

KNOWING THE LAW: EASING YOUR WORK

A BASIC COMPENDIUM OF LAWS AND STANDARD PROCEDURES FOR LOCAL COUNCILORS



Gender Transformation
& Empowerment

WOMEN'S DEMOCRACY NETWORK
Empowering Women's Lives
Uganda Chapter

Acrode
Breaking Through, Building Up and Binding

CEWIGO
MAKING POLICIES
WORK for WOMEN

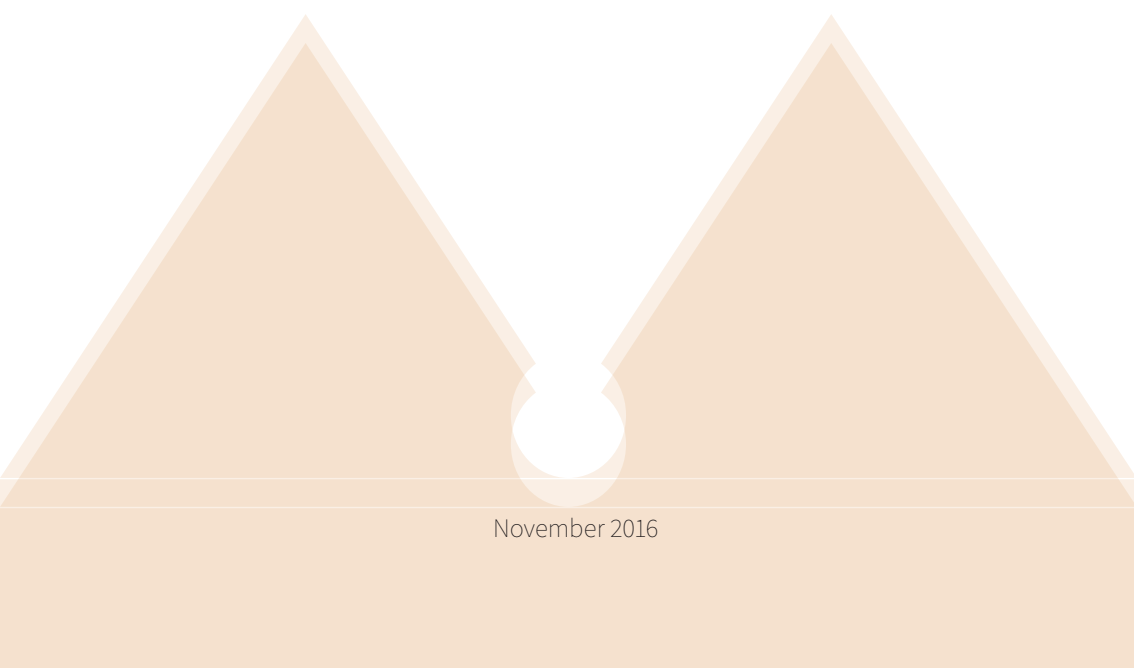
FOWODE
FORUM FOR WOMEN IN DEMOCRACY
Shaping the Future

November 2016

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Acknowledgment

The development of this simple compendium of laws for councilors would not have been possible without the support and effort of a number of individuals and institutions.

UWONET on behalf of the Women's Democracy Group (WDG) extends appreciation to the Democratic Governance Facility (DGF) who financially supported the development of this very instrumental publication.

We are grateful to the women councilors who gave ideas that form the basis for the development of the compendium of laws. Special thanks go to the team at UWONET Secretariat that reviewed the document and edited especially the Executive Director, Ms. Rita H. Aciro-Lakor, Last but not least, the resource person Ms Lillian Kiwanuka, Ms Susan Labwot and Flavia Ajok for the generation co-ordination who dedicated their time to production of the final version of this compendium.

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Foreword

After the “*steam*” of the general elections 2016 settled, Uganda Women’s Network (UWONET) together with all her members and partners particularly those under the Women’s Democracy Group (WDG) embarked on building on the prior, during and after the elections activities geared towards enhancing the skills set and knowledge base especially those of the women councilors in preparations for their new role and responsibilities in Council. Members of the Women’s Democracy Group as individual and collective organizations have over the years invested in enhancing women’s ability and capacity in leadership in various areas. Prior to the general elections of 2016, WDG worked with women in the Council in over 50 districts across Uganda. In preparation for the 2016, WDG carried out a number of activities. Key amongst these include, mapping out women candidates running for the different position both at national and district level, training of women candidates across the country, election observations from a gender perspective in support of women’s participation in particular and building on Uganda’s democratic path.

Uganda has enacted and passed national laws, policies and ratified numerous international human rights instruments calling for gender equality, a greater stride towards engendering laws in the country. The Constitution of Uganda is one of the most progressive in Africa with regards to promotion and protection of women’s rights. The laws and policies passed in Uganda are intended to help citizens achieve the concept of equality in their day to day lives. Although commendable efforts have been made, Uganda is unfortunately a long way from achieving the promises and aspirations of equality stated in the ratified instruments and national laws and policies and indeed this is true with many of our leaders as well who should be using the available laws to guide them in their work.

Uganda is mainstreaming gender, which involves deliberate actions to ensure that experiences, expectations, needs and concerns of men and women are integrated in policy formulations, decision making, planning, budgeting, monitoring and evaluation of policies and programmes. The lack of access to, and control over

resources by women in Uganda is a recurrent cause of gender inequality across the region. The difficulty women have in realizing their basic human rights substantially limits the opportunities women would otherwise have in society. Injustice and violations of women's human rights occurs in their everyday lives despite having a very gender sensitive and progressive Constitution of the Republic of Uganda, 1995. This compendium of laws is intended to provide the basic legal framework to guide local councilors with the hope of easing their work by making reference to them in conducting Council business.

Despite the relatively conducive environment for women to participate in politics, leadership and decision making positions in Uganda, it is evidently true that many hurdles still exist and need to be overcome for effective women's representation and participation. The hurdles that hinder women's participations are so deeply rooted in society and thus continue to manifest in very complex ways. The complex hurdles will require concerted effort with multiple strategies including commitment to providing information that ordinarily one would expect a leader would have in executing their role.

It is our sincere hope that this documentation will provide impetus and foundation for Councilors to provide leadership from a knowledge base and a more gender sensitive point of view in executing their mandate.

Rita .H. Aciro-Lakor

Executive Director

UWONET

About Women's Democracy Group (WDG)

The Women's Democracy Group (WDG) is a coalition of women's rights organizations in Uganda, established in 2009 with an aim of strengthening women's leadership and influencing gender responsiveness in democratic governance. It currently comprises of five women organizations including: Action for Development (ACFODE), Center for Women in Governance (CEWIGO), Forum for Women in Democracy (FOWODE), Women's Democracy Network-Uganda Chapter (WDN-U) and Uganda Women's Network (UWONET) as the coordinating agency.



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Introduction

This handbook in the form of a compendium of laws is aimed at informing councilors especially women on provision for women's rights and gender equality to justice under the international and national legislation. It raises awareness that there is a universal standard of life that all humans are entitled to regardless of whether they are male or female.

Since human rights education is currently not part of the national curricula, this compendium is meant to provide information to councilors on some of the laws that give them the mandate and is also intended to educate women and the community at large about women's natural rights so that they are able to demand for what is due to them and thus end the widespread violations against women in private and public spheres of life. The handbook also provides some basic tips for effective engagement and leadership for the councilors.

Why the Compendium?

- ✱ To give the local councilors information to empower them in the performance of their mandate;
- ✱ To improve the effectiveness of local councilors; and
- ✱ To enable the local councilors to work within the legal framework in fulfillment of their mandate.

How to use the Compendium

The compendium should be used hand in hand with the Constitution of the Republic of Uganda, Local Government Act and other relevant laws that guide the work of local councilors. Local councilors should invest in purchasing the relevant laws, policies and regulations relevant for them to perform their roles and responsibilities to avoid any actions that may be taken outside the provided laws but also more effectively to ensure that they are more gender aware.

International and regional legal instruments and the Constitution of Uganda now make it mandatory to have both women and men in decision making positions in Parliament and local councils. There is a growing realization that both women and men bring different views, expertise and ideas to decision making which can spur development in a country. Most of the international and regional legal instruments on equal opportunity for women and men in decision making are integrated in the Constitution of Uganda.

Any transformative leader knows that service delivery and citizens' welfare should lie at the heart of decisions he/she makes. Decentralization places most of the mandate of service delivery in Uganda in local councils. Albeit the challenges local councils face including limited resources in terms of funds and human resource, they are expected to deliver effective services to the citizens in the various localities. In order for local councils to meet the needs and interests of citizens in their localities, they must be abreast with the legal framework which gives them their mandate and apply the laws for the benefit of citizens.

The compendium of laws for local councilors therefore outlines the legal framework that should inform local councilors as they fulfill their mandate. The first section of the compendium outlines the international and regional legal framework that provides for equal opportunity for women and men in decision making.

The second section outlines provisions of the Constitution that establish and define the roles of local councils and councilors in Uganda. The third section outlines the provisions of the Local Government Act that define the roles of local councils, councilors and their mandate.

The fourth section outlines provisions of the rules of procedure that should guide local councilors as they deliberate in council including: key terminologies. The fifth section of the Compendium outlines relevant sections of the Finance Act which local councils should be knowledgeable about and Section six is a conclusion of the Compendium.

International and Regional Instruments on Gender Equality in Decision Making

International Legal Framework

Universal Declaration of Human Rights

In 1948, the United Nations adopted the Universal Declaration of Human Rights (UDHR). The UDHR in Article 21 provides in part for the right of everyone to take part in the government of his/her country either directly or through freely chosen representatives. As a part of the international community, Uganda has adopted national laws that enable both men and women to be elected as representatives of the people and for citizens both men and women of 18 years¹ and above to vote for their leaders.

