



**Addendum to the Electoral Reform Proposals
presented by:**

**The Citizens' Coalition for Electoral Democracy in Uganda
(CCEDU)**

**To:
The Committee on Legal and Parliamentary Affairs**

CCEDU SECRETARIAT

Foundation for Human Rights Initiative (FHRI)

Human Rights House

Block 15, Plot 1853 Lulume Road Nsambya

P.O. Box 11027 Kampala, Uganda

Tel: +256-414-510263/498/276/ +256-312-266025

Fax: +256-414-510498

E-mail: fhri@spacenet.co.ug

Web site: www.fhri.or.ug/civic-education

a. Presidential Elections (Amendment) Bill, 2009

1. Period for withdrawal:

A candidate is one who is duly nominated. Whereas one should have the freedom to withdraw his or her candidature, the party as an institution should have a role in the candidate's decision. In both the **presidential** and **parliamentary** election processes, a candidate must withdrawal not later than one month to the polling date.

2. Declaration of a candidate elected unopposed:

In order to demonstrate mandate from the citizens and increase political accountability, CCEDU recommends that in both **presidential** and **parliamentary** elections, where a candidate has been declared unopposed, the law should establish a 50+% winning margin for the unopposed candidate.

b. Parliamentary Elections (Amendment) Bill, 2009

3. CCEDU position on the representation of special interest groups:

Considering the new multi-party setting where representation is pegged or institutionalized with in political parties and organizations, CCEDU proposes that with the exception of the district female MPs, the representation of other special interest categories including Workers, be institutionalized with in respective parties. Based on the current statistics and studies, CCEDU appreciates the continued need for affirmative action to correct historical gender imbalances and thus the need to make this provision an exception to district female MPs and Persons with Disabilities (PWDs). Under the current multi-party system, representation of the army interests should be done by the Minister of Defense, who is an ex-officio in parliament.

4. CCEDU's position on ex-officios in parliament:

Considering the importance of coordination between the legislature and the executive, and in the interest of according opportunity to the executive to present and respond to issues in parliament in a timely manner, CCEDU upholds that all members of the cabinet be ex-officios in parliament.

c. Electoral Commission (Amendment) Bill, 2009

5. Involvement of the Public Service Commission in the appointment of the Secretary to the EC:

Providing for the tenure of the chairperson and commissioners of the Electoral Commission is important in the promotion of the independence and efficiency of the Commission. CCEDU therefore proposes that the chairperson and commissioners of the Commission be appointed by the Public Service Commission under the public service procedures.

6. Representation of different interests in the Electoral Commission:

To ensure legitimacy and credibility of the Electoral Commission, Article 60 (1) of the Constitution of Uganda should be amended to provide for the expansion of the Commission to include representation of other political party interests, in the long run.

7. CCEDU’s position on the Institutionalism of electoral colleges:

In order to strengthen the mandate of political parties and make them responsive to member needs, CCEDU proposes that only the female and PWDs electoral colleges are maintained. Representation of any other interests should be done through political parties.

d. Other possible amendments or inclusions:

8. CCEDU’s position on persons who commit electoral offences:

CCEDU proposes the prohibition of any political candidate or electoral official or party agent who has been adjudged to have been involved in any electoral fraud or malpractice or who has abated such fraud or malpractices from contesting any electoral office or holding a public office for at least a period of five years from the date of the judgment of any court unless a decision is overturned by a superior court.