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Foreword



To our esteemed readers and partners, warm greetings from the Electoral Commission. We are honoured to reach out to you once again through this newsletter.

In this edition, the Commission will share with you the continuous effort being made to improve the delivery of electoral services through revision of certain sections of the electoral laws.

I would like to thank our various stakeholders, including political parties/organisations, civil society organisations, the international community, voters, and the government for pointing out certain provisions within the existing electoral laws for amendment.

On our part, the Commission has also identified various areas in the electoral laws which have posed practical and legal challenges to our work. These findings have been forwarded as proposals for necessary amendment.

The Commission believes that if these proposals are considered, an improved and favourable environment for future elections will be achieved, hence contributing to the overall quality of elections in Uganda.

This edition will also give clarification on certain proposed areas for amendment which have raised concern among some members of the public.

As managers of the electoral process, the Commission has had practical implementation problems with some of these provisions. We are, therefore, well-intentioned in the effort to have these 'problematic' sections of electoral laws amended.

There is no doubt that if we walk and work together, we shall go a long way in improving and strengthening democratization and good governance in Uganda. I, therefore, appeal to you as you read this edition, to be part of this cause.

For God and my country,

Sam A. Rwakoojo
Secretary,
Electoral Commission

Our Mission: To organise and conduct regular, free and fair elections and referenda professionally, impartially and efficiently

Our Vision: To be a model institution and centre of excellency in election management

Schools to teach voter education



The Electoral Commission has been working with the Ministry of Education and Sports, through its relevant department National Curriculum Development Center (NCDC), to integrate voter education in the school syllabus in Uganda.

On Thursday 2nd April 2009, the project to implement the integration was officially launched at the NCDC headquarters in Kyambogo.

The Chairman, Electoral Commission, Eng. Dr. Badru Kiggundu (above) described the integration project as a long term strategic objective to ensure that all Ugandans of six years of age acquire core knowledge about elections and democracy.

The integration of voter education in the school curriculum at Primary and Secondary level is expected to result into the development of basic democratic values and principles among the citizens, which are invaluable in achieving effective participation in decision making for the good governance of Uganda.

The Commission acknowledges the support of the European Union towards implementation of this project.

Voter Education Project kicks off



On 23rd and 26th February, 2009, the Commission officially launched the European Union Voter Education funded project in Northern Uganda (Arua and Lira Districts). The project's aims are to improve voter education starting with the war affected areas.

According to Molly K. Nawe, Head, Voter Education and Training (above), the following activities are to be conducted under the project and in a period of one (1) year:

- 1) Integration of Voter Education into Functional Adult Literacy Education (Retreat for Mainstreamers)
- 2) Integration of Voter Education into the Primary and Secondary School curriculum (Four-Seven)
- 3) Voter education in selected secondary and tertiary institutions in the Northern Region targeting the youth
- 4) Face to face interaction with voters in the Eastern region.
- 5) Procurement of a Film for Voter Education purposes.

The Commission is very grateful for the European Union support and calls upon all concerned stakeholders to participate and cooperate accordingly, to ensure success of this initial undertaking.

EC Concludes Local Council By-elections



The Electoral Commission successfully conducted elections and by-elections during the month of May 2009, to fill existing vacancies at Local Government level that occurred after the 2006 General Elections.

Polling was conducted on 21st May 2009 at two thousand eight hundred polling stations in eight hundred and forty (840) parishes spread over two hundred and seventy-five (275) sub counties in seventy-five (75) districts.

Some of the vacancies in the electoral areas above occurred due to lack of nominated candidates in 2006, resignations and/or deaths of elected councillors, and as a result of newly created Local Government units such as Town Councils and Sub Counties.

Other vacancies occurred due to the most recent creations of Administrative Units by the Local Government Councils/Ministry of Local Government and failure to realise any candidates during the recent nominations.

**Visit us at
www.ec.or.ug**

Exempt EC from liability over unqualified candidates

Isaac Were

As an election official, I have often had a difficult time explaining to some sections of the public why persons with disputable academic documents end up being nominated by the Electoral Commission to contest as candidates during public elections. Some have never been satisfied with my explanation that the Commission has neither the mandate to determine the authenticity of academic documents nor to certify them.

The electoral laws specify academic qualifications for elective positions at District Chairperson, Parliamentary and Presidential level to be a minimum of Advanced Level or its equivalent.

The following categories of qualifications require verification and certification as (equivalent of) advanced level standard of education or its equivalent by the National Council for Higher Education (NCHE) in consultation with the Uganda National Examinations Board (UNEb).

- Academic degrees obtained outside Uganda
- Advanced Level qualifications obtained outside Uganda
- Qualifications accepted as equivalent to Advanced Level education from within or outside Uganda.

This certification issued by the NCHE shall be sufficient in respect to any election for which the same qualifications is required.

Academic qualification, however, is susceptible to misinterpretation, and



as noted by several court rulings, remains a fundamental problem. Persons who forge academic papers have many times been cleared by the NCHE to stand as candidates in public elections.

I believe that the EC has been receiving undue bashing; and I am glad that it is now seeking for an amendment to be exempted from liability if a person who is not qualified is nominated (by EC) on the basis of academic certificates approved by the NCHE.

It will, therefore, be fair if the electoral laws are amended to exempt the Commission from liability where a person otherwise not qualified is nominated on the basis of academic documents certified by educational institutions and/or the NCHE.

I also applaud the EC's proposal that such academic institutions and/or the NCHE should also be made (a) statutory respondent(s) to any petition where academic qualifications are challenged.

But even then, it is not enough for the EC to be exempted from liability only for another institution financed by tax payers' money to spend on what could have been avoided. We should not aim at saving the Commission only to discredit the NCHE.

Apparently, one of the causes of voter apathy is a discontent with gaps in electoral laws, which, for example, enable a person with disputed records to contest. As a result, some voters tend to abstain from voting in a by-election where a candidate stands again, when his or her illegal actions had led to nullification of the previous election results.

We should, therefore, all work towards eliminating the problem of questionable academic qualifications in elections. But above all, Parliament should heed the Commission's call to enact necessary deterrent legislation.

