



COMESA ELECTION OBSERVER MISSION TO THE 18 FEBRUARY 2016 GENERAL ELECTIONS IN THE REPUBLIC OF UGANDA

PRELIMINARY STATEMENT

Introduction

In response to an invitation from the Government of the Republic of Uganda to observe the 2016 general elections, the Common Market for Eastern and Southern Africa (COMESA) deployed a mission to observe the 18th February 2016 Parliamentary and Presidential elections.

The COMESA Observer Mission is led by Ambassador Ashraf Gamal Rashed, member of the COMESA Committee of Elders, and comprises of observers drawn from COMESA Member States' diplomatic missions accredited to Uganda namely Burundi, DR Congo, Egypt, Ethiopia, Sudan, as well as staff from the COMESA Secretariat.

The COMESA Mission arrived in Uganda on Sunday, 14th February 2016. The Mission was divided into six teams

which were deployed to Jinja, Mpigi, Mukono, Wakiso, Kampala districts and Entebbe to observe the polling and counting processes. Each team was equipped with questionnaires to aid in the systematic collection of data obtainable from the observation. In total, the COMESA Mission observed polling processes in more than 80 polling stations.

The COMESA Observer Mission has anchored its assessment of the 18th February 2016 general elections on the legal framework governing elections in Uganda and the regional, continental and international standards on the conduct of democratic elections. This statement comprises preliminary findings and conclusions made by the COMESA Observer Mission as supported by observations and interactions with electoral stakeholders including the Uganda Electoral Commission (EC), relevant ministries, the Chief Justice, political parties, media, local and international observer missions, the heads of the AU Missions accredited to Uganda, and the police, among others. As the electoral process is still ongoing, this statement limits itself to the pre-electoral, the polling and the immediate post-polling period.

Preliminary Findings

Political and Legal context

The COMESA Observer Mission notes that the 18th February 2016 general elections are the third democratic elections to be conducted under the multi-party political dispensation introduced in 2005. The Mission takes

cognizance of key electoral reforms that have been made to improve the electoral process in Uganda.

The Mission further acknowledges that Uganda has ratified both regional and international regimes governing democratic elections, including the 2002 African Union Declaration on Principles Governing Democratic Elections in Africa; the African Charter on Democracy, Elections, and Governance, just to mention a few. Furthermore, the Ugandan Constitution provides for fundamental freedoms and rights which are indispensable for the conduct of democratic elections.

Election Campaign

The Mission has observed that the environment within which the general elections were organized has generally been peaceful, despite isolated incidences, including the 15 February 2016 incident, which the mission jointly with other International Observer Missions issued a statement appealing to all functionaries, the Electoral Commission, political parties, candidates, and personalities to refrain from any act, statement or dissemination of information that may cause tension, ill-will, disturbance, intimidation which would adversely affect the elections. The COMESA Mission commends the manner in which the election process was conducted in a generally peaceful and calm environment.

Civic and Voter Education

The Mission notes the efforts made by the Electoral Commission (EC) in collaboration with accredited civil

society organizations in conducting voter education for the voter registration drive and the general elections.

Voter Registration and Voters' Roll

The COMESA Observer Mission acknowledges the efforts by the EC to ensure that all voters were registered in the stipulated time frame.

Gender Representation and Participation

The COMESA Mission notes that the elections were highly contested across the board. Despite having only 1 female candidate out of the 8 presidential candidates, the Mission commends the system of directly elected Woman Parliamentary representative in each of the 112 districts in order to ensure gender representation. The Mission also observed a significant number of female officials included in managing the polling stations. In addition, the Mission observed that women turned out in large numbers to vote.

Party/ Candidate Agents

The Mission noted a significant representation of political parties and candidates at the polling stations.

Role of the Media

The Mission observed that the media played its role in the coverage of the electoral process. The Mission encourages that this role continues and be extended to all the regions of the country.

Polling Day Observation

Opening of Polling Stations

The COMESA Mission observed that in most polling stations visited voting started 2 to 4 hours late due to logistical issues, mainly the delay in the delivery of polling materials. The stipulated time for opening polling stations was 7:00am. The Mission also observed that a number of polling stations did not extend the voting to compensate for the lost time.

