

Court mediates in LC1 poll petitions

By Farooq Kasule

Aspirants in the LC1 polls will have to brace themselves for a long wait after court advised the parties to explore the option of an out of court settlement.

Yesterday, Justice Steven Musota, the presiding judge in the case filed by James Tweheyo challenging the polls, advised the Electoral Commission (EC) lawyers led by Eric Sabiti to sit with the petitioner and reach an amicable solution.

"This is a matter that can be settled out of court instead of going through the lengthy trial," Musota, head of the civil division of the High Court, said.

EC lawyer Sabiti asked court for two weeks to consult his bosses.

"Indeed, this is a matter that can be settled out of court, but I will furnish court with a report in the next sitting on the position," Sabiti said.

The decision is expected on November 29.

Tweheyo's lawyer Caleb Mwesigwa, welcomed the judge's guidance, saying an amicable settlement is ideal and will avoid wasting court's time.

Tweheyo said his case should not be politicised: "I lodged the complaint on behalf of my fellow teachers invigilating the Senior Four and Senior Six exams who could not get time to participate in the election of their local leaders," he said.

Last week, Tweheyo asked the court to halt the LC polls until the candidates complete their exams.

According to Tweheyo, over 131,000 students aged 18 to 23 who qualify to participate in the polls either as candidates or voters and would be disfranchised if the elections were held.

He said the teachers invigilating the exams would also be excluded. The exams are expected to end on December 8.

BETWEEN THE LINES:

■ Uganda has 57,842 villages with over 34 million people. Each LC1 represents 587 people on average.

According to Tweheyo, the exercise should be conducted during holidays.

Musota also extended the interim order that was recently issued by deputy registrar Sara Langa until November 29.

This means that there would be no LC elections before then.

The EC had set November 14 for the election of women village councils and November 21 for the election of LC committees.

Last week, a court in Jinja stopped the elections after a petition was filed by a Senior Six, student who complained

that he would miss the elections if they were conducted on the current dates, since he will be sitting his final examinations.

According to Paul Bukenya, the EC deputy spokesperson, they are counting losses over the stalled process.

"We had hired polling officials and procured other necessities," he noted.

Other cases

LC polls could even stall longer than expected because of a number of pending cases challenging the process.

In a separate petition, a group of activists led by Norman Tumuhimbise are challenging lining up behind candidates in the polls.

They contend that lining up behind candidates instead of secret ballot exposes, threatens, compromises and infringes upon the fundamental rights and freedom of Ugandans on top of compromising ballot secrecy and voters' integrity.

Impact

Twaha Ssegujja, an aspirant in Kawempe zone 'A', said the extension of the polls has greatly affected him because he had spent over sh5m on posters, fliers and recruitment of agents.

Mastullah Namugga, a woman council aspirant in Nateete town zone, says she is considering dragging the EC to court to compensate her.