As a measure to curb such abuse, legislators should seriously consider amending the law so that anyone who forges academic documents shall on conviction, be liable to a fine or imprisonment for a specified term, and in addition to the imprisonment, be disqualified for a period of at least five years from the date of his/her conviction from running for an elective office.

The author is an Election Officer, Public Relations. He is a qualified teacher with a Diploma in Education and also holds a BA in Social Administration.

The Electoral Commission congratulates all the registered political parties that have so far conducted and concluded their Annual General Conferences and election of new office bearers. The leadership and members are urged to play their constitutional role in ensuring free and fair elections and referenda in Uganda.

Set realistic time for submitting election reports

Charles Willy Ochola

One of the most misunderstood proposals for electoral reforms presented by the Electoral Commission concerns the declaration of election results.

Section 56 of the Presidential Elections Act, details the documents which must be received by the Electoral Commission from the District Returning Officer:

- “(1) Each Returning Officer shall, immediately after the addition of the votes under Section 54 (1) declare the number of votes obtained by each candidate and also complete a return in the prescribed form indicating the number of votes obtained by each candidate.
- (2) Upon completing the return under subsection (1) the Returning Officer shall transmit to the Commission the following documents:-
- (a) the return form;
 - (b) a report of the elections within the returning officers electoral district;
 - (c) the tally sheets; and
 - (d) the declaration of results forms from which the official addition of the votes was made.”

During the Presidential Election Petition No. 1 of 2006, the Petitioner (Kiiza Besigye) claimed that the Electoral Commission could not have validly ascertained the results without the report of the elections within the Returning Officers electoral district.

In its defence, the EC submitted that it was impracticable to receive all the reports from the Returning Officers before the results could be declared within the time limit of forty-eight hours.

The judges considered the provisions of the law and the difficulties that would arise in requiring the reports to be submitted within 48 hours, and held that the election reports were not pre-requisites for a valid declaration of results.

Nonetheless, the Commission considered the concerns raised in the petition, and has now presented a proposal to increase the time required for submission of election reports:

All the electoral laws provide in mandatory terms that election results shall be ascertained and declared by the Electoral Commission within 48 hours of closure of polling. Thereafter, the Returning Officers must prepare and submit a report on the elections in their area together with the results.

As a former Returning Officer, I know the difficulty in preparing the election reports within the same period as the results. What the public needs to appreciate is the fact that an election is not a one day event, but a process involving activities like recruitment and training of election officials, voter registration, display

of the Voters' Register, issuance of Voters Cards, nomination of candidates, campaigns, polling, tallying and declaration of results. It is certainly understandable that a Returning Officer may not be able to write a report on all those activities and submit it together with the results in 48 hours.

Therefore, I support the EC's proposal that the electoral laws be amended to increase the period for submission of reports of Returning Officers to 1 week after polling.

This should not be misunderstood: it is clear that the proposal does not call for lengthening the period for declaration of results from 48 hours (equivalent to 2 days) after close of polls to 1 week (which is equivalent to 168 hours or seven days)! Rather it seeks to lengthen the period for submission of election reports from 48 (2 days) hours to 168 hours (7 days).

The author is Acting Principal Public Relations Officer, Electoral Commission, and was Returning Officer for Bushenyi, Kotido and Mukono, electoral districts, between 2000-2004



EC proposals show respect for judicial rulings

COURTESY PHOTO

Bukenya Paul

The first impression I got after studying the proposed amendments of some provisions of the electoral laws, was that the Commission has positively portrayed itself as an institution that respects and is responsive to judicial rulings.

For example, the Supreme Court judges in the Presidential Election Petition No 1 of 2006 (Kizza Besigye vs. Yoweri Museveni) were unanimous in their findings of disenfranchisement by deletion of voters from the Voters' Register.

Section 25(2) of the Electoral Commission Act Cap.140 provides that before any election is conducted, the Voters' Register shall be displayed for a period of at least 21 days.

But our experience is that the Commission, mainly due to other time frames stipulated by the law in the conduct of elections, is often at pains to meet this requirement.

The Supreme Court ruled that the above law on display of the Voters' Register does not provide for natural justice to voters before deletion from the Voters' Register.

Accordingly, the Commission is proposing that Section 25(2) be amended to reduce the display period to 15 days.

It is further proposed that after the 15 days of display, another 5 days be enacted to accommodate a further display of those persons rec-

ommended for deletion from the National Voters' Register.

It is important to consider all electoral laws that require amendment now because it will minimize incidences of petitions before and/or after the 2011 polls. Timely amendment, for example, means the Commission will avoid any delays or even unnecessary rush (read panic) which can easily disorganize any election cycle.

I also consider the ongoing process as an indicator of increasing awareness of rights, duties and responsibilities; indeed it says a lot about our political maturity. Uganda does have a history of elections; however, we should continuously learn from challenges encountered in a given election.

It should be noted that electoral reform is not unique to emerging democracies alone. Election managers in established democracies, for example, India and the USA, have encountered new challenges, which have been corrected through the



Uganda's Chief Justice, Bejamin Odoki, led the Panel of 7 Judges.

necessary legal revision and technological innovation.

We should anticipate more changes in the near future as innovations in information and communication technology continue to permeate the different aspects of our lives.

The author is Election Officer, Public Relations. He holds a BA (Arts) and has 10 years experience in media and public relations.

Why the military should not be denied the right to vote

Memory Nimurungi

One of the most debated issues in Uganda's electoral process concerns the involvement of the military in elections. The term military is used to generally refer to the men and women in Uganda Peoples' Defence Forces (UPDF).

This debate mainly hinges around a supposition that the military, by virtue of sworn allegiance to the Commander-in-Chief, are a partisan institution. Hence, it is presumed that they tend to work towards determining the results of a given election - often through coercive means - in favour of the incumbent party or government. For this reason, the argument goes, the military should not participate in elections.

It is further argued that the military should not even be represented in Parliament, as they comprise a non-partisan institution that should show no political alliance.

PHOTO: NEW VISION



A soldier casts his vote at a polling station near a military barracks. Notice the other soldiers lining up with civilians.

