



## **THE 2021 UGANDA GENERAL ELECTIONS REPORT**



**MARCH 2021**

## FOREWORD

The First African Bicycle Information Organization (FABIO) observed the Uganda General Elections held on January 14<sup>th</sup>, 20<sup>th</sup>, 25<sup>th</sup> and February 3<sup>rd</sup>, 2021 with focus on the Busoga sub-region particularly the districts of; Jinja, Kamuli, Namutumba, Iganga, Luuka and 1 city of Jinja. The overall objective of the observer mission was to engender peaceful electoral processes in Uganda.

FABIO recruited, trained and deployed 81 observers made up of 25 mobile observers/Long Time Observers, 50 stationary observers and 6 tally observers across the 5 districts and one city in Busoga Sub-region. FABIO also established a data centre with 12 data clerks and a data manager. They were charged with receiving data in real time from the observers via telephone since the internet connection had been shut down.

Based on the data received from the observation of the polling days and the post-election observation, FABIO organized post-election advocacy engagements in all the districts where the observation was done. The advocacy brought together key stakeholders in the Uganda electoral process, that includes: the Electoral Commission (EC), the Police, the politicians (former candidates), youth, women, religious leaders, media personalities and other civil society organizations.

This report therefore contains five chapters on the conduct of the 2021 Uganda general elections covering the findings by FABIO from the observation of the four sets of elections, that is; the Presidential and Parliamentary, District and City Mayor elections, Division Mayor and Sub-county Council elections. It also covers the findings from the post-election observations and advocacy engagements by FABIO in Busoga sub-region

I, with great honor, appreciate our development partners for their remarkable contribution towards the success of the entire project. I also wish to thank our observers, the relevant stakeholders in the electoral processes namely; the Electoral Commission, the Police, the Media among others who worked diligently to offer information and support at all times during the execution of this project. Lastly, I would like to thank the FABIO secretariat for the resilience and unparalleled commitment to the successful implementation of this project.

I hope that the observation findings and recommendations in this report can provide a basis for critical reflection on the future of elections in Uganda. Our desire as FABIO is to see a more peaceful, free and fair election process appreciated and thus conducted in Uganda.

For God and My Country

Mr. Justine Ojambo

Chairperson Board of Directors,

FABIO



## ACKNOWLEDGEMENTS

This report presents the First African Bicycle Information Organization (FABIO) findings on the conduct of the 2021 general elections in Uganda based on the election observation in the Busoga Sub-region.

FABIO is greatly appreciative to our development partners, without whose support the observation mission and subsequent documentation and publication of this report would have been impossible.

As FABIO we wish to extend our deep appreciation for the support and partnership of the key election stakeholders within the region namely; the Electoral Commission, Security organs and media houses during the observation processes and the post-election advocacy engagements.

This project would not have been a success without the enviable support of the committed FABIO secretariat, the trainers of trainers; Mr. John Mary Odhoi & Mr. Ivan Mwaka, committed and passionate observers, the technical people; Mr Wamanga Fred (IT expert), Mr. Joshua Mutengu (Data analyst) and the committed data clerks and data manager.

Finally, without the oversight, support and guidance of the Board of Directors, FABIO would have not succeeded in implementing this project. Also, special thanks go to Ms. Joy Nabutanda, Ms. Were Annet, Ms. Nanono Phiona, Mr. Madada Med, and Ms. Katesi Najjiba who have been key staff in this observation mission.

Thank you all.



# TABLE OF CONTENTS

FOREWORD.....	i
ACKNOWLEDGEMENTS.....	ii
LIST OF ACRONYMS.....	iv
EXECUTIVE SUMMARY .....	1
CHAPTER 1.....	4
1.1 About FABIO and Election observation.....	4
1.2 Methodology/Structure/Accreditation.....	5
CHAPTER 2.....	10
2.1. 2021 Electoral Context.....	10
2.2. Social Context.....	10
CHAPTER 3.....	14
3.1. 2021 Presidential/Parliamentary Elections findings.....	14
3.2. Local Government Elections findings.....	18
CHAPTER 4.....	22
4.1. Post-election observation.....	22
CHAPTER 5.....	28
5.1. Conclusion.....	28
5.2. Compendium of Recommendations.....	28
5.3. Appendices.....	31



## LIST OF ACRONYMS

BVVK:	Biometric Voter Verification Kit
FABIO:	First African Bicycle Information Organization
NDI:	National Democratic Institute
RDC:	Resident District Commissioner
DPC:	District Police Commander
RPC:	Regional Police Commander
EC:	Electoral Commission
DISO:	District Internal Security Organ
SOPs:	Standard Operating Procedures
NRM:	National Resistance Movement
NUP:	National Unity Platform
FDC:	Forum for Democratic Change
DP:	Democratic Party
NGO:	Non-Government Organization
LTO:	Long Term Observers
CEON-U:	Citizens Election Observers Network-Uganda
UNNGOF:	Uganda National NGO Forum
ACFIM:	Alliance for Campaign Finance Monitoring
NMT:	Non-Motorized Transport



## EXECUTIVE SUMMARY

The Uganda 2021 general elections may have come and gone but the lessons and experiences of the election continues to reverberate locally and internationally. The pre-election violence that claimed over 54 lives and massive destruction of property alongside with the internet shutdown before and during the election days combined, places Uganda high on the list of democracies engulfed in violence and shrinking civic spaces. It was against this background and context that FABIO recruited, trained, accredited and deployed a total of 81 observers (50 stationary observers, 25 mobile observers and 6 tally center observers). These were deployed on 4 sets of elections; the Presidential and Parliamentary elections, District and City Mayor elections, Division Mayor and Sub-County Councilor elections. FABIO further trained and deployed 25 long term observers to monitor and report on the post-election political and security situation in the Busoga sub-region within the 5 districts and Jinja City.

With the deployments, FABIO sought to use the observer mission to contribute to peaceful electoral processes in Uganda. The mission sought to observe, document and accurately report and provide an impartial assessment of the electoral process focusing on incidences of electoral violence and violence against women in elections in the Busoga sub-region of Uganda. The mission also aimed to deter electoral fraud by deploying observers to the polling stations on election days. And ultimately, to document the causes and triggers of violence in order to mitigate the potential of recurrence in subsequent elections.

FABIO observation on election days across all the 4 sets of elections focused on the general environment around the polling stations, the polling process on election days, observance of the Ministry of Health Standard Operating Procedures (SOPs) for the prevention of the spread of COVID-19, closing of polling stations, the tally centers, the general environment around the tally centers, display of results at the tally centers, announcement and declaration of results. While the findings show that electorates who presented themselves at the polling stations were mostly given the opportunity to cast their ballots, it must not be lost that many other prospective voters did not come out to vote due to fear arising from the tension built during the pre-election period. Other findings relating to the environment outside polling stations show that the general polling environment for both the Presidential and Parliamentary elections on January 14 and the Local Government elections on the 20<sup>th</sup> to 3<sup>rd</sup> day of February 2021 was peaceful with few incidents of violence as reported by FABIO observers.

There were also incidents of vote buying and a few cases of intimidation and harassment of voters around polling stations during election days.

On Set up and opening of polling stations, it was observed that all polling stations were located in open venues; however, FABIO cannot authoritatively conclude that all polling stations were accessible as there was no accessibility audit of the polling stations for persons with disabilities. Generally, polling stations opened on time with the EC officials being present.

The post-election violence monitoring focused mainly on the political and security situation in the districts. The post-election violence monitoring showed that Ugandans felt comfortable talking about the elections generally but also expressed a degree of uncertainty on the true outcome of the elections. There were also instances of hate speech relating to religion, ethnicity and gender but no major outbreak of post-election violence ensued as a result. Working with the outcomes of the election days observation and post-election observation reports, FABIO conducted 5 post-election advocacy events and 5 radio talk shows which further enriched the recommendations herein.

