

Women in Electoral Dispute Resolution in Uganda



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Lay out of Presentation

- Definition of Electoral Dispute Resolution
- Power of Electoral Dispute Resolution within the EC
- Mechanisms within EC to resolve Disputes
- Within the EC what is the role of women in electoral dispute resolution
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Definition of Electoral Dispute Resolution

- The resolution of any contentious electoral matter by a competent authority whether civil, criminal, administrative or constitutional. The matter is deemed election related if it breached the legal framework for elections or if it affects the rights and interests of individuals as participants in the election process

Power of the Commission to Resolve Complaints

➤ Section 15 of the Electoral Commission Act

- Gives the EC mandate to examine, decide and correct any effects that may have been caused upon submission of a written complaint citing irregularities.
- Any appeals against the decision of the Commission can be made at High Court

Mechanisms within the Commission to resolve Complaints continued

At Voter Registration

- Section 25 (4-8) provides for a mechanism and appointment of a tribunal to determine objections and disputes related to the voters' roll.
 - ❑ The tribunal is appointed by a Chief Magistrate or a Magistrate Grade 1 and comprises of 5 members:
 - 2 elders (60+ years) - **one female** and one male
 - 3 members appointed in consultation with political parties or organizations participating in elections in that area.
 - ❑ Decisions of the tribunal are by consensus.
 - In the absence of consensus then voting presides
 - Decisions by the Tribunal are subject to review by the Commission

Mechanisms within the Commission to resolve Complaints continued

A Constituency Boundary Demarcation Tribunal

- A person aggrieved by a decision of the Commission in respect of demarcation of a boundary of a constituency may appeal to the tribunal within 30 days
- The tribunal consists of 3 persons appointed by the Chief Justice
- Qualifications for appointment: Chairperson shall be a person qualified to be a High Court judge, other members shall have, high moral character, integrity and relevant experience and qualifications

Within the EC, What is Women's Role in dispute resolution?!

- Representation of women on the tribunal at lower level (one of the 2 elders) is mandatory. Other levels are subject to appointment based on relevant qualifications and experience- that is a gap.
- Participation and Access: Women have not easily accessed the tribunals because the process is not friendly to ordinary woman with complaints who cant write, don't have the confidence to speak out in public and the negative attitudes and perceptions about women.

Alternative Scenarios of women's initiatives in electoral dispute resolutions

- In January 2016, the EC Chair Dr. Badru Kigundu launched the Women's Situation Room in Uganda.
- The Women's Situation Room (WSR) was an initiative of women (eminent, elderly and from CSOs). The aim of the WSR was to mobilize, harnesses and tap into the expertise and experiences of women to take action in prevention of conflict leading to violence that could emerge before, during and after elections in 2016.
- The Women's Situation Room concept was first implemented under the Angie Brooks International Center(ABIC) during the Liberia Presidential and Legislative Elections in 2011.

Members of the Uganda Women's Situation Room, including eminent women of Uganda and Africa, at the official opening on 15 February 2016 at the Sheraton Hotel in Kampala.

Photo: UN Women/Nadine Kamolleh.



Achievements by the WSR in Dispute Resolution

- The Women's Situation Room trained more than 500 women observers who were deployed to 15 districts considered to be hotspots during the 2016 elections.
- Observers were expected to call the Center's 24-hour hotline to report any incidents that may disrupt the peace during the elections and after polling.
- The reports were analysed by a technical team and passed on for appropriate response.
- Beyond the observers, citizens were encouraged to call the hotline at 0800-333-111 to report any incidents likely to lead to conflict. Serious incidents were verified and passed on to the Uganda Police Force or the Electoral Commission.

The Women's Situation Room



Members of the WSR after meeting Dr. Kizza Besigye immediately after elections in 2016



Conclusion

- ❑ The Role of women in dispute resolution is critical as they are the one who bear most of the brunt of violence and election during electoral processes.
- ❑ However, they have not been adequately engaged and more effort is needed to
- ❑ include them actively in mitigating and resolving conflict.



THANK YOU