IGAD SHORT-TERM ELECTION OBSERVATION MISSION TO THE GENERAL ELECTIONS IN THE REPUBLIC OF UGANDA

PRELIMINARY REPORT

Kampala, Republic of Uganda

16 January 2021
I. Introduction

This is a Preliminary Report of the IGAD Short-Term Election Observation Mission to the 2021 General Elections in the Republic of Uganda.

This Report covers the Mission’s findings from the date of arrival of the Observation Mission on 07 January 2021 up to the closing, counting and tallying process on the 15 January 2021.

The Intergovernmental Authority on Development (IGAD) is a regional body with membership of Djibouti, Eritrea, Ethiopia, Kenya, Somalia, South Sudan, Sudan and Uganda. The Organisation’s mandate includes promotion of democracy, good governance. The conduct of election observation is a key element to contributing towards the enhancement of peace, stability and security within the region.

Upon a request received from the government of the Republic of Uganda to observe its General Elections, IGAD deployed a short-term Election Observation Mission. The EOM arrived in Uganda on 07 January 2021 with a mandate to observe the Pre-Elections preparation, Elections and tallying process.

The IGAD Election Observation Mission (EOM) comprised a team of twenty-two (22) Observers. Hon. Siraj Fegessa, the Director of the Peace and Security Division headed the EOM.

II. Objectives

- To observe preparatory measures taken by stakeholders including the national EC, political parties, security structures among others;

- Observe whether the General Elections were conducted in accordance with the constitutional and legal frameworks of the Republic of Uganda;


III. Observation tools

The EOM observation tools consisting of a series of checklists, developed and approved by IGAD on the poll opening, polling, poll closing, vote counting and tallying.

IV. Method of Work

As the EOM was under a short-term deployment period of seven days from 08-15 January 2021 with limited geographical coverage, the delegation sampled five districts, namely: Luweero, Mukono, Mpigi, Wakiso and Kampala. Furthermore, the EOM, held meetings with key national stakeholders such as the national EC, political...
parties, security officials, civil society organisations and members of the media.

V. Pre-Election activities

- Since arrival, the Head of the EOM made a courtesy call to the national EC, and were received by the Chairperson of the commission Justice Byabakama Mugenyi Simon and other officials of the Commission.

- The delegates of the EOM met with members of political parties to hear of their preparedness for and possible challenges to the General Elections.

- The EOM also held an induction training for its observers who were briefed about the overall security and political situation of the country, as well as the Ugandan Election laws and IGAD’s policies on election observation.

- The EOM contacted the media houses in Uganda and briefed them about IGAD’s role in the 2021 General Elections in the Republic of Uganda.

- The Head of the EOM interacted with other Heads of missions, specifically, the Head of East African Community (EAC), the East African Standby Force (EASF), and the Women’s Situation Room Election Observation Missions between 10-13 January 2021.

- The EOM also attended a virtual briefing conducted by the EC whereby the Commission’s Chairperson announced the EC’s readiness to conduct the Elections and provided updates on various aspects of the election including logistics, security and COVID-19 related measures.

- The EOM deployed teams to their respective districts for observation on the 11 January 2021.

VI. Preliminary Findings

a. Context

IGAD EOM was deployed to observe General elections scheduled for 14 January 2021. Eleven candidates contested for the Presidency, five from political parties including the incumbent, a young candidate 25 years of age, and six independent candidates one of whom is a woman.

According to the Constitution of Uganda, the President of the Republic is elected for five years by direct universal suffrage. The President is elected by simple majority of the total vote (50% plus 1).
The Uganda General Election was the first election to be held in the IGAD region during the COVID-19 pandemic.

b. Constitutional and Legal Framework

The main legal instruments regulating the conduct of elections in Uganda include the following:

- The Constitution of the Republic of Uganda of 1995 (as amended),
- The Elections Commission Act Cap. 140 (as amended),
- The Political Parties and Organisation Act 2005,
- The Presidential Election Act 2005 (as amended),
- The Parliamentary Elections Act 2005 (as amended), and
- The National Women Council's Act, Cap 318 (as amended)

c. Voter Registration and voters' Roll

The EOM did not have the opportunity to observe the voter registration process. According to the Uganda National Electoral Commission, the total number of registered voters is 18,103,603 Million.

d. Campaign Process

The EOM did not observe the campaign process.

e. Preparedness of the Electoral Management Body

The EOM noted that officials of the national EC and the Polling staff demonstrated preparedness.

f. Preparation of Polling Stations Observations

On 11-13 January 2021, EOM conducted pre-election day assessment and physical identification of the polling stations in preparation for the Election Day observation. The Mission noted that the polling stations were not easily identifiable ahead of the voting day and that the names of registered voters were not displayed at the polling stations.