Going forward, FABIO makes the following recommendations aimed at improving future electoral processes:

- The Electoral Commission (EC) should entrench voter education not just in the run up to an election, but all round the electoral cycle. This will greatly curb the problem of low voter turnout and the issue invalid votes.
- The Government of Uganda must embrace democratic values of freedom of speech, association and free press as well as uphold human rights of citizens at all times including election times. Restricting civic space will not build Uganda's democracy.
- For greater transparency around Uganda elections, the media should be allowed to cover all aspects of the electoral processes. This would contribute to building public confidence in the electoral process and the EC.
- Whilst commending the EC of Uganda for the significant inclusion of women as polling officials, FABIO recommends that more women be given higher responsibilities by appointing more women presiding officers. This will build confidence in prospective women voters to participate in the electoral processes.
- The EC should continue to improve upon the transparency of the tallying of results by adoption of relevant and user-friendly technologies that enable electronic transmission of results from the polling stations to the central system at the Tally Centre. This will address computation errors and provide a basis for comparison between what the Tally Centre data clerks enter and what was sent electronically from the polling stations by the presiding officers.
- The Security agencies needs to improve in their handling of Election Day security as well as the coordination of evidence in the prosecution of electoral offenders. This will significantly serve as a deterrent to those contemplating any forms of electoral fraud. The security operatives must be seen to be committed to enforcement of the law equally without favoritism, including arrest and prosecution of electoral offenders.
- Assisted voting must be done in total compliance with the legal framework and vote buying should be prosecuted and penalized including jail time.

- Political parties and candidates should enrich Uganda’s democracy through marketing of quality programs and ideologies for votes and desist from the “do or die” mentality of winning elections at all cost.

As Uganda continues in her democratic journey, one thing is certain, her ability to evolve and take on needed reforms that will lead to the massive participation of citizens. This is the thinking that all electoral stakeholders must embrace ahead of the 2026 general elections.





## CHAPTER 1

### 1.1 About FABIO and Election observation

FABIO – The First African Bicycle Information Organization is a local organization that promotes Non-motorized transport (NMT) in Uganda. However, having done this for some years, FABIO realized that NMT alone cannot bring about implementation of good policies that can lead to improved service delivery in the country. FABIO therefore embarked on advocacy and good governance programs that result in engaging relevant stakeholders responsible for implementing and making governance decisions that lead to a more democratic country.

FABIO has established itself as an organization that is pivotal in advocating for and promoting good governance processes in the Busoga sub-region and the country in general. In collaboration with the Uganda National NGO Forum (UNNGOF), FABIO has been part of quite a number of governance programs such as; *Citizens Manifesto Amplified, Free & Fair Elections campaign, the black Monday campaign, the Integrity Campaign and Strengthening Citizens' Participation in Electoral processes* among others all aimed at improving the governance policies and practices in Uganda.

As part of the efforts to improve the governance processes in the country, FABIO partnered and collaborated with the election observation networks in Uganda. FABIO participated in the 2016 elections as a member of the Citizen Elections Observers Network (CEON-U) to observe the conduct of the general elections with a focus on the Busoga sub-region. Additionally, in 2016 besides the Anti-Voter bribery campaigns which FABIO successfully conducted in Busoga with the support of ACFIM and NDI, FABIO also monitored Campaign financing within the region.

With well-grounded experience in election observation FABIO, with the support of NDI, is one of the few organizations that successfully observed the conduct of the 2021 general elections in Uganda. The overall objective of the observation project was to contribute towards engendering peaceful electoral processes in Uganda. Other specific objectives were:

- To observe, document and report accurate and impartial assessment of the electoral process, electoral violence and violence against women in elections in the Busoga sub-region of Uganda. FABIO recruited, trained and deployed 81 observers across the 5 districts and 1 city of Busoga sub region for the elections held on January 14<sup>th</sup>, 20<sup>th</sup>, 25<sup>th</sup> and February 3<sup>rd</sup>. The observers documented and reported all their findings.
- To deter electoral fraud by deploying observers to the polling stations on election days. FABIO deployed 81 observers across four elections to observe and report any possible critical incidents during the election and the tallying process. The presence of the FABIO observers is believed to have served as a deterrent against possible electoral fraud at the polling stations and Tally Centres.
- To document and ascertain the causes and triggers of violence in order to mitigate the potential of recurrence in subsequent elections.

## 1.2 Methodology/Structure/Accreditation

The overall management of the election observation process was under the management structures of FABIO with a full-time project coordinator who was in charge of the coordination of the project. FABIO deployed a total of 81 observers with 26 being female and 55 were male. Of the 81 observers, 50 were stationary observers comprising 32 male and 18 female observers, 25 mobile observers comprising 17 male and 8 female observers while all the 6 tally observers were male.

The observers were deployed in Jinja city and the districts of Kamuli, Namutumba, Iganga, Luuka and Jinja. The observers were deployed for the 4 sets of election that were held: Presidential and Parliamentary, District and City Mayor elections, Division Mayor elections and sub-county council elections as well as the observation of the post-election political and security situation within the region.

Illustration 1: Project Management and Observation Structure

Table 1: List of districts and sub counties in which the election observation happened

## Illustration 1: Project Management and Observation Structure

**FABIO Board of Directors**



**The secretariat**

The Executive Director  
Project Coordinator- Election observation project  
Data Centre Manager  
MEL officer  
Accountant  
Data clerks



**Mobile Observers/supervisors of Stationary observer (field observers)**

These were assigned to sub counties in the target districts. Each sub county had 1 mobile observer who played the role of long term observation

Jinja city: 4 Sub-Counties - 4 observers  
Jinja District: 3 Sub-Counties - 3 observers  
Iganga district: 5 Sub-Counties - 5 observers  
Kamuli district: 5 Sub-Counties - 5 observers  
Luuka district: 5 Sub-Counties - 5 observers  
Namatumba district: 4 Sub-Counties - 4 observers



**Stationary Observers (50)/ District tally observers (6)**

These were assigned to polling centres and District tabulation centres respectively. Each of them target sub counties had 2 stationary observers and each district had a tally observer.



**Table 1: List of districts and sub counties in which the election observation happened**

NO.	DISTRICT	SUBCOUNTY	OBSERVERS
1.	Jinja city	Budondo Sub county	4 mobile observers
		Bugembe TC	8 stationary observers
		Central Division	1 city tally observer
		Mpumudde Division	
2	Jinja District	Buwenge Sub county	3 Mobile observers
		Butagaya Sub county	6 stationary observers
		Busedde Sub county	1 district tally observer
3	Iganga	Central Division	5 mobile observers
		Bulamagi Sub county	10 stationary observers
		Nambale Sub county	1 district observer
		Nakalama Sub county	
		Namungalwe Sub County	
4.	Kamuli	Mbulamuti Sub County	5 mobile observers
		Bulopa Sub county	10 stationary observers
		Namwendwa Sub county	1 district tally observer
		Magogo Sub county	
		Northern Division	
5.	Luuka	Bukanga Sub county	4 mobile observers
		Luuka TC	8 stationary observers
		Nawampiti Sub County	1 district tally observer
		Ikumbya Sub county	
6.	Namutumba	Bulange Sub county	4 mobile observers
		Namutumba Sub county	8 stationary observers
		Namutumba TC	1 district tally observer
		Kibaale Sub county	
TOTAL NUMBER OF OBSERVERS			81 OBSERVERS



**1.2.1: Identification and Recruitment of Observers (25 mobile, 50 stationary and 6 tally observers totaling 81 observers):** The identification and recruitment of the observers took place between December 20<sup>th</sup> and January 8<sup>th</sup> 2021. FABIO leveraged its diverse networks to identify non-partisan, independent minded, impartial and objective individuals to work as stationary, mobile and tally center observers. These were subjected to a thorough check, interviewed and only those that met the set standards were recruited as observers.

**1.2.2: Accreditation of observers:** As a basic requirement for election observation, FABIO applied and got accreditation of all the observers from the Electoral Commission both at the national and district level. The process involved submitting all recruited observers' names and their identification details for background checks by the Electoral Commission.

**1.2.3: Training of Trainers (ToT):** On January 8<sup>th</sup> and 9<sup>th</sup> 2021, FABIO conducted the Training of Master Trainers, who would step down the training for the mobile and stationary observers. The two-day residential ToT was conducted for 8 Master trainers and 2 FABIO staff members in Jinja. The training was conducted by two consultants with vast experience in election observation. After the training, the trainers were deployed to step down the training for the observers to prepare them for Election Day deployment.

