THE ELECTORAL COMMISSION









THE ELECTORAL COMMISSION

(Established under Article 60 of the Constitution of the Republic of Uganda)



THE ELECTORAL COMMISSION GENDER STRATEGY

September 2019

Commissioned by:

The United Nations Entity for Gender Equality and Empowerment of Women (UN Women) for the Electoral Commission.

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List of Abbreviations

ACHPR African Charter on Human and Peoples Rights

CEDAW Convention on the Elimination of All Forms of

Discrimination Against Women

CSO Civil Society Organisation

EC Electoral Commission

EMB Elections Management Bodies
FDC Forum for Democratic Change

GFPs Gender Focal Persons

IPU Inter-Parliamentary Union

LC Local Council

MP Member of Parliament

NAM Needs Assessment Mission

NRM National Resistance Movement

TOT Training of Trainers

UHRC Uganda Human Rights Commission

UNDP United Nations Development Programme

UN Women United Nations Entity for Gender Equality and

Empowerment of Women

UWONET Uganda Women's Network

TOR Terms of Reference

Foreword by the Chairperson of the Electoral Commission



The Electoral Commission (EC) was established under Article 60, and is mandated under Article 61 of the Constitution of the Republic of Uganda 1995 to organize, conduct and supervise regular, free and fair elections and referenda. The EC aims to be a model institution and a center of excellence in election management.

The EC Gender Strategy 2018 was developed as a guide for gender mainstreaming within the EC and the entire electoral cycle. It complements other existing frameworks that address gender within elections such as the National Women Councils Act (as Amended) 2015, National Youth Council Act (as Amended) 2015 and the Political Parties and Organizations Act (2005) in addition to reinforcing the National Gender Policy (NGP) 2007, which encourages all government ministries to gender mainstream with the long term goal of eliminating all inequalities.

The EC Gender Strategy reiterates commitment to the values and principles of democracy, including gender equality and empowerment. The strategy will, therefore serve as a reference tool to hold EC leadership and staff to appropriate gender outcomes and standards. It seeks to strengthen and guide the organization towards an enabling environment, allowing staff and partners to monitor and evaluate progress towards achievement of these intentions.

The Gender Strategy outlines and provides guidelines on internal processes and practices to be utilized by EC officials. The strategy commits the EC to:

- 1. Promote gender sensitive planning and gender equality within its operations.
- 2.Address structural barriers and injustices that reinforce gender inequalities.
- 3. Foster gender mainstreaming and equity in all programs and activities.
- 4. Promote gender sensitive capacity building/training.

I, therefore, call upon you to read, understand and make use of this strategy in implementing gender sensitive interventions.

Hon. Justice Byabakama Mugenyi Simon Chairperson, Electoral Commission Acknowledgments

I take this opportunity to thank the Chairperson Electoral Commission, Deputy

Chairperson and Commissioners, for the leadership and support accorded to the

Management in the development of the Electoral Commission Gender Strategy.

Special thanks also go to the Management and staff of the Electoral Commission who

gave their time providing the invaluable data and information in the production of this

work.

The Commission recognizes the UN Women's partnership towards mainstreaming

gender into the Electoral Commission policies and practices. I extend special thanks to

the consultants who offered intellectual support and expertise in developing the Gender

Strategy to inform gender mainstreaming within the Commission.

The Commission commits to use the Gender Strategy to deepen understanding of

gender dynamics, to ensure gender responsiveness in the electoral processes in

Uganda.

Sam A. Rwakoojo

SECRETARY/ELECTORAL COMMISSION

10 Context

This Gender Strategy was informed by a gender assessment of the Electoral Commission (EC) conducted from November to December 2017. The purpose of the assessment was to ascertain the extent to which the Commission mainstreamed gender equality into its policies, systems and practices. The assessment focussed on the external environment within which the Commission executes its mandate, including the status of women's participation in politics, and the relevant legal framework. It also covered the internal systems and capacities of the Commission, including the commitment to gender equality by senior management, its technical capacity, and human resource policies and practices.

The gender assessment was designed following more extensive consultations between the EC and a wide range of gender and elections stakeholders. These consultations were undertaken during the UN electoral Needs Assessment Mission (NAM) to Uganda (13-24 April 2015) as the country prepared for the February 2016 general elections. One of the NAM recommendations was for the EC to adopt a gender strategy, as a framework for the promotion of gender equality within its policies and practices.

1.1 Findings of the Gender Assessment

1.1.1. The legal basis for mainstreaming gender equality into the Electoral Commission

Uganda's commitment to gender equality and the empowerment of women provides the basis for the EC to mainstream gender equality into its policy and practice. The mandate of the EC is clearly defined under the Constitution of the Republic of Uganda, as complemented by the Presidential Elections Act 2005, Parliamentary Elections Act 2005, and the Local Governments Act Cap 243. Additional functions of the Commission are highlighted in the National Women Councils (Amendment) Act 2015, the National Youth Council (Amendment) Act 2015, and the Political Parties and Organisations Act (2005 as amended).

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The Commission is under obligation to perform its duties in accordance with the Constitution and other relevant legislation. In addition to giving effect to the provisions for special seats for women in parliament and local councils, the EC's functions have to be read in the context of other relevant provisions of the Constitution. Every adult Ugandan has a right and an obligation to register as a voter and to vote. The Constitution guarantees equality for all persons and the right not to be discriminated against on the basis of sex (among others). It explicitly states that the objectives and principles stated therein "shall guide all organs and agencies of the State, all citizens, organisations and other bodies and persons in applying or interpreting the Constitution or any other law..."

One of the objectives is that governance in Uganda is to be based on democratic principles which empower and encourage the active participation of all citizens.

In addition to the Constitution and national legislation relating to elections, Uganda has ratified several global and regional human rights treaties. These include the African Charter on Human and Peoples' Rights (ACHPR), the Protocol to the African Charter on Human and People's Rights on the Rights of Women as well as the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW). As a party to these instruments, Uganda is obliged to take appropriate measures to eliminate discrimination against women by ensuring equitable treatment of both males and females, promote the right to vote by women and men in all elections and public referenda as well as support them to enhance their eligibility for election to publicly elected bodies. The EC is obligated to perform its functions in compliance with Uganda's regional and international obligations.