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979

In 1985, Uganda adopted the Convention on Elimination of all Forms of Discrimination against Women (CEDAW). When a country signs and agrees to abide by an International Law, it is required to develop national laws to implement its provisions and to report on its progress with regard to implementation of the law.

The CEDAW in Article 7 calls upon States parties ***“to take all appropriate measures to eliminate discrimination against women in the political and public life of the country”***.

At its sixteenth session (1997), the Committee on the Elimination of Discrimination against Women adopted general recommendation 23 regarding the participation of women in political and public life. It emphasized that States parties should ensure that their constitutions and legislation complied with the principles of the Convention and that they were under obligation to take all necessary measures, including temporary special measures, to achieve the equal representation of women in political and public life.

¹ Article 59(2) of the Constitution of the Republic of Uganda

Uganda through the Constitution of Uganda and electoral laws has a defined legal framework to enhance the equal participation of men and women in political life.

Beijing Platform for Action, 1995

The Fourth World Conference on Women, held in Beijing in 1995, drew attention to the persisting inequality between men and women in decision-making. The Beijing Platform for Action reaffirmed that women's persistent exclusion from formal politics, in particular, raises a number of specific questions regarding the achievement of effective democratic transformations, in practice. It undermines the concept of democracy, which, by its nature, assumes that the right to vote and to be elected should be equally applied to all citizens, both women and men. The absence of women from political decision-making has a negative impact on the entire process of democratization.

The Beijing Platform for Action emphasized that ***“women’s equal participation in decision making is not only a demand for justice or democracy, but can also be seen as a necessary condition for women’s interests to be taken into account. Without the perspective of women at all levels of decision-making, the goals of equality, development and peace cannot be achieved.”*** (Para 181)

The Beijing Platform for Action defined two strategic objectives in its critical area of concern on women in power and decision-making:

- ✳ To ensure women's equal access to and full participation in power structures and decision making; and
- ✳ To increase women's capacity to participate in decision-making and leadership.

Uganda is a state party to the international conventions on women's rights and is expected to abide by the provisions of the laws its party to. It is also expected to report on progress being made with regard to the participation of men and women in decision making. CSOs like WDG member organizations assist government in realizing the legal provisions on women's participation in politics by monitoring the progress government is making with regard to promoting equality for men and women in decision making and by conducting capacity building for women councillors in order to enhance their roles and participation in decision making.

Regional Instruments on women's participation in politics

Optional protocol to the African Charter on Human and Peoples' Rights

Article 9 of the Optional Protocol to the African Charter on Human and Peoples' Rights urges parties to the protocol to take specific positive action such as enacting laws that clearly provide for and encourage the participation of women in the political life of their countries on equal footing with men. The Protocol urges individual countries like Uganda which has signed it to put in place/adopt national laws to ensure that in the selection of Mayors, District Councillors, Ministers, Commissioners, Executive appointees, Parliamentarians or President of the Republic, that women are represented equally with men for each of these elections.

Uganda has adopted legislation and made policies as seen in Section 1.1.3. to enhance women's participation in political and public life.

Constitution of Uganda provisions on women's participation in politics

Uganda's efforts to enable women to participate in public life are based on:

- ✱ Article 38 of the Constitution of Uganda that provides for the right to every Ugandan citizen to participate in the affairs of government, individually or through his or her representative. Every Ugandan also has the right to participate in peaceful activities to influence the policies of government through civic organizations.
- ✱ Article 33(4) specifically guarantees the right of women to participate in affairs of government and provides that women shall have the right to equal treatment with men and equal opportunities in political, economic and social activities.
- ✱ The Constitution provides for affirmative action for women and all other groups of persons that have been marginalized through historical processes in Article 32(1) for the purpose of redressing imbalances, which exist against them.
- ✱ To increase the participation of women in the political affairs of the state at local council level, Article 180 (2) (b) of the Constitution of Uganda states that one third of the membership of each local government council shall be reserved for women.

Why more women in politics: Rationale, numbers, and beyond numbers

- ✱ **Rationale/Reasons**– Both practitioners and scholars agree that it is of utmost importance to have equal numbers of women and men in political office because of the following reasons:
- ✱ **The justice argument**–women account for approximately half the population of their countries and therefore have the right to be represented as such.
- ✱ **The experience argument**–women’s experiences are different from men’s and need to be represented in discussions that result in policy-making and implementation. These different experiences mean that women ‘do politics’ differently from men.
- ✱ **The interest argument**–the interests of men and women are different and even conflicting and therefore women are needed in representative institutions to articulate the interests of women.
- ✱ **The critical mass argument**–women are able to achieve solidarity of purpose to represent women’s interests when they achieve certain levels of representation.
- ✱ **The symbolic argument**–women are attracted to political life if they have role models in the arena.
- ✱ **The democracy argument**–the equal representation of women and men enhances democratization of governance in both transitional and consolidated democracies.

Constitutional Provisions Relating to Structures & Functions of Local Councils

Structure of the local council

- ✳ **Article 176 (1):** The system of local government in Uganda shall be based on the district as a unit under which there shall be such lower local governments and administrative units as Parliament may by law provide.
- ✳ **Article 183:** Provides for the district chairperson who shall be the political head of the district and be elected by universal adult suffrage (all Ugandan citizens who are registered to vote) through secret ballot.

For one to be elected a district chairperson, according to Article 183 (2) he or she should be qualified to be elected a member of Parliament; be at least 30 years of age and not more than seventy five years of age and be ordinarily resident in the district.

The district chairperson shall be responsible for:

- a. Presiding over meeting the district executive committee
- b. Monitoring general administration in the district
- c. Coordinate activities of urban councils and councils of lower local administrative units in the district
- d. Coordinate and monitor government functions between the district and government; and
- e. Perform other functions as Parliament may prescribe.

- ✳ **Article 184 (1) provides for the Speaker of the district council:**
The district speaker shall be elected by the district council from among its members. A person shall be deemed to have been elected if the votes cast in his/her favour is more than 50 percent of all members of council.

- ✳ **Article 184 (2):** The Speaker of the council shall in relation to council, perform similar functions to those of the Speaker of Parliament.
- ✳ **Article 185 provides for the removal of a district chairperson and Speaker:** The district chairperson or district speaker may be removed from office by the council by resolution supported by the votes of not less than two thirds or all members of the council on any of the following grounds:
 - a. Abuse of office
 - b. Misconduct or misbehaviour
 - c. Such mental or physical incapacity as would render him/her incapable of performing the duties of his/her office.

Functions of local councils

- ✳ Article 180 (1) A local government shall be based on a council which shall have the highest legislative and executive powers to be exercised in accordance with the Constitution. Legislative powers of local councils include: power to make Ordinances.
- ✳ Executive powers of local councils are administered through the District Executive Committee which is established by Article 186 (1). There shall be an executive committee for each district council which shall perform the executive functions of the council. An executive committee shall consist of—
 - a. The district chairperson;
 - b. The vice chairperson; and
 - c. Such number of secretaries as the council may decide.
 - d. The vice chairperson shall be a person nominated by the district chairperson from among members of the council and approved by two-thirds of all members of the council.
 - e. The secretaries shall be nominated by the chairperson from among members of the council and approved by a majority of all members of the council.
 - f. The vice chairperson shall deputise for the chairperson and shall perform such other functions as may be assigned to him or her by the chairperson.

- g. If the district chairperson dies, resigns or is removed from office, the vice chairperson shall assume the office of chairperson until the election of a new district chairperson, but the election shall be held within six months after the occurrence of the event.
- h. A secretary shall have responsibility for such functions of the district council as the district chairperson may from time to time assign to him or her.
- i. A district council shall appoint standing and other committees necessary for the efficient performance of its functions.
- j. The following shall apply with respect to the composition of the committees of a district council—
 - ✱ the chairpersons and members of the committees shall be elected from among the members of the council;
 - ✱ the district chairperson, the vice chairperson and a secretary shall not be members of a committee of the council but may take part in its proceedings without voting.

Article 187: Vacation of office of member of district executive committee

- 1. The office of a member of a district executive committee shall become vacant if—
 - a. the appointment of that member is revoked by the district chairperson; or
 - b. that member—
 - i. is elected as speaker of the district council;
 - ii. resigns from office;
 - iii. becomes disqualified to be a member of the district council;
 - iv. is unable to perform his or her functions due to mental or physical incapacity or dies;
 - v. is censured by the council; or
 - c. a new chairperson assumes office.

2. A district council may, by resolution supported by not less than half of all members of the council, pass a vote of censure against a member of the executive committee.
3. Proceedings for censure shall be initiated by a petition to the chairperson through the speaker signed by not less than one-third of all the members of the district council to the effect that they are dissatisfied with the conduct or performance of the member of the executive committee.
4. The chairperson shall, upon receipt of the petition, cause a copy of it to be given to the member of the executive committee in question.
5. The motion for the resolution of censure shall not be debated until the expiry of fourteen days after the petition was sent to the chairperson.
6. A member of the executive committee in respect of whom a vote of censure is debated under clause (5) of this article is entitled during the debate to be heard in his or her defence.
7. Nothing in this article shall prevent a person from being reappointed to the executive committee of a district council.