**1.2.4: Training of Mobile Observers.** To build the capacity of the mobile observers, FABIO on January 11<sup>th</sup> & 12<sup>th</sup> 2021 conducted a one and half day centralized training for the 25 (M-17/F-8) mobile observers. The training attracted a total of 25 trainees and the training was conducted by 3 Master Trainers. The training was focused on how to observe the elections using the various tools (checklist, critical incident forms) that were to be used on election days and the post-election period. The training also covered familiarization with the Code of Conduct and Standard Operating Procedures to guard against COVID-19.

**1.2.4: Training of stationary observers and district tally observers.** On January 11<sup>th</sup> & 12<sup>th</sup> 2021, a one-and-a-half-day training was conducted for the 50 stationary and 6 Tally Centre observers in Iganga District. The training attracted a total of 56 (M-38/F-18) observers and was facilitated by 5 Master Trainers with the two FABIO master trainers providing technical support for the training. The training was divided into two groups of 28 per hall.

**1.2.5: Recruitment and Training of Data Clerks:** 12 data clerks were recruited on January 13<sup>th</sup> 2021 and trained in Jinja City. The training was facilitated by an IT specialist with main focus on the different reporting procedures and the use of Google forms for data collection. The data clerks were also trained on the use of prepared master spreadsheets as a backup plan in case of an internet shutdown.

**1.2.6: Data Centre Setup:** A Data Centre fully equipped with computers, phones and other basic utilities was set up at the FABIO office where the 12 data clerks sat and collected observation reports from the deployed observers. The Centre was opened on January 12<sup>th</sup> 2021 and closed on February 28<sup>th</sup> 2021. Information and data from the observers were processed and

reports produced accordingly. Following the conclusion of the four elections, the Data Centre remained functional for the LTO post-election violence monitoring until February 28<sup>th</sup> 2021.

### 1.2.7: Election Day deployment.

Deployment was done as elaborated in the table below:

<b>Date</b>	<b>Type of Election</b>	<b>Deployment</b>	<b>Total</b>
14/1/2021	Presidential & Parliamentary	25 mobile, 50 stationery and 6 tally observers	<b>81</b>
20/1/2021	City and District Elections	50 stationery, 25 mobile observers and 6 tally center observers	<b>81</b>
25/1/2021	Municipalities and Division elections	12 stationery, 6 mobile and 3 tally center observers	<b>21</b>
3/2/2021	Residual Local Government Election	42 stationery, 5 tally center and 23 mobile observers	<b>70</b>
			<b>253</b>



## CHAPTER 2

### 2.1. 2021 Electoral Context

This section details the context in which the elections of January 14<sup>th</sup> – February 3<sup>rd</sup> 2021 were conducted.

### 2.2. Social Context

The outbreak of COVID-19 in Uganda in early 2020 changed the dynamics of the political environment in Uganda. The 2021 elections were organized amid mixed feelings and conversations among the citizens whether or not elections would be held in the face of restrictive measures that were instituted in the country to mitigate the spread of COVID-19. Uganda's political space was afflicted with random sanctions as a means of containing the spread of COVID-19; for instance, the EC directed that there should be a 2-meter social distance and that campaign gatherings of a maximum of 70 people would be permitted.

Candidates were advised to rely on mass media platforms for purposes of campaigning. The directives were welcomed by the National Resistance Movement candidates while most members of the opposition scoffed at them and continued with their campaigns. The campaigns eventually became battle grounds between the security operatives enforcing the EC directives and the opposition candidates and their supporters.

#### 2.2.1 Security context

Prior to the General elections of 2021, Uganda saw unprecedented levels of violence as a result of confrontations between the security operatives on one hand and opposition candidates and their supporters on the other. The most notable incidents happened, in the month of November 2020, when protests broke out in different parts of Uganda triggered by the arrest of Presidential candidate Robert Kyagulanyi Sentamu of the National Unity Platform (NUP) by the police and other security agents in Luuka District in Busoga sub-region allegedly for not adhering to the Electoral Commission guidelines.

In response, security agents used live bullets and tear gas to disperse the protestors. According to Police reports, 54 people including women, men, and a child lost their lives, and over 3000 suspects were arrested. There were 5 police patrol vehicles damaged including one motorcycle burnt, 2 government vehicles were damaged, and four police officers injured. Social media was awash with gross images and videos of the violence that transpired for about two days, including but not limited to undressing of women. Such kinds of acts as observed are likely to deter women's participation in the electoral processes and also undermine a free and fair electoral process.

Uganda's post-election epoch since the general elections has been characterized by the widespread instance of violence and human rights abuses including atrocious killings by security forces, house arrest of the major opposition politician, arrests and beatings of opposition supporters and sometimes journalists and abduction of opposition supporters by security agents riding in Toyota Hiace vans commonly dubbed 'drones'. Uganda's opposition leader, Hon. Robert Kyagulanyi Ssentamu revealed to World Africa, a renowned media house that a list of

243 people were allegedly abducted by the security forces using ‘drones’ and this has created a lot of tension in the country.

### **2.2.2 Political context**

Uganda held its Presidential Elections on January 14<sup>th</sup> 2021 and this came on the backdrop of escalating human rights violations in the country. Since the official start of the presidential and parliamentary campaigns in November 2020, the electoral process was marred with violations that included killings by security forces, arrests and beatings of opposition supporters and candidates such as the Forum for Democratic Change presidential candidate, Patrick Obbo Amuriat and the National Unity Party presidential candidate Robert Kyagulanyi Ssentamu on allegations of failure to adhere to the COVID-19 prevention and other election guidelines during campaigns. Considering that Robert Kyagulanyi was not prosecuted for the alleged violations of SOPs during campaigns, it is an indication that the COVID-19 pandemic was largely used as an instrument to disrupt normal campaign activities.

The aggression did not end with the political parties, but was also extended to journalists that were covering the election processes. On December 27<sup>th</sup> 2021, Ashraf Kasirye, a journalist with the NUP’s Ghetto media, was shot by police and was badly injured while in Masaka, Central Uganda. The Ashraf Kasirye case, along with many other cases of journalists that were injured, left the Ugandan media practitioners intimidated and this affected their ability to courageously cover the electoral process.

In the days leading up to the presidential and parliamentary elections, the Uganda Communications Commission blocked access to social media platforms. Eventually, there was a total shutdown of the Internet from January 13<sup>th</sup> until 18<sup>th</sup> 2021. This was a gross violation of the citizens’ fundamental right of access to information, as well as the right to expression.

On Friday, December 11<sup>th</sup> 2020, the NGO sector in Uganda suffered a direct attack from the government following a letter from the Financial Intelligence Authority communicating the freezing of bank accounts of two key organizations; Uganda National NGO Forum and Uganda Women’s Network on allegations of financing terrorism activities.

This came at a time when the sector was still struggling to come to terms with the banning of the National Elections Watch Uganda – a coalition of over 60 organizations involved in domestic observation of elections – by the NGO Bureau in October 2020.

Following this, the Non-Governmental Organizations faced a lot of difficulties in accessing accreditation from the EC to observe elections. Whereas a few organizations like FABIO managed to obtain accreditation for their observers after extensive efforts, many other organizations failed and this hampered civil society efforts to play a role in observing the 2021 elections.

The 2021 election was the eighth election since Uganda’s independence in 1962 and the fourth multi-party election since the reintroduction of multiparty politics in 2005. Prior to the 2005



referendum in which Ugandans voted for a return to multi-party politics, only one political organization – the National Resistance Movement, was allowed to operate in the country. Even with the multi-party system in place, the political landscape has been dominated by the National Resistance Movement under the leadership of President Yoweri Tibuhaburwa Museveni Kaguta.

For the general elections that were held on January 14<sup>th</sup> 2021, President Yoweri Tibuhaburwa Museveni Kaguta of the National Resistance Movement was declared winner by the Electoral Commission with 58.38% while Robert Kyagulanyi Ssentamu of the National Unity Platform followed with 35.08%. Like in the previous elections of 2001, 2006, 2011 and 2016 this election did not produce a universally acceptable outcome. The National Unity Platform (NUP) presidential candidate Robert Kyagulanyi Ssentamu challenged the election results in court seeking for their nullification.