In spite of the country's policy and legal commitments, there is significant inequality between women and men in regard to political representation. Statistics from the EC demonstrate the gender disparity in parliamentary representation. While a total of 1,747 candidates vied for parliamentary seats, only 494 of these were women. Similarly, only 88 women competed for the general seats as compared with 1255 men.

¹ Article 1 Objective II.

1.1.2 The centrality of gender equality analysis to the mandate of the Electoral Commission

The core mandate of the EC is to organise free and fair elections as well as referenda. This implies that every person who is eligible to vote must be afforded an opportunity to:

- a. Register as a voter and confirm that his/her name is reflected on the voter register.
- b. Access a polling station on polling day.
- c. Cast his/her ballot.
- d. Vote in secret in order to select a candidate of choice.
- e. Offer themselves for election as candidates for any electoral office, including those outside the affirmative action measures or special seats.
- f. Execute an effective campaign either as a candidate or as a supporter of another candidate.
- g. Vote in a safe and secure environment free from violence, insecurity, and threats

The EC has an obligation to develop and implement a system that ensures that women and men of voting age enjoy the above rights on equal and equitable terms. To facilitate women's ability to claim and exercise their political rights, the EC has to adopt approaches based on a thorough understanding of the positioning of women in Ugandan societies, in terms of their social roles, and power relations at family and community level. This gender analysis is particularly important for the Commission to determine appropriate voter education messages, methods and timing for delivery of such messages, facilities for secret balloting, as well as guidance to political parties. Additionally the Commission needs to be aware and responsive to the gender diversities based on age, disability, location, class and education.

1.1.3 The status and challenges of gender equality in the context of elections in Uganda

Since the promulgation of the 1995 Constitution, Uganda has witnessed a significant increase in women's representation in parliament. In the 1996 elections, women comprised 19% of the legislature while in the most

recent 2016 elections, 34.8 % of parliamentarians were women. There was a similar increase at the Local Council (LC) 5 as well as (district) level, with 3 women elected as district chairpersons, 12 as chairpersons at sub county level and 3 at municipality level. This notwithstanding, a deeper analysis of these figures illuminates an unsettling trend. The affirmative action measures or 'women's quota', coupled with the increase in the numbers of districts are largely responsible for the increase in the proportion of women in the legislature and local government. There were 39 districts in 1996, which increased to 112 districts by 2016. Correspondingly, there were 112 women members of parliament (MPs) elected to represent the 112 districts in 2016. Only 18 women won open constituency seats². Despite an increase of over 200% in the number of districts over the course of 20 years, the proportion of women MPs has stagnated at approximately 30% over the last 3 general elections (2006, 2011, and 2016). The situation is not different at the local government level. Similarly, the party leadership of major political parties is maledominated. The National Resistance Movement party (NRM) for example, has 4 women in the top 13 party leadership positions while the Forum for Democratic Change (FDC) has only 2 women out of the top 9 party leadership positions (Uganda Women Network (UWONET), 2016).

What these statistics show is that the underlying causes of gender inequality remain prevalent, preventing women from successfully competing with men for constituency seats. Women's political participation is hampered by many challenges that are mutually reinforcing. Barriers include societal norms of patriarchy and misogyny, high levels of unemployment and underemployment as well as a general lack of social, economic and political opportunities. The 2016 Global Education Monitoring Report shows that only 38 countries in sub-Saharan Africa achieved gender parity in primary education, while 19 and 6 countries achieved gender parity in the lower secondary and upper secondary education levels respectively. For Uganda, by 2014 females constituted only 46.9% of the total enrollment in secondary schools of which only 34% females compared to 45% males completed Senior 4 (S.4), while 25.9% females compared to 33.6% completed A

² UWONET et al (2016) Women in Uganda 2016 Electoral Processes: Positive Trends and Deficits", p.25

'Level³. Literacy largely facilitates access to economic empowerment, information, networks, enhanced self-confidence and political office. Indeed, Uganda has minimum educational qualifications for candidacy at local government, parliament and presidency.

There is a dearth of reliable data on the participation of women in electoral processes including voter registration and actual voting.⁴ Nevertheless there is anecdotal evidence that more women are attending election campaign meetings organised by the main political parties.⁵ In 2011 only 3.6% of the candidates contesting for open parliamentary seats were women and in 2016 this percentage rose to 6.4%. While this increase is welcome it does not mask the glaring inequality between men and women.⁶

Many factors negatively impact women's capacity to exercise their political rights including the multiplicity of gender roles as providers, home managers and carers that leave little time for women to effectively participate in electoral processes. This is compounded by long distances to voter registration centers and polling stations, as well as long queues. The lack of access to timely election-related information targeted at women is also a major factor in women's inadequate participation.

Further, generalised voter education over electronic media ignores women's restricted access to mass media channels, coupled with dominant perceptions that politics is a male domain. Additionally, patriarchal norms still endow men with power to dictate and impose their political views on women in their respective households, subsequently silencing women. Indeed violence against women is one of the primary barriers to women's participation in politics. Whether it is threatened or actual violence in the family or in public, violence undermines women's confidence and ability to participate in civic and political activities such as contesting for leadership and/or casting the vote for their preferred candidates.

³ Republic of Uganda, Gender in Education Sector Policy (2016), Ministry of Education and Sports, p. 1.

⁴ The Electoral Commission data is not disaggregated by sex, except for candidates for parliamentary and district council seats.

⁵ Women's Democracy Network (2016), Report on Gender and Women's Participation in the 2016 Elections in Uganda at page 5.

⁶ Ibid at page 6. See also 2011 and 2018 Electoral Commission reports.

Therefore, female political candidates are expected to negotiate the discriminatory attitudes and practices at family level, within political parties, and their communities. At family level they are expected to get family approval and support, which is often denied. At the political party level, preference is given to men, and nomination fees are usually prohibitive. Indeed, some women reported the need for a "strong male sponsor" within the party in order to be taken seriously. Political parties are gatekeepers to effective participation in electoral politics. In the absence of strong women's wings, party nomination procedures are often not transparent, denying women's nomination or coercing them to give the nomination ticket to a man. Additionally the likelihood that women will suffer sexual and gender based violence is greatly enhanced in the run-up and actual elections.

