

Uganda

<b>Background</b>	<b>Name of EMB:</b>	Electoral Commission (Uganda)
	<b>Status:</b>	Independent
	<b>Number of commissioners:</b>	Seven
	<b>Number of full-time EMB staff:</b>	753
<b>Establishment of the EMB</b>	<b>Constitutional and/or legislative provisions for establishment of the EMB:</b>	The Electoral Commission was established by Article 60 of the 1995 Constitution of the Republic of Uganda.
	<b>EMB's mandate:</b>	The mandate of the Electoral Commission is accessed in Articles 60 to 67 of the 1995 Constitution of the Republic of Uganda. Its functions are: <ul style="list-style-type: none"> <li>a. to ensure that regular, free and fair elections are held;</li> <li>b. to organise, conduct and supervise elections and referenda in accordance with the constitution;</li> <li>c. to demarcate constituencies in accordance with the provisions of the constitution;</li> <li>d. to ascertain, publish and declare in writing under its seal the results of the elections and referenda;</li> <li>e. to compile, maintain, revise and update the voters' register;</li> <li>f. to hear and determine election complaints arising before and during polling;</li> <li>g. to formulate and implement voter educational programmes relating to elections; and</li> <li>h. to perform such other functions as may be prescribed by parliament by law.</li> </ul>
<b>Appointment, tenure and removals</b>	<b>EMB model:</b>	Article 62 of the constitution provides for the independence of the Electoral Commission.
	<b>What standards are established in the constitution or other legislation for democratic legitimacy?</b>	The legal instrument in the Constitution of the Republic of Uganda and other enabling laws provide for the EMB's democratic legitimacy.
	<b>Provisions for the appointment of commissioners:</b>	The Constitution provides that the President nominates members of the commission and Parliament approves them.

	<p><b>Political status of commissioners:</b> As per the Constitution, commissioners are appointed on the basis of high moral character, proven integrity, considerable experience and demonstrated competence in public affairs.</p> <p><b>Chair qualifications:</b> They are persons of high moral character and proven integrity who possess considerable experience and demonstrated competence in the conduct of public affairs – in line with Article 60(2) of the 1995 Constitution of Uganda.</p> <p><b>Commissioner qualifications:</b> As above.</p> <p><b>Tenure of chair and commissioners:</b> The term for commissioners is a seven-year contract, renewable once.</p> <p><b>Provisions for the removal of commissioners:</b> Article 60(8) (a–c) provides for the removal of the commissioners under the following circumstances: (a) inability to perform the functions of his/her office arising out of physical or mental incapacity; (b) misbehaviour or misconduct; or (c) incompetence.</p> <p><b>Provisions for the appointment of EMB senior staff:</b> Senior staff are appointed by the commission on four- or five-year renewable contracts.</p> <p><b>Tenure of EMB senior staff:</b> (a) The secretary of the Electoral Commission is appointed for a five-year renewable contract; (b) other senior staff are appointed for four-year renewable service contracts.</p> <p><b>Provisions for the removal of EMB senior staff:</b> Removal of senior staff is as prescribed by the <i>Electoral Commission Personnel/Manual</i> and other appropriate standing orders.</p> <p><b>Setting and control of EMB's budget:</b> The commission makes budget proposals, which are debated and/or passed by parliament.</p> <p><b>Financial autonomy:</b> The secretary to the Treasury, Ministry of Finance, Planning and Economic Development appropriates the allocated funds.</p> <p><b>Legal provisions for financial autonomy:</b> Article 66 of the constitution provides for the EMB's financial autonomy, that is:  <ol style="list-style-type: none"> <li>1. <i>parliament shall ensure that adequate resources and facilities are provided to the commission to enable it to perform its functions effectively;</i></li> <li>2. <i>the commission shall be a self-accounting institution and shall deal directly with the ministry responsible for finance on matters relating to its finances;</i></li> <li>3. <i>the administrative expenses of the commission, including salaries, allowances and pensions payable to or in respect of persons serving with the commission, shall be charged on the Consolidated Fund.</i></li> </ol> </p>
<p><b>Funding arrangements</b></p>	

<p><b>Electoral system</b></p>	<p><b>Number of chambers/houses within the legislature:</b></p> <p><b>Voting system:</b></p> <p><b>Amendments to electoral laws:</b></p> <p><b>Drafting of electoral regulations:</b></p> <p><b>Electoral dispute resolution mechanisms:</b></p>	<p>Unicameral</p> <p>Parliament and local government councils' elections take place through universal adult suffrage, by secret ballot and FPTP. For representatives of special interest groups in parliament and local government councils, the vote is by electoral college and also FPTP.</p> <p>The commission makes proposals for legal amendments. Others stakeholders like civil society and the Ministry of Local Government also make proposals. Parliament debates the proposals and passes them.</p> <p>Yes</p>
<p><b>Electoral disputes</b></p>	<p><b>Electoral dispute resolution mechanisms:</b></p>	<p>The Electoral Commission hears and determines petitions/complaints arising out of the nomination exercise up to polling day. Thereafter, any petitions are heard and determined by courts of law.</p>
<p><b>Other issues:</b></p>		
<p><b>Secretariat</b></p>	<p><b>Administrative autonomy:</b></p> <p><b>Women in senior positions:</b></p> <p><b>Administrative structure:</b></p>	<p>The commission has power to promote and/or abolish staff positions, depending on need.</p> <ol style="list-style-type: none"> <li>1. Two female commissioners out of 6 (33 per cent)</li> <li>2. One female director out of three (33 per cent)</li> <li>3. One female head of department out of 11 (10 per cent)</li> </ol> <p>Note: The seventh commissioner is yet to be appointed.</p> <ol style="list-style-type: none"> <li>a. The commission's technical arm is headed by the secretary of the Electoral Commission.</li> <li>b. There are three directorates: Directorate of Finance and Administration; Directorate of Operations; and the Directorate of Technical Support Services;</li> <li>c. The directorates in total have 11 departments: 1. Human Resource Management; 2. Finance; 3. Administration; 4. Information Technology; 5. Voter Education and Training; 6. Election Management; 7. Legal and Public Relations; 8. Voter Data Management; 9. Planning and Research; 10. Internal Audit; 11. Field Operations* Procurement and Disposal Unit.</li> </ol> <p>* The commission has divided the country into 12 regions, headed by regional election officers who oversee the activities of all the 112 district registrars/ returning officers countrywide. This is under the Field Operations Department and Directorate of Operations.</p>