It should be noted that the NUP presidential candidate later decided to withdraw the petition on grounds that the Supreme Court was biased. In his words Kyagulanyi noted that, “we are withdrawing from the courts but we are not opting for violence”. Following the withdrawal of the petition from Supreme Court, there has been uncertainty of what will happen next and this has led to heavy deployment of security around the country as well as threats and torture of opposition supporters who are often arrested and asked what their principal is planning to do next.

### **2.2.3 Legal/ Administrative context**

The conduct of the Uganda National elections is guided by a number of policy frameworks starting with the 1995 Constitution of the Republic of Uganda [As amended in 2015], the Presidential Elections Act, 2005 [PEA] [As amended in 2010], the Parliamentary Elections Act, 2005 [PAR-EA] [As amended in 2010], the Electoral Commission Act, Cap 140 [ECA] [As amended in 2010], the Political Parties and Organizations Act, 2005 [PPOA] [As amended in 2010], the Local Government Act (amended).

The Electoral Commission Act sets out the Commission’s mandate and makes provisions for its financing and operations. The Presidential Elections Act and the Parliamentary Elections Act outline the procedures for the conduct of National Assembly and Presidential elections during all the stages of the electoral process from nomination of candidates to election petitions. The Political Parties and Organizations Act provides for the regulation, financing and functioning of political parties and organizations. The Local Government Act regulates the conduct of elections in municipal, county and sub-county councils held every five years.

Whereas Uganda has conducted regular elections as the law provides there have been quite a number of irregularities that affect the quality of elections resulting in them being contested by some. In the elections of 2006, 2011 and 2016, Dr. Kizza Besigye as the leading contender in those elections, contested all the election outcomes citing that all were not free and fair as the law provides. In the 2021 elections, Hon Robert Kyagulanyi who was the leading contender also contested the outcomes of the elections citing a lot of irregularities that affected the outcome of the elections.

The Uganda Civil Society Organizations led by the Alliance for Campaign Finance Monitoring have been advocating for a law to regulate campaign financing in Uganda. As much as this effort is appreciated by some members of the top leadership, until the 2021 General elections; there has been no law in place to regulate campaign financing. In the 2021 elections the use of money was seen to influence the elections in favour of the rich while impeding other potential leaders especially women and youth who lack the financial muscle to participate in these electoral processes. There must be efforts geared towards regulating campaign financing so as to level the political ground for all people despite their financial status, gender, religion and or tribal affiliations.



## CHAPTER 3

### 3.1. 2021 Presidential/Parliamentary Elections findings

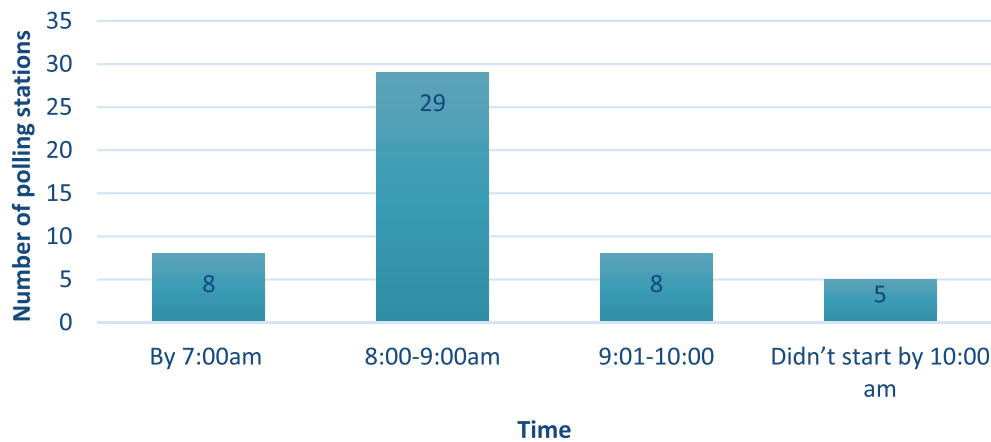
On Election Day, FABIO deployed a total of 81 observers; 50 stationary observers, 25 mobile observers and 6 tally center observers in the 5 districts and 1 city of Busoga sub-region. All the observers were accredited by the Electoral Commission as part of the requirements for observation apart from Kamuli and Luuka districts where they only accredited the tally center observers. Accreditation of the observers was a big challenge to FABIO as the process was unclear and bureaucratic. This created anxiety as accreditation was done at the last minute and in Kamuli, on the polling day. Below are the observation findings from the Presidential/Parliamentary Election observation

**General environment outside polling stations:** The general polling environment on the 14<sup>th</sup> day of January 2021 was peaceful at and around polling stations where FABIO observed, and although the official voter turnout announced by the Election Commission was low (57.22% as of January 17), voters that did turnout were able to cast their vote without any major challenges. Out of the 86 polling stations observed by the mobile observers, there were only 4 polling stations where disorder was observed around the polling stations and this was mainly in areas where electoral materials were delivered late and the voters seemed to run out of patience. Elements of voter inducement in the form of bribery were only identified at 10 out of the 81 polling stations.

**Intimidation of voters and polling officials:** Observers reported very few cases of intimidation and harassment of voters at and around polling stations. Specifically, observers reported 15 incidences of intimidation of voters while mobile observers reported 11 incidences of intimidation targeting women.

**Set up and opening of polling stations:** All the observed polling stations were located in open venues; however FABIO did not undertake an accessibility audit of the polling stations for persons with disabilities. Generally, polling stations opened on time with the EC officials being present. 39 out of the 50 stationary observers noted that polling officials were present and setting up the polling stations by 6:30 am.

## Voting start time during the Presidential and Parliamentary elections



Of the 50 polling stations observed by the stationary observers, at 8 of them, voting started by 7:00am, at 29 of them, voting started between 8:00 and 9:00am, and at another 8 polling stations, voting started between 9:01am and 10:00am while 5 had not opened by 10:00am. According to the observers, cases of delays were largely attributed to a delay in the delivery of the required electoral materials.

Of the 136 polling stations observed by the stationary observers and mobile observers 61 polling stations lacked the indelible ink to mark those that had finished voting. Of the 50 polling stations where FABIO deployed the stationary observers, 25 lacked the stamp and the stamp pad to validate the ballots to be cast.

**The polling process:** The voting process was observed by 50 stationary observers and 25 mobile observers of FABIO who monitored the voting process from a total of 136 polling stations on Election Day. Overall, the polling went on smoothly without major violations with the exception of a few cases of intimidation, and a handful of instances of polling stations missing key electoral materials, such as stamps and indelible ink.

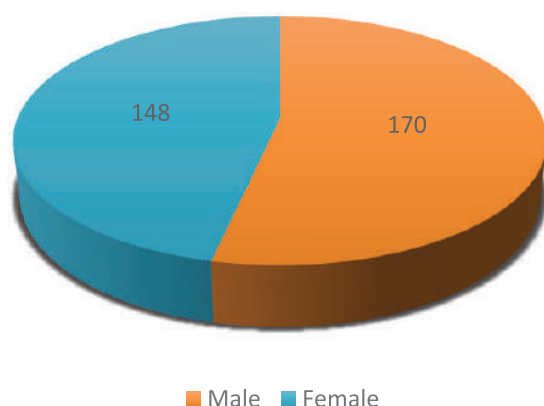
**Deployment of polling officials:** Out of the 86 polling stations at which FABIO through the mobile observers did observation, it was only at one where a limited number of polling officials and a Police Constable had to work as polling assistants.

Unlike the previous presidential and parliamentary polls in 2016, the January 14<sup>th</sup> 2021 polls did not have heavy deployment of men in uniform around polling stations as they were mainly seen stationed at strategic places with some patrolling roads. This may be attributed to the fact that in the build up to the Election Day, there was already heavy deployment of police and the military.

**Gender balance among polling officials:** Attention to gender balancing was visible in the deployment of polling officials at the different polling stations that were observed by FABIO.



### Polling officials Disaggregated by Gender



Out of the 318 polling officials posted at 50 polling stations, 148 were women. However, only 19 women worked as presiding officers out of 50 polling stations.

Out of the 86 polling stations observed by the mobile observers, it took an average of 3 minutes for a voter to cast their vote.

