AMONG, TAYEBWA ENDORSEMENT CASE DISMISSED

By Michael Odeng

The High Court in Kampala has dismissed an application challenging the endorsement of Anita Among and Thomas Tayebwa by the National Resistance Movement (NRM) for the positions of Speaker and Deputy Speaker of the 12th Parliament.

Jack Nsubuga, also known as, Mandela had challenged the decision of the NRM central executive committee (CEC) to endorse Among and Tayebwa for the top parliamentary positions.

INCOMPETENT APPLICATION

In a ruling delivered yesterday, Justice Collin Acellam of the Civil Division of the High Court held that the application filed by Nsubuga was incompetent over his failure to exhaust the party's internal dispute resolution mechanisms. "Internal party mechanisms should first be exhausted before seeking judicial intervention in political party affairs. The preliminary objections are accordingly upheld and the application is hereby dismissed," Justice Acellam ruled. He declined to award costs of the suit.

The judge observed that although the case raised issues concerning constitutional governance, internal political democracy and judicial review of political party processes, the applicant failed to demonstrate grounds warranting court intervention.

Justice Acellam noted that courts can still intervene in political party matters, where there is proof of illegality, or violation of constitutional rights, after internal remedies have been exhausted. "Where clear illegality, procedural impropriety, irrationality, or violation of constitutional rights is properly demonstrated after exhaustion of available remedies, courts retain jurisdiction to intervene in appropriate cases," he said.

REPRESENTATION IN COURT

The ruling was delivered in the presence of lawyer Usaama Sebuufu of K&K Advocates, who represented the NRM. Among was represented by MAGNA Advocates and Alaka and Company Advocates, while Tayebwa was represented by Ortus Advocates.



Among interacting with Tayebwa before one of the sessions in the outgoing 11th Parliament

« The applicant did not exhaust internal dispute resolution mechanisms.

The court agreed with the respondents that the applicant had not established sufficient standing to sustain the case in a representative capacity, which weakened the competence of the application.

According to the ruling, although Nsubuga claimed to have lodged complaints within the NRM structures regarding the endorsement process, he did not provide evidence showing the specific organs before which the complaints were pursued, the steps taken or the outcomes reached.

"In the circumstances of this case, I am not satisfied that the applicant demonstrated exhaustion of the internal dispute resolution mechanisms established within the constitutional framework of NRM before instituting the proceedings," Justice Acellam stated.

The court also found that the applicant had failed to establish a sufficiently justifiable public law controversy warranting the exercise of the court's supervisory jurisdiction.

BACKGROUND

Court documents indicate that on January 29, 2026, during a meeting held at State House Entebbe, the NRM CEC endorsed Among and Tayebwa as flag bearers for the positions of Speaker and Deputy Speaker of the 12th Parliament.

The endorsements were later published in the *Daily Monitor* and *New Vision* newspapers.

Nsubuga argued that the process denied other eligible members of the NRM Parliamentary Caucus an opportunity to express interest in the positions and violated principles of internal democracy and participatory decision-making.

However, through an affidavit filed by NRM director of legal affairs Enock Barata, the party defended the process, saying the CEC acted within its mandate and followed the party's constitution.

Barata described the application as speculative, embarrassing and based on falsehoods and hearsay, adding that the applicant had not exhausted remedies available within party structures.

RACE FOR SPEAKER

The election of the Speaker of the 12th Parliament.

Apart from Among, others who have declared interest include Justice Minister Norbert Mao, Persis Namuganza (an independent, but NRM-leaning legislator).

Other aspirants include, Lydia Wanyoto (Mbale City Woman MP-elect), Florence Akiiki Asiimwe (Masindi District Woman MP) and Alioni Yorke Odria (Aringa South MP).

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