1.1.4 Strengths and gaps in internal systems and practices of the Electoral Commission

a) Strengths of the Commission

Unique constitutional mandate and positive legal framework

A clear and unequivocal mandate to organise free and fair elections is the most important factor for mainstreaming gender throughout the electoral cycle. In addition to organising presidential, parliamentary, workers, professional bodies, and Persons with Disabilities' elections, the Commission has the mandate to organise, conduct and supervise local government elections at the different levels, and to organise elections to councils for women, youth, persons with disabilities and older persons. These functions must be read in the context of other relevant provisions of Chapter 4 of the Constitution, which stipulates that every adult Ugandan has a right and an obligation to register as a voter and to vote. The Constitution guarantees equality for all persons and the right not to be discriminated against on the basis of sex (among others), affirming the country's commitment to take up affirmative action in favour of groups marginalised on the basis of gender, age, disability or any other reason. The EC is therefore under obligation to execute its mandate in a manner that respects and promotes the right of men and women to register as voters, to vote for a candidate of their choice and to contest as candidates without any discrimination.

A strong forward-looking vision statement

The vision of the EC is "be a Model Institution and Centre of Excellence in Election Management". The EC aspires to excel as an institution and as an election management body (EMB). It aspires to enact "good practice" that other EMBs can emulate. A model EMB must be able to regularly organise free and fair elections. The Inter-Parliamentary Union (IPU) Declaration on Criteria for Free and Fair Elections (1994) defines the conditions or characteristics of free and fair elections, including:

- a. The right of every citizen to vote on a non-discrimination basis.
- b. The right of access to an effective, impartial and non-discriminatory procedure for the registration of voters.
- c. The right of every voter to equal and effective access to a polling station in order to exercise his or her right to vote.
- d. The right to vote by secret ballot.⁷

Key to the above criteria is the requirement for inclusiveness of all eligible voters. This means ensuring that men and women, young and old, and those with disabilities have equal opportunities to register as voters, and to effectively cast their ballot. To excel and be a center of excellence, the EC needs to be inclusive and gender sensitive. UN Women and UNDP explain that a "... gender sensitive EMB is one that responds to the needs and interests of women and men in its policies, operations, infrastructure and work. By definition gender sensitive EMBs have the capacity to implement gender mainstreaming and gender-targeted strategies to achieve gender equality. They should have the necessary resources – human, financial and structural – to ensure that gender equality is considered at every step of the electoral cycle."⁸

An organisational culture in which capacity development is valued

The EC commendably conducts induction for new employees, and implements an annual training programme for staff, as well as for temporary staff recruited to assist the EC during the election period. An examination of the 2017 approved training plan shows that almost 70 regular staff members at different levels were scheduled to benefit from

⁷ IPU (1994) Declaration on Criteria for Free and Fair Elections (adopted unanimously at the IPU 154th session, Geneva.

⁸ UN Women and UNDP (2015), Inclusive Electoral Processes: A Guide for Electoral Management Bodies on Promoting Gender Equality and Women's Empowerment, page 15.

training opportunities locally and internationally. The Commission also has a team of core trainers comprising senior employees at Principal and Senior Election Officer level who facilitate training for both internal and temporary employees. As the EC develops and implements its gender strategy, it can build on the capacity building culture. The goal should be for the training on gender to become part of the routine and continuous learning activities at the Commission benefitting all employees across the different functional areas.

Reasonably progressive human resources policies

Gender equality at the work place is a fundamental right for all employees guaranteed by the Constitution, labour laws and various treaties ratified by Uganda. The human resources (HR) manual contains progressive workplace policies that can lay the foundation for a gender sensitive workplace environment at the Commission. It provides for equal opportunities in recruitment, promotion, with the latter based on staff performance. The EC is intentional in the use of genderneutral and/or inclusive language (she/he and her/his), reflecting an acknowledgement of both male and female employees. All staff at the same grade are entitled to the same remuneration and other benefits without distinction. Female employees are entitled to maternity leave of 60 days regardless of marital status. A male employee is entitled to 4 days' paternity leave after the birth of his child. These provisions are in accordance with the Employment Act (2006). Unfortunately the EC policy is silent on the right of an employee – female and male – to return to the post that she/he held immediately prior to proceeding for maternity or paternity leave as is provided for under section 56 (2) and 57 (3).9 Although it hasn't happened, the possibility of a woman losing employment or being deployed in a less favourable position than the one held before maternity leave would be discriminatory and contrary to the law. The EC is categorical in its condemnation of sexual harassment at the workplace. "The Commission shall not condone or excuse sexual harassment of any kind by any employee irrespective of rank". 10

⁹ Employment Act (2006).

¹⁰ Paragraph 5.13.1 of the HR Manual

b) Gaps and Challenges

Gender imbalance within the EC

The EC consists of a Chairperson, a Deputy Chairperson and five Commissioners appointed by the President and approved by Parliament. Currently there are three women on the Commission, which comprises almost 43% in terms of female representation at this level. The EC has 734 staff members, 44.7% of whom are women. A closer analysis shows significant inequality between men and women at the different staff levels with women predominating at the lower professional cadre levels, while men are a clear majority in senior professional and management positions. For instance women occupy only 9% of the Heads of Department positions and 25% of the Principal Election Officers. Conversely women comprise more than 98% of the Election Assistants, and 77% of Assistant Election Officers. There is a lack of a clearly defined path to promotion to management levels though this applies to both male and female staff, and most of the current managers have been in the organisation for more than 15 years but with no clear path of upward mobility.

Lack of gender equality technical expertise within the Commission

The EC organogram and staffing structure does not provide for a gender department or unit. Consequently, none of the staffing positions has gender and elections expertise as a core requirement. The EC has neither sought to recruit individuals with expertise in gender equality nor included it in its induction of new staff or its staff development training. All staff interviewed had never had any gender training except a brief session organised by UN Women in the run-up to the 2016 elections.

