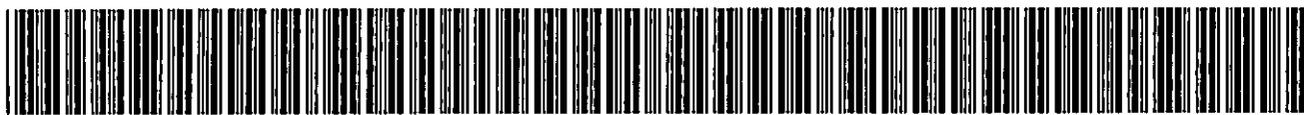


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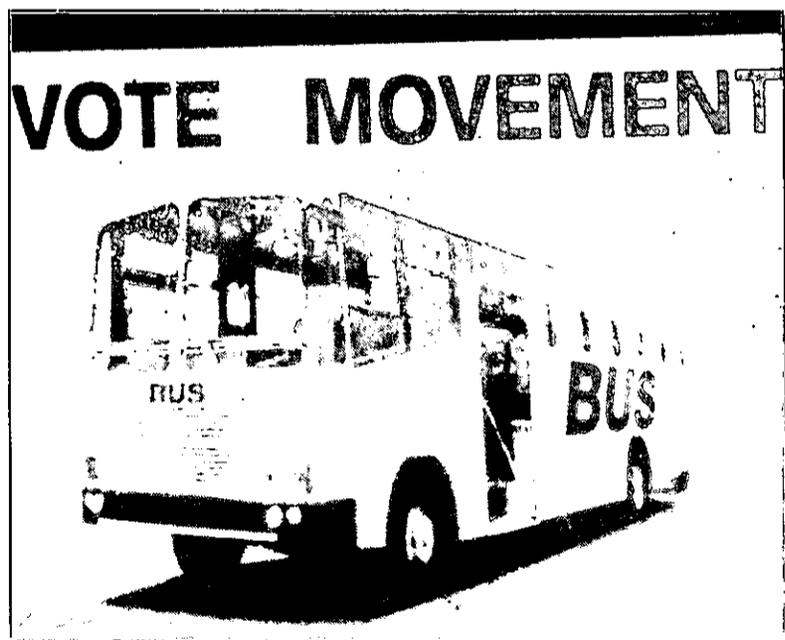
REFERENDUM 2000

CHOOSING A POLITICAL SYSTEM FOR UGANDA

WHERE ARE WE NOW?



MULTIPARTY SYMBOL



MOVEMENT SYMBOL

Courtesy of the NGO Referendum 2000 Civic Educators with support from the International Donor Community

WHAT IS REFERENDUM 2000 ABOUT?

According to the 1995 Constitution, the people of Uganda shall decide for themselves what kind of political system should be used to govern the country. To do this, the Constitution says that a referendum must be held one year before the next Parliamentary and Presidential elections.

A Political system

A political system is the way in which a country elects its leaders and governs its affairs.

The 1995 Constitution provided for three contending political systems in the forthcoming referendum:

- The Movement system
- The Multi-party system
- Any other democratic and representative political system.

So far, the movement system and the multiparty system have been approved. There were seven other political systems, which had petitioned the Electoral Commission for approval. They are:

- The Federal Democratic system
- The National Coalition system
- The Compromise system
- The Confederation Political system
- The Communism system
- The Neo-Movement system
- The Native Federation system

However, the Electoral Commission recently announced that it had rejected the petitions for these systems and did not certify them. This was because the required one thousand or more signatures of registered voters supporting them could not be verified by the Electoral Commission as required by law. The Electoral Commission duly made its recommendations to Parliament. So far Parliament has not discussed the issue yet.

Consequently, this has left the referendum contest between the movement system and the multiparty system, both of which qualified according to the law.