VII. Election Day/Polling Observations

Having visited 136 Polling stations across 5 districts (namely Luweero, Mukono, Mpiigi, Wakiso and Kampala), the EOM observed the following:

a. Polling Centers:

- In most polling stations observed, opening time was delayed by at least an hour due to: late set up of polling stations; late delivery of materials and in some cases technical challenges with the Biometric Voter Verification System/Kits (BVVS/K);
There was also a time gap between the opening time and start of voting, due to challenges in use of the BVVS/K and observance of opening protocols;
Campaign posters were visible from some of the polling stations;
The space of some of the polling stations observed was too small in relation to voter numbers;
The use of basins combined with the layout of some polling stations posed the potential risk of undermining the secrecy of ballot;

b. Election Materials:

Election materials were largely delivered on time.
In some polling stations, the protocol of sealing of the ballot boxes varied.

c. Election Officials:

Gender balance was observed in the EC teams’ composition;
In the majority of polling stations, presiding officers were cooperative with the EOM. However, there were rare occasions when presiding officers did not provide information on the number of registered voters and estimated number of ballots cast at the time of visit.

d. Independent Observers, International Observers, National Observers and Candidates’ Agents:

In most polling stations there was wide representation of party and candidate agents;
Observers noted the absence of domestic observers and limited representation of other International observers.

e. The Voting Process:

Most voters were properly oriented;
In some cases it was observed that presiding officers read out names of voters to allow party/candidates agents to confirm on the voter register;
It was observed that it rained in some polling stations thereby disrupting voting processes. Voting resumed once the rains subsided;
There was no systematic arrangement for voters that are pregnant, lactating mothers, elderly people, physical challenged and people with disabilities.

f. Voters’ turnout:

In most polling stations observers noted high voter turnout.

g. Closing and Counting Process:

Closing time was respected and there were no voters being turned away.
• The ballot boxes were unsealed for counting in the presence of all party/candidate agents;
• Counting and tallying were conducted in a transparent manner with party/candidate agents present;
• In some polling stations the public was encouraged to witness the closing and counting processes.

h. National Tallying Centre:

• Observers from various backgrounds including; diplomatic, regional and international observers, as well as party/candidate’s agents were present;
• A wide presence of local and international media houses was observed;
• The national tallying centre was adequately secured and orderly organised;
• The EC gave regular updates and interacted with the media.

i. Participation of women:

• Active women participation was visible as voters, EC officials and party/candidate agents.

j. Participation of the youth:

• Vast majority of voters were youth;
• In most polling stations, EC officials and party agents were also youth.

k. Security:

• Polling stations had security officers and their presence was not intimidating;
• No incidents in polling stations were observed.

l. COVID-19 Measures:

• Most of the polling stations observed had either hand washing facilities or sanitizers;
• Police constables made efforts to enforce the SOPs on COVID19;
• In most stations, social distancing protocols were not observed and voters’ queues were very congested;
• Almost all polling stations observed were outdoor grounds;
• Most Election officials, voters, party agents were wearing masks but in some cases not wearing them properly.

m. Critical Incidents:

• One of the EOM teams was denied access to observe polling at the Luzira Prisons Parish. Security officers at the Luzira Prisons Parish required an authorization letter from the National Prisons Administration.
VIII. Conclusion:

- The IGAD Short-term EOM’s mandate entailed observation of the poll opening, voting, poll closing, counting and tallying stages of the election process.
- Within the scope of the EOM’s mandate, the EOM is of the view that the Presidential and Parliamentary elections of 14 January in the Republic of Uganda were conducted in an orderly and peaceful manner.
- The internet shutdown in the Republic of Uganda affected coordination and some operations of the EOM.
- The EOM expresses its appreciation to the people and government of the Republic of Uganda for the invitation to observe the General Elections and the support given to it in the completion of its mission.

IX. Recommendations:

In light of the observations made above, the EOM makes the following recommendations to the national Electoral Commission of the Republic of Uganda:

1. Consider introducing the use of voting booth instead of basins to ensure secrecy of the ballot;
2. Ensure Biometric Voter Verification System/Kits (BVVS/K) are in working condition prior to Election-day;
3. Consider systematic facilitation of voting for vulnerable groups such as elderly persons, lactating mothers, pregnant women and physically challenged persons;
4. Adopt Mitigation measures to ensure polling is not disrupted by rain or other unfavourable weather conditions;
5. Adopt a standard protocol on Voter ID verification among elections officials and party agents;
6. Adopt standard protocols on vote opening and voter verification;
7. Ensure ease of access to polling stations to people with disabilities;
8. Improve the quality of the indelible ink and standardize inking process.

Hon. Siraj Fegessa,
Head of Mission of the IGAD EOM
16 January 2021