This article shall focus on the first issue, which by implication, aims at denying persons serving in armed forces from exercising a fundamental constitutional right.

General elections are held under the principle of universal adult suffrage. This means that the right to vote is not restricted by race, gender, belief or social status. Exceptions are only made to non-citizens, the under-aged and incarcerated persons.

There is no constitutional basis on which to deny Ugandan citizens of 18 years and above, their right to register and vote in public elections.

I think the public should not demand to know which candidate military personnel have voted for, as this will undermine the principle of secrecy of the ballot. This is taking transparency too far.

Politicians and civil society organisations have been calling for revision of electoral laws to allow prisoners to vote. If a person behind bars can be considered for voting, how much more a free citizen, who spends days and months in the trenches, defending the nation. Military personnel are free men and women, and I think we should not isolate them from such a decisive exercise as elections.

I think it is not beneficial to this nation if we antagonize the military to the point of denying them what is a basic right. That would be disenfranchisement, which is unconstitutional. Politicians and the

public should show respect for the military; they should not be denied their right to vote. The people we should take off our National Voters' Registers are the dead, under-aged, non-citizens, and take action against those who register more than once.

The author is a Mass Communication Student at Uganda Christian University, Mukono.

Did you know...?

- That military rules all over the world limit civilian activities, including holding political rallies inside barracks for security reasons? Accordingly, it would be inconsiderate for a candidate to demand to hold a political rally inside a military barracks. The same rules apply to other sensitive establishments like hospitals and prisons.
- That one way voters residing or working in such restricted places get the information they need to make right decisions on polling day includes the print and electronic media, posters and leaflets?
- That electoral law prohibits setting up a polling station in a military facility or barracks? Hence, while soldiers can register to vote, they can only cast their ballot at a station near the quarter-guard, which means the voting is done in public view.
- That military personnel are always on the move, and are actually more likely to miss casting their ballot than any other people? While the ordinary Ugandan is casting his/her vote, the soldier is in a trench somewhere to ensure the country is secure.
- That some countries, including Ghana, have made laws providing for advanced voting, whereby members of the security forces, medical personnel and election officials can cast their ballot in advance, so that they are free to provide needed services on polling day?
- That when registering as voters, the titles and ranks of military personnel are not included in their particulars?
- That military personnel residing outside the barracks can register and vote from where they reside, or originate?

The role of successful elections in development

Stuart Sebuunya

Development incorporates the political, social, economic and psychological transformation of society; it involves improvement in the quality of life of the entire population.

A successful and credible election restores confidence and dignity of the people plus motivating them to act in their own interest, and it is only such a society that can attain development. Hence a successful election becomes a pillar of development in society. In some countries the level of development is measured by participation of people, particularly women and youth in the electoral activities.

According to The Universal Declaration of Human Rights, Article 21 Clause 3, it is stated that:

The will of the people shall be the basis of the authority of government. This shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedure.

Article 1 Clause 4 of the Constitution of the Republic of Uganda, 1995 states:

The people shall express their will and consent on who shall govern them and how they should be governed, through regular, free and fair elections of their representatives or through referendum.

The brains behind the Universal Declaration of Human Rights recognized that, participation of people in the political process through elections is critical to the realization of peace

and development. Equally the makers of the 1995 Constitution, in their wisdom, embraced the fact that, the right to vote, peace and development are inseparable attributes.

Conduct of successful elections involves the cooperation of citizens, political parties, the press and the entire civil society. The people will transform themselves from being watchdogs of the electoral process to watchdogs of the development process. Leaders at all levels will channel all the resources to development. Successful elections will have ignited the development process.

After a credible election, winners and losers will view themselves as

being part and parcel of a successful electoral process. The population will accept results of credible election as a truly people's verdict. Then all people will concentrate on investment, each according to his ability. In the process society will slowly but steadily attain development in the various fields.

A successful election plays a key role in the stability of any country on earth, because stability and development are twin brothers. A case in point is Mozambique, which had a long period of political instability; after the war, elections were successfully organized, and the country has since experienced stability

Continued on page 18

PHOTO: PAUL BUKENYA



A voter casts a ballot during a Parliamentary by-election. Few voters realise the importance of their choice in determining the stability and development of their country.

Facts you must know about Uganda women emerging in democracy

Charles W. Ochola

Participation of Ugandan women in Politics has been on the rise since 1955 when the first Woman MP was elected to represent Kampala's Central District (Mengo) in the Legislative Council.

Women's emergence in Uganda's Democracy was then boosted by Article 33 of the Constitution (1995), which recognises that "women shall have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities."

This Article is further qualified that "women shall have the right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom and prohibits all laws, cultures, customs or tradition which are against the dignity, welfare or interest of women or undermine their status"

Although the level of women's participation in politics is still marginal, right from the village level up to the District Council, and to Parliament it should be highlighted that the legal requirements of councils

having 30% of Women Representation has brought in more women on the respective Councils/Parliament. The Parliament should be recommended for this affirmative action because it will go a long way in engendering Uganda's Development and Democracy.

It should be noted that although society's attitude is gradually changing towards Women Politicians, more effort should be made towards building the women's capacity to accept the challenges of leadership.

Today, facts available on Women Representation in National Assembly are as follows

	Nature Of Assembly	Period	Number of MPs	Total Number of Women
1.	Legislative Council	1955 – 1958	60	2 members (Pumla Kisosonkole & Babra Saben)
		1959 – 1960	60	3 members (Joyce Mpanga, Frances Akello & Sarah Ntiro)
		1960 – 1961	60	1 member (Eseza Makumbi)
2.	National Assembly	1962 – 1966	92	1 member (Sugra Visram)
		1966 – 1971	92	1 member (Florence Lubega)
3.	Military Council	1971 – 1979	No Parliamentary Representation	
4.	National Consultative Council	1979 – 1980	156	2 members (Rhoda Kalema & Geraldine N. Bitamazire)
5.	National Assembly	1980 – 1985	126	1 member (Theresa Odong Oduka)
6.	Military Junta	1985 – 1986	No Parliamentary Representation	
7.	National Resistance Movement–Historical	1986 – 1989	31	4 members (Olivia Zizinga, Gertrude Njuba, Janat Mukwaya & Rhoda Kalema)
8.	National Resistance Council	1989 – 1994	280	50 members
9.	Constituent Assembly	1994 – 1995	283	44 members
10.	National Assembly	1996 – 2001	279	52 members
11.	National Assembly	2001 – 2005	295	72 members
12.	National Assembly	2005 – 2011	320	96 members

Source: Parliamentary Hansard and articles written by the author in the course of his 30 years of journalism practice.