THE DEFINITE SYSTEMS CONTESTING

The movement system

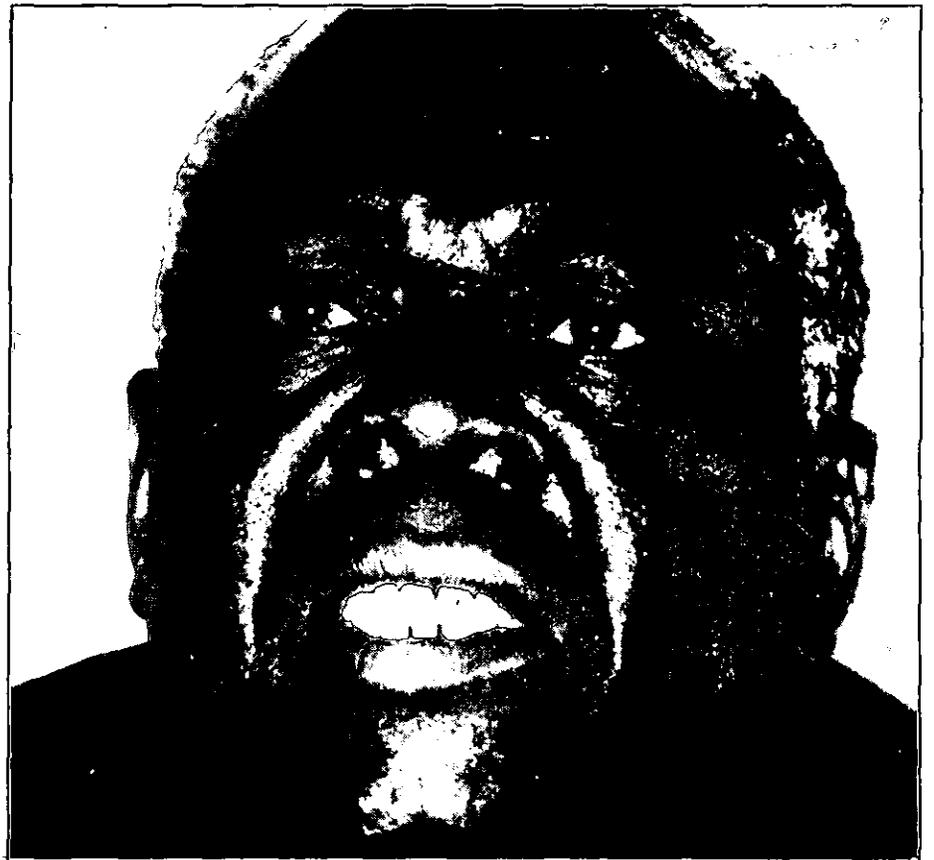
The movement system's mode of operation is laid out in the 1995 Constitution and the Movement Act. These state the principles and characteristics of the movement system as follows:

- All inclusive
- Broad based
- Non partisan but based on individual merit

The movement system operates through:

- The National Conference, which is a body of political leaders, selected from various levels of local government, Parliament and other arms of government. The National Conference is headed by the Chairperson of the Movement who is elected by the members.
- The National Executive Committee (NEC) which is a standing committee of the National Conference for which it plays an advisory role.
- The Movement Secretariat, which is a body that provides administrative services to the National Conference and the National Executive Committee, and implements their decisions.
- The lower movement organs, which are from the village level up to the district level.

Under the movement system, leaders are elected on the basis of individual merit to represent their communities. All positions of leadership are, according to the law, accessible to all citizens. There is no organised opposition in Parliament. Elected representatives in Parliament or any other structure of government participate in discussions and make decisions according to their personal beliefs and views of their respective constituencies.



The chairman of the Electoral commission Hajji Azziz Kasuja

The multiparty system

In a multiparty system, several different political parties compete in an election and more than two parties may be represented in government. All citizens are given the right to belong to a political party of their choice or even to form their own political party.

A political party is an organisation with strong ideas about the economic, social and political direction of a country. Parties provide an opportunity for people who share common opinions about how the country should be governed, to organise themselves and compete for political power.