**The use of BVVK technology at polling stations:** 15 out of the 86 polling stations observed by mobile observers had challenges with the functioning of the Biometric Voter Verification Kits (BVVK) at different intervals, something that slowed down the polling process. This was mainly attributed to either the electoral officers' incompetence to operate the machines or provision of wrong codes for the kits.

**Observance of the Covid-19 SOPs:** Out of the 136 polling stations observed by both the mobile observers (86 polling stations) and the stationary observers (50 polling stations), only 63 of them observed strict compliance with the Ministry of Health COVID-19 guidelines (SOPs). Where this was lacking, it was observed that there was lack of hand washing facilities, sanitizers and social distancing.

**Authentication of ballot papers:** At 63 out of the 136 polling stations, the polling officials were observed not to be stamping the back of each ballot before it was issued to a voter. This could have impacted the validity of such ballots during the vote counting. However, at the polling stations where FABIO observed the vote counting process, such unstamped ballots were considered as valid. Nevertheless, the integrity of the electoral process could still be questioned when such a key aspect of the Election Day process is not adhered to.

**Assistance of voters in casting of their votes:** Out of the polling stations FABIO observed, 25 had voters assisted to vote by individuals not authorized by the EC regulations to do so. This means they were helped by individuals that were not polling officials, or state security agents. This contravenes the electoral guidelines and brings into question the integrity of the polling exercise.

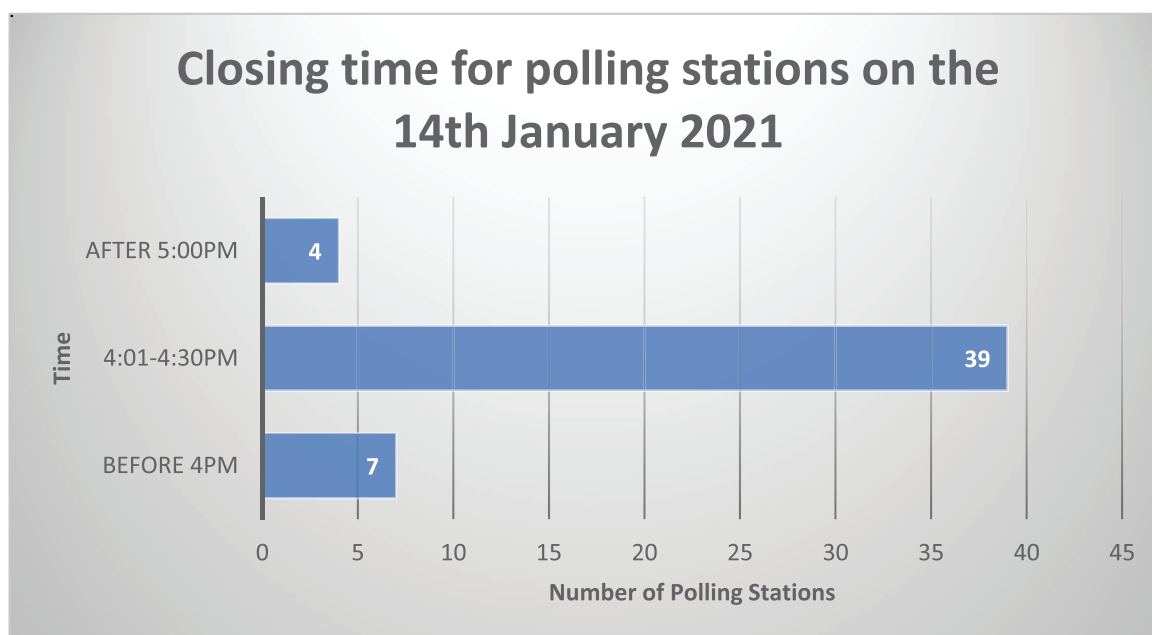
**Presence of political party or candidate agents at polling stations:** Out of the 50 polling stations at which FABIO deployed stationary observers, it was only at one where NRM did not have an agent for the Woman Member of Parliament slot, while it was only at two polling stations where NUP and FDC did not have agents.

**Suspension or delay of voting for more than 10 minutes:** Polling at 22 out of the 50 polling stations at which FABIO deployed stationary observers reported delayed or suspension of voting for more than 10 minutes. These delays were mainly attributed to either disruption by rains or failure of the BVVK machines.

**Presence of unauthorized persons around polling stations:** 9 out of the 50 stationary observers reported the presence of unauthorized persons at the polling stations. These included army men, local defense units and plain-clothed but armed individuals.

**Counting at polling stations:** The counting of votes cast commenced soon after 4:00pm at the various polling stations where FABIO had observers. The counting was done in the open and results announced by the Presiding Officers in the presence of the different party and candidate agents. All political parties and candidates that were available at the polling stations were given copies of signed Declaration of Results forms. The results from the polling stations were submitted manually to the different tally centers by the Presiding Officers.

**Closing of polling stations:** Polling at most of the observed polling stations had started by 10 am and by 4:00pm vote counting had started apart from a few polling stations which still had voters in the queue. Counting was done at the polling venues apart from areas where it was still raining and the officials had to relocate for shelter.



7 out of the 50 polling stations with stationary observers closed for voting before 4pm, 39 of them closed between 4:01 pm and 4:30pm, while 4 closed after 5:00pm. Apart from those that were observed to close before 4:00pm, it was observed in all the respective polling stations, that all the voters in the queue were given a chance to cast their vote.

**The tally centers:** FABIO deployed six observers at the different tally centers in the districts of Jinja, Kamuli, Iganga, Namutumba, Luuka and Jinja City. One observer was not allowed to monitor the tallying process at Jinja District Tally Centre in the evening of January 14 which was

attributed to late accreditation. However, they were allowed in on January 15<sup>th</sup> after getting accreditation.

**General environment around the tally centers:** The environment at the different tally centers was seen to be generally peaceful but with heavy police and military deployment.

**Display of results at the tally centers:** All six tally centers where FABIO observed had display screens stationed to show candidates agents what was being entered by the data clerks into the results tally computer. It was only at one tally center in Jinja where some results entered were different from what was captured on the Declaration of Results forms at the polling stations and consequently a recount of the ballots was done.

**Announcement and declaration of results:** The Returning Officers at the different tally centers did not immediately announce the total votes obtained by each candidate in their electoral district after the tallying process. This was only done for the parliamentary candidates where in addition to announcing, the winners were declared. The different agents of the political parties and candidates were duly availed with copies of fully signed declaration forms for the directly elected Members of Parliament and District Woman Members of parliament.

### 3.2. Local Government Elections findings

On January 20<sup>th</sup>, FABIO deployed 81 observers categorized as 50 stationary observers, 25 mobile and 6 tally center observers. On 25<sup>th</sup> of the same month, FABIO deployed a total of 21 observers of which 12 were stationary, 6 mobile and 3 tally center observers. On the 3<sup>rd</sup> of February FABIO deployed a total of 70 observers categorized as 42 stationary, 5 at the tally centre and 23 mobile observers. In all, FABIO stationary observers monitored 104 polling stations and the mobile observers visited a total of 201 polling stations. The tally center observers observed the tallying processes at the district tally centers of Jinja, Luuka, Kamuli, Namuntumba, Iganga and Jinja City on each of three election days. Below are the findings from the observation process.

**General environment outside polling stations:** While the environment in the majority of the polling stations where FABIO observed was peaceful and most voters who came to the polling station were able to cast their votes, the election was certainly not without issues. For instance, in 10 of the polling stations (3 mayoral, 6 for residual elections and 1 for the district local governments) FABIO observed electoral infractions ranging from failure of Biometric Voter Verification Kit (BVVK) machines, absence of vital election materials to voter bribery.

There was more voter bribery observed during the elections held on February 3<sup>rd</sup> 2021 compared to January 25<sup>th</sup> 2021. For instance, FABIO stationary observers reported 8 cases of voter bribery on the 25<sup>th</sup> of January, compared to 12 cases of bribery reported on the 3<sup>rd</sup> of February.

**Set up and opening of polling stations:** All the polling stations FABIO observers visited were located in public, open and accessible venues that were generally convenient for voters . It



should however be noted that FABIO did not conduct an accessibility audit of polling stations for persons with disabilities.