All interviewed staff confirmed their interest in receiving indepth training on gender and elections. Those who are part of the core trainers of the EC were interested in substantive gender training to enable them train others. The knowledge gap can be plugged with relative ease, through building on the core trainers' knowledge and, equipping them with skills and tools to support the EC in building its internal capacity.

Gaps in the HR Policies

The policy on sexual harassment does not explain how a report of sexual harassment can be made to the Head of HR. It is not clear whether a person other than the one suffering the harassment can make such a report on behalf of the victim. There is a lack of clarity on the procedure that should be followed once a report has been made to HR or to the Secretary. Most importantly, there are no explicit guarantees for protection of whistle-blowers and victims from victimisation. Neither are there provisions for penalties that the EC might take against perpetrators of sexual harassment, nor education and training programmes on sexual harassment for EC staff, as required by the Employment (Sexual Harassment) Regulations, 2012.

Balancing work commitments and family responsibilities

During the electoral period, work for all EC employees intensifies and members of staff are expected to work longer hours. This has significant implications for staff with family. This observation, made to a Commissioner by a female employee of the EC, graphically communicates the challenges to female employees during high intensity periods. It is not just about balancing family responsibilities with work commitments. It is also about personal security for women returning home late or getting up before dawn to collect election materials from remote sub-county headquarters. This is a challenge that the EC is encouraged to reflect on, in consultation with its employees, in order to create a workplace environment that is conducive for both men and women.

Weaknesses in the execution of the voter education mandate

During the gender assessment exercise, EC officials and employees emphasised the fact that their mandate is limited to voter education only, and that human rights as well as civic education is the remit of the Uganda Human Rights Commission (UHRC). This view persists in spite of the Constitution, which mandates the EC to "formulate and implement civic educational programmes relating to elections". An examination of the 2015 report of the UHRC demonstrates the absolute necessity for the EC to take its mandate on civic and voter education seriously utilising

¹¹ The Constitution of the Republic of Uganda (1995) Article 61(g).

its substantial financial and human resource base. 12 UHRC sensitised a total of 43,878 persons drawn from government institutions, security agencies, schools, cultural and religious institutions as well as grassroots communities. This was a 54% increase in the number of people sensitised from the 28,488 reached in 2014. This was complemented by barazas, which are a form of grassroots human rights education. A total of 31,694 people attended the grassroots human rights awareness campaigns in 72 districts. This was a 40% increase from the 22,621 people who attended them in 2014.¹³ This modest reach happened in the election year when election-related civic education should have been at peak. The limited funding and field presence of the UHRC deems it unrealistic for them to cover more territory and reach more people. For effective electionrelated civic education, the EC can formulate and sustainably implement the necessary education programmes throughout the election cycle or explore effective forms of partnerships with the UHRC and gender equality focused civil society organisations.

The underlying role of voter education is to strengthen democracy by increasing the participation, influence and representation of all eligible Ugandans in political processes and governance structures. A well-informed population is important for democracy. Voter education ought to include a variety of initiatives whose messages and methods of delivery take cognisance of the social-cultural contexts and heterogeneity of our society. Most importantly, women must be recognised as an important constituency with specific gender-based challenges to participation in politics. For instance, a woman's right to vote for a candidate of her choice is often at risk if a spouse or other influential member of the family supports a different candidate, particularly in cases where voting is by lining up behind a candidate. Youth seeking to vote for the first time or those who are marginalised may require different messaging.

An examination of the Voter Education Handbook demonstrates a commitment to convey the fact that both men and women, old and young, and persons with disability are recognised as key participants in the electoral processes. The pictorial illustrations are particularly

¹² UHRC (2015), "The 18th Annual Report Uganda Human Rights Commission Report to the Parliament of the Republic of Uganda"

¹³ Ibid pages 60-61.

powerful in this regard. This is commendable as it represents the diversity of persons who are voters and candidates. Unfortunately, the content is delivered in a gender-neutral manner, overlooking the contextualisation of the messages to address gendered perceptions, opportunities and challenges. The handbook may unwittingly reinforce misconceptions of the law and quota system. A good example is the excerpt below from the Voter Education Manual of the EC:

"At the constituency level, a member of parliament is elected for each constituency. Constituencies tend to be based on counties although big counties may have two or more constituencies. Presently there are 215 constituencies in the country. In addition, a woman Member of Parliament represents each district." ¹⁴

Without clarification it is possible to interpret this statement to mean that constituencies are to be represented by men, and a woman will represent a district (i.e. the reserved seats). The representation at the district-level and other local government levels is also explained in similar terms. This message reinforces the perceptions within political parties and communities that women should not be nominated to contest for the general seats. The misinterpretation and manipulation of information is clear in a civil society coalition report on the 2016 general elections:

"The open seats have now been named in local parlance — "ekifo kyabasajja" (the men's seat). The open MP seat... should precisely be—open. Instead the seat is now open only to men and closed to women. In all the districts of study, the open seat was symbolically closed and women who contest in it are construed as intruders." ¹⁵

Findings from the six districts depict the spread of false propaganda by male contestants and supporters about the affirmative action policy. The message relayed to the electorate is that women have their own reserved seats. The propaganda is aimed at discouraging female candidates from contesting open constituency seats and thereby [reducing] it to a male contest. Such propaganda coupled with limited effort to correct it on the

¹⁴ Excerpt from the Voter education manual of the EC (emphasis added).

¹⁵ UWONWT, CEWIGO et al (2016), Women in Uganda's Electoral Processes: Mapping Positive trends and Persistent Deficits in 2016 General Elections, Page 26

part of the Electoral Commission, edges out women substantially. ¹⁶ Lastly there are missed opportunities throughout the handbook to talk about equality of rights and opportunities between men and women, boys and girls. For example, the enumeration of qualities of a good elected representative¹⁷ ought to include non-discrimination, respect for the rights of women and girls, as well as the promotion of gender equality.