How a multiparty system operates:

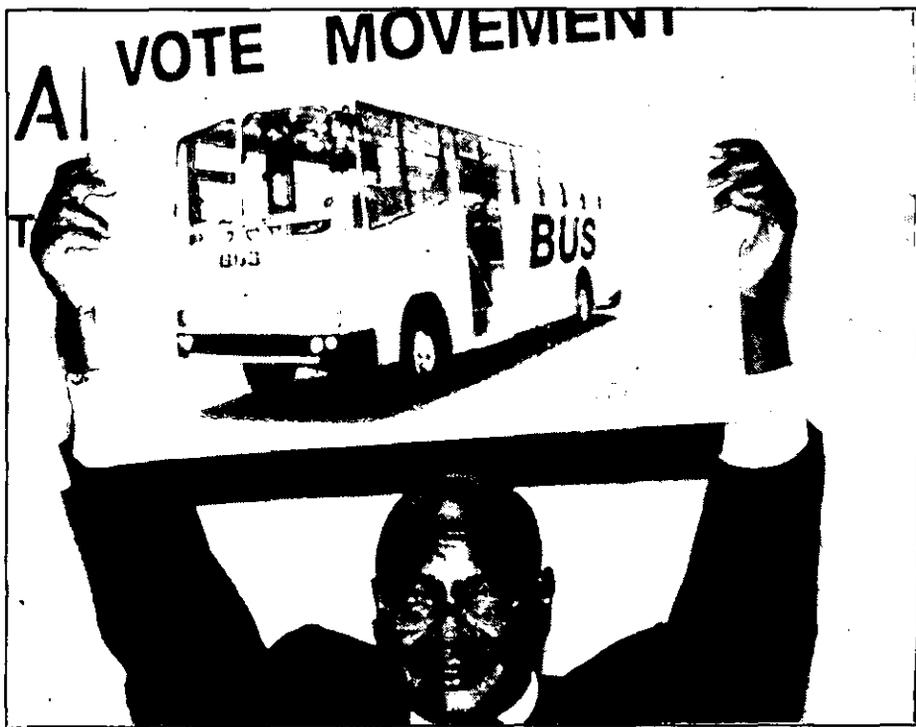
- Different parties offer alternative policies regarding political, economic, social and cultural issues.
- Opposition parties act as a check on the ruling party's policies and keep a watchful eye on all its operations. They can do this in Parliament and even outside. Their opposition must be within the constitutional framework.
- Opposition parties are "governments in waiting", always attempting to convince the electorate that they have better solutions and ready to offer themselves when the ruling party loses its mandate.
- Parties compete for power but also cooperate in the exercise of political power. In a multiparty democracy, competition between parties is encouraged, but they are also expected to accept the results of an election and abide by the decisions of the majority. Parties are expected to offer loyal, not subversive opposition.

Decision-making in a multiparty system

In a multiparty system, candidates in an election are put forward by a party. In order to become a candidate, you must be a member of the party, and must participate in the internal process that determines who will represent the party at which level. Elected representatives in government participate in discussions and make decisions according to their party's position on the issues at hand. They primarily represent the views of the people who voted for their party, and its members.

Currently, activities of political parties are restricted by the Constitution. A law, which is supposed to regulate the operations of political parties, The Political Organisations Bill 1998 has not been passed yet. The bill has already been discussed and adopted by the Parliamentary Committee on Legal and Parliamentary Affairs and some amendments proposed. It is the Cabinet now to decide on when to table it before Parliament for discussion and passing. But even if this law is passed, it will not do away with Article 269 of the Constitution which restricts activities of political parties.

REFERENDUM 2000: PROGRESS



Yoweri Kaguta Museveni while launching the movement symbol



Nelson Ochege while launching the multiparty system symbol

A. Referendum committees

Each of the sides, the movement system and the multiparty system has already established National Referendum Committees in accordance with the Referendum Act. The functions of these committees are:

- To organise campaigns for their sides
- To appoint agents for purposes of campaigning and voting
- To liaise with the Electoral Commission on any matters related to the referendum.

The committees will distribute printed materials such as pamphlets, posters magazines etc defining what they are, and how they are different from the other side. They will utilise space and airtime on the public media to campaign, and they are also allowed to use private media at their expense for the same purpose. Their agents will also solicit votes from door to door.

The Movement National Referendum committee is headed by **Haji Moses Kigongo**. It consists of eight other members. They have also already named their district movement referendum committees.

The Multiparty National Referendum Committee is headed by **Mr. Nelson Ochege** who was elected by representatives of 27 different political groups and individuals that applied to the Electoral Commission for clearance to campaign for the multiparty system. They have also launched their district multiparty referendum committees.

