



ONDUPARAKA FOOTBALL CLUB

Plot 56, Avenue, Cafeteria building Room 27, P.O.Box 646
Arua, Uganda Email: onduparaka@gmail.com
Tel: 0772900883 | 0777205360/0782516186/0772835100

24th June 2023

ANGUDUBO EMMANUEL
CITY TOWN CLERK, AYIVU DIVISION
ARUA CITY

Sir,

TAKEOVER OF THE MANAGEMENT OF ONDUPARAKA GROUNDS OTHERWISE KNOWN AS GREEN LIGHT STADIUM

Onduparaka Football Club is in receipt of your letter dated 23rd June 2023 as referenced in the subject above and thus responds as follows;

Background

Onduparaka FC received a letter from the Woman Member of Parliament of Arua City Ms Oloru Maureen requesting for the use of Ababet Greenlight Stadium on 18th June 2023 to host the Rt Honorable Speaker of Uganda with an anticipated number of citizens at the venue being 6000. In the same letter, the Member of Parliament(MP) committed to taking utmost care of the venue to avoid any damages and leave it clean. She further informed the club in the letter that despite formally seeking for permission for the said venue on the above date, **she had already informed the attendees of the said venue.**

Onduparaka FC through the CEO replied the same letter following an emergency stadium management committee meeting on 21st June 2023 stating the conditions for stadium hire which is a standard procedure based on various factors among others; availability, nature of activity, possible damages to property and public interest. Upon receipt of this letter, the MP contacted our stadium manager who after further consultation authorized the use of the facility which to our utter surprise, the MP rejected on grounds that she had identified an alternative venue (at the Catholic Church in Onduparaka).

Criminal Trespass

On 22nd June 2023 at around 10:00am, our stadium staff informed management of a break-in of the stadium by the Mayor of Ayivu Division, Mr Malon Avutia and security personnel who cut the padlocks of three gates namely; the main gate, the access gate to the dressing room and the access gate to the playing field. That the said personnel were accompanied by unknown persons who forcefully began to clear the playing field for purposes unknown. Following a phone call from the club Chairman, the division Mayor confirmed the break-in and called it a "security take-over". The club did not contest this criminal action of trespass as defined by the Supreme Court in case of Justine E.M.N Lutaaya Vs Engineering Co. SCCA no. 11 of 2002 ; trespass occurs **"when a person makes an authorized entry upon land, and thereby interfering, or portends to interfere, with another person's lawful possession of this land"**.

Trespass to land is criminal and we believe the actions described above tantamounted to criminal trespass for which the club will consider legal action and seek legal redress for costs to restoration, physical damage to property, loss of property, annoyance and discomfort and emotional distress.

Intended Takeover of Property

In the above referenced letter, you informed the club and other stakeholders (in copy) of the immediate takeover of the management of the stadium with immediate effect referencing section 34(1) of the Public Finance Act, 2015. This section of the Law as described is restricted to the assets within the possession of the accounting officer, moreover the division was established 2020 and the proposed mandate cannot be effected retrospectively . Ababet Greenlight stadium has been legally managed by Onduparaka FC for 12 years since 2010 through a mutual agreement with the Church of Uganda who possess the legal ownership documents of the same.



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Through this understanding, the said property is reserved strictly for sporting purposes and the Football club was permitted to develop the said property within the confines of the governing rules of Football and manage it in accordance with other internal policies. In honoring this agreement for the past 12 years, Onduparaka FC has never conflicted with the Church of Uganda pertaining to usage and management of the said property neither have there been conflicts with the school or any other local stakeholders.

We have reason to believe that your letter and intended actions contravene **Article 26(2)** ;

(2) No person shall be compulsorily deprived of property or any interest in or right over property of any description except where the following conditions are satisfied—

(a) the taking of possession or acquisition is necessary for public use or in the interest of defence, public safety, public order, public morality or public health; and

(b) the compulsory taking of possession or acquisition of property is made under a law which makes provision for—

(i) prompt payment of fair and adequate compensation, prior to the taking of possession or acquisition of the property; and

(ii) a right of access to a court of law by any person who has an interest or right over the property.

Moreover, Section 42 of the Land Act makes reference to the same provision which can only be effected when the terms above are legally met through the Courts of Law.

For avoidance of doubt, Onduparaka Football Club is not an illegal occupant of the said property, neither is the club in breach of the terms of the agreement with the church of Uganda. In the absence of legal ownership documents by the division and sanctioned by the courts of law, the club will continue to manage the said property in accordance with the existing mutual agreement and as such, we have notified the Ma'di and West Nile Diocese of your letter and we await a formal communication to guide the next steps. It is our sincere hope that as custodians of the law, you do not proceed with this illegality as it can be detrimental to our local community and the fraternity that has supported the club and the church as respectable stakeholders.

As a club that is founded on Christian Principles, we believe leadership is a service and must be exercised with utmost humility and understanding, we also believe that there are more civil ways of resolving conflict as opposed to rudimentary actions outside of the law which can be detrimental.

We look forward to our engagement with the church to harmoniously clarify on the erroneous conclusions we have witnessed in the past two days.

Yours Sincerely

ACHIDRI MICHAEL

Club CEO (Mob: **0782516186** E-mail: achidri05@gmail.com)



Cc: Management Onduparaka FC

Cc: Resident City Commissioner, Arua City

Cc: Deputy City Commissioner, Ayivu Division

Cc: Member of Parliament Ayivu West Division, Arua City

Cc: Woman Member of Parliament, Arua City



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Cc: His Worship the Mayor, Arua City
Cc: His Worship the Mayor, Ayivu Division
Cc: City Town Clerk, Arua City
Cc: Regional Police Commander, West Nile Region
Cc: City Internal Security Officer, Arua City
Cc: Division Police Commander, Ayivu West Constituency
Cc: Patron, Onduparaka Football Club, Arua City
Cc: Estate Manager, Madi and West Nile Diocese
Cc: Head Teacher, Onduparaka Primary School, Ayivu West Division
Cc: Chairperson School Management Committee, Onduparaka Primary School, Ayivu Division
Cc: Local Council I Chairperson, Oava Cell – Adalafu Ward
Cc: Onduparaka Football Club Fans & Supporters Management Committee
Cc: File Copy