Local Government Act Provisions on the Roles of Local Councils

Part 2 of the second schedule to the Local Government Act provides a list of services for which local governments are responsible. They include:

- ✱ Education services, which cover nursery, primary, secondary, trade, special education and technical education;
- ✱ Medical and health services
- ✱ Water services—The provision and maintenance of water supplies in liaison with the Ministry responsible for natural resources, where applicable.
- ✱ Road services—The construction, rehabilitation and maintenance of roads not under the responsibility of the Government.
- ✱ All de-centralised services and activities which include but are not limited to—
(a) crop, animal and fisheries husbandry extension services; **(b)** entomological services and vermin control; **(c)** human resources management and development; **(d)** recurrent and development budget; **(e)** district statistical services; **(f)** district project identification; **(g)** district planning; **(h)** local government development planning; **(i)** land administration; **(j)** land surveying; **(k)** physical planning; **(l)** forests and wetlands; **(m)** licensing of produce buying; **(n)** trade licences; **(o)** trade development services; **(p)** commercial inspectorate; **(q)** cooperative development; **(r)** industrial relations; **(s)** social rehabilitation; **(t)** labour matters; **(u)** probation and welfare; **(v)** street children and orphans; **(w)** women in development; **(x)** community development; **(y)** youth affairs; **(z)** cultural affairs; **(aa)** district information services.
- ✱ Undertaking private works and services and charging, recovering the costs and contracting out public services to the private sector.
- ✱ Assisting the Government to preserve the environment through protection of forests, wetlands, lake shores, streams and prevention of environmental degradation.

Despite the general roles that councillors play as enumerated in the paragraphs below, women councillors by nature of their sex are expected to make a substantive difference in the lives of women as they play their roles and functions. In order to

be effective they must acquire skills and knowledge on how to mainstream gender and promote gender equality in local government planning, budgeting, analysis and related processes that impact development.

The roles of women councillors are dependent on a number of factors including the committee on which they serve. For instance a councillor may belong to the executive committee. Her roles will include:

- ✱ Participate in initiating and formulating policies for approval of the Council;
- ✱ Participate in overseeing the implementation of the Government and Council's policies and monitor and co-ordinate activities of non-governmental organizations in a District ;
- ✱ Participate in monitoring the implementation of Council programmes and take remedial action where necessary;
- ✱ Recommend to Council any persons to be appointed members of District Service Commission, Local Government Public Accounts Committee, and District Land Board or any Boards, Commissions or Committees that may be created;
- ✱ Receive and solve problems or disputes forwarded by lower Local Government Councils;
- ✱ At the end of each year, consider and evaluate the performance of the Council against approved work plans and programmes.
- ✱ Carry out any other duty as may be authorized by Council or any law.

Section 22 of the Local Government Act provides for Standing Committees (Working Committees) of council. Standing committees are established under the Local Government Act and enable Council to perform its roles and functions. Standing Committees are assigned different functions and responsibilities in specific sectors e.g. Health and Education, Finance and Planning, Administrative Services, Production and Works among others. A woman councillor may belong to a standing (working) committee of council. Her roles will include:

- ✱ Monitoring and evaluating performance of sectors under their functional responsibilities;
- ✱ Receiving budgets of department under their responsibility and recommending for their integration into council budgets;

- ✱ Scrutinize monthly expenditure returns, quarterly reports so as to recommend appropriate action by Council;
- ✱ Review bills for bye-laws presented to the council and make appropriate recommendations to council;
- ✱ Review members' motions and make appropriate recommendations to council; and
- ✱ Receiving budgets of department under their responsibility and recommending for their
- ✱ Integration into council budgets.

Each individual councillor also has roles that he or she must play while in council. These include:

- ✱ Maintaining close contact with the electoral area and consulting the people on issues to be discussed in council.
- ✱ Presenting people's views, opinions and proposals to the Council. Councillors do not only present their own opinions but also what the electorate is saying.
- ✱ Attending Council sessions and Committee meetings.
- ✱ Meeting the people in the electoral area regularly.

Rules of Procedure

Local councils just like Parliament are required to make their rules of procedure to guide the running of council business. Currently, local councils are using the standard rules of procedure of 2014 which can be accessed on www.wdnuganda.org

For any councillor to be effective he or she must learn the rules of procedure and use them to deliberate in council.

The Speaker of a council is responsible for chairing council business. The speaker must be conversant with the rules of procedure and ensure that she or he uses them to run council business. Smooth running of council business apart from usage of rules of procedure requires that the Speaker acts fairly and gives most councillors an opportunity to speak. Doing otherwise can lead to accusations of bias and deprive council of ideas from various councillors. In addition, every councillor represents an electorate, Denying him or her an opportunity to speak denies his or her people the opportunity to make their voice heard on matters they are concerned about. The Speaker should therefore exercise fairness as he or she chairs council.

a. What is a Motion?

Council business is conducted using Motions.

- ✱ A Motion can be defined as:
- ✱ A form of words proposed by a member which if agreed to, becomes an order or resolution of the council;
- ✱ A formal proposal of action presented by a member of a council for consideration at a council meeting;
- ✱ A summary or highlight of a proposed business to be handled in a council meeting.

What is the process of presenting a Motion?

- ✱ The process of presenting a Motion is referred to as Moving a Motion. The person presenting the Motion is called the Mover.

- ✱ Every Motion must be seconded by a Member of the council.
- ✱ There should be a Motion for the business of council to start and the Speaker should take each Motion on the agenda in turn.
- ✱ Members should be allowed to present their views on the Motion.
- ✱ If a meeting adopts the Motion, it becomes a resolution of the council.

b. Nature of Motions

- ✱ **An Individual member's Motion:** A member may propose a subject for discussion or a draft resolution for approval as a resolution.
- ✱ **Formal Motion:** Is one that refers only to procedures and it is moved to expedite or facilitate the business of the meeting. The main formal Motions are:
 - a. The Closure:** The objective of this Motion is to force a vote on a question that has been sufficiently debated. It is moved *“that the question be now put.”* If it is passed, the question under discussion is put immediately to vote. The Speaker may also apply the closure when he or she judges that all opinions have sufficiently been heard.
 - b. Proceed to next item of business:** This may be moved at the end of any speech even if an amendment is before the meeting. If this formal motion is carried, the main motion is dropped and the meeting proceeds to the next item on the agenda. If the Motion is not carried, discussion continues.
 - c. Adjournment of debate:** This is moved to postpone the discussion to a later date, time or place or indefinitely. This may be necessary until some related matter has been settled or until certain information is available or a certain person is present.
 - d. Adjournment of the meeting:** The formal Motion for adjournment should indicate the place of resumption or whether the adjournment is sine die (indefinite). The Motion may be moved at the end of the speech or conclusion of any business. If its is seconded, it may be discussed before being put to the vote.
 - e. Refer back:** This Motion is tabled if the council does not agree with certain recommendations such as those contained in a report. It is tabled to refer the matter back to the committee for further consideration.

- f. Resolve into committee:** It is moved to allow a council meeting to resolve into a committee of the whole council in order to allow members discuss a matter exhaustively. Resolutions from such a committee are recorded as recommendation or passed as simple resolutions when the normal meeting resumes.
- g. Let the matter lie on table:** If the council meeting is unable or unwilling to deal with a certain issue, it may resolve to “let the matter lie on table”. This is a decision to do nothing on the matter until a later date. Later, the Motion may “be taken from the table” and discussed normally.
- h. Motion out of order:** The Speaker may rule a formal motion out of order if:
- ✱ He or she considers it destructive or abusive;
 - ✱ It is moved afresh before a reasonable period is passed
 - ✱ It violated the standard rules of procedure and or bye-laws regulating meeting procedures.

c. What is a Point of Order?

A point of order is an objection submitted to the speaker over an irregularity in the meeting for example:

- ✱ Use of irrelevant or improper language;
- ✱ Absence of quorum;
- ✱ If a Motion is being debated without being seconded;
- ✱ If any bye-law regulating meeting procedure is violated;
- ✱ Use of misleading information by a councillor on the floor;
- ✱ If the Motion is ultra-vires (not within the scope of the notes given);
- ✱ Amendments which are simple negatives.

d. How to move a Motion

The clerk to council is mandated to assist a councillor to draft a Motion. A Motion should be worded exactly as its mover desires it to appear in the minutes of council debate. Motions should start with the word **“That”** e.g. I beg to move, “that the education’s standing committee report for 2nd ¼ 2016/2017 be approved.

Motions should be very clear and relevant to the business for which the meeting has been convened. Motions should be on the matters that the council has authority to debate on.

Motions should be writing when handed to the Speaker (such as a Motion to invite the relevant head of department to answer queries).

d. Role Play

The roles of women councilors are dependent on a number of factors including the committee on which they serve.

MODEL OF A MOTION

THE..... BILL 20.....

DISTRICT LOCAL GOVERNMENT

..... BILL 20....

DRAFT BILL NO.....

MOTION

Mr. Speaker Sir,

In accordance with power conferred upon this council, by Section 38 of the Local Governments Act, Cap. 243, I (name)..... councilor of (place)..... Seek to introduce to this council the (title)..... Bill on the (date) or soon thereafter.

e. How to debate in council

- ✱ The Speaker may require Motions and amendments to be submitted in writing.
- ✱ Council business should be conducted in the order of the agenda unless the Speaker rules otherwise.
- ✱ Except with regard to a point of order, no discussion should take place unless there is a Motion before the meeting amendments.

- ✱ Only one member may speak at a time. He or she must be standing and facing the Speaker unless permission to remain seated has been given by the Speaker or where there is a compelling disability.
- ✱ No member may speak more than once on any Motion or amendments.
- ✱ All deliberations must be relevant to the Motion. A member who refuses to be **“called to order”** may be required to stop speaking or to leave the meeting.
- ✱ Once a Motion is tabled before the meeting, it should not be withdrawn without the consent of the meeting.
- ✱ A matter or Motion once disposed of the meeting may not be raised again at the same meeting.
- ✱ No interruption of “speakers” other than on a point of order or point of information is allowed.
- ✱ Once a Motion has been voted upon, no one should speak on it again.
- ✱ Hon. Members should not use offensive or insulting language, persist in irrelevant repetition, create a disturbance or commit any act disrespectful to the Speaker or to the council.

f. Exceptions to the rule against speaking twice on the same Motion

The mover of a Motion has the right to reply to the representation of the other members before voting occurs. This is to enable him or her to make an effective defense of his or her proposals. The seconder of a Motion may also reserve his or her speech until he or she has heard the views of other members. His or her speech should be presented before voting occurs.