B. The referendum campaign

Referendum campaigns to convince voters on why one system is preferable to the other have already been started by both sides. These campaigns are spearheaded by the respective referendum committees and their agents. The law allowed individuals to begin canvassing for votes for any side in July 1999. Therefore any person or group of persons is free to campaign for any side, provided notice is given to the police officer in charge of the area or the subcounty or division chief.

The referendum law provides a strict set of rules that must be obeyed by the sides when conducting their campaigns. Campaign activities should be peaceful at all times and not provoke public disorder or violence.

C. Symbols of the systems

The Movement Chairman Mr. Yoweri Museveni launched the movement referendum symbol of the **BUS** on 10th April, 2000 at the International Conference Centre in Kampala, when he was launching the movement national campaign. At the same occasion, **Mr. Museveni** announced that the movement system manifesto would be launched on 29th April 2000.

The Chairman of the Multiparty National Referendum Committee Mr. Ochege launched the multiparty referendum symbol of a **DOVE** on 14 April 2000 by

releasing two doves into the air at the Constitutional Square in Kampala, when he too was launching the national campaign. At the same occasion **Mr. Ochege** launched the multiparty system manifesto.

The law requires that these symbols have to be gazetted so that they can become official and can then appear on the ballot paper.

These symbols are meant to help those who cannot read or write to identify the political system they want during the voting.

D. The referendum question

Traditionally, the referendum is a vote on a question in which voters have to answer "Yes" or "No". At the time the law governing the coming referendum was made, a question was envisaged, because this law defines a 'side' as the supporters of an affirmative answer to a question in a referendum or as the case may be, the supporters of a negative answer.

As the law requires, the Chief Justice has already appointed an independent panel of three judges to frame the question in consultation with the sides competing in the referendum. They are: Justice Alfred Karokora of the Supreme Court, Justice James Ogoola of the High Court and Justice Christine Kitumba of the Court of Appeal.

However, the judges have not yet embarked on the task. The delay is attributed to two issues:

- The delay in the Electoral Commission clearing other political systems. Since the judges are by law required to frame the question in consultation with the competing sides, they had to wait until the exercise of approving political systems was over. The Electoral Commission has rejected seven other political systems leaving only the movement system and the multiparty system in the contest.
- As the acting Chief Registrar of Courts of Judicature explained, a constitutional petition referring to the referendum is pending before the Constitutional Court. James Rwanyarare and Haji Badru Keido Wegulo petitioned the court praying for an order prohibiting the panel of judges from framing the referendum question. Since the petition is being heard, it has to be disposed off before the judges can start work on the question.

E. Publication of the question

Once the question is framed, the Electoral Commission will announce it in the Gazette and publicise it as much as possible, then the civic educators will focus on it. This will ensure that the citizens know what the referendum issue is all about.

F. The referendum date

The Constitution provides that the referendum should be held in the fourth year of the term of the current Parliament. Although the exact date has not been announced yet, the referendum is expected to take place between **3rd June and 2nd July**. The Electoral Commission will announce the date in due course.

REFERENDUM PROCEDURES: UPDATE

1. Registration of voters

All Ugandan citizens aged 18 years and above have the right to vote in the referendum. To enjoy this right, you must register as a voter.

The registration exercise is already complete. In Kampala it was reopened from March 21st to 31st. On the last two days in Kampala, the hours of registration were extended to 9.30 p.m. In upcountry areas, the direct intervention by the President caused registration to be shifted from the district back to the parish level, closer to the people who needed to register. In fact in some areas like Kisoro registrars even went physically to people's homes to register people with disabilities, pregnant women and others.

2. The voters' register

This contains the names, addresses and dates of birth of eligible voters. When people go to vote, the election official will first check for their names on the register. If their names appear, then they will be ticked to ensure that people do not vote twice in the same exercise. Those whose names do not appear will not be allowed to vote. The register will also ensure that only those who are eligible to vote will participate in the referendum.

Update of voters' register is going on throughout the country. Training of people who are going to update the registers is expected to have been finished by 29th April 2000. This will be done by the Returning officer of the district and his/her assistants.

3. Display of voters' register

The final display of the voters' register will be 21 days before polling day. This is to allow enough time for removal of those that are not eligible to vote, or to rectify any omissions of eligible voters. If your name has been omitted from the final list displayed you have to report to the Electoral Commission officials immediately.