Lack of gender analysis

The EC has a broad and potentially transformative mandate. However the appreciation of the relevance of gender equality appears superficial and generally restricted to organising elections to the special seats reserved for women at parliament, local government, and within the women councils. Gender equality and the participation of all eligible voters on a basis of equality are not only fundamental human rights but also critical to democracy and free and fair elections. They should therefore inform all phases of the election cycle. There is no evidence that the EC conducts or otherwise utilises existing gender analyses to guide its approach to different aspects of its work, including the conduct of voter registration, voter education, determination and design of procedures at polling centers, as well as post-election evaluation.

Stakeholders interviewed during the gender assessment expressed concern that the EC appears to approach elections as a logistics project whose objective is to procure and deploy various inputs and then wait for voters to register and cast their ballots. They called for more visible demonstration of the EC's appreciation of elections as a tool for greater constitutional and human rights values, and one way of doing that is through systemic promotion of gender equality and the right to equal participation in politics.

Lack of sex-disaggregated data

There is a glaring lack of sex-disaggregated data that would show women as a specific category of political actors. The EC has not conducted any research and as such, there is a lack of evidence regarding the use of existing sex disaggregated data or gender analyses to inform planning or

¹⁶ Ibid, Page 27

¹⁷ Electoral Commission of Uganda (2013), The Voter Education Handbook Paragraph 1.6, at page 5,

programming. The EC is missing an opportunity to enhance the visibility of women in their diversity as voters, candidates or as civic educators. The data management section of the Commission confirms that it has the capacity to collect, analyse and disseminate sex-disaggregated data. The need for such data had apparently not been articulated within the EC and among stakeholders of the Commission.

Gender equality and the EC oversight role of political parties

The EC has not adequately utilised its oversight mandate to encourage political parties to promote gender equality in their structures and activities. For example, the constitution of the National Resistance Movement (NRM) provides for 40% reserved seats for women on any of the respective party's organs, while the Forum for Democratic Party (FDC) reserves 30% seats. Both parties fall short of their expressed commitment. Many of the other registered parties neither have any woman in their management structures at the national nor local levels. Political parties are gatekeepers to effective participation in electoral politics. Unless nominated by the main political parties, it becomes difficult for women to successfully contest for elective office, although some women have won as independents.

While the EC confirmed this reality, expressing its concern that political parties do not nominate women to represent them or to participate in fora organised by the EC, they argue that the EC has no real power to compel the parties to take action. Nonetheless, the EC can influence the political parties. For instance, by including topics on gender and elections, or gender equality and political parties on the agenda of the fora it organises. Interestingly there are CSOs like UWONET that are already working with several political parties, assisting them to mainstream gender equality into their structures and activities. The EC can invite the CSOs and/or the political parties to share experiences. The EC may also consider promoting legal reforms that link the public financing for political parties to measurable steps in mainstreaming gender equality and drawing lessons from other African countries. ¹⁸

¹⁸ Section 25(2)(b), The Political Parties (Amendment) Act 2016

Election-related violence

Election-related violence remains a concern in Uganda's elections. The UHRC reported on police heavy handedness, and the alleged emergence of militias propagated by the various political organisations under the pretext of preparing to guard their vote. UHRC noted that militia groups had the potential to turn into instruments of hooliganism and public disorder. The EU final observer mission report (2016) reiterates this concern. It specifically refers to the tense and apprehensive environment that permeated the electoral period, as well as the excessive use of force by police in handling opposition supporters.

Violence against women is one of the primary barriers to women's participation in politics. Whether it is threatened or actual violence in the family or in the public sphere, violence undermines women's confidence and ability to participate in civic and political activities, stand as candidates, or cast votes for a person of their choice. The violence may be physical, sexual, economic and/or psychological. The likelihood that women, particularly young women, will suffer violence is greatly enhanced in the run-up and within actual elections. Electoral violence is revealed in many ways, including the intimidation of candidates and voters, physical harassment, assault on journalists, imprisonment and assassinations, confrontations with security forces and attacks on local party headquarters.

It is the responsibility of the EC to ensure that electoral processes take place in a safe and secure environment that facilitates full participation of citizens (women and men, young and old) and the exercise of their human rights. The power of the EC involves liaising with security organs to maintain law and order, and goes with an equivalent responsibility to retain overall control and management of the electoral process in fulfillment of its mandate. Finding that balance is critical for the promotion of gender equality and women's participation in politics.

2.0 Background to the Electoral Commission Gender Strategy

The gender assessment, while identifying areas of strength, illuminates substantial gaps and shortfalls in the EC's efforts to promote gender equality internally and in its work. These gaps call for adoption of a well-articulated strategy on gender equality, equity and empowerment in order to address its own internal systems and practices as well as its electoral management role. The strategy should provide a framework for the EC to understand the social context in which women and men participate in elections and the EC implements its mandate in a manner that facilitates equal and equitable participation of both genders. The Gender Strategy is a necessary step in the realisation of the Commission's mission to become "... a model Institution and center of excellence in election management".

2.1 Purpose of the Electoral Commission Gender Strategy

The purpose of this Gender Strategy is to serve as a practical tool that guides the EC towards ensuring the equal participation and representation of men and women in electoral processes.

A gender sensitive election management body (EMB) is one that responds to the needs and interests of women and men in its policies, operations, infrastructure and work. By definition inclusive, gender-sensitive electoral management bodies have capacity to implement gender mainstreaming and gender- targeted strategies to achieve gender equality. They have the necessary resources – human, financial and structural – to ensure gender equality is considered at every step of the electoral cycle. ¹⁹

2.2 Objectives of the Electoral Commission Gender Strategy

The objectives of the gender strategy are two-fold:

- 1. To support the EC in its effort to become a gender responsive and inclusive institution, by providing a framework for mainstreaming gender equality into its planning, management and practices.
- 2. To establish mechanisms necessary to promote equal and equitable participation of men and women in their diversities at all stages of the electoral cycle.