With the relevant officials on site, polling stations generally opened on time. All the polling stations observed had polling officials present and setting up the polling stations by 6:30 am. On January 20<sup>th</sup> 2021, 12 of 50 polling stations started before 8:00am, 28 started between 8:00 and 9:00 am, 9 started between 9:01am and 10:00am, and one did not start until after 10:00am. On January 25<sup>th</sup> 2021, out of the 12 polling stations, two of them started polling by 8:00 am, 9 started between 8:00am and 9:00am and only one between 9:01 and 10:00 am. On February 3<sup>rd</sup> 2021, of the 42 polling stations observed by the stationary observers, 11 polling stations started before 8:00am, 20 started between 8:01am and 9:00am, 9 polling stations started between 9:01am and 10:00am while two polling stations had not started polling by 10:00am. This was in Iganga district, Nakalama Sub-county, at Nakalama North N-Z and Nakalama mosque polling stations because the polling materials for the women parish councilors were missing.

From the 104 polling stations observed by stationary observers and 201 polling stations observed by mobile observers (305 polling stations combined), the required election materials were available except at 3 polling stations that lacked the required ballot papers. These were in the sub-country of Bulange in Namutumba district on January 20<sup>th</sup> 2021 where the ballot papers for the male District Councilor were lacking. The ballot papers that were delivered at Buwenge Central for the Women Parish Councilor election were for Kadiba zone in Buwenge town council, and the ballot papers for the male councilor election that were delivered in Zone C were for Zone A in Mafubira during the February 3<sup>rd</sup> election.

Out of the 50 polling stations observed by stationary observers on January 20<sup>th</sup> 2021, 29 polling stations did not have stamp pads. And 5 of the 12 polling stations observed on January 25<sup>th</sup> 2021 reported lacking stamp pads while 25 of the 42 polling stations observed for the residual election by stationary observers lacked stamp pads to be used by those that could not write. This compromised the secrecy of the ballot as such voters relied on the assistance of third parties to vote (with a pen) for them.

**Deployment of polling officials:** FABIO observed that across the 3 elections, the EC deployed an average of 5 polling officials per polling station which seemed adequate for the handling of the process. However, in 5 polling stations, only 2 polling officials were deployed which made the process a bit challenging as one official had to carry out other roles too.

**Gender inclusion in the deployment of polling officials:** Both men and women had a fair representation in the deployment of polling officials across the polling stations observed by FABIO, with the exception of the February 3<sup>rd</sup> 2021 elections, where out of 200 polling officials only 68 were women. At the same time, women were under-represented among the presiding officers. For example, out of the 60 polling officials deployed on January 20<sup>th</sup> 2021, 31 were female and 8 of these worked as presiding officers while on February 3<sup>rd</sup> 2021, out of 68 women polling officials only 11 worked as Presiding Officers.

**Use of BVVK technology at polling stations:** Across the polling stations observed, the BVVK machines were available, though some of the machines failed to work in the course of the



Election Day. It was also observed that the efficiency of the polling officials improved with time from the presidential to the Lower local Government elections. For example, 2 out of 50 polling stations observed on January 20<sup>th</sup> 2021 reported failure of the BVVK. And of 12 polling stations observed on January 25<sup>th</sup> 2021, only reported one case where the BVVK failed, while on February 3<sup>rd</sup> 2021, 3 incidents of BVVK failure were reported. Out of the 305 polling stations observed by the mobile observers, it took an average of 3 minutes for a voter to cast their vote.

**Observance of the COVID-19 SOPs:** Over the course of three elections, Ministry of Health COVID-19 guidelines were observed at approximately half of the polling stations where FABIO stationary observers were deployed. During the January 20<sup>th</sup> 2021 election, 26 polling stations did not comply with the COVID-19 guidelines. On the January 25<sup>th</sup> 2021 election, 5 polling stations observed failed to comply with the COVID-19 guidelines. However, 25 polling stations observed during the February 3<sup>rd</sup> 2021 election exhibited adherence to the guidelines. The issues we observed had to do with absence of hand washing facilities, hand sanitizers and social distancing in queues. Masks were only seen during the first set of elections on January 14<sup>th</sup> 2021. A lot of crowding around polling officials was also observed during the counting, thereby exposing the people to the risk of contracting or spreading the COVID-19 virus.

**Voter assistance in ballot casting:** Unlike the previous sets of elections, the polls conducted on February 3<sup>rd</sup> 2021 registered a big number of unauthorized personnel helping voters to cast their vote. This was observed in 24 out of the 40 polling stations and the perpetrators were candidates' agents (20) and polling officials (4).

**Counting of ballots:** At all the polling stations observed on January 20<sup>th</sup> and 25<sup>th</sup> 2021 and February 3<sup>rd</sup> 2021 it was reported that counting of votes commenced at the various polling stations after 4:00pm. It was observed that by 4:00 pm all polling stations did not have voters in the queues and which was understandable given the rather low voter turnout. The counting was done in the open and results announced by the Presiding Officers in the presence of the different party and candidate agents.

FABIO observed that political parties and candidates' agents that were present at the polling stations were handed copies of signed Declaration of Results forms apart from where they had left before counting was concluded during the 3 sets of elections. The results from the polling stations were submitted manually to the different tally centers by the Presiding Officers.

**Closing of polls:** Polling at all of the observed polling stations for the 3 sets of elections had started by 10am and vote counting had started by 4pm. For example, on February 3<sup>rd</sup> 2021, all the 42 polling stations observed had closed polling by 4:00pm except one. On January 25<sup>th</sup> 2021, all observed polling stations had closed polling by 4:00pm. And on the January 20<sup>th</sup> 2021 election, 2 polling stations closed before 4:00pm, 46 polling stations closed between 4:01pm and 4:30pm, one polling station between 4:31pm and 5:00pm and one closed after 5:00pm. The early closure of polling stations may have potentially disenfranchised those voters who may have decided to cast a vote close to 4:00pm and found their polling stations closed for voting.

Counting of votes was done at the polling venues apart from areas where it was raining and the polling officials had to relocate to places that provide shelter from the rain.



**Tally centers:** FABIO deployed six observers at the different tally centers in the different districts of Jinja, Kamuli, Iganga, Luuka, Namutumba and Jinja City. While the environment at the different tally centers was observed to be generally calm with mainly police and the army safeguarding the centers, there were isolated cases of violence and candidates and their agents being battered and thrown out of the tally center.

**Display of results at the tally centers:** All six tally centers where FABIO observed had display screens stationed to show candidates agents what was being entered by the data clerks into the results tally computer. However, due to the inconsistency of figures entered by the data clerks at some tally centres, there were petitions for recount. For example, on January 21<sup>st</sup> 2021 there was a petition to request for the recount for the Jinja City mayoral contest while on January 26<sup>th</sup> 2021 there was also a request for a recount for the Jinja South Division mayoral race and the Jinja Central Woman Councilor race. There was no such petition for recount during the tallying for the February 3<sup>rd</sup> 2021 election where FABIO tally observers were deployed.

**Major critical incidents observed:** FABIO observers reported 5 incidents of alterations of results especially in the Declaration of Results forms at the Jinja City and the Jinja District tally center for the mayoral city, divisions and their respective councilors races.

There were 2 reported incidents of physical assault, intimidation of candidates and their agents at the Jinja tally center. This was targeted at those that complained about differing results being entered by the data clerks (in Jinja south mayor and the Jinja central Division councilor elections). FABIO observed some candidates and agents of candidates being battered and thrown out of the tally center.

Unlike the presidential and parliamentary elections, 15 incidents of vote buying during the city mayoral, division and the residual lower local government elections were reported. These were mainly in the form of offering money to voters near polling stations in order to sway their vote.

In Namutumba District, the sub-county of Bulange did not have elections for the directly elected district male Councilors as one of the candidates' names did not appear on the Declaration of Results forms.



## CHAPTER 4

### 4.1. Post-election observation

FABIO recruited, trained and deployed 25 long term observers (LTOs), equipped with a checklist and incident form to observe and report on the post-election political and security situation in Busoga sub-region in the districts of Iganga, Jinja, Kamuli, Luuka, Namutumba and Jinja City. All the LTOs were recruited from the districts in which they reside to monitor electoral activities relating to the post-election period. Their reports covered activities of EC, Civil Society Organizations (CSOs), political parties and their supporters, incidents of violence and how it affected women and other stakeholders. Observers called-in to submit their bi-weekly reports to the FABIO Election Data Centre. The observers were however mandated to report critical incidents demanding urgent attention as soon as they witnessed any.