Disorderly conduct: the Speaker may order anyone to be removed from the council chambers if that person is behaving irregularly, improperly or offensively or is wilfully obstructing the business of council.

g. What makes a councillor effective apart from knowledge of the legal framework?

- ✱ The biggest resource for any councillor is the people in his/her electoral area. Most problems facing the people can be resolved if they participate in arriving at solutions.

- ✱ A councillor must have knowledge of the issues affecting the people. This is possible through regular interface with the community.
- ✱ Identify friends who can address some of the problems through provision of material or technical support. The councillor must therefore develop networking skills;
- ✱ Lobby council to prioritize challenges facing the electoral area. Lobbying skills are therefore important for every effective councillor.
- ✱ Advocacy skills to influence other processes which may not necessarily require the law;
- ✱ Skills of monitoring and report writing followed by engagement with persons who have authority and responsibility to address the problem are required. The councillor must follow-up on actions that those in authority promise to take to address the problem (s).
- ✱ Build one's capacity in areas that are vital for performing one's roles. For instance, it may be public speaking, etiquette, dressing, presentation skills, chairing meetings, networking among others.
- ✱ Maintain regular contact with the electorate to inform, learn and exchange ideas on how to make the community better. Ensure that you regularly provide feedback to the community on your roles as a councillors.

h. How can councillors use the law to advance gender equality, improve service delivery and citizens' welfare?

- ✱ Laws provide the basis for a councillor in the performance of her or his roles. For instance the roles of a councillor are provided for in the Constitution of Uganda and the Local Government Act.
- ✱ The law eases the duties of councillors when advancing arguments towards ensuring that equal opportunity and rights for women and men, boys and girls are upheld and respected. For example, during budget allocation the Public Finance Management Act provides for gender and equity responsiveness to be integrated into the budget framework paper².
- ✱ Councillors can use the law to ensure that acts that are done outside the law are punished.

2 Section 9 of the Public Finance Management Act (2015)

- ✱ Decisions of council can be challenged if they are unlawful. For instance, if council makes a resolution to dismiss a public servant outside the standing orders of public service, the resolution can be taken to court by the affected party and cost the district council in terms of resources if the court rules against the district council.
- ✱ The law can be used to persuade peers to support a position of a councillor with regard to resource allocation, introduction of a policy or Ordinance among others. For example, if resources are allocated to construct a market without consideration for toilets for men and women, a councillor can use the Public Finance Management Act to appeal for gender responsiveness in the construction of the market and attendant facilities.

Local Councils & The Public Finance Management Act

The objectives of the Public Finance Management Act are: to provide for fiscal and macroeconomic management; to provide for the charter of fiscal responsibility; to provide for the budget framework paper; to provide for the roles of the Minister and Secretary to the Treasury in the budgeting process; to provide for virements, multiplier expenditures, supplementary expenditures and excess expenditure; to provide for contingency funds, to provide for consolidated fund and commitments against the fund, to provide for bank account management, management of expenditure commitments, raising of loans by the minister, management of the government debt, authority to receive monetary grants and assets management, to provide for the roles of Accounting officers, to establish accounting standards and audit committees, to provide for in-year reporting, to provide for preparation of annual accounts and for accounting for classified expenditure, to establish a Petroleum fund and the collection and deposit of revenues into and the withdrawal of revenue from the Petroleum fund and for the management of the Petroleum Revenue Investment Reserve, to provide for the role of the Bank of Uganda in the operational management of Petroleum Revenue Investment Reserve, to provide for the establishment of the Investment Advisory Committee and relevant reports and sharing of royalties from the fund and to repeal the Public Finance and Accountability Act 2003 and to provide for connected matters.

The budget of the Uganda is the President's budget due to the executive authority entrusted in him or her. A budget is defined by the Public Finance Management Act, 2015 as government plan of revenue and expenditure for a financial year.

Each Accounting officer is responsible in consultation with relevant stakeholders for preparing the budget framework paper for the vote taking into consideration balanced development, gender and equity responsiveness and shall submit the budget framework paper to the Minister.

An Accounting Officer is defined by the Public Finance Management Act as any person who is designated or appointed in writing, as Accounting officer, by the Secretary to the Treasury, to be responsible for a vote.

The President causes the proposed annual budget to be prepared and laid before Parliament for approval³. The Minister of Finance shall with approval of Cabinet submit the Budget Framework paper to Parliament by December 31 of the financial year preceding the financial year to which the budget framework paper relates.

The minister shall in consultation with the Equal Opportunities Commission, issue a certificate certifying that the budget is gender and equity responsive and specifies measures taken to equalize opportunities for women, men, people with disabilities (PWDs) and other marginalized groups.

The proposed annual budget is then committed by the Speaker of Parliament to the Budget Committee of Parliament and to each Sectoral committee of Parliament the part of the annual budget which falls within the jurisdiction of the Sectoral committee.

Parliament shall review and approve the Budget Framework paper by February 1 of the financial year preceding the financial year to which the Budget Framework paper relates.

a. Making Ordinances

An Ordinance according to the Local Government Act is a law made by a district and city council. An Ordinance may be made for a whole district or for a part of the district which makes it. An Ordinance of a district or city council should not contradict the Constitution and any law made by Parliament. The Ordinance should:-

- ✱ Address local issues and not individual concerns;
- ✱ Not duplicate or conflict with existing laws passed by the same council; and
- ✱ Not include matters already adequately provided for by the Constitution or an Act of Parliament except for ease of reference.

3 Section 13 -Public Finance Management Act, 2015

b. Difference between ordinance and By-laws

Ordinance	By-law
Made district council or city council	Made by village/parish council
May prescribe fines of not more than 20 currency points	May prescribe penalties of community service

c. Principles for Making Ordinances

- ✳ When making laws the council should be guided by the following principles. The Ordinance or Bye-law should:-
- ✳ Address local issues and not individual concerns;
- ✳ Not duplicate or conflict with existing laws passed by the same council; and
- ✳ Not include matters already adequately provided for by the Constitution or an Act of Parliament except for ease of reference.

d. Guiding steps for Making Ordinances

- ✳ A councilor introducing a Bill for an Ordinance should be afforded reasonable assistance by the council's department whose area of operation is affected by the Bill
- ✳ The public should be consulted during the process of drafting a Bill and should have access to the draft Bill and the passed Ordinance;
- ✳ An Ordinance should not be made in respect of any matter or issue for which adequate provision is made under existing national laws except for ease of reference; in which case the Ordinance shall reproduce the provisions of that article or law in its entirety;
- ✳ An Ordinance may be made to apply to the whole district or any part of the district or to a particular section or profession of the people;
- ✳ An Ordinance may prescribe fees, charges, or fines.
- ✳ An Ordinance may create offences for breach of its two currency points or imprisonment for a period not more than six months or both; (h) A Bill for an Ordinance must be certified by the Minister responsible for Local Government with advice from the Attorney General so that it is not inconsistent with any existing national laws;

- ✱ Before becoming a law, an Ordinance must be reconsidered by the council. This enables the council to consider and modify the proposed Ordinance taking into account the Ministers comments
- ✱ The district chairperson must sign a passed and certified Ordinance for it to become law;
- ✱ An Ordinance must be published in the Uganda Gazette and local newspaper before it is enforced; and
- ✱ A district or city council does not have power to make an Ordinance establishing a court or providing for how a court should operate
- ✱ The Bill should contain; the title, arrangement of clauses, long title, an ordaining clause, short title, commencement clause, an interpretation part, section heading, supplement number, Ordinance number and, the provisions of the Bill detailed in paragraphs. Here below is a detailed explanation of the contents of a Bill:-

The title

The title is the heading of a Bill such as the “Bride Price Bill, No. Of 2008”.

Arrangement of clauses (table of contents)

This contains parts and sections of a Bill.

Long title

This summarizes the subject matter, purpose and objectives of the Ordinance in general terms.

e. Stages of introducing Bills for Ordinances

STEP 1: Constitution of law committee

The Committee is composed of 7 members including; the CAO as the Chairman, the Clerk to Council as the Secretary, a Legal Officer, and a Coordinator of Community based services and 3 Co-op members, who might include a magistrate, State Attorney or Head of Department from the relevant field.

STEP 2: Problem identification

The Law Committee, with the help of the technical officers, will identify the problem that needs to be addressed by legal means, through interactions and consultations with the people affected.

The committee will also consider how the problem is being dealt with or tackled by the people affected.

STEP 3: Audits of existing laws

The Committee will carry out an audit of the existing Laws for the purpose of establishing whether there are Laws in place to deal with the problem identified to avoid duplication and conflict with the existing law.

The Audit will also help propose a way forward in case there is no Law/ Ordinance to solve the identified problem.

STEP 4: Stakeholder's consultation

The Committee will then carryout consultations with the concerned stakeholders, organizations and relevant authorities on whether or not the Law will be successfully implemented. The Committee then writes a report to council with their findings, guiding principles, lead institution and the impact the law will have. Council then, sends the report to the department responsible.

STEP 5: Preparation of draft Bill

The department responsible will consult with the CAO and prepare a summary of what the Bill should address, and later sends it back to the Committee, who with the department responsible, prepare a Draft Bill. Then the Secretary (Clerk to Council) presents the Bill to the Council.