¹⁹ UNDP and UN Women (2015) Inclusive Electoral Processes: A Guide for Electoral Management Bodies on Promoting Gender Equality and Women's Participation, page 15

2.3 **Guiding Principles**

The development and implementation of the Gender Strategy is guided by the following principles:

- 1. The obligation of the Commission to comply with the Constitution of the Republic of Uganda, all legislation relevant to its mandate and international/regional treaties to which Uganda is a party.
- 2. The Commitment of the Commission to promote the equal participation of women and men as a fundamental human right and an integral prerequisite for the delivery of free, fair and transparent elections.
- 3. Appreciation by the Commission that roles, responsibilities and attributes assigned to women by society have an impact on the extent to which women and men are able to participate in electoral processes, and that the Commission's work must reflect and be responsive to this understanding.
- 4. Recognition by the Commission that women and men are not homogeneous and as such, commit to take into account women's diversities as defined by religion, ethnicity, age, disability, marital status, geographical location, as well as literacy levels in the performance of its duties.
- 5. Acknowledgement that gender equality is a cross-cutting issue and as such is intrinsic to all operational and management areas of the Commission.
- 6. The realisation that integrating gender perspectives into its institutional processes and electoral operations is critical for the creation of an institution that actively promotes gender equality.
- 7. The need for transparency and accountability in order to ensure that the Commission and its staff understand the Gender Strategy, its expected outcomes, implications for different functional roles, consequences for non-performance, as well as expectations of the Commission in terms of capacity development.
- 8. Mainstreaming gender equality is a continuous process and not an event. Therefore, the monitoring and evaluation component of the Strategy should ensure regular assessment of achievements, gaps, as well as lessons learned in order to inform future actions.
- 9. A commitment to mobilise and allocate the human, material and financial resources necessary for effective implementation of the Gender Strategy.

2.4 The Scope of the Electoral Commission Gender Strategy

The Gender Strategy of the EC is designed to provide guidance in the process of transforming the Commission into a gender-responsive institution with a focus on two strategic areas. Firstly, the Strategy provides practical guidance on reviewing and strengthening internal systems and processes, as well as capacities for effective gender-responsive management of the Commission. Secondly the Strategy adopts an election-cycle approach to guide gender mainstreaming as the Commission exercises its mandate. The Strategy goes beyond facilitating an understanding of the what by focusing on how the EC can strengthen its efforts to deliver gender responsive free and fair election(s).

2.5 **Priority Areas and Actions**

2.5.1 Strategic Goal 1: To strengthen capacities for gender responsive internal systems, policies and practices

Strategic objective 1: Develop internal technical capacity for gender inclusive elections

- a. Recruit a senior gender and elections officer to spearhead gender mainstreaming into the Commission and in its work. The office should be headed and staffed at a sufficiently senior level in order to lead, influence, and support planning and implementation of the Gender Strategy by all departments including field operations. Given the nature, structure as well as recruitment and financing protocols of the Commission, implementation of this strategic action may be in phases, starting with the recruitment of a senior gender expert on a consultancy basis. The Commission would have to explore short-term funding from Strategic partners e.g. UN Women for the Consultant while it explores ways of institutionalising the position.
- b. Conduct mandatory training designed to strengthen the operational readiness of EC Commissioners and staff, including field staff, to mainstream gender equality in their work. The training should also aim to enhance gender sensitivity and responsiveness in management, and relationships among all staff of the Commission.

The EC has a strong core team of trainers whom it should consider enrolling into an intensive Training of Trainers (TOT) programme on gender and elections, thus expanding their repertoire of skills. The use of internal trainers not only increases the number of EC staff with knowledge on mainstreaming gender equality into the electoral process, it increases the number of staff and partners that can be reached through training, thereby facilitating the sustainability of capacity development efforts.

- c. Include gender and elections awareness into staff training programmes, as well as into the training for polling officers, and CSO partners, including those involved in election observation.
- d. Develop and implement a module on gender awareness, sensitivity and personal accountability as part of the induction of all new staff. The module can also be rolled out as part of the training for current EC staff.
- e. Appoint Gender Focal Persons (GFPs) for each department and field office, providing training and other forms of support to enable them fulfill their roles (sample guidelines are provided in Annex 1). GFPs should be substantive election officers, with the main role of assisting the head of office or department in the implementation of this Gender Strategy. Annual performance assessment of both the GFPs and their respective supervisors should take into account their performance in relation to enacting the Gender Strategy.

Strategic Objective 2: Institutionalise the mainstreaming of gender equality into the Commission

Strategic actions:

a. Require each department to include in its annual plans, gender equality targets, activities and budget allocation to feed into the EC annual plan and budget, in accordance with the budget requirements of the Equal Opportunities Commission and the Ministry of Finance, Planning and Economic Development. The delivery on the targets should be part of the annual performance assessment for staff of the EC. This necessitates appropriate changes to the template for the annual performance assessment.

- b. Require each department and field office to appoint a gender focal person, and facilitate their training and orientation to that role.
- c. Develop and disseminate the TOR of GFPs throughout the Commission departments and offices. This is an important step in the institutional support for the GFPs.

Strategic objective 3: Enhance the Commission management's sensitivity and accountability for gender equality and women's empowerment

- a. Designate and effectively support a Commissioner to provide policy leadership for the mainstreaming of gender equality at the EC, including the implementation and monitoring of this Strategy.
- b. The Secretary to the Commission assumes overall accountability for the mainstreaming of gender equality at the EC, including the implementation and monitoring of this Strategy. The Secretary may set up a committee to support him/her in operationalizing this Strategy, and monitoring performance.
- c. Review the human resources policies to address weaknesses identified during the gender assessment, including the policy and procedures for handling sexual harassment, and maintaining an equitable work-life balance for employees.
- d. Facilitate work-life balance to enable female and male staff members to fulfill both their work and family obligations. Towards this end, the EC will undertake a thorough consultative process among its staff to better understand how the intense responsibilities, particularly during the elections period affect them, and the kind of support required of the EC. The findings will inform the development of a policy position on work-life balance to be adopted and implemented by the Commission. The findings will also provide the baseline data for purposes of monitoring progress.
- e. Take concrete steps to encourage women to apply for internal and external positions at the EC as a way to reverse the gender imbalance at the Commission.
- f. Develop, adopt, and resource an annual action plan with clear, specific and achievable targets and activities designed to implement

- this Gender Strategy (Annex 2 provides a simple format for the Action Plan. Annex 2a provides sample progress indicators that the EC may apply in its annual action plan).
- g. Allocate and release adequate resources for mainstreaming gender equality into the Commission and its work, and for annual review of its performance.
- h. Mobilise resources from development partners for the implementation of this Gender Strategy.