Laughter Break

At the height of a political corruption trial, the prosecuting attorney attacked a witness. "Isn't it true," he bellowed, "that you accepted five thousand dollars to compromise this case?"

The witness stared out the window, as though he hadn't heard the question.

"Isn't it true that you accepted five thousand

dollars to compromise this case?" the lawyer repeated loudly.

The witness still did not respond.

Finally, the judge leaned over and said, "Sir, please answer the question."

"Oh," the startled witness said, "I thought he was talking to you."

Source: Internet



Other proposed areas for amendment of electoral law

Concerning by-elections for District Chairpersons

Section 171 of the Local Governments Act was amended to the effect that a by-election for District Chairperson shall be conducted within 60 days from the occurrence of the vacancy. Previously it was 6 months. In practice it is difficult to squeeze electoral activities for an entire district especially those with more than two counties in 60 days for the following reasons:

- i. The same section provides that where the office of a chairperson becomes vacant, the clerk to the council shall have up to 21 days to notify the Commission of the vacancy. That reduces the statutory period to just 39 days;
- ii. Section 25 of the Electoral Commission Act requires the voters' register for every election to be displayed for not less than 21 days prior to polling. That reduces the statutory period further;
- iii. Unlike Parliament, a District can function without a Chairperson since it has a Vice Chairperson and a Council of elected leaders. The absence of a Chairperson does not therefore deprive the district of representation unlike Parliament (for which statutory period for by-election is 60 days).
- iv. The electoral area for the entire district is much bigger than a parliamentary constituency, for instance.

Recommendation

The Electoral Commission proposed that the Local Governments Act be

amended to reinstate the 6 months period for the conduct of by-elections for District Chairpersons.

Concerning late enactment of electoral laws and regulations

Given the fact that Electoral Commission conducts elections/referenda within statutory time frames, late enactment of enabling laws and regulations creates problems in implementation of the relevant provisions of the said laws. For instance, the electoral laws for the February, 2006 general elections were enacted as late as November, 2005 and some of the provisions were rendered nugatory.

Recommendation

In light of the above, the Electoral Commission proposed that an amendment to the Electoral Commission Act should be enacted to enable the Commission to defer the implementation of any legislation relating to electoral matters passed by Parliament less than one year prior to the latest date for a Presidential, Parliamentary or Local Government/Council polls. Such legislation should come into force only for subsequent elections.

Concerning issuance of Duplicate Cards

Section 27(1) of the Electoral Commission Act provides that where a voter's card is lost, destroyed, defaced, torn or otherwise damaged, the voter shall at least seven days before polling day notify the Return-

ing Officer or other duly authorized officers stating the circumstances of that loss, destruction, defacement or damage.

Section 27(2) provides that if the Returning Officer is satisfied with the circumstances stated above, he shall issue a duplicate copy of the voters' original card.

Section 27(3) provides that no person shall issue a duplicate voter's card to any voter on polling day or within seven days before polling day.

There is no contradiction in the above stated provisions of the law. However, the said provisions are self defeating. What is the purpose of reporting loss or destruction of a voter's card at least seven days before polling day if a duplicate copy cannot be issued within that time?

Recommendation

The Electoral Commission proposed that;

- (i) Section 27(1) be amended to reflect a period of at least 3 months before polling day, in which duplicate voter's cards can be applied for; and
- (ii) Section 27(3) should be amended such that issuance of voters cards, whether original or duplicate ceases at the end of display period.
- (iii) The section should also be amended to include a requirement to report and obtain a report from the Uganda Police as well as payment of a fee for the replacement.

As a UNV volunteer, I have learnt to respect and have tolerance for multi-cultural diversity. I cherish and value the principle of unity in diversity because it promotes peace, democracy and development in our communities so together let's volunteer as individuals and as society to enhance social cohesion and enrich our communities.

Caroline Alice Onekalit, District Registrar, Amuria)



L-R 1st on front row EC's Caroline Alice Onekalit (DR Amuria), 2nd row 3rd EC's Charles Ntege (DR Bushenyi) among the UNV Team to Sierra Leone March-August 2008. (Courtesy photo).



PHOTO: ISAAC WERE

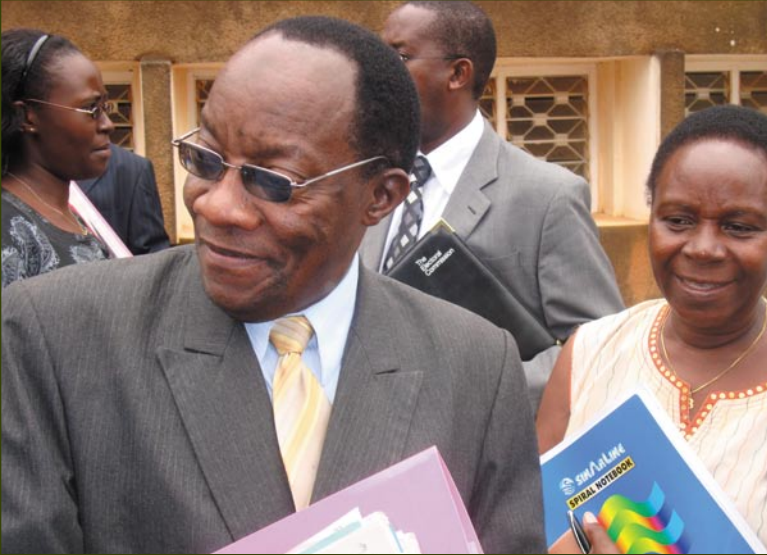
EC staff follow proceedings during the Annual General Meeting of the EC Savings and Credit Co-operative Society held in March, 2009. The SACCO started in 2003 and now boasts of 400 members.



