

IN THE EAST AFRICAN COURT OF JUSTICE
FIRST INSTANCE DIVISION AT ARUSHA
REFERENCE NO OF 2023.

BETWEEN

SSEMAKULA ALI ABAAS.....1ST APPLICANT

NYINAWUMUNTU LEATITIA.....2ND APPLICANT

[suing on their own behalf and representing all parties interested in and being past and present MasterCard Multicurrency cardholders with I&M Bank Rwanda Plc]

AND

ATTORNEY GENERAL OF RWANDA.....RESPONDENT

I&M BANK (RWANDA).....1ST INTERVENOR

MASTER CARD (EAST AFRICA OFFICE).....2ND INTERVENOR

1ST APPLICANT'S AFFIDAVIT IN SUPPORT OF THE REFERENCE

I SSEMAKULA ALI ABAAS of Uganda do hereby solemnly swear and state THAT: -

1. I am an adult of sound mind and a Resident of the Republic of Uganda which is a partner state of the East African community, I was so on a travel to Rwanda on a visit in the month of January 2023.
2. The government of Rwanda has violated its own law (Article 29: Right to due process of law of Rwanda Constitution).
3. I was arrested without informing me of the nature and cause of charges and I was denied the right to defense and legal representation;
4. That after the complaint by I&M Bank Rwanda, I was arrested with my young sister on 9th January 2023 at Gatuna border on our way back home. We were four people in that car among us was a Rwandese guy who had MasterCard, we were all arrested on spot. I, my sister and another one guy didn't even have that MasterCard they were talking about, we tried our best to plead innocent but they couldn't care, therefore, I was detained for 2 months without trial denying us to appear before a competent Court;

5. I was arrested just because I was in the same car with someone who had requested a MasterCard and I was held liable for the act I did not commit despite that criminal liability is Personal;
6. That I wasn't released until they confiscated my travel document yet I had not stolen or conspired to commit fraud against I&M Bank Rwanda.
7. That after I was released temporarily and I had to flee from that country to avoid being arrested and detained again.
8. That after the complaint by I&M Bank Rwanda, the RIB (Rwanda Investigation Bureau) confiscated my cash worth 6,800\$.
9. That I lost my job which was paying 1,500\$ monthly salary.
10. My next of kin including my wife and children were not told why I had been arrested and my wife went to Rwanda Embassy in Uganda for inquiry and she didn't get any positive result on it.
11. This heinous act of not even allowing anyone to visit us in the cell left us haunted to the extent of having since nightmares till now.
12. That there were other people who were arrested and same injustices and human rights violations were done to them. I was personally tortured physically and mentally.
13. I swear this Affidavit from facts within my knowledge verily and conscientiously believing the same to be true save for matters deposed to on information and belief sources whereof and grounds whereupon I have duly disclosed.

**SWORN at Nairobi by the said
SSEMAKULA ALI ABAAS**

This 8th Day of October 2023

Before me:-

COMMISSIONER OF OATHS

DRAWN & FILED BY;

MCDONALD & CO. ADVOCATES

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NAIROBI.


DEPONENT

TO BE SERVED UPON

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