Strategic Objective 4: Create a work environment and organisational culture that supports gender equality and the empowerment of women

- a. Convey to all officials and staff of the Commission a clear, consistent and unequivocal commitment to, and accountability of each staff member for the substantive respect of the male and female staff; for the right of every staff member to have equal opportunities for career advancement at the Commission, and for a safe and empowering work environment.
- b. Strengthen the Human Resources manual to provide clear procedures and guidelines for reporting, investigating and addressing sexual harassment at the work place, as well as ensuring that the work environment and culture at the EC is conducive to the enjoyment of rights and dignity of all its employees.
- c. Encourage and facilitate GFPs, and/or other appropriate officers to set up a support group for staff, particularly women facing genderrelated challenges. The EC can draw lessons from the HIV/AIDS support groups that many found very helpful.

d. Create a work environment that is conducive for lactating-employees by providing a safe and private space for breastfeeding and childcare, as well as flexible working hours. The EC can draw lessons from organisations like the Parliament of Uganda that have implemented comparable strategies. The Equal Opportunities Commission and other gender equality experts can also guide the Commission in this regard.

2.5.2 Strategic goal 2: To respect and promote gender equality within all stages and aspects of the electoral process

Strategic objective 1: Promote gender equality in the registration of voters and voter education

- a. Improve the registration of women as voters by taking into account their social roles and work burden in selecting location and time for registration of voters, taking advantage of places/events where women are more likely to be.
- b. Enhance the effectiveness of voter education by adopting outreach methods and communication channels that ensure that women are not left out due to their gender roles. While radio is currently used by the Commission as a communication channel for voter education because of its wide reach, the time of broadcasts and announcements should be based on gender analysis findings regarding the most suitable times for women, especially in rural areas. Radio should also be supplemented by other outreach methods including messaging through places of worship and community functions where women usually converge.
- c. Work closely with women's rights organisation with active programme activities in various districts with a view to integrating voter education and mobilisation into their respective programmes.
- d. Implement targeted voter registration initiatives particularly in areas where categories of the voting population are disadvantaged. Measures may include fielding registration teams that are composed of only women, youth or persons with disability, as well as deploying mobile voter registration centers.

e. Ensure that when data collection exercises are designed, a category for 'sex' is always included as one of the data fields/variables. Data on voter registration, voter turnout and candidate registration should all be disaggregated by sex, and where possible, consider other multiple intersections of discrimination such as age, race, religion and disability. Such data is important for the EC, the government, and other elections stakeholders to assess the participation of men, women and youth in electoral processes as well as to inform policy and election-related programming.

Strategic Objective 2: Promote the participation of women as candidates for electoral positions

- a. Intensify public awareness of the opportunities for women's participation in politics under Uganda's law. This awareness and encouragement for women's participation should be a continuous process throughout the election cycle in collaboration with Uganda Human Rights Commission and civil society organisations.
- b. Review and modify the EC Voter Education Handbook to strengthen its provisions for gender equality sensitivity.
- c. Work with civil society organisations to deliver specific messages to women and men about the right of women to make their own choices when voting and to emphasise the right to vote in secret. Dispel myths used to dissuade women from voting, for example, that citizens must know how to read and write to be eligible for voting.
- d. Strengthen coordination with the national police, Ministry of Gender, Labour and Social Development, political parties, and other elections stakeholders in order to develop and operationalize a strategy for the prevention and management of election-related violence against women. Work closely with women's rights organisations with a view to integrating the promotion of women's participation in politics in their respective programmes.
- e. Develop and manage multi-stakeholder platforms designed to mobilise broad support for the promotion of popular participation in politics especially for marginalised groups including women and youth. Towards this end the EC should:

- Tap into the pool of gender and youth expertise, from government agencies, CSOs and development partners relevant to elections.
- Coordinate efforts to prevent, and protect males and females from election-related gender-based violence.
- Increase public awareness regarding the opportunities under the law for women's representation at presidency level, in parliament, local government, women's and youth councils and at lower administrative units such as LC 1 and 11.
- f. Put in place a system for reporting election-related violence and include this information in the election report, disaggregating the data by sex and age. Analysis of the information should inform the Commission in reviewing its strategy for prevention and protection of the public from election-related violence.
- g. The political parties' desk of the EC should make gender awareness and the promotion of women's participation in politics an essential component of the programme for its regular forums with political parties. It should require political parties to have equal representation of men and women at the forums in line with the Constitution and election laws. The EC in its interaction with political parties should clarify the right of men, women, and youth to contest for open constituency seats at parliament and local council levels.

Strategic objective 3: Promote and protect women's right to vote for candidates of their choice

- a. Select the location of polling centers with due regard to their accessibility for women.
- b. Protect every individual's right to vote for a candidate of her/his choice.
- c. Promote the review of legislation that explicitly or by implication authorises voting by lining behind candidates, their agents, images and/or party symbols.
- d. Facilitate the exercise of the right to vote by giving priority voting opportunities at polling centers to cater for women who need assistance such as pregnant women and those with infants and

- accompanying children as well as people with disabilities, the elderly and the sick.
- e. Reduce the time women spend travelling to and from, as well as waiting to cast their ballots in cognizance of their multiple roles and care work. Some strategies might be to provide more accurate information about the locations of polling stations. These stations should be situated where they are accessible for most women, routinely ensuring that there is a fast lane for women with special needs (pregnant women, the aged and those with young children).
- f. Institutionalise the regular collection, analysis, utilisation and dissemination of sex-disaggregated data for actual voters.
- g. Ensure that all presiding officers, polling officials, and domestic election observers are trained in gender and elections related matters. They should also have written guidelines on gender sensitive performance of their respective roles.