STEP 6: Presentation of the Bill for council debate

When the Committee is satisfied with the Draft Bill, a motion is prepared containing the main issues and rationale of the Bill, which the Secretary forwards with the Bill to council for debate.

If the motion is passed by majority vote, council publishes the Bill 14 days before commencement of its debate.

STEP 7: Public dissemination of the Bill

This is an important step because, it allows the public to contribute and participate in the Law making process.

The Dissemination is done through, newspapers, pinning up copies in places of worship, markets, public noticeboards and on the outer office door of the District Council.

STEP 8: Council debate of the Bill

After the 14 days of publishing and distributing the Bill to the councilors, the Council shall start debating the Bill.

STEP 9: Adoption of the Bill by Council

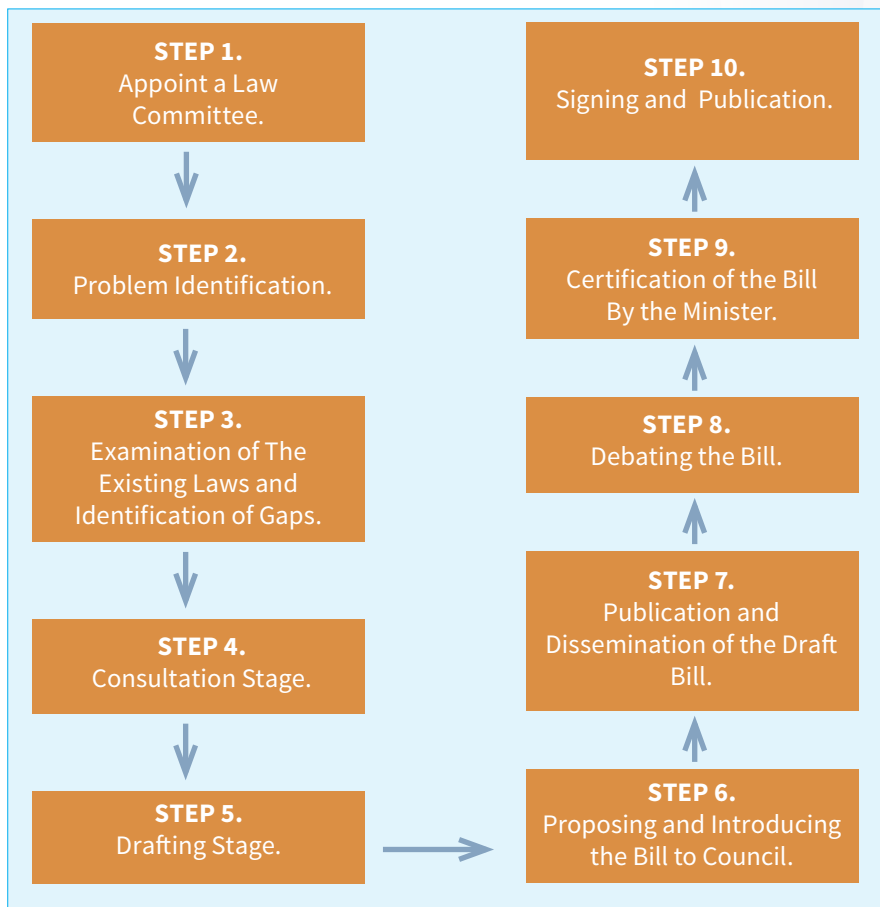
When the Bill is passed and adopted by council, it is forwarded to the Attorney General through the Minister of Local Government for certification. But, if the Minister, on the advice of the Attorney General is of the view that the Bill conflicts with the other Laws, within 90 days, it will be returned with comments for modification.

STEP 10: Signing of the Bill

After Certifying the Ordinance, five copies shall be signed by the Chairperson, making it a Law and distributed;

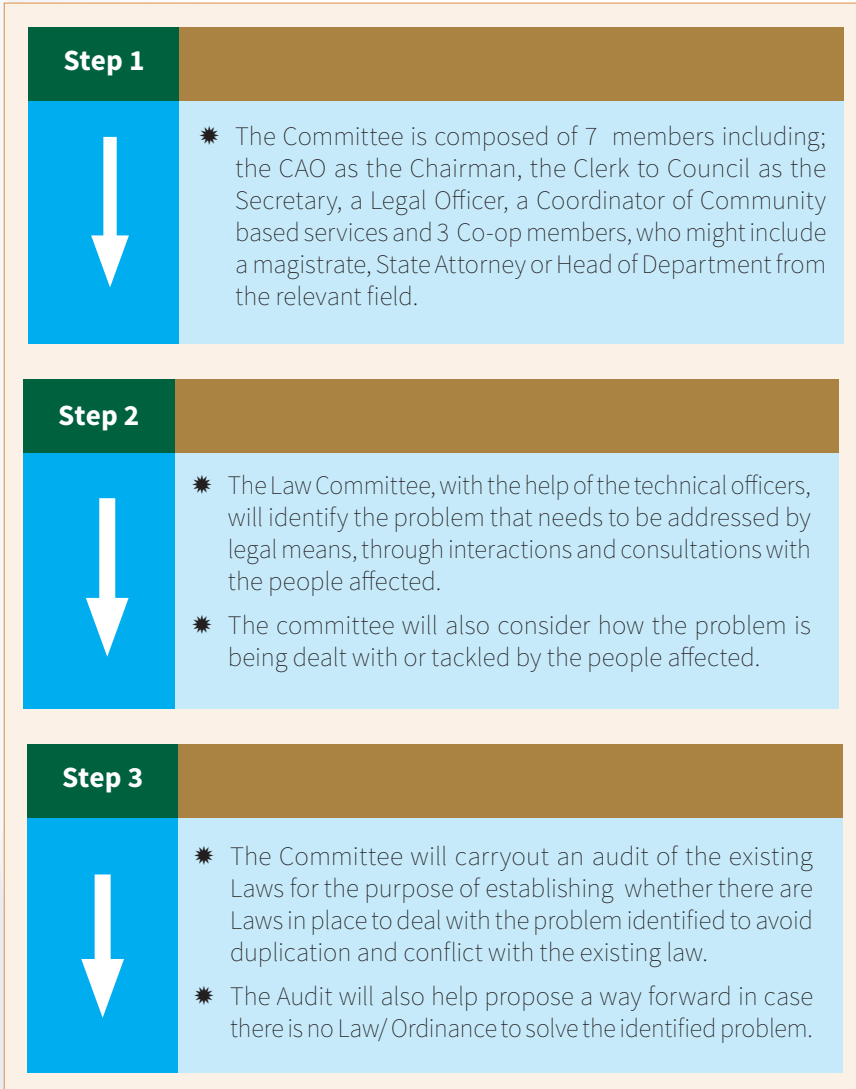
It is also advisable that districts initiate sensitisation programmes on law making to encourage local participation in the process. This is the essence of decentralisation to bring power closer to the people.

The chart below illustrates the process of making ordinances



It should be noted that a member of a district or city council may initiate a Bill for an Ordinance in the council; and a councillor may introduce a Bye-law in his or her council.

The Chart below further explains the process of Making and Ordinance at District Level



Step 4



- ✱ The Committee will then carryout consultations with the concerned stakeholders, organisations and relevant authorities on whether or not the Law will be successfully implemented.
- ✱ The Committee then writes a report to council with their findings, guiding principles, lead institution and the impact the law will have, Council then, sends the report to the department responsible.

Step 5



- ✱ The department responsible will consult with the CAO and prepare a summary of what the Bill should address, and later sends it back to the Committee, who with the department responsible, prepare a Draft Bill.
- ✱ Then the Secretary (Clerk to Council) presents the Bill to the Council.

Step 6



- ✱ When the Committee is satisfied with the Draft Bill, a motion is prepared containing the main issues and rationale of the Bill, which the Secretary forwards with the Bill to council for debate.
- ✱ If the motion is passed by majority vote, council publishes the Bill 14 days before commencement of its debate.

Step 7



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- ✱ The Dissemination is done through, news papers, pinning up copies in places of worship, markets, public noticeboards and on the outer office door of the District Council.

Step 8



- ✱ After the 14 days of publishing and distributing the Bill to the councilors, the Council shall start debating the Bill.

Step 9



- ✱ When the Bill is passed and adopted by council, it is forwarded to the Attorney General through the Minister of Local Government for certification. But, if the Minister, on the advice of the Attorney General is of the view that the Bill conflicts with the other Laws, within 90 days, it will be returned with comments for modification.

Step 10



- ✱ After Certifying the Ordinance, five copies shall be signed by the Chairperson, making it a Law and distributed;
- ✱ One copy to the chairperson, one to the Speaker, one to the Minister responsible for Local Governments, two copies to the Attorney General, which one, will be published in the Newspapers.

Once an Ordinance is passed by council, it is enforceable by the Police, Courts and Local Government law enforcers.

The Police is an agency of the Central Government established by the Constitution and the Police Act and is responsible for maintaining law and order. In the process of ensuring maintenance of law and order the police is mandated to effect arrest in circumstances where they suspect that one is about to commit or has committed an offence and if they deem it necessary, they carry out investigations and forward the outcome of their investigations to the DPP.

In Uganda, the hierarchy of Courts consists of the Supreme Court, Court of Appeal, High Court and sub-ordinate Courts which include Magistrates' Courts and Local Council Courts.

Local Council Courts ensure that the Ordinances are observed in their locality. These courts handle matters of a civil nature related to debts, contracts, assault or assault and battery, conversion, damage to property and trespass where the monetary value of the subject matters does not exceed 2,000,000/=.