PHOTO: PAUL BUKENYA

A pupil of Kabojja Junior School reads through a voter education booklet during an educational tour of EC facilities on 24th March, 2009.

PHOTO: CHARLES WAMBUZI



EC Chairman, Eng. Dr. Badru M. Kiggundu and Mrs. Edinace Bakehena, Specialist, Early Childhood Development, National Curriculum Development Centre, after the launch of the project to integrate Voter Education in the school curriculum on 2nd April, 2009.

PHOTO: ISAAC WERE



A section of newly recruited staff listening to a presentation during the induction, March, 2009

PHOTO: ISAAC WERE



Participants discuss outreach strategies after launching the Voter Education Project for Northern Uganda in Arua town on February 23, 2009.

PHOTO: BUKENYA PAUL



The Electoral Commission successfully conducted elections and by-elections during the month of May 2009, to fill existing vacancies at Local Government level that occurred after the 2006 General Elections.

PHOTO: BUKENYA PAUL



Mr. Francis Peter Ojede (right), formerly Head/HRM, hands over office to Mr. James Niwamanya (left), now Ag Head, HRM under the watchful eye of Mrs. Jovita Byamugisha, Director Finance & Administration on 12th June, 2009. Mr. Ojede joined Electoral Commission service in 2003.

A Call for Articles

The Editorial Board of The EC Bulletin invites articles for possible publication in the next edition of the newsletter.

Articles may also be written on any topic related to the electoral process, democratisation, constitutionalism, and other social/human interest areas, and should be a maximum of 1,000 words.

Contributors are encouraged (where it is possible) to accompany their articles with photographs, illustrations and other graphics to add value to the text.

All contributions should be forwarded to the Editor, 'The EC Bulletin'.

Letters to the Editor

Party representation on Electoral Commission not a solution

Dear Editor,

I have been closely following the debate and calls for amendment of the law so that political parties can have representation on the Electoral Commission.

It is argued that the Commission in its present set-up, is pro-government and therefore against the opposition.

It has been suggested, for example that the opposition can take three slots on the Commission, the ruling party three, while two are reserved for people with proven integrity like former judges. Except for the ruling party which can easily appoint the three, this proposal does not mention the criteria for selection of the other members. It is important to note that the number of registered political parties is now 36.

We should be cautious here: first, the debate creates an impression that this composition would be 'inclusive', which is actually deceptive; such a Commission would be clearly 'partisan' where each delegate has to protect the interest of his/her own party.

Secondly, I think Ugandans are trying to re-invent the wheel; it is a common and constitutional practice in both advanced and emerging democracies for the top executive to appoint office bearers in institutions like the judiciary, and on statutory commissions. I think what we need to do is to ensure that appointment procedures are tightened and only competent persons, of proven integrity, are appointed.

Thirdly, the debate is very popular because it serves good political purposes, but perhaps few have con-

sidered the legal implications this arrangement may create. It is not true that all parties in the opposition always agree, and certainly I do not anticipate 'exceptions' when it comes to decision-making at the EC. I can imagine situations where upon disagreement, the Commission has to take a break so members can go back to consult their party leaders on the way forward. In the worst case scenario, veto powers may lead to delays, which can lead to constitutional crises.

In my opinion, what we need to do as Ugandans of different political spectrum is to strengthen and maintain the independence of the Electoral Commission. It should stay independent from political parties and other authorities.

Musimenta Aaron

Uganda Christian University, Mukono



PHOTO: NATTY DREAD



Use the new technology to enhance voter awareness

Dear Editor,

The EC recently launched a campaign to increase awareness of electoral process and voting rights, especially among students and illiterate adults. This is timely intervention given that 2011 general elections are not very far.

But I think this initiative can achieve more results, for example, if the EC engages book-manufacturing companies to put voter education messages on the covers of exercise books. The murals on the EC perimeter wall provide very good artwork, with strong visual appeal to both the young and the old.

I further suggest that this artwork should be painted on all upcountry offices, with text in the local languages so that locals in the respective areas can read and understand.

Nsuube Richard, Assistant District Registrar/Arua



Thanks to you, EC!

Dear Editor,

I would like to appreciate the Electoral Commission for giving me the opportunity to train in this honourable institution.

Besides my training in the area of records management, I was able to learn other things related to management in the context of a large organisation. These include customer care and public relations, communication and inter-personal skills. Besides academic benefits, I will always value the parental words and guidance imparted to me by the staff.

Certainly, my time at the Commission has helped transform me into a better student, citizen, and future manager in Uganda.

**Nyamer Phillian,
Librarianship and Information Science
Uganda Christian University, Mukono**



Forever grateful

Dear Editor,

Allow me through this publication to express my gratitude to Management and staff of the Electoral Commission for the kind reception and support given to me during my internship training.

My stay at the Commission has enriched my understanding of procurement procedures and challenges, especially in large organisations.

I am glad that I was also able to learn about elections and election management.

I pledge to be an ambassador and help many understand the electoral process in Uganda.

**Ongaria Ezra
Uganda Christian University,
Mukono**

Other interns trained at EC during the period January - April, 2009 are Nancy Aiita, Sarah Kyobe Nanteza, Linda Amaniyo and Ricks Gombya, all 3rd Year students from Mass Communication Department of Uganda Christian University Mukono.

Laughter break...

There was once a young man who, in his youth, professed his desire to become a great writer.

When asked to define "great" he said, "I want to write stuff that the whole world will read, stuff that people will react to on a truly emotional level, stuff that will make them scream, cry, howl in pain and anger!"

He now writes error messages for Microsoft Corporation.

Congratulations!

About Barack Obama

Barack Hussein Obama II was born on August 4, 1961. He is the 44th and current President of the United States. He is the first African American to hold the office. Obama was the junior United States Senator from Illinois from January 2005 until November 2008, when he resigned following his election to the presidency.

