

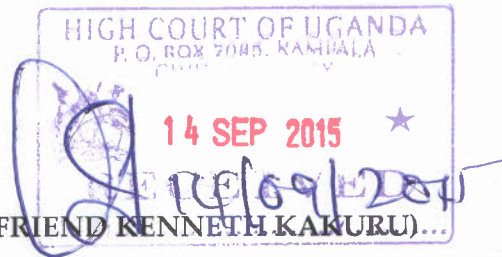
THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA HOLDEN AT KAMPALA
(CIVIL DIVISION)

HIGH COURT CIVIL SUIT NO. 283 OF 2012

1. NISI MBABAZI
2. JONATHAN ARUHO
3. MATAYO NATUMANYA
4. KIND DAVID TANDEKA

(ALL MINORS SUING BY THEIR NEXT FRIEND KENNETH KAKURU)...

5. GREEN WATCH PLAINTIFFS



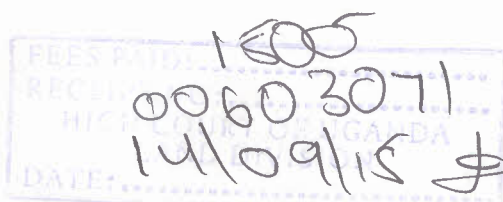
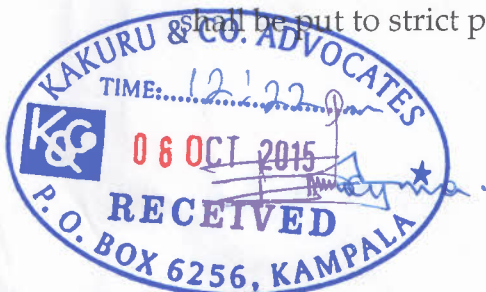
VERSUS

1. THE ATTORNEY GENERAL
2. THE NATIONAL ENVIRONMENT

MANAGEMENT AUTHORITY..... DEFENDANTS

WRITTEN STATEMENT OF DEFENCE

1. Save wherein expressly admitted, the 2nd defendant denies each and every allegation contained in the plaint as if the same were set forth Verbatim and traversed seriatim.
2. The second defendant admits the contents in paragraphs 1,2,3 and 4 of the plaint and adds that, its address of service for the purpose of this suit is plots 17/19 /21 Jinja Road, P. O box 22255 Kampala.
3. The 2nd defendant makes no admission to the contents of Paragraph 6 (a)(b) (c) (f) (g)(i)(j)(k) of the plaint, and the plaintiffs shall be put to strict proof of the allegations therein.
4. Paragraph 7 of the plaint is not admitted by the 2nd defendant, and the plaintiffs shall be put to strict proof of the allegations therein.



5. The second defendant makes no admission to allegations contained in Paragraphs 8 and 9 of the plaint and the plaintiffs shall be put to strict proof thereof.
6. In specific answer to Paragraphs 8,9 and 13(e) of the plaint, the 2nd defendant contends that in collaboration with other relevant government Agencies, the government already has an approved National Climate Change Policy to address issues regarding Mitigation and Adaptation of climate change.(*See the Uganda National Climate Change Policyherein Annexed as "A"*)
7. The second defendant makes no admission to wild speculations contained in paragraphs 10, 11, and 12 of the plaint and the plaintiffs shall be subjected to strict proof of the allegations therein.
8. The second defendant in specific answer to paragraph 11 of the plaint contends that, the event and or incidents listed therein are speculative, and mere newspaper fabricated stories on which a preliminary objection shall be raised at the trial of this suit.
9. Notwithstanding paragraph 9 of the 2nd defendant's written statement of defense, in further answer to paragraph 11 of the plaint, the 2nd defendant shall further contend that, even if the events or incidents alluded to therein were to be true, the same were as consequence of an Act of God, geographical and geological processes for which negligence cannot be attributed to the second defendant.
10. The second defendant makes admissions to paragraph 13 in so far as the doctrine of public trust is concerned in theforestated provisions of the law, and has at all material times upheld the same.
11. Save for the statutory mandate of the 2nd defendant, in accordance with the constitution and the National Environment Act, Cap 153, the 2nd defendant denies the contents of paragraph 13(g) and (h) of the plaint and the plaintiffs shall be subjected to strict proof of the allegations therein.
12. In further answer to the allegations contained in paragraph 13(g)and (h)of the plaint, the second defendant has at material times executed its mandate, and has

always ensured a right to a clean and healthy environment of the present and future generation.

13. Save for the jurisdiction of this court, the second defendant makes no admission to reliefs, orders, or declarations being sought in the plaint and it shall contend that, the plaintiffs are not entitled to any remedy/relief on the account of the foregoing defence.

WHEREFORE, the second defendant prays that this honorable court;

- (a) Dismiss the suit against the 2nd defendant for being frivolous and vexatious.
- (b) Costs of the suit are provided for.
- (c) Any other remedy that court may deem fit, but not detrimental to the second defendant.

DATED at Kampala this.....14th.....day of.....September.....2015.

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COUNSEL FOR THE 2ND DEFENDANT

LODGED in the Registry of this honorable court this.....54.....day of.....2015.

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DEPUTY/ASSISTANT REGISTRAR

Drawn and filed by:
LEGAL CHAMBERS,
NATIONAL ENVIRONMENT
MANAGEMENT AUTHORITY
P. O BOX 22255
KAMPALA