From interactions with other stakeholders, the Mission noted that though communication was made by the EC to extend the voting time, it was received late and in some instances not adhered to. In the same regard, communication to the public about late delivery of polling materials was not relayed on time.

Nevertheless, the Mission observed that the citizens of Uganda were keen to exercise their constitutional right to vote, and commends the high turnout in several areas visited, and the orderly manner in which voters cast their votes.

OBSERVATION OF POLLING OPERATIONS

The Mission observed that a number of polling stations were not clearly marked for easy identification. Notwithstanding, long queues of voters had formed by 7:00am in most polling stations visited underscoring the eagerness of voters to cast their votes.

The observer mission noted that there were five (5) polling officials at each polling station. However, some of the polling officials did not display adequate expertise and training in managing the process. The Mission also observed that, much as the EC provided basins for use when marking ballots, secrecy was not ensured.

Biometric Voter Verification (BVV) system

The Mission observed that the BVV readers generally worked smoothly except in isolated instances where staff experienced technical challenges.

Assisted Voters

The Mission noted that there were few cases of assisted voters in polling stations visited. In cases where voters needed assistance, there was a special arrangement for them to vote.

Presence of security personnel

The Mission observed that security was adequately deployed to secure the polling stations and their duties were performed in a proper manner. Observers had full access to polling stations and were welcomed by all stakeholders.

Observation of Closing of the Voting Process, Counting of Ballot Papers and Declaration of results

The closing of the voting and the counting process took place in a calm environment in the polling stations observed. Polling officers in the stations conducted the process in a fair and transparent manner. Political party/

candidate agents monitored the process. The general public was also present to witness the counting process from outside the perimeters of the polling station. After the counting, the results were instantly declared in public.

Conclusions

Based on the observations above, the Mission believes that the polling process was generally free, peaceful and transparent despite the logistical challenges that delayed the opening of polling stations.

Recommendations

In order to enhance the conduct of future electoral processes in Uganda, the COMESA Electoral Observer Mission wishes to make the following recommendations:

- a) The EC is encouraged to ensure better organization with regards to logistics (marking of polling stations, preparation, distribution and delivery of polling materials);
- b) There is need for a robust communication strategy that will ensure information is relayed in a timely manner from the EC to the polling stations to avoid misinterpretations and confusion that might arise due to delays;
- c) Regulations should be in place to ensure that polling stations are allocated equal time for voting. The time allocated for voting has to be respected

and in case of delays there is need to extend the voting time accordingly;

- d) The EC should ensure that polling staff are adequately trained and experienced to undertake their responsibilities;
- e) The EC should consider using polling booths at polling stations in place of plastic basins so as to enhance the secrecy of the vote;
- f) The EC should consider resorting to in-door voting, including the use of sheltered places like school classrooms, churches, among others;
- g) While noting the progress made to consolidate multi-party democracy, there is need for increased dialogue among political parties and other stakeholders to address any challenges and enhance the credibility of the electoral process and the acceptance of all parties of its outcome;
- h) The credibility and impartiality of the EC should always be maintained;
- i) Adequate funding should be provided for the EC to enable it to execute its mandate effectively.

Overall Assessment

As the counting process still continues, the Mission encourages the people of Uganda and all other stakeholders to maintain peace and address any electoral disputes that may arise through the proper legal channels.

Acknowledgements

The COMESA Election Observer Mission extends its gratitude to the Government and People of the Republic of Uganda for the invitation to observe the 2016 general elections and the facilitation provided for the Mission to accomplish its mandate. The Mission is pleased to have contributed to the strengthening of democracy in Uganda.

The Mission further extends its appreciation to a host of local, continental and international observer missions, in addition to the African diplomatic missions, for their cooperation and fruitful engagement with the Mission.

Most importantly, the Mission wishes to congratulate all Ugandans for turning out in large numbers to exercise their democratic right to vote, and ensuring that the process was peaceful.

Finally, the Mission wishes the Government and People of the Republic of Uganda continued peace and prosperity.

Ambassador Ashraf Gamal Rashed

***Head of COMESA Election Observation Mission to the
Republic of Uganda's 2016 General Elections***

Kampala, Uganda

20th February 2016.