Obama is a graduate of Columbia University and Harvard Law School, where he was the first African American president of the Harvard Law Review. He was a community organizer in Chicago before earning his law degree. He worked as a civil rights attorney in Chicago and also taught constitutional law at the University of Chicago Law School from 1992 to 2004.

Obama served three terms in the Illinois Senate from 1997 to 2004. Following an unsuccessful bid for a seat in the U.S. House of Representatives in 2000, Obama ran for United States Senate in 2004. His victory from a crowded field in the March 2004 Democratic primary raised his visibility, and his prime-time televised keynote address at the Democratic National Convention in July 2004



The EC Bulletin joins the rest of Africa in congratulating Barak Obama on his election as President of the United States of America (Courtesy Photo).

made him a rising star nationally in the Democratic Party. He was elected to the U.S. Senate in November 2004 by the largest margin in Illinois history.

He began his run for the presidency in February 2007. After a close campaign in the 2008 Democratic Party

presidential primaries against Hillary Rodham Clinton, he won his party's nomination, becoming the first major party African American candidate for president. In the 2008 general election, he defeated Republican candidate John McCain and was inaugurated as president on January 20, 2009. (internet sources)

Some facts about the US Presidency

- When William Henry Harrison was inaugurated on 4th March, 1841, he declined the offer of a closed carriage and rode instead on horseback to the Capitol, where he delivered the longest inaugural address in US history (8,445, taking more than an hour) in the bitter cold weather. He returned to the White House, again on horseback, according to a disputed legend, caught a cold that turned into pneumonia. Not disputed is the fact that he died one month later on April 4, after the shortest presidency in US history.
- George Washington was a man of few words but won the campaigns and became the 1st American president. He gave the shortest inaugural address in US (and perhaps world) history: 135 words!
- Gerald Ford is the only unelected President of the United States; he assumed the Presidency upon the resignation of Richard M. Nixon. Facing impeachment proceedings for his role in the Watergate scandal and alleged cover-up, Nixon resigned on August 9, 1974.

Demarcation of Local Government Electoral Areas

How the Women Quota is arrived at

A Case for Election of Women Councillors to Sub County/Municipal/Town Division Councils

By Cyprian Ogwang

The system of Local Councils in Uganda comprises Local Government (LC III & V) and Administrative Unit Councils (LC I & II).

According to Section 11(e) and 109(3) of the Local Governments Act, 2005, in order to arrive at the number of women comprising a 1/3 of the sub county/municipal/town division council, the total number of Directly Elected Councillors (DECs) and the four councillors, two representing the Youth and two representing Persons With Disabilities (PWDs), is divided by 2 to get the number of women seats required.

Consider Otwal Sub County in Oyam District with six parishes, forming six electoral areas for DECs, two seats for councillors representing the Youth and two representing PWDs. This is divided by two to get the number of women seats required.

Since the 10 seats above constitute 2/3 of the entire Council, 1/3 of seats is 10/2 which is equal to 5. This means that small parishes adjacent to each other are combined to create only 5 seats for women, thus making a total of 15 Councillors for the whole Otwal sub county.

If the number of the resultant seats for women is a rational number (e.g 5.5), it is corrected to the next integer (whole number).

For example, if Otwal Sub County cited above had up to 7 DECs, this plus the two Councillors representing the Youth and the two Councillors representing PWDs would make up a total of 11 Councillors.



An aspiring independent candidate chooses a symbol during nominations to fill a vacancy for woman councillor, Katembe Parish, Kabingo Sub-County, Isingiro District.

Now, eleven divided by two would be 5.5; this would have to be corrected to 6 which is an integer (whole number).

However, the minimum number of seats at each Council has to be at least 10 as required by Section 109 (4) of the Local Governments Act, CAP 243. In case the number of councillors is less than 10, the Commission will have to reduce the population quota so as to ensure that the minimum number of Councillors is 10.

For Otwal Sub County cited above, if the number of parishes were only 2, the total number of Councillors including Women Councillors, would be less than 10.

In order to fulfil the requirement of the above section, one of the Parishes, would be subdivided into two

making a total of 3 seats for DEC. The total number of councillors including Women Councillors and Councillors representing the Youth and PWDs would therefore increase to 11 as indicated in the calculation below:

Originally		Adjusted	
DEC	2	DEC	3
Youth	2	Youth	2
PWD	2	PWD	2
	6		7
Women	$6/2 = 3$	Women	$7/2 = 3.5 \rightarrow 4$
Total Membership of the Council		Total Membership of the Council	
$2+2+2+3 = 9$		$3+2+2+4 = 11$	
This is under the required minimum of 10, contravenes law			

THE author is Principal Election Officer, Research and Planning Department, and holds MSC (Computer Science).

EC recruits new staff



Kyeyune George is the new Head of Audit Dept. He holds BCom and MSc in Accounting/Finance, with CPA credentials, and has over 15 years of experience in accounts/financial management.



Wanyoto Godfrey is the new Head of the EC Procurement Unit. He holds a B.A. (Economics) CIPS and MBA. He has worked for institutions, like UEDCL, NARO and Uganda Railways.



Nuwamanya James is new Principal Election Officer, HRM. He holds BA Social Sciences, and diplomas in Admin and HR Management. He is a candidate for MA (Organisational Psychology).



Edgar B. Kasigwa is the new Principal Election Officer/Database Admin. He holds a BSc. in Computer Science, and has specialised in software and database development management.



Kiggundu Stephen is the new Senior Election Officer/Transport Section. He holds B. Eng (Mechanical Engineering) and a Higher Dip (Mechanical Eng). He is a member of Chartered Institute of Logistics and Transport, Uganda.



Apio Harriet Okot is new Documentation Officer, Planning & Research Department. She holds MSc in Information Science and has worked with institutions like LDC, Uganda Law Society and the Ministry of Justice & Constitutional Affairs.

EC staff retire



Haji Kisitu Sulaiman

Haji Kisitu was born in August 1948, and started working as a driver in 1972 with the Ministry of Transport and Communications, which he left in 1979 to start a private business.

