHALLENGING THE RE- INSTATEMENT OF PART II OF THE AMNESTY ACT 2000 (AS AMENDED)

21 August 2014

Advocates for Public International Law Uganda (APILU) has filed a Constitutional Petition at the Constitutional Court in Kampala challenging the procedure with which Part II of the Amnesty Act, 2000 (as amended) was reinstated in 2013 following a declaration lapsing the same in 2012.

In 2012, consistent with the Amnesty (Amendment Act) 2006, Sec 16(3), which allows the Minister to declare Part II of the law to lapse, Part II of the Amnesty Act dealing with grant of amnesty to all persons renouncing armed rebellion against the Government of the Republic of Uganda was declared to lapse by Statutory Instrument S.I. No.34 of 2012 issued by the Minister of Internal Affairs Hon. Eng. Hillary Onek.

Following consultation conducted by the Defence and Internal Affairs Committee of Parliament, a recommendation to reinstate Part II and extend the Act was made and adopted by Parliament in May, 2013. Consequently, the Minister of Internal Affairs issued Statutory Instrument S.I No.17 of 2013 to reinstate the repealed Part II of the Amnesty Act and revoked the Statutory Instrument S.I No. 34/2012.

Advocates for Public International Law Uganda, the petitioner, through her lawyers **MMAKS Advocates; Murungi, Kairu & Co. Advocates and Makmot – Kibwanga & Co. Advocates**, is challenging the reinstatement of Part II of the Amnesty Act on the basis that it is in complete contravention of the Constitution of the Republic of Uganda (1995), Articles 91(1) and 94(1), read together with Sections 12 and 13 of Interpretation Act Cap.3 and Rule 99 of the Parliamentary Rules of Procedure. This is pursued on the principle that a repealed law can only be reinstated through a Bill presented to Parliament which is provided for in our Constitution. We contend that Part II of the Act is thus null and void and all Amnesty Certificates issued after the lapse have no legal effect.

Dated at Kampala this **21st** day of **August 2014**

For further information Contact: Ms. Judith Aceng on 0702564064.

**Programme Officer International Justice - Advocates for Public
International Law Uganda**