The hierarchy of hearing and determining infringement of Ordinances and Bye-Laws is as follows:

- a. An infringement of a Bye-Law or Ordinance is reported to the Village Local Council Court and if one is dissatisfied with the decision can appeal to a Parish Local Council Court;
- b. An appeal from the decision of a Parish Local Council Court, lies with a town, division or sub-county Council Court;
- c. An appeal from the decision of a town, division or sub-county Council Court lies with the Chief Magistrate Court; and
- d. An appeal from the decision of the Chief Magistrate Court lies with the High Court, with permission of the Chief Magistrate Court or the High Court.

Tips on how to work better.

While it is important that one knows the basic laws that protects or provides guideline in ones execution of their work, knowledge of some basic concepts and skill are curial for leaders. A few of these are included in this compendium to help councilors look beyond the laws but also what they need to make the laws work better.

Roles and Responsibilities of Women Leaders

Part II of the Local Government Act provides for the roles and responsibilities of district local councillors. Despite the general roles that councillors play as enumerated in the paragraphs below, women councillors by nature of their sex are expected to make a substantive difference in the lives of women as they play their roles and functions. In order to be effective they must acquire skills and knowledge on how to mainstream gender and promote gender equality in local government planning, budgeting, analysis and related processes that impact development. Part 3 of the handbook provides detailed guidance on this.

The roles of women councillors are dependent on a number of factors including the committee on which they serve. For instance a woman councillor may belong to the executive committee. Her roles will include:

Participate in initiating and formulating policies for approval of the Council;

- ✱ Participate in overseeing the implementation of the Government and Council's policies and monitor and co-ordinate activities of non- governmental organizations in a District;
- ✱ Participate in monitoring the implementation of Council programmes and take remedial action where necessary;
- ✱ Recommend to Council any persons to be appointed members of District Service Commission, Local Government Public Accounts Committee, and District Land Board or any Boards, Commissions or Committees that may be created;
- ✱ Receive and solve problems or disputes forwarded by lower Local Government Councils;
- ✱ At the end of each year, consider and evaluate the performance of the Council against approved work plans and programmes.
- ✱ Carry out any other duty as may be authorized by Council or any law. Section 22 of the Local Government Act provides for Standing Committees (Working Committees) of council. Standing committees are established

Under the Local Government Act and enable Council to perform its roles and functions. Standing Committees are assigned different functions and responsibilities

in specific sectors e.g. Health and Education, Finance and Planning, Administrative Services, Production and Works among others. A woman councillor may belong to a standing (working) committee of council. Her roles will include:

- ✱ Monitoring and evaluating performance of sectors under their functional responsibilities;
- ✱ Receiving budgets of department under their responsibility and recommending for their integration into council budgets;
- ✱ Scrutinize monthly expenditure returns, quarterly reports so as to recommend appropriate action by Council;
- ✱ Review bills for bye-laws presented to the council and make appropriate recommendations to council;
- ✱ Review members' motions and make appropriate recommendations to council; and
- ✱ Receiving budgets of department under their responsibility and recommending for their integration into council budgets.

Each individual councillor also has roles that she must play while in council.

These include:

- ✱ Maintaining close contact with the electoral area and consulting the people on issues to be discussed in council.
- ✱ Presenting people's views, opinions and proposals to the Council.
- ✱ Councillors do not only present their own opinions but also what the electorate is saying.
- ✱ Attending Council sessions and Committee meetings.
- ✱ Meeting the people in the electoral area regularly.

Despite the clearly enumerated roles of elected councillors in the Local Government Act, women councillors face unique challenges as enumerated by political and administrative leaders with whom WDG conducted face to face interviews in the 50 districts of Uganda in 2012–13. The challenges include:

- ✱ Inferiority complex and lack of confidence, low self-esteem, low funding for constituency servicing and high expectations of the electorate with regard to meeting private citizen challenges like school fees. This challenge scored

100% following analysis of reports from pre-visits conducted by WDG in 50 districts of Uganda.

- ✱ The women councillors also lack skills in lobbying and advocacy which scored at 94%;
- ✱ The low literacy levels, failure to speak English the language used in councils and its effects on women councillors as they perform their roles as enshrined in the Constitution and Local Government Act of Uganda and limited knowledge of the rules of procedure of council scored 89%.
- ✱ Lack of skills in planning and budgeting and lack of knowledge on government policies was rated at 79%.
- ✱ Lack of knowledge on their roles and responsibilities scored 74%.

Other skills needs identified by district administrative and political leaders and selected women councillors included: public speaking, lack of skills in gender mainstreaming and gender budgeting, lack of knowledge on

Skills and Knowledge Required by Women Councillors to Perform their Roles and Responsibilities Effectively

a. Points for the chairperson to note

- ✱ The chairperson of the committee should be innovative to ensure that the committee has business to discuss. Some committees in Parliament for instance with chairpersons who are not innovative have no business to discuss.
- ✱ The chairperson should not use his/her position to put forward his/her ideas to the exclusion of others or to dominate the meeting.
- ✱ Practice is key for effective chairing of committee meetings. Watch others and learn good practices.
- ✱ A good chairperson ensures that all the issues on the agenda are discussed within the allotted time, every one's views are heard and clear decisions are reached and the meeting starts and ends on time.
- ✱ CSOs should be invited by the chairperson in consultation with the clerk based on the issues that the committee intends to discuss.

All meetings have rules. For instance all those wishing to contribute do so through the chairperson. It may mean putting up one's hand and waiting for the chairperson to give you a turn, not interrupting other speakers, sticking to the items on the agenda, respecting other people's views e.g. not making faces and expressions that are disrespectful to the speaker at that material time, keep contributions short and to the point.

b. Summarizing Action Points

- ✱ Listen carefully to the discussions and jot down a few points;
- ✱ At the start of the meeting, remind members what the issues for discussion are and the issues on which decisions need to be made;
- ✱ See if you can pull the points the people are discussing and suggest a constructive way forward;
- ✱ If there are two to three different points of view on an issue, summarize them and present them clearly to the members to enable them agree on which point (s) to adopt;
- ✱ Before you move on to the next item, go over what has been agreed upon. This will check that the members all agree on an issue.
- ✱ Before you move to the next item agree on who will ensure that action is taken on the issue at hand. This will ensure that at the next meeting the person responsible is reporting on the action that he/she took on the issue.
- ✱ Don't assume that silence means members are agreed on an issue. Check with them by posing relevant questions before finally adopting the decision.

Caucuses

a. What is a caucus?

A caucus is an exclusive meeting of members of a party or faction for organizational or strategic purposes.

A women's caucus is therefore an exclusive organization of women legislators or councilors for strategic purposes.

b. Success of a caucus

For a caucus to be successful, its members must:

- i. Be committed to make it work and should be guided by a clear purpose.
- ii. Be able to mobilize necessary resources to change the situation of women within the council and women in their communities.

Success of the caucus can be seen through;

- a. Passage of gender equality legislation advocated for by women legislators/councilors.
- b. Increased election of women into positions of leadership in the council for instance as chairpersons of committees in the council.
- c. Women caucuses should also be used to advocate for gender sensitizes budgets, plans and programme so as to ensure that men, women, boys and girls benefit equally and equitably from public resources.

d. Why should women leaders caucus?

For purposes of increasing women's impact in politics through participating in decision making processes. The decisions may be on laws, policies, budgets and programs.

- ✳ To identify critical areas of political, economic and social concern for women and develop strategies and approaches to address them.
- ✳ To provide peer support necessary to promote gender equality legislation and policy agenda and capacity building.
- ✳ The women's caucus can be used to conduct research and provide data on the status of women and gender disaggregated data on issues that affect women's development.
- ✳ Unity is strength in the council. If women councilors have agreed to support a particular ordinance or issue that will have positive impact on women, it will pass more easily if they speak with one voice and from an informed perspective.
- ✳ The issues that affect women are usually similar especially within a similar social setting. It is therefore easier for women councilors to caucus on issues that affect women and push for change.

- ✱ Women are usually marginalized even in leadership. The caucus can therefore provide them an opportunity to network and enable them speak from an informed perspective when pushing for an issue that concerns their interest group—women.
- ✱ Women's caucuses encourage collegiality (from colleague), participation and cooperation among elected women in legislatures.

d. Core principles of Successful caucuses

- ✱ Members meeting regularly on clearly defined agenda; Regular communication with the members;
- ✱ Consensus building on issues that affect women regardless of their political affiliation;
- ✱ Visibility through conducting regular press conferences, radio talk shows so as to constantly be in touch with the interest groups that it represents;
- ✱ Staying away from issues that are divisive;
- ✱ Members of the caucus committing themselves to supporting issues on council and sticking to the caucus position.

Gender Equality

No society can develop successfully without providing equitable opportunities, resources, and life prospects for males and females so that they can shape their own lives and contribute to their families and communities.

How can gender equality be promoted in local councils?

- ✱ Evidence of gender inequality must be collected;
- ✱ Disaggregate data on various programs according to sex. For instance when analyzing data on education, segregate the number of girls and boys who attend school at various levels, their performance rates and develop solutions basing on challenges experienced by each sex;
- ✱ Analyze the district budget and its provisions for males and females programs and services. For instance if school toilets are going to be built for all primary schools in a selected sub-county what are the budgetary provisions for facilities that enhance attendance of school by girls? Are the separate toilets planned

and budgeted for? Are there incinerators planned; what about buckets for girls toilets, water and sanitary provisions?

- ✱ The local councils must have base line information on the numbers of men and women, boys and girls benefiting from government programs and services in order to measure impact once budgets and plans of the district become gender sensitive.