A devout Muslim and dutiful father, he made the Hijja in 1976 at the cost of Shs. 5,500/-.

In 1989, he joined the Uganda Constitutional Commission (Odoki Commission) and has served with subsequent Commissions up to the present Electoral Commission. He retires on 1st August 2009.

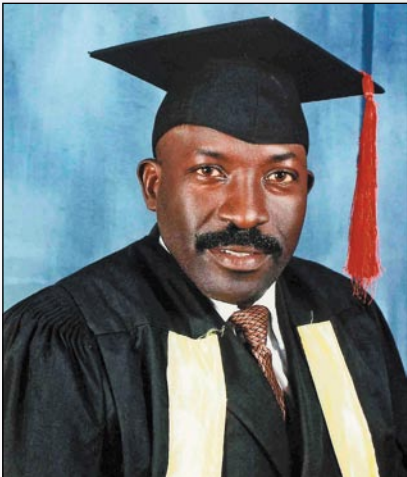
In his own words...

I appreciate God for the good life He has given me. I acknowledge Him for my accident-free-career.

Young people should love their work and respect their superiors. This will prepare them to lead others well.

All Editions of the
The EC Bulletin
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Congratulations



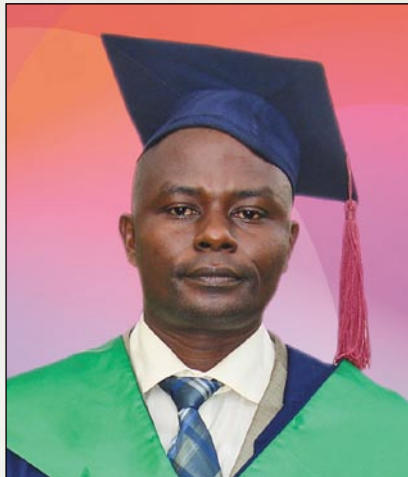
Gumisiriza Fidelis (Administration) graduated with a Diploma in Transport Management of Makerere University Business School (MUBS) on 27/02/2009.



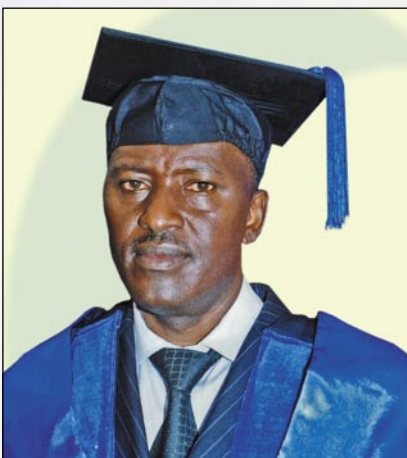
Peninah K. Ssekabembe (Voter Education & Training) graduated with MA in Management Studies from Uganda Management Institute (UMI) Kampala.



Leticia Nantabo (Field Operations Department) graduated with MA in Management Studies of Uganda Management Institute, (UMI) Kampala.



Charles Mashate (Voter Education & Training) graduated with MA in Management Studies of Uganda Management Institute (UMI) Kampala.



Mbonye Herbert (Finance Department) graduated with MA in Procurement & Logistics Management of Nkumba University



Musinguzi Apollo (RO/DR-Kiruhura District), graduated with MA in HR Management from Makerere University specializing in Competence Based Management in Public Institutions.



Cyprian Ogwang (planning and Research Department) graduated from the Singles Class after exchanging marriage vows with Miss Santa Sandra on 24th January, 2009.

Workers' Voice



The Electoral Commission's Arinaitwe Rwakajara (District Registrar, Manafwa District) was appointed as a workers' representative on the new National Social Security Fund (NSSF) Board.

Presiding officer's prayer

Oh, Lord! Help me to conduct this election in accordance with the law.

Oh, Lord! Grant me wisdom to master all the relevant electoral laws.

Oh, Lord! Give me the courage of David to confront wrong elements, who may attempt to disorganize elections.

Oh, Lord! Sharpen my eyes so that, I discover all those who may attempt to vote twice.

Oh, Lord! Hold the rain so that, the voting process is not interrupted.

Oh, Lord touch the hearts of neighbors so that, they provide me with desks and chairs.

Oh, Lord! Help me such that, my child does not suffer from malaria on the polling day.

Oh, Lord! Help me to identify valid votes and invalid votes without any difficulty.

Oh, Lord! Touch the hearts of voters so that they do not riot on the voting day.

Oh, Lord! Help me so that I do not lock the results envelope in the ballot box.

In Lord's name I pray! Amen!

Sebuunya Stuart, DR/Kiboga

SPECIAL

EC applauds Kyakuhaire for mature politics

The Electoral Commission salutes Ms. Stella Kyakuhaire (pictured), formerly candidate in the by-election for District Woman Representative to Parliament, Isingiro, for her exemplary conduct during, and after the electoral exercise.

In her letter to the Returning Officer, Isingiro District, Ms. Stella Kyakuhaire expressed her acceptance of the results for the Isingiro by-elections for Woman MP that was held on 19th January 2009.

'In the interest of the people of Isingiro District and Uganda at large, I hereby accept the results announced by the Electoral Commission in favour of my opponent Grace Byarugaba,' the letter reads.

She requested her supporters to remain calm, and work closely with



the elected MP.

'I take this opportunity to congratulate Grace Byarugaba, the elected woman MP – Isingiro, and wish her all the best in the development of Isingiro District and also I request her to unite the people of Isingiro,' her letter concluded.

The role of successful elections in development

Continued from page 7

in spite of numerous post-conflict problems.

It is easier for countries that have organized credible elections to attract serious foreign investors. Uganda has been able to organize successful elections, and the largest part of the country has enjoyed political stability for a long time. As a result, the country has continued to be a preferred destination for foreign investors.

So as you cast your vote, you are not only choosing leaders of your choice, but also deciding the fate of development for the entire country. It is not a secret that poorly organized elections in many African countries have resulted into political confusion and violence, and economic collapse.

The author is Election Officer, Field Operations Department & District Registrar/Returning Officer for Kiboga District

A politician's lies

A bus of politicians is driving by a farm where a man lives alone. The bus driver, caught up in the beautiful scenery, loses control and crashes into the ditch. The man comes out and finding the politicians, buries them.