2.5.3 Strategic goal 3: Respect and promote gender equality in election observation

Strategic objective 1: To promote the participation of women and women's organisations in election observation

- a. Provide clear guidelines and training on the role of civil society organisations, including women's rights organisations in election observation, and take appropriate steps to encourage the effective participation of women and women's rights organisations in domestic election observations.
- b. Ensure that election observers' reports are gender sensitive and inclusive of their observations on gender equality issues. Compliance with this requirement should be a prerequisite for continued participation or accreditation.
- c. Include the main findings and recommendations on gender equality from election observers in the Commission's election report, and consider them as part of the election review process by management and staff.

- d. Develop codes of conduct for electoral stakeholders such as political parties, election officials, observers, security forces and the media that uphold women's right to political participation and violence-free elections, ensuring such codes of conduct are enforced.
- e. Develop and enforce gender responsive guidelines for all EC partners working on voter education at all levels.

3.0 Conclusion

The adoption of this Gender Strategy is an important commitment by the EC towards promoting gender equality and women's empowerment as the EC fulfills its constitutional mandate in accordance with the laws of Uganda.

It is also a key step towards the vision of the Commission to become a model Election Management Body (EMB).

Implementation of the EC Strategy, including its popularisation among its officers and staff will be a priority. This has implications for resources in the short and medium term, a challenge that the Commission can overcome in cooperation with its partners and stakeholders. Through regular monitoring and evaluation, the EC will track progress, which will inform institutional learning and form a basis for sharing the lessons with other EMBs in the continent and beyond.

Annex 1: Guidelines on Gender Focal Persons (GFP)

1. Who is a gender focal person?

A gender focal person is a staff member (female or male) who is:

- a) Committed to learning about, and contributing to addressing gender issues as part of her/his work in a department, unit or office at the EC.
- b) Enabled to motivate her/his department, unit, region or district office to identify, understand and address gender issues within all stages of work.
- c) Willing to share information, and resources relevant to gender and elections with colleagues.

2. Appointment of a gender focal person

The Head of the Department, regional or district office appoints a gender focal person. This appointment may be based on expressed interest of the individual or assessed capabilities to learn, motivate and mobilise others into action.

3. Role of GFPs

The main role of a GFP is to support the head of department or office in coordinating the implementation of the gender strategy, and to represent the department or unit in network/forums of GFPs of the EC.

While the GFP may be part of the team in implementing activities, the main role of the GFP is to assist the manager and colleagues to contribute to the implementation of the EC gender strategy through their work and to share their progress with the rest of the organisation. It is critical to understand this, in order to ensure that gender mainstreaming is not limited to the GFP, but is a concerted effort permeating the Commission.

Specific functions of the GFP may include the following:

- a. Act as a "help desk" of the office or unit on where to find information and materials on gender issues related to the EC mandate.
- b. Assist in organizing capacity building for office colleagues on gender concepts and gender equality and elections issues.
- c. Encourage colleagues to promote parity of women and men participants in events, trainings and projects coordinated by the unit or office, as well as gender balance among the unit or office staff.
- d. Assist the department or office to establish and strengthen

- collaboration with organisations with gender equality expertise at the national or district level.
- e. Participate in preparing the office annual programme plan and budget, and assist the department/office manager to ensure that activities and resources that contribute to the implementation of the gender strategy are included.
- f. Share with other GFP within EC the achievements and lessons learned from the gender equality work of the department or unit.

Commission support to the Network of GFPs

The network of GFPs will require a lot of continuing support from the EC headquarters. The Senior Gender Officer/head of the Gender Office shall, with support from management and the IT department, establish mechanisms for maintaining regular communication with the GFPs, and shall share with them tools, resources, and other relevant information that supports their work. The communication platform shall also be used by GFPs to share good practices, ask questions, and generally share and learn as a community of practice, thus strengthening the core gender team at EC. The Gender Office can also run a simple monthly/quarterly e-newsletter on gender at EC.

Annex 2: Sample Format of an Annual Action Plan

Strategic goal	Strategic Objective	Target	Action to be taken When action is Responsible to be under- taken	When action is to be under-taken	Responsible person ²⁰
To respect and promote gender equality within the Electoral	Develop internal technical capacity for gender and elections	At least 40% of the EC core trainers complete a	Mobilise financial and human resources	August 2018	
Commission		gender and elections TOT	Review training plan to include TOT		
			Conduct the TOT		
		Gender and election	Engage consul- tant to develop	July 2018	
		training mod- module ule devel-	module		
		oped			

²⁰ It is important that the responsible person be an identifiable person rather than an office. The identified person can work with a team or within a department or office, but assumes the lead role and accountability for delivery on the target.

Annex 3: Sample Progress Indicators for the EC Annual Action Plan

Strategic Goal	Strategic Objective	Possible progress indicators/gender markers
To strengthen capacities for gender responsive internal systems, policies and practices	Develop internal technical capacity for gender and elections Institutionalise the mainstreaming of gender equality in the Commission	To strengthen capacities To strengthen capacities Cal capacity for gender internal systems, poli- cies and practices cies and practices cies and practices Institutionalise the Cal capacity for gender Canacity for gender Capacity for gend
		EC programme and budget allocation

	- How many gender focal persons made substantive inputs
	in the formulation of the programme plans and budgets?
	 What was the role of the EC gender expert/unit in the
	planning process? How many departments/offices re-
	quested for technical support from the gender expert?
	- What percentage of budget allocation for gender equality
	activities was released and spent as intended?
	- Has the EC developed or adopted tools for mainstream-
	ing gender in its work and internal systems (e.g. gender
	checklists, training manuals, monitoring and evaluation
	guidelines)
	- How many reports are published with sex disaggregated
	data? Is sex disaggregated data made publicly available in
	a timely manner?
Enhance the EC man-	- At how many public engagements do senior EC staff ad-
agement's sensitivity	vocate for gender equality and women's empowerment?
and accountability for	 How many strategic actions in the Gender Strategy have
gender equality and	been accepted for implementation by senior EC manage-
women's empower-	ment?
ment	- How many courses have Commissioners and senior man-
	agement taken on gender equality?
	- How many internal policies and practices have been
	reviewed and changed as a part of implementation of the
	Gender Strategy?



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