Promoting Gender Accountability In Local Governments

Adapted from ACFODE's Handbook on Good Governance and Gender Accountability (2012)

1. **Gender disaggregated data:** A very useful instrument that can provide all key actors in the accountability process- being citizens, providers and policymakers—with the necessary information to monitor service delivery are gender disaggregated data. In order to optimally allocate and manage scarce resources, information is needed that enables local governments to know who needs what resources, when and where.
2. **Awareness on rights:** Making women more aware of their rights and developing capabilities including understandings of how institutions function and how to negotiate to promote change is necessary in promoting gender accountability.
3. **Getting more women in public office:** is a strategy for social inclusion and gender sensitive public services. Getting women into the mainstream of public office and the bureaucracy is a vital part of engendering local governance. Although the presence of women in public office does not in itself guarantee that the interests of other women will be represented, their presence has a symbolic and practical value: they serve as important role models, which may permit and inspire other women to involve themselves in local governance. Where no women are willing to contest include affirmative action to encourage them. For instance when parish committees are being formed, ensure that a policy is formulated to include at least three women on the committee.
4. **Networking:** For women in civil society networking with women politicians and grassroots women is very important to bridge the differences and to lobby for gender and women's issues.

- 5. Gender budgeting:** A gender analysis of budgets can contribute to an increased transparency of government budgets, it can make visible what resources and services are allocated to what sectors, and who benefits.

The budget cycle has the following stages;

Step 1: Situational analysis

This first stage involves analysing the situation of women, men, boys and girls. At the sectorial level, this will involve analysing the situation of the different sub groups in each sector as well. For example, this may mean looking at statistics on the status of maternal mortality, infant mortality; and literacy rates, as well as opinion surveys on gender targeted service delivery. This makes it possible to identify the key issues that need to be addressed, such as access to services and quality of services.

Step 2: Gender analysis

In the second stage, an analysis is done to assess the gender responsiveness of policies. Does the policy address gender issues described in the situational analysis? Are there any policies to address the key issues? If so, are they adequate to address the issues satisfactorily and ensure the desired results?

Step 3: Budget allocation

An assessment is made of budget allocations. If there are adequate gender sensitive policies, resources must be allocated for their implementation. Are resources allocated for these gender-sensitive policies? Are these resource allocations adequate?

Step 4: Monitoring spending and service delivery

Step four involves monitoring spending and service delivery. It is not enough to design policies to address gender inequalities. Resources must be allocated through the budget for their implementation. However, it is still not enough to allocate resources. The resources must be disbursed and the programmes carried out by the various Ministries Departments and Agencies (MDAs). It is, therefore, important to carry out checks to verify that funds are being disbursed and spent as planned and approved by Parliament. It is also important to monitor the physical deliverables.

Step 5: Assessing outcomes

Money must be spent for the intended purpose and must have the intended effects. Therefore, an examination is made of the impact of the policy and expenditures to assess whether it has promoted the gender equality commitments. For example, did increased resource allocation for health delivery result in reduced maternal mortality and infant mortality? In other words, have the desired impacts on the targeted groups been achieved?

The process of gender budgeting involves three main stages including;

- ✱ Understanding the situation of men, women, boys and girls to identify their different needs-gender needs;
- ✱ Analysing the budget objectives to determine whether they are in line with the real situation of women and men, boys and girls and other marginalized groups;
- ✱ Analysing expenditures and revenues to see whether they address the situation of women and men and or they are in line with the policy guidelines (assuming the policy objectives are gender sensitive).
- ✱ The gender budgeting process may be extended to budget implementation, monitoring and evaluation to make sure that needs of women, men and boys and girls are not left out along the way.

Adapted from Uganda Women's Network (UWONET) Training Manual on Advocacy 2011

What is Advocacy?

- i. It can be defined as a deliberate planned and sustained effort to advance an agenda for a change. Advocacy consists of organized efforts and actions that use the tools of democracy to establish and implement laws and policies so as to create a just and equitable society. These tools include; lobbying, negotiation, bargaining, mass mobilization, civil action (including civil disobedience), court actions and holding of elections.
- ii. Advocacy deals with questioning political power or policy makers and asking them to provide answers to the question of who gets what, how much one gets and how often?
- iii. Advocacy aims at changing social institutions by helping advocates to gain access and a voice in the decision making of such institutions by helping

advocates to gain access and voice in the decision making of such institutions and to change the power relationships within and among those institutions.

- iv. Advocates try to persuade and influence decision makers or those with governmental, political and economic power, to adopt and implement public policies that will improve the lives of those people with less political power and fewer economic resources.
- v. Advocacy resists the unequal power relations such as patriarchy and dictatorship. It questions the existing unequal power relations in society so as to ensure that the poor, the voiceless and those people that have been marginalized or historically left out of the decision making processes are heard and included.

In a nut shell advocacy addresses

- i. Patterns of exclusion and discrimination in the social, political and economic arenas
- ii. Unpopular laws and policies those are not good for the people. Abusive behavior by institutions or individuals working in those institutions.

Understand Power (Influence)

- i. Power is the ability to create that desired change or effect, especially in situations of opposition. At the district or local government level, the people with power include the L.C. 5 or District Councils, Local Government personnel headed by the Chief Administrative Officer (CAO), and various development partners, NGOs, private sector and public sector. An advocate must therefore understand that;
- ii. Power can be limited, unlimited or shared. The people that do advocacy seek to share the power so that they are involved in the making of decisions that will affect people's lives.
- iii. Power is always changing and is rarely given or yielded. Power must be won through resistance or struggle and thus the need to constantly engage those people with power.
- iv. Not all power relies on threats, coercion or force, command or having huge amounts of money. Power can be got through taking strategic actions (such as advocacy) that engage public problem solving processes by being innovative and using people's knowledge, experience and stories.

Different Forms of Power

There are different forms of power that include:-

Political Power - is the ability to control or exercise authority over people or institutions or the ability to influence institutions through which laws and policies are made and implemented.

Economic Power – is the ability to control the means and place of production, including working conditions and wages.

Social Power – is the ability to control or influence people in hierarchical or patriarchal relationships in the family and other social contexts.

In order to effectively influence service delivery or other power structures at the district level, the women Councilors and groups may use any of the five major sources of power that include:-

The power of the people or the citizen's power

The power of direct grassroots experience or grassroots linkages

The power of information and knowledge of their local communities and their own situations. The power of constitutional guarantees or rights The power or moral convictions or belief of what is right and just in their communities.

Effective Leadership for Advocacy

a. What is leadership?

Leadership is an active relationship involving continuous contact between the leader and the followers. It is a process that involves bringing together skills, and abilities that are required and are useful to fulfill a given mission. Leadership is achieving results through people and it occurs when there is an objective to be reached or a task to be carried out, and when more than one person is needed to do it. Leadership is about encouraging and inspiring individuals and teams to give their best to achieve a desired result and it goes hand in hand with power. Leadership is exercised whenever a person influences the behavior of another person or a group of people towards achieving a particular goal.

b. Who is a leader?

A leader is someone who draws people along; goes ahead of others, shows the way, takes initiative, makes a beginning or directs an action, thought or opinion. A leader understands how to get people to work together, by recognizing their different abilities and putting them to the uses they are best suited for. She or he ensures that all the followers are given a sense of solidarity and responsibility.

c. Qualities of a good Leader

She or he ensures that all the followers are given a sense of solidarity and responsibility.

d. Leaders lead with a Vision

They provide direction to others by inspiring a shared vision and mobilizing the people's support and resources to ensure that the group succeeds.

e. Leaders model the way

They understand that the best way to influence others is to make a way. They choose to be honest and share their values and principles with the people they are leading.

f. Leaders build teams or groups

They work with people with whom they develop their vision and plans.

g. Leaders empower others to act

They share with their team member's leadership roles and delegate work so as to build their confidence and self esteem.

h. Leaders are willing to listen

Effective leaders listen to others with empathy and listening makes people feel respected and appreciated.

i. Leaders encourage the heart

They believe in empowering their team members and working at their pace to achieve mutual progress. Effective leaders motivate their team members by celebrating their successes.

j. Leaders are unshakeable

Effective leaders do not fear to face challenges. They keep trying and they believe that one day they will be successful.

k. Leaders manage conflict

Effective leaders learn how to deal successfully with conflicts. They see conflict as an opportunity to examine and work out difficult situations before they become a barrier to the achievement of their goals.

l. Leaders take responsibility for their actions

Effective leaders are decisive and take responsibility for their actions. They are willing to be held accountable for the decisions they make and do not seek to blame others for their shortcomings or failures.

m. Leaders engage in personal development

Effective leaders know their strengths and their weaknesses and they constantly try to become better leaders. They build their capacity by reading books, acquiring skills and educating and training themselves and learning from others.

Communication Skills

a. Communication

Effective communication is a cornerstone for a successful democracy. It develops partnerships, informs planning, budgeting and policy development and ultimately improves service delivery.

The community (citizens) expects that the local government will keep them informed about programs, services, their rights and obligations, benefits, challenges in service delivery and decisions the local government is making on their behalf on a regular basis.

The community also expects government to listen: to find out their views, priorities, needs and expectations. It expects communication that is understandable and takes into account the needs of the diverse population.

In order for councillors to be effective in external communication with the citizens and other stakeholders, their internal communication must be effective. Internal communication can be enhanced by the local council developing a communication plan. The local government communication plan will form the basis for which they communicate and highlight the roles of the councillors and administrative local

government staff in effecting the plan. The local government must be clear on what its desired outcomes are for improving internal communication.

b. Objectives of communication

Objectives for communication are important in developing a communication plan. Objectives also play a key role in monitoring and evaluation.