The next day, the police are at the farm questioning the man.

"So you buried all the politicians?" asked the police officer. "Were they all dead?"

To which the man replied, "Some said they weren't, but you know how politicians lie."

Source: Internet



EC Uganda Observes the Ghana General Elections 2008

Makabayi Henry

The Electoral Commission was invited to form part of the numerous international election observer teams to the Ghana Presidential and Parliamentary Elections 2008. This study visit and observation mission was sponsored by the Association of African Electoral Authorities (AAEA), the Donor Deepening Democracy Group (DDG) of the basket fund and the British High Commission in Uganda, all of whom we highly appreciate.

We were received at Ghana's Kokota Airport by Mr. George Kosi, the Protocol Officer of the Ghana Electoral Commission (ECG) who gave us the necessary briefing and eventually took us to our hotels in preparation for briefing the following day.

The briefing was conducted by the Chairman of the ECG, Afari-Gyan who emphasized the distinction between election observers and election monitors, where the former are outsiders and the latter are from the election management body. This clarification stemmed from the fact that some observers prefer to act as monitors, a role that is outside their jurisdiction.

PHOTO: HENRY MAKABAYI



A voter casts his ballot during the elections. Ghanaian and Ugandan electoral systems have similarities and interesting differences.



The campaigns were very peaceful to the extent that you would find vehicles carrying supporters of different candidates moving in the same direction but each minding their own business. The general population and media coverage expressed the fact that Ghanaians had learnt from their turbulent past and would not tolerate anybody who preached hatred or threatened violence. Playing music was the norm in campaign vehicles and at venues. The main race was between the 'Umbrella' that was calling for change and the 'Elephant' that was moving forward.

Registration of voters is periodic (at intervals of two years) preceding General and Local Government Elections which are at the said intervals.

Voters' cards are issued instantly bearing a photograph provided by the voter, and compilation of the Register is by use of scanners.

There is special voting for persons like the police, polling officials, doctors and nurses, involved in election day activities,

Results for the Presidential Elec-

tions are declared per constituency, and certified period results are availed to the press by the ECG for publication. Whoever publishes uncertified results must emphasise that fact.

Presidential and Parliamentary elections which are held on the same day are on political party lines but parties are not at play in Local Government Elections for the avoidance of friction at this lower level of governance.

The ECG is mandated to oversee elections of such professional bodies as trade unions, and the Bar Association, in addition to political party primaries.

The elections were conducted in a generally peaceful environment; the voters were vigilant, and some camped at their respective polling stations from as early as 2:00am in order to witness the commencement of polling process. The Uganda Team had opportunity to observe the electoral process in several parts of Ghana alongside other Observer Teams.

The Uganda Electoral Commission has a lot in common with the Electoral Commission of Ghana. The main differences may be stemming from the relative age, cooperation of different stakeholders, tenure, mandate and adequacy of funding, for example, their budget is not subjected to cuts. The ECG has also got significant legislative powers, the Commissioners have a retirement age.

The Observation Team returned after the first round of elections and followed the re-run while back home.

The author is Election Officer, Voter Data Management Dep't.

Jennifer Angeyo joins Editorial Board



Ms. Jennifer Somali B. Angeyo, is a Senior Legal Officer in the EC Legal Department, and holds a Bachelor of Laws degree, from Makerere University, Kampala and MSc in Computer Science from Makerere University.

Her areas of competency include legal and ethical issues in ICTS, Constitutional Law, e-governance and processes, democratic practices through electoral systems and litigation, and general administrative skills.

Jennifer, in a study funded by IDEA, co-authored and published a handbook on Direct Democracy in Uganda (2007).

She has also published a thesis entitled "A Dynamic Model for the Protection of Intellectual Property Rights in the Cyberspace" (2005).

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Some facts about the 2009 Indian elections

India held her general elections - the biggest, largest political, democratic show in the world - to the 15th Lok Sabha in 5 phases from April 16, April 23, April 30, May 7 and May 13, 2009.

The results of the election were announced in single phase on May 16, 2009, with the Indian National Congress winning 183 seats.

Elections for the Lok Sabha (the Lower House) are held every five years. The last polls were held in 2004, hence the term of the 14th Lok Sabha expired on June 1st 2009.

According to the Election Commission of India, 713.77 million voters, were registered for the polls, an increase of 43 million over the 2004 election.

Rupees 1,120 Crores (equivalent to 176 Million €) was budgeted for the election.

The election was conducted using the Electronic voting machine (EVM), and over 1,368,430 EVMs were installed at polling stations across the country.

Polling Stations

The elections had a total of 834,944 polling stations, a 20% increase over the 2004 election. This increase was done mainly to avoid vulnerability to threat and intimidation, geographical barriers and to reduce the distance travelled by voters.

The Commission also announced that the polling station in Banej village in the Una segment of Junagadh Lok Sabha constitu-

ency, Gujarat has the unique claim to being the only polling station in the country that caters to only one elector - Guru Shree Bharatdasji Bapu, a priest of a Shiva temple in the middle of the Gir Forest.

Electoral Rolls

This election also saw almost the entire country (except Assam, Nagaland and Jammu & Kashmir) use photo electoral rolls, meaning that photos of the electors were printed on the electoral rolls which was intended to facilitate easy identification and prevent impersonation.

- ❖ The exercise was managed and monitored by the Commission Secretariat, supported by 310 staff.
- ❖ The number of candidates who contested in the Parliamentary Elections was 8070;
- ❖ The number of male candidates 7514
- ❖ Number of female candidates 556 (6.9%)
- ❖ The number of polling personnel deployed were 4,690,575;
- ❖ 747,29 video-graphers and 405,99 digital cameras were deployed to monitor the poll.
- ❖ 119 special trains comprising of 3060 coaches were used to transport Central Police Force (CPF) constables.

Source: Electoral Commission of India
<http://eci.nic.in/results>



**"Police, I'd like to report a robbery—
my boss keeps stealing credit for my work!"**