



**PRESS STATEMENT ON A PUBLIC INTEREST LITIGATION CASE ON THE CLOSURE OF UGANDA-RWANDA  
BORDER**

**For immediate release: 1<sup>ST</sup> July 2019**

The Eastern African Sub-regional Support Initiative for the Advancement of Women (EASSI); Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI)-Uganda and Center for Food and Adequate Living Rights (CEFROHT) have filed a Case against the Governments of Rwanda and Uganda in the East African Court of Justice (EACJ) over the continued arbitrary border closure.

Both the Attorney Generals of the Republic of Uganda and the Republic of Rwanda have been respectively served with a reference No. 13 of 2019 and notification on the 24<sup>th</sup> June 2019.

The border closure is in contravention of the Treaty for the establishment of the East African Community (as amended) and the Common Market Protocol. EASSI, SEATINI-Uganda and CEFROHT have filed a Public Interest Case and have received over 400 statements from the affected citizens of the EAC.

The three Civil Society Organizations demand that the East African Court of Justice (EACJ) pronounces itself on the continued impunity and arbitrary border closure. The Court should declare that this impunity must not be allowed to happen anywhere else within the EAC. We demand that court issues a permanent injunction against the governments of Rwanda and Uganda to never close border posts between themselves and ensure the free movement of persons and trade facilitation. The suit against the two governments is aimed at ensuring that the losses incurred by the business community and the society at large are audited and the concerned parties are adequately compensated.

We are concerned that the Women Cross Border Traders, who are recognized in the EAC Treaty by the Partner States as a vital economic link between agriculture, industry and trade are now being plunged into absolute poverty by the two governments of Uganda and Rwanda through the continued border closure. The women cross border traders in Katuna and Cyanika who have been working very closely with EASSI since 2011 have been forced to run away from their homes for fear of being arrested by financial institutions that gave them loans to run their businesses prior to the closure of the border.

The closure of the border has had far reaching effects on the lives and livelihoods of the business community, and has caused social and emotional distress among the local people, anguish and dislocation of families, deaths among others. There has also been losses incurred by the two

governments<sup>1</sup>, the Local Government Authorities, women cross border traders, transporters, Landlords, clearing agents, school owners, restaurants, lodging services operators and sex workers. The women cross border traders in Katuna and Cyanika are bearing the brunt of the border closure since they are dependent on the border businesses for their livelihoods and currently grappling to meet their basic necessities.

Literally, all business between Rwanda and Uganda continues to be at a halt and the border towns are almost ghost towns. The Small and Medium traders located at the border crossing points could not relocate to the distant Mirama Hills/Kagitumba border which was given as an alternative by the Government of Rwanda, hence the closure of their businesses.

According to the women cross border traders interviewed, majority were trading in perishable commodities and household items, with their customers being largely from Rwanda. Currently, Rwandan citizens are not allowed to cross into Uganda to purchase any commodities and Ugandans are not allowed into Rwanda to sell any goods. However, food stuffs are still being smuggled across the border since there is food shortage in Rwanda.

According to the Chairperson Kisoro, Mr. Abel Bizimana, *“the border closure is an unprecedented event in the history of the East African Community.... the most affected people are the small and medium businesses because of their limited ability to relocate to other border posts unlike other large traders. If this issue is not quickly resolved, people will revert to magendo (smuggling) which is dangerous to the people and the economy”*.

The Chairperson of Kabale District, Mr. Patrick Besigye Keihwa also noted that the heavy deployment of the military across the border has caused people to live in constant fear and uncertainty on the possibility of escalating hostilities between the two countries. He said *“When there is no peace, it is women and children who suffer because while the men may run away, the women have to still cater for their children and the needs of their families”*.

On 27<sup>th</sup> February 2019 the Government of Rwanda arbitrarily closed the border posts of Gatuna-Katuna and Cyanika in Kabale and Kisoro respectively. Other border crossing points of Buhita in Rubaya County and Kamwezi both in Kabale District which are affiliated to Gatuna-Katuna border post were also affected by the border closure.

Gatuna-Katuna border post has historically been the major crossing point for cargo trucks and cross border trade, both formal and informal, heading to Rwanda, Burundi and Democratic Republic of Congo. When the border was closed, the trucks were diverted to Mirama

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<sup>1</sup> Uganda has lost more than \$664 million worth of exports to Rwanda, while Rwanda has lost \$104 million during the three months of the border closure. See the East African, link



Hills/Kagitumba border which is 114 kms apart. The trucks allowed into Rwanda are only those for Transit goods to Burundi and the DRC.

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