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CAMPAIGN GUIDELINES FOR PARLIAMENTARY ELECTIONS, 2006

A. Law applicable

- The Constitution of the Republic of Uganda, 1995
- The Parliamentary Elections Act, No 17 of 2005
- The Electoral Commission Act (Cap 140)

The Commission may issue guidelines to be complied with by every candidate while conducting his or her campaign for the election.

B. Campaign Programmes

1. The Commission may determine the manner and period during which campaigns shall take place.
2. Each candidate shall give his or her campaign program to the Returning Officer and the Returning Officer shall ensure that campaign meetings by different candidates do not coincide in one parish.
3. At campaign meetings the candidate may use the local language of the area.
4. Campaign meetings shall not commence until the expiry of nomination days.
5. A campaign meeting shall not be held within twenty-four hours before polling day.
6. The Commission shall ensure that adequate security is provided for candidates at campaign meetings.
7. Every candidate for election to Parliament has a right to conduct his or her campaign freely and in accordance with the law.

C. Protection and Immunity of Candidates

1. During the campaign period, every public officer and public authority and institution shall, as far as possible, give equal treatment to all candidates.
2. Every candidate shall enjoy complete and unhindered freedom of expression and access to information in the exercise of the right to campaign.
3. A person shall not, while campaigning use any language;-
 - (a) which constitutes incitement to public disorder, insurrection or violence or which threatens war; or
 - (b) which is defamatory or insulting or which constitutes incitement to hatred.

A person who contravenes the foregoing sub-paragraph (a) commits an offence and is liable, upon conviction, to a fine not exceeding one hundred and twenty currency points (Two million four hundred thousand shillings only)(2,400,000=) or imprisonment not exceeding five years or both.

A person who contravenes sub-paragraph (b) commits an offence and is liable, upon conviction, to a fine not exceeding twenty four currency points (Four hundred and eighty thousand shillings only)(480,000=) or imprisonment not exceeding one year or both.

D Rights of Candidates

1. A candidate in an election shall not be denied reasonable access to and use of State-owned communication media.
2. During the campaign period, any candidate may either alone or in common with others, publish campaign materials in the form of books, booklets, pamphlets, leaflets, magazines, newspapers or posters intended to solicit votes from voters but shall, in any such publication specify particulars to identify the candidate(s) concerned.
3. A person shall not, during the campaign period print, publish or distribute, a newspaper, circular or pamphlet containing an article, report, letter or other matter commenting on any issue relating to the election unless the author's name and address, as the case may be, are set out at the end of the article, report, letter or other matter or, where part only of the article, report, letter or matter appears in any issue of a newspaper, circular, pamphlet or matter at the end of that part.

A person who contravenes the foregoing paragraph commits an offence and is liable on conviction to a fine not exceeding twenty four currency points (Four hundred and eighty thousand shillings only)(480,000=)

4. A candidate may use private electronic media for his or her campaign. However, he/she or any other person shall not use the private electronic media to decampaign any other candidate or do any of the following acts;-

- (a) making statements which are false or in respect of which the maker is reckless whether they are true or false;
- (b) making malicious statements;
- (c) making statements containing sectarian words or innuendoes;
- (d) making abusive, insulting or derogatory statements;
- (e) making exaggerations or using caricatures of the candidate or using words of ridicule;
- (f) using derisive or mudslinging words against a candidate; or
- (g) using songs, poems and images with any of the effects described in the foregoing paragraphs.

5. The proprietor or operator of a private electronic media shall not use the media or allow it to be used to do any of the acts prohibited in paragraphs (4) above.

A person who contravenes any of the foregoing sub-paragraphs in paragraphs (4) and (5) commits an offence and is liable on conviction to a fine not exceeding one hundred and twenty currency points (Two million four hundred thousand shillings only)(2,400,000=) or imprisonment not exceeding five years or both.

"Electronic Media" includes television, radio, internet and e-mail.

E Non-Sectarian Campaign

1. A person shall not use a symbol or colour which has a tribal, religious affiliation or any other sectarian connotation as a basis for that person's candidature for election or in support of that person's campaign.

A person who contravenes the foregoing paragraph commits an offence and is liable on conviction to a fine not exceeding one hundred and twenty currency points (Two million four hundred thousand shillings only)(2,400,000=) or imprisonment not exceeding five years or both.

F Interference with Electioneering Activities of Other Persons

1. A person who, before or during an election, for the purpose of effecting or preventing the election of a candidate either directly or indirectly;-
 - (a)by words, whether spoken or written, song, sign or any other representation or in any manner seeks to excite or promote disharmony, enmity or hatred against another person on grounds of sex, race, colour, ethnic origin, tribe, birth, creed or religion;
 - (b)organises a group of persons with the intention of training the group in the use of force, violence, abusive, insulting, malign, disparage, condemn, insult or abuse another person or candidate or with a view to causing disharmony or a breach of the peace or to disturb public tranquillity so as to gain unfair advantage in the election over that other person or candidate;
 - (c)obstructs or interferes or attempts to obstruct or interfere with the free exercise of the franchise of a voter or compels or attempts to compel a voter to vote or refrain from voting;
 - (d)compels, or attempts to compel a candidate to withdraw his or her candidature;
 - (e)in any manner threatens any candidate or voter with injury or harm of any kind; or
 - (f) induces or attempts to induce any candidate or voter to fear or believe that he or she will suffer illness or will become an object of divine, spiritual or fetish displeasure or censure;

commits an offence and is liable on conviction to a fine not exceeding seventy two currency points (One million four hundred and forty thousand shillings only) (1,440,000=) or imprisonment not exceeding three years or both.

G Use of Government Resources

1. No candidate shall use Government or public resources for purposes of campaigning for election, unless otherwise by law authorised.
2. Where a candidate is a Minister or holds any other political office, he or she shall, during the campaign period, restrict the use of the official facilities ordinarily attached to his or her office to the execution of his or her official duties.
3. The Commission shall by writing, require any candidate to state in writing the facilities ordinarily attached to any office held by that person to which the foregoing paragraph applies and the candidate shall comply with the requirement.
4. The provision in paragraph (2) applies with necessary modifications to an employee of a statutory corporation or company in which the government owns a controlling interest and a member of commission or committee established by the Constitution as it applies to a public officer.
5. A person who contravenes any of the foregoing paragraphs commits an offence and is liable on conviction to a fine not exceeding twenty four currency points (Four hundred eighty thousand shillings) (480,000=) or imprisonment not exceeding one year or both.

H Death or Withdrawal of Candidate(s)

1. In a constituency, where only two candidates stand validly nominated after the close of nominations, and before the closing of the polls one of them dies or ceases to be a candidate by reason of his or her ceasing to be qualified for election, the Commission shall postpone the polling in the constituency and fix fresh nomination days for the nomination of candidates.
2. Where fresh nomination days are fixed for the purpose of the foregoing paragraph, any candidate previously validly nominated shall not be required to be re-nominated and only candidates who did not go through the nomination process during the first nomination days shall tender their nomination papers to the Returning Officer.

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