



Hold on. Mr Frank Kanduho wants court to issue an interim order blocking elections for special interest group councillors.

BY STEPHEN KAFEERO
sdkafeero@ug.nationmedia.com

KAMPALA. A Kampala Capital City Authority councillor has dragged the Electoral Commission (EC) to court seeking an interim order blocking elections for special interest group councillors scheduled for Monday, February 15, pending a temporary order and judicial review of the same.

Mr Frank Kanduho, a councillor representing Uganda Law Society (ULS), filed the case yesterday in the High Court after EC secretary Sam Rwakoojo on January 20 wrote to the ULS and other bodies represented, asking them to nominate candidates for the election. As an incumbent, Mr Kanduho says he was surprised to learn about the letter on Tuesday and that is when he swung into action to stop the move, which he says deprives him of his rights.

"The applicant by virtue of Section 76 of the KCCA Act 2010, enjoys a five-year tenure of office commencing on the day of his election November

EC sued over KCCA councillor elections

19, 2013, and would come to an end on November 19, 2018, but is now likely to be cut short by the respondent's threatened elections of February 15, 2016, which can only be arrested by way of an interim order," reads Mr Kanduho's submission to the High Court.

EC spokesman Jotham Taremwa in an interview with *Daily Monitor* yesterday said the Commission was yet to be summoned over the matter.

"As far as we are concerned, the programme is on course to

organise those elections. Let us wait for his letter and we shall take action but we are continuing with the organisation of the elections," he said.

Mr Taremwa wondered if the EC would have to wait for all those elected in bye-elections for five years before conducting elections in those areas.

But Mr Kanduho said they were not elected under a bye-election, which would have warranted them to serve only the remaining term of their predecessor.

Mr Kanduho says the law is very clear that once a councillor is elected, he or she has to serve five years from the day one is elected. In the application for a judicial review, Mr Kanduho wants court to quash the decision of the EC, which he says would tantamount to holding an election during his term.

He said he had already had

discussions with the representative of the architects, who too, was aggrieved by the court decision.

Asked whether he was not appreciative of the situation Parliament was intending to remedy by carrying out the elections with the rest of the councillors, Mr Kanduho said the EC was approaching the matter wrongly.

In the run-up to the botched impeachment of Kampala Lord Mayor Elias Lukwago, four councillors needed to fully constitute the KCCA council were hastily elected in 2013, with Mr Kanduho representing the Uganda Law Society; Verna Mwinganisa Mbabazi for Uganda Society of Architects; Karuma Kagyina representing Uganda Institution of Professional Engineers and Dr Denson Nyabwana for Uganda Medical and Dental Practitioners' Association.

THE CURIOSITY

The election of these councillors has been shrouded in secrecy. Two weeks ago, the EC issued a road map stating the dates to hold all the elections but that of the KCCA special interest group councillors, which even comes before that of the President, was not featured.