4. Voter's cards

When a voter is registered, he/she gets a certificate of registration. It is on the basis of that certificate of registration that a voter's card is issued. In Kampala, the Electoral Commission has already confirmed that that new voter's cards will be issued. For the other places the Electoral Commission will announce whether voters will use the old voter's cards or will be issued with new ones.

Your voter's card is used to identify you when you go to vote and to prove that you are indeed a registered voter. It is very important to keep your voter's card safe so that you can vote in the referendum. Nobody has the right to take your voter's card from you. If you lose your voter's card you will have to report to police and get a letter confirming the loss. If the voter, for genuine reasons is not able to report to police, the Electoral Commission will give clear instructions to the electoral officers on how to proceed.

5. Voting

Voting in the referendum will be by secret ballot. Because the ballot papers will bear the symbols of the competing political systems, you will be expected to tick or thumbprint against the symbol of your choice. This will be done in privacy so that no other person can know your choice. You will then drop the ballot paper in the ballot box.

The referendum voting process has not yet been confirmed. But the Electoral Commission will soon announce the voting procedure which may be similar to the one used in Presidential and Parliamentary elections.

6. Vote counting

Votes will be counted at the polling station immediately after they have closed in the presence of everyone particularly the election officials and the agents of the competing sides. The counting process will be transparent and open.

7. Winner!

The winning side shall be determined by votes cast thus the side which gets most votes shall be declared winner.

Myths and facts

Is this the first referendum to be held in Uganda?

No. This is the second referendum in Uganda but it is the first national referendum for all Ugandans. The first referendum was held in 1964 over the 'lost' counties. The people of the areas that constituted Buyaga and Bugangaizi counties then were asked to decide whether they wanted to remain under the Buganda Kingdom then, or go to the Bunyoro Kingdom then or become a separate district. They decided through a referendum to return to the Bunyoro Kingdom. Not all Ugandans participated in this referendum because it was for only the people of Buyaga and Bugangaizi counties.

Will there be candidates' meetings like in other elections?

No. There will not be any candidates' meetings because the referendum is not about individuals or candidates but it is about voting on an issue. However, there will be public meetings so that people can listen to the sides explaining their points of view. But these public meetings will be held separately with each side holding its own, unlike previous elections where all candidates participated in the same public meeting.

Will there be candidates' manifestos?

Manifestos are written statements of beliefs, aims and policies of an individual or a group of people especially a political party. This referendum is about voting for an issue not for a person. Therefore there will not be any candidates' manifestos in this referendum but the different systems that are competing have prepared their manifestos.

Will each system have its own ballot box?

No. Since voting is by secret ballot, there will be only one ballot box at each polling station, in which all voters at that station will drop their ballot papers regardless of which system one has voted for. The voter will be allowed to mark his/her ballot in secret, in a closed place, from where he/she will then drop that ballot paper into the only ballot box at the polling station, in full view of the people present.

Can my spouse or partner, or my parents or my employer force me to vote for a system of their choice?

No one is allowed to force another to vote for a system he/she wants. Everybody is free to canvass for votes for any of the two systems, but no one is allowed to use force to get support. After all each voter will mark his/her ballot paper in secret therefore no one should be intimidated.

Will I be arrested if I do not vote?

No. You cannot be arrested for not voting because you have a right to vote or not to vote. However, by not voting you will have missed the opportunity to participate in determining the fate of your country, or influencing the political direction of your country. BUT you will be arrested if you try to obstruct those who want to vote from going to vote.

Are the blind people allowed to vote?

Yes. Blind people are human beings like all the others and they are entitled to the same rights like everybody else including the right to vote. However, because of their disability they will need some help in casting the ballot. They have to choose their most trusted person who may be a relative, or friend, or polling official or LC official to assist them.

The selected person must be trustworthy so that he/she can respect the voter's choice and will neither change it nor reveal it. This person will guide the blind person through the voting process. He/she will tick the ballot paper, and drop it in the box on behalf of the blind person.

Civil society Organisations and the referendum

The Electoral Commission accredited over 20 civil society organisations (CSOs) to carry out civic and voter education throughout the country. Due to the delay in logistical support, the work of the CSOs had to start only in February with more activity picking up in March. Civic educators are by law and practice required to be impartial or else the Electoral Commission will penalise them.