As a councilor, you must ask yourself why you are communicating. Is it:

- ✱ To raise awareness of a planned or pending issue/initiative/change
- ✱ To change attitudes and behaviour
- ✱ To maximize compliance e.g. of a new law
- ✱ To encourage use of or familiarity with government products or services
- ✱ To gain the support or buy in of stakeholders
- ✱ To boost morale
- ✱ To encourage social cohesion/community spirit, tolerance or to help a widely supported public policy
- ✱ To provide a mechanism for seeking and acting on feedback

c. Communication strategy

This is what you are going to do to get your message across. What actions are you going to take? Who will do what in ensuring that the messages reach your target audience?

d. Communication methods

How are you going to get your message across to the target audience? Communication methods may include:

- ✱ Media releases: This is easy but not always effective. It's better to have a face to face interview with the media outlets through which you want your message communicated to the target audience.
- ✱ Internet sites: Consider the usage of internet in your area and use it according to information in this regard. It is an effective method because it's cost effective, reaches a wide audience particularly where coverage is high and can be used to engage the target audience in a discussion on the message.

- ✱ Pamphlets/brochures/fact sheets
- ✱ DVDs in areas where you plan to show a film/documentary to relay your message
- ✱ Radio: Effective for disseminating information fast particularly in rural areas where it's major tool of communication.
- ✱ Community meetings: Is a good way to ensure two way communications.
- ✱ Focus group discussions: useful for research and two way communication.
- ✱ Email: effective for relaying information but fair for enhancing communication.
- ✱ Mailing lists: In addition to your own mailing list, other partner stakeholders may have mailing lists that will enable your message to reach the target audience. Use this effectively.
- ✱ Direct mail: Letters to affected publics
- ✱ Through opinion leaders: use of opinion leaders is a good method for communication because it adds credibility to the message
- ✱ Events: Good for major announcements
- ✱ Billboards: Good for public advertisements
- ✱ Public notices: Effective in public places where a discussion of the message can ensue.
- ✱ Special needs: Always consider people with special needs in your community when communicating. You could use drama, interpreters for the deaf to ensure that they also receive the information and act on it.
- ✱ Budget: What is the cost of each action? This will determine the methods you use.

e. Using new tools of communication to enhance leadership in local councils

- ✱ Website: Every local government must have a website which it regularly updates. Local government websites are key sources of information to the public on government plans, budgets, programs/services among others.
- ✱ Social media: Refers to a wide range of tools that enable people and organizations to communicate using the internet based technologies. It includes: email and instant messaging, face book, twitter and blogs among others. Social media enables two way communication enabling people and organizations to share information, pictures, audio or video in a snap shot. For communication to be effective social media must be integrated alongside traditional media

like radio and community gatherings among others to increase outreach of information and feedback.

f. Why is social media important for local councillors?

- ✱ Social media allows local councilors to respond to issues from citizens in a fast and cheap manner.
- ✱ It can be used as a source of information to inform decision making.
- ✱ For instance if council is debating a matter and has not yet reached decision making through social media.
- ✱ It enables them to communicate the decisions of council to the electorate
- ✱ It can be used to share information on arising issues...for instance if there is an outbreak of an epidemic like cholera, social media can be one of the tools used to inform the public about the outbreak and what they should do to prevent it. In places where there is no local newspaper, it can be an effective tool for local councils to communicate to citizens.
- ✱ Through social media messages can be sent to many citizens at one ago and feedback received instantly.
- ✱ It can be used to promote an event or activity in which the councilor seeks community participation.
- ✱ It enables instant communication at anytime from anywhere. You do not have to meet at a specific location for communication to take place.
- ✱ Social media allows council to publish its own message without relying on traditional media to edit and at times mis-represent the issues contained in the message.

g. Councilors should keep in mind the following when using social media and SMS chat;

- ✱ Do not post erroneous information because once a message is sent it cannot be retrieved;
- ✱ Citizens expect you to respond immediately to their issues since social media can be used anywhere and at anytime. Doing so builds trust with citizens;
- ✱ Adopt a conversational and friendly tone when using social media. It will enable you to develop a good relationship with citizens on social media;

- ✱ Social media is particularly effective in reaching out to young people because they are the majority on it.
- ✱ Social media must be integrated with other forms of communication like community meetings and radio among others because not everybody has access to it.
- ✱ Use a platform for the purpose it was intended so as to maintain focus on the issues it addresses.
- ✱ Invite only relevant individuals to join a platform. If you are in an SMS chat group for councilors it might not be prudent to invite non councilors to the group.

h. Types of social media

- ✱ Facebook
- ✱ SMS chat
- ✱ Twitter
- ✱ Email

i. Email

1. Practical guide on how to open an email address attached as Annex A to the handbook
2. Always develop etiquette when using email. Common things to do:
3. Acknowledge receipt of an email by sending confirmation to the sender
4. Respond to issues raised in the email systematically beginning from the first issue raised by the sender to the last;
5. Ensure that your grammar is good;
6. Remember that emails are saved and can be retrieved to substantiate future claims or facts.

g. How can one open an email address

- ✱ There are a number of free engines on which you can open your email address including: Yahoo, Hotmail, Gmail, Ymail, among others.

- ✱ All you need to open an email address is an internet connection. This can be done at an internet café in your trading centre. If you have access to a computer with internet in your office or home you can also use it to open an email address.
- ✱ You open one of the above search engines, and “Sign Up”.
- ✱ You will be asked for your details including: date of birth, first and last names, country, etc. It is easier to open an address with your name(s) as this will be easy for you to remember.
- ✱ An email address will have a secret word/number or both word and number that is known to only you. This helps you to keep your information private.

h. What can you do with an email address?

- ✱ One can write an email/ “letter” and communicate to persons of your choice;
- ✱ You can send pictures to persons of your choice;
- ✱ You receive information from anyone who knows your email address;
- ✱ Request for information from anyone.

i. Why it is important for councilors to develop that art of communicating within council and her electorates

- ✱ It leads to the development of personal confidence that promotes self- esteem;
- ✱ Politicians are supposed to be the voices for their electorate. An effective public speaker finds it easier to present the issues affecting her people in an organized manner; and
- ✱ Through public speaking a woman councilor contributes ideas which can promote the welfare of her electorate and society as a whole.
- ✱ In order to become an effective public speaker, one must learn how to do research, investigate issues, organize your materials, and present the materials effectively to the audience in a manner that will either get them to act on the issues presented.

j. What does it take to be an effective public speaker?

- ✱ Be prepared and do research on the topic you intend to speak about. When communicating stay focused on your topic
- ✱ Keep the message clear, simple and short and communicate it passionately
- ✱ Use humor and share personal stories and examples

- ✱ When standing ensure that you stand upright and make sure you are audible
- ✱ Make eye contact with the audience
- ✱ Be relaxed and confident
- ✱ Be vivid when delivering the message
- ✱ Be natural.
- ✱ Speak slowly and clearly
- ✱ Repeat the message you want to get across repeatedly until the target audience identifies it from various messages that they receive everyday

k. **Getting prepared: Guidelines for Thinking Ahead**

1. Remind the participants of the following:
2. Who are you speaking to?
3. What do you wish to communicate?
4. How can you best convey your message?
5. When? Timing is important here.
6. Where? What is the physical context of the communication in mind?
7. Why? In order to convert hearers into listeners, you need to know why they should listen to you

Be concise. Be brief. Use short words and sentences. Where appropriate, support these with short, easy-to-understand examples, which help demonstrate your message.

The public speaker—Tips to keep in mind

The following should matter;

- ✱ **Personal appearance:** When you are making a presentation everyone looks at you. You should be neat and smart.
- ✱ **Body language:** Your body makes up 50% of your message. Make sure you stand straight with your feet slightly apart.
- ✱ **Eye contact:** Engage your whole audience by looking around the room at various intervals.
- ✱ **Facial expression:** Smile when the occasion demands it.

- ✱ **Voice:** Speak loudly so that everyone can hear your message.
- ✱ **Handling fear:** Everyone feels scared before they speak to people in public. This is normal. To address fear, think about the fact that the audience is comprised of human beings like you and they actually wish you well. If you prepare your message well and know your audience you will feel more confident. Before you make your presentation, do the following: visit the venue early so that you get used to the place; ensure that you know your topic and organize your talking points beginning from an introduction, body to a conclusion. Practice your presentation in front of peers or family and ask them to comment; Be smart so that you feel good about yourself. Start your presentation with a joke or a saying that ties in with the topic you wish to speak about. This will put you and the audience at ease.

Balancing Personal and Public Life

Changes in professional life may necessitate:

- ✱ Delegating work whenever possible
- ✱ Traveling early to duty station to avoid traffic
- ✱ Being punctual
- ✱ Taking breaks while working
- ✱ Working the necessary hours
- ✱ Treating employees, subordinates and colleagues with courtesy
- ✱ Making to do lists and putting priorities clear.

Changes in personal lifestyle require;

- ✱ Developing and enjoying relationships with those closest to you. Taking time to be alone when you need it.
- ✱ Making time for friends and relatives
- ✱ Making occasions for mealtimes
- ✱ Making sure your hobbies are non-competitive
- ✱ Taking breaks and holidays whenever possible.

Conclusion

This Compendium of Laws provides a summary of laws that every councilor should have knowledge of. However, it is critical for councilors to have other skills that are critical for problem solving getting things done to improve citizen's welfare and to improve service delivery as provided for in some of the tip. This compendium may not provide all the necessary information and skills, the individuals output to educate or find avenues and take advantage of any opportunity of education be it through reading, seminars and workshops or even formal education to do so to improve the knowledge base and skills set for better leadership and representation could be an additional advantage.

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With Support from:



ISBN: 978–9970–509–14–0

