

Entebbe Mayor rebels against M23 money tag

BY PAUL ADUDE

ENTEBBE. Entebbe Municipality mayor Fabrice Rulinda has vowed to appeal the High Court's Commercial Division judgment that dismissed his case against Stanbic Bank Uganda.

He had accused the bank of breaching its contract by reversing funds and freezing his account without consent or a court order.

On Monday, Justice Stephen Mubiru ruled that the bank acted within the law and dismissed Rulinda's claim with costs, after finding that a suspicious transfer of \$73,262.50 (over Shs276m) into his account could have been linked to financial dealings with the M23 rebel group in eastern DRC.

Mr Rulinda, however, insists he will take the fight to the next level.

"I was a client of Stanbic Bank in 2017, I had a transaction, and they took the money... That a bank can [now] decide and becomes the court, it can say this money came from witchcraft, this one here came from a bribe, this came from corruption [is unacceptable]," he said.

He added, "If Stanbic Bank really felt there was anything criminal that was done, they were not the courts to decide.

They should have gone to court or they should have asked whoever it is to go to court and the court decides on this matter."

Speaking alongside his lawyers, Mr Isaac Ssali Mugerwa and Mr Samuel Taremwa of Bluebell Legal Advocates, Mr Rulinda told reporters at the Municipal Council offices yesterday that the ruling was a "bad blow".

"The facts are that they broke the law, if they broke the law, how do we handle it, if we leave it this way and say fine, I have been dealt a bad blow, what happens to the next person..." he said.

Mr Rulinda argued that linking his funds to M23 rebels was simply a narrative spun to justify freezing his account.

"If the bank honestly, without prejudice, thought there was something wrong or the source of this money, what they could have done is they could have frozen that money, given it to the Central Bank and said when these things are sorted, the courts will determine who we give the money too," he said.

He further denied any dealings with the rebel group.

Mr Taremwa, one of his lawyers, said they had already formulated grounds for appeal. "What this means, if we do not appeal against such a decision, it means that anybody would

lose money in a bank and the bank would have the right to claim that the money was a result of proceeds of crime," he said.

Human rights lawyer Eron Kiiza warned that the judgment could be used as political ammunition against Rulinda.

"Once you are found guilty in an offence that entails fraud, it incapacitates your future political career for a good number of years..." he said.

Senior constitutional lawyer Peter Walubiri said the case hinges on how society perceives M23.

"The whole thing depends on what we perceive M23 as... it a genuine liberation organisation? Or is it a cause they are trying to fight? A justified cause? It's only after you answer that question that holistically you can either condemn or absolve this gentleman," he said.

Court documents show the disputed funds were part of two transfers by Green Global Corporation, which deposited more than \$496,000 (Shs1.8 trillion) into Rulinda's account within two days in August 2017.

The bank flagged the transactions as suspicious since the account had previously handled relatively small amounts. Shortly after, Rulinda withdrew large sums, including more than \$155,000 (Shs584m) in cash, and used part of the funds for travel and school fees.

Evidence also indicated that during police investigations, Rulinda admitted acting as an intermediary in a proposed DR C gold transaction.