#### 4.1.1 Post-election observation reports

The post-election observation reports are not statistically representative of the entire Busoga sub-region, but do provide an indication on general emerging trends in the post-election environment of the sub-region. FABIO did not rely on sample-based observation to carry out its post-election violence monitoring efforts. **FABIO encourages end users of its post-election observation reports and data to independently verify and respond appropriately to all trends identified and discussed in these reports**

The LTOs reported on a weekly basis for 7 weeks beginning on January 15<sup>th</sup> 2021, the reports were compiled by FABIO on a bi-weekly basis that is to say January 16<sup>th</sup> – January 29<sup>th</sup>, January 30<sup>th</sup> – February 19<sup>th</sup> and February 20<sup>th</sup> – March 1<sup>st</sup> 2021. Below is a summary of the post-election violence reports;

- ❖ **General post-election environment:** The reports from the observers indicated that the post-election environment in Busoga was generally peaceful with a handful of violent incidents targeting people because of their party affiliation and media.
- ❖ **Election outcomes:** A considerable number of people were not content with the official outcome of the elections, especially of the presidential and parliamentary elections. People felt there were a lot of irregularities during the polling process and the declaration of elections for the different elections, while the winners were comfortable with the results, many candidates that lost were not satisfied and used the available redress mechanisms to get justice. For example:-  
In Butembe constituency, Jinja district, Jacob Kabondo the NRM Member of Parliament flag bearer appealed for a vote recount with the Jinja Magistrates court but the case was dismissed. The winner was Zijan Livingstone, an NRM-leaning independent candidate.

Kanusu Robert the NRM flag bearer for the Jinja City mayoral slot who lost to Okocha-Kasolo appealed to the Jinja Magistrates court for a vote recount but the case was also dismissed.

Badoji Ismail, an independent candidate for the Kigulu North constituency seat petitioned the Iganga Magistrates court for a vote recount but the case was dismissed. He was contesting the win of Bwino Kyakulaga of the NRM.

Mudiobole Naser is contesting the victory of the NRM-leaning independent candidate Mugema Peter in the Iganga Municipality Member of Parliament race, at the Iganga court. He cites the conduct of the EC during the election and voter bribery by Mugema Peter.

- ❖ **Use of hate speech and intimidating language:** The use of hate speech was not widespread within the observed areas, in the weeks of January 16<sup>th</sup> to January 29<sup>th</sup> 2021, 10 observers witnessed while 14 heard of cases of hate speech, January 30<sup>th</sup> to February 19<sup>th</sup> 2021, 15 observers witnessed while 20 heard of, and in the week of February 20<sup>th</sup> to March 1<sup>st</sup> 2021, 7 witnessed while 41 heard of cases of hate speech, derogatory or intimidating words to candidates or their supporters due to their ethnicity, party affiliation, gender or religion. This centred on the political affiliation affecting mainly the NRM and NUP supporters.
- ❖ **Talking freely about election outcomes:** Observers reported that citizens spoke freely about election outcomes. In the weeks of January 16<sup>th</sup> to January 29<sup>th</sup> 2021, 28 of the observers reported to have witnessed and 13 reported having heard people freely speaking about election outcomes. In the weeks of January 29<sup>th</sup> to February 19<sup>th</sup> 2021, 28 reported having witnessed while 18 heard, and the weeks of February 20<sup>th</sup> to March 1<sup>st</sup> 2021, 35 had witnessed while 15 heard of citizens freely talking about election outcomes. This is suggestive of the fact that citizens have continued to show interest in the electoral processes of their country and that the conduct of elections continued to elicit conversations.
- ❖ **Biased media Reporting:** In the weeks of January 16<sup>th</sup> to January 29<sup>th</sup> 2021, 10 observers witnessed while 14 heard of biased media reports or misinformation against a particular candidate, between January 30<sup>th</sup> to February 19<sup>th</sup> 2021, only 3 observers witnessed while 2 heard of, and February 20<sup>th</sup> to March 1<sup>st</sup> 2021, only one witnessed while 11 heard of biased media reports or misinformation against a particular candidate. Though not widely spread, it is important that the media agencies observe high standards of journalism ethics in their reportage.
- ❖ **Post-election attacks:** In the weeks of January 16<sup>th</sup> to January 29<sup>th</sup> 2021, observers reported attacks on journalists, 5 observers witnessed while 4 observers heard of attacks on media personnel by the police. In the weeks of January 30<sup>th</sup> to February 19<sup>th</sup> 2021, one observer reported attacks against journalists, one witnessed while two others heard of police and military attacks or intimidation of candidates or their supporters. 7 reported attacks leading to bodily harm. And finally in the weeks of February 20<sup>th</sup> to March 1<sup>st</sup> 2021, 17 observers reported hearing of attacks against journalists and media houses. This was mainly by NUP supporters targeting NBS radio journalists.
- ❖ **Violence against women:** In the weeks of January 16<sup>th</sup> to January 29<sup>th</sup> 2021, 6 observers reported to have witnessed violence or intimidation of women and girls because their support for, or campaigning for, or voting for a specific candidate.





Additionally, 5 reported having witnessed while 6 reported to have heard of abuse or assault of women after the declarations of the election results.

From January 30<sup>th</sup> to February 19<sup>th</sup> 2021, two observers witnessed while 6 heard of violence or intimidation of women and girls because of their support for, or campaigning for, or voting for a specific candidate. Out of the 25 observers, one witnessed and 6 heard of abuse or assault of women after the announcement of results. Intimidation against women for their support for presidential candidates and parties was mainly witnessed in Bulange in Namutumba, Nakalama in Iganga and Bulopa in Kamuli. The victims were mainly blamed for being responsible for supporting the long stay of President Yoweri Museveni in power. There were also incidents reported at the sub-country level where women were accused of supporting the incumbent LCIII chairpersons leading to their overstay in power for example in Buwenge Town Council in Jinja District and Bulamagi sub-country Iganga District. This followed the Local Government residual elections held on February 3<sup>rd</sup> 2021.

#### **4.1.2 Post-election Advocacy/Roundtable**

FABIO conducted five stakeholder post-election advocacy or round table events in the districts of Namutumba on March 3<sup>rd</sup> 2021, Luuka on March 4<sup>th</sup> 2021, Iganga on March 5<sup>th</sup> 2021, Kamuli at Kyemba Sande Garden Hotel on March 16<sup>th</sup> 2021 and Jinja on March 17<sup>th</sup> 2021. The stakeholder engagements were aimed at improving the electoral environment and promoting peaceful electoral processes in subsequent elections.

Each of the engagements targeted 15 stakeholders in the categories of Electoral Commission, Police, Civil Society Organizations, academia, former political contestants, elected leaders, religious leaders, and observers. In total the engagements were attended by 75 stakeholders of whom 33 were women while 42 were men. In addition to the engagements, FABIO conducted 5 1-hour talk shows on the 13<sup>th</sup>, 16<sup>th</sup>, 19<sup>th</sup>, 26<sup>th</sup>, and 31<sup>st</sup> of March 2021, on NBS, Sebo FM, Busoga 1 FM, Victoria FM, and RFM respectively. During these engagements the following issues were discussed;

#### **Election security and citizen participation**

The responsibility of ensuring safety and security of election materials as well as people is the mandate of the Uganda Police Force by law. However it was observed that increasingly the Uganda People's Defence Force is taking centre stage in electoral processes. In the 2021 elections UPDF officers were often seen patrolling streets prior to the presidential and parliamentary elections that were held on January 14<sup>th</sup> 2021. The stakeholders also noted that the tally centres were highly over militarized which created fear among citizens especially for the first set of elections. Whereas the polling day was generally more peaceful as compared to previous elections like in 2016, it is believed there was general fear among the citizens and as a result most of the shopping and business centres across the region remained closed the entire polling day and it is possible that many people did not turn up for voting out fear of security



uncertainties. It was therefore recommended that the UPDF keeps out of election security to create a friendlier environment for citizens to participate in electoral processes without fear.

## **Campaigning**

It was noted that the 2021 elections campaign was very unique in the context of the COVID-19 pandemic. According to the 2021 Electoral commission regulations for campaigning, the political contestants were largely expected to campaign through media and small gatherings in venues large enough to guarantee social distancing as a way of mitigating the spread of COVID-19.

It was however noted that access to media was a challenge for some candidates especially those with disabilities limiting the potential of campaigning. Additionally, many of the candidates did not follow the COVID-19 SOPs thus risking the lives of people within the region. It was noted that during the campaigns some people even lost their lives to COVID-19 including high level personalities in the region like Hon. Rehema Wetongola a Member Parliament for Kamuli Municipality.

## **Voting/ Tallying/ Declaration of results**

The general polling environment was seen to be peaceful as compared to the 2016 general elections. All members that went to the polling stations were able to cast their votes. However there was minimal compliance with the SOPs especially at the local government elections. Some of the members expressed discontent with some of the results that were declared at all levels. Some candidates were seen bribing electoral officials to be declared winners. It was recommended that stringent laws be put in place to hold culprits accountable once proven guilty of voter fraud and bribery. Another recommendation to address the likelihood of such manipulation is the call to automate the tallying process such that presiding officers are able to transmit polling station results into a central database.

## **Voter Education**

It was noted that due to challenges imposed by the Covid-19 pandemic, the Electoral Commission limited the use of physical meetings and depended on mainly the use of media in conducting voter education. The EC also worked with Civil Society Organizations to conduct voter education within the region. It was however noted that voter education was not sufficient to enable the citizens to fully understand their role or even the process. It was also noted that the methods used by the EC even in the previous elections were not sufficient in ensuring that the message trickled down to the rural communities and in most cases done at the last moments. It was therefore recommended that the Government allocate more funding towards voter education and should ensure sufficient time to reach most of the people. The voter education should also be tailored and targeted as prospective voters vary across many boards .



## **Election Administration and Logistics Management**

In most of the engagements, the stakeholders expressed concern over the independence of the Electoral Commission in managing the electoral processes. It was noted that the mode of appointment for the commissioners was not the best in ensuring more independent decision making at the Electoral Commission. It was therefore recommended that if the EC is to establish trust among the electorates and other stakeholders, there must be reforms in the law to allow for a more transparent process for appointment of the members of the commission and this process should be competitive.

Whereas at most of the polling stations, election materials arrived on time, it was noted that in some cases materials like the indelible ink were lacking, some of the polling assistants struggled with the use of the BVVK, and in some cases Police Constables were seen taking on the role of the polling assistants. It was therefore recommended that EC invests more in training as well as proper sensitization of the different stakeholders on their roles in electoral processes.

## **Gender inclusion in electoral processes**

The stakeholders noted that the Constitution of the Republic of Uganda provides for equal opportunity for men and women to participate in the governance process. It was also noted that women have been given affirmative action to represent at all levels and it is now a requirement that in all government programmes women are represented. The biggest impediment to women participation in the electoral process was found to be the resource constraints followed by the cultural and social constructs that view women as inferior to men. It was also noted that women that have taken leadership roles like the women members of parliament have not done enough to push the women agenda further. In conclusion therefore, it was agreed that there is need for more sensitization to improve people attitudes towards women as well as establishing women economic empowerment programmes to increase and improve women participation in electoral processes.

## **Media and election violence**

The media was criticized for fueling violence in the 2021 elections. The media was seen to use the kind of language that threatened to incite the masses and it was noted that the majority of major media practitioners in the region participated as candidates in the 2021 elections which made it hard for them to be professional. Additionally, the major media houses are owned by politicians and therefore provide misinformation in support for the owners. Baaba radio known to be owned by Hon. Grace Balyeku and Busoga 1 radio, known to be owned by Hon. Paul Mwiru were temporarily closed down on the orders of the Electoral Commission for being sources of misinformation regarding the outcomes of the elections. It was therefore recommended that the media fraternity maintain a high level of professionalism. It was also



suggested that the EC intentionally sensitize media practitioners and owners on their roles during electoral processes.

### **Money in Politics**

Elections in Uganda have become a do-or-die matter for many people participating in the process. Many candidates were said to have sold personal property to be able to participate as candidates and likewise, the voters have prioritized money rather than issues or ideology during the campaign period. The nomination fees were also said to be so high hindering participation of the youth and women who in most cases are constrained by resources. It was noted that Uganda lacks a comprehensive law that regulates campaign financing and as such the playing field is not always balanced. It was therefore suggested that the Government should put in place a comprehensive campaign finance law that puts a limit or cap on donations and spending.



## CHAPTER 5

### 5.1. Conclusion

FABIO generated findings through observing elections in the Busoga sub-region of Uganda. Based on the observation findings, FABIO concluded that despite the challenges observed in the pre-election period, the election days generally went on smoothly with a few incidents and irregularities.

FABIO commends the EC for the significant inclusion of women as polling officials. This should be upheld for all types of elections and further improved upon by appointing more women as Presiding Officers. This will build confidence in prospective women voters to participate in the electoral processes.

The EC should continue to improve upon the transparency of the tallying of results by adoption of electoral technologies that enable electronic transmission of results from the polling station to the central system at the Tally Centre. This will address computational errors and provide a basis for comparison between what the Tally Centre data clerks enter and what was sent electronically from the polling stations by the presiding officers.

### 5.2. Compendium of Recommendations

Based on the observation findings and the post-election advocacy meetings in the different districts, FABIO offers the following recommendations to improve future electoral processes in Uganda.

#### To the Government

- ❖ Government should enact a comprehensive law that regulates campaign financing.
- ❖ Government should open up more platforms for stakeholder dialogues and support civic awareness.
- ❖ Government should take measures to stop militarization of electoral processes.
- ❖ Government should provide enough funding to the Electoral Commission to enable them to manage elections efficiently and conduct timely voter education.
- ❖ Adequate reforms should be made regarding the appointment procedures for the independent electoral commission members to ensure their independence.
- ❖ Government should ensure more equitable financing for political parties.

#### To the Electoral commission

- ❖ The EC should intensify voter education using the different avenues reminding the voters of the electoral process, their rights and obligations.
- ❖ The EC should entrench voter education not just in the wake of an election, but all round the electoral cycle.
- ❖ The EC should sufficiently train electoral officials and other stakeholders on their roles in the electoral processes.





- ❖ The EC ought to automate the tallying process such that presiding officers are able to transmit polling station results into a central database to mitigate the potential of election outcome manipulation.

#### **To the CSOs**

- ❖ CSOs should scale up support in building civic competence among citizens.
- ❖ CSOs should continue to document electoral proceedings and promote the non-violence agenda.

#### **To the citizens**

- ❖ Citizens should actively participate in all the processes of elections.
- ❖ Citizens should avoid using inflammatory language against one another during elections.
- ❖ Citizens should desist from engaging in all forms of election malpractices.

#### **To the political parties**

- ❖ Political parties should avoid use of inflammatory language before, during and after the election season.
- ❖ Political parties should invest in building strong internal operation structures that will guarantee transparent party primary processes.
- ❖ The different political parties should continue mobilizing their supporters to participate actively in future elections.
- ❖ Candidates and political parties not satisfied with the election outcomes should make use of the available mechanisms for legal redress.

#### **To media**

- ❖ The media should continue with its role of educating and informing the citizenry about their roles and responsibilities through the electoral cycle.
- ❖ The media should desist from biased reporting and use of inflammatory language.
- ❖ The media owners should facilitate the journalists better to avoid being used by politicians for personal gains.

#### **To parliament**

- ❖ The Parliament should enact a law that regulates campaign financing.
- ❖ The Parliament is called upon to engage stakeholders in taking on far reaching electoral reforms that will guarantee more credible, free and fair elections that are inclusive and peaceful.

#### **To the international community**

- ❖ FABIO calls on the international community to continue to support the Government and CSOs in enhancing electoral integrity through financial support as well as diplomatic pressure.

### **5.3. Appendices**

- i. FABIO statement on polling situation in Uganda
- ii. FABIO consolidated statement on the Local Government Elections and the Polling Situation in Uganda
- iii. FABIO Post-Election Violence Monitoring Bi-Weekly Report
- iv. FABIO 2<sup>nd</sup> Post-Election Violence Monitoring Bi-Weekly Report

