Uganda Decides- Rwenzori Region Election Observation Report by: Kabarole Research and Resource Centre and the Rwenzori Forum for Peace and Justice (RFPJ)

1.0. Introduction

On February 17th, 2016, Kabarole Research and Resource Centre (KRC) and the Rwenzori Forum for Peace and Justice (RFPJ) commissioned 2000 change agents and 256 peace actors spread across the Rwenzori region to monitor and observe the February 18th, 2016 general elections. KRC and RFPJ received information through phone calls and individual reports that were synthesized at the observation situation room created for this purpose. At the observation situation room located at KRC, the information from peace actors and change agents were supplemented by triggers through the KRC online early warning system. Prior the election observation, KRC with support from the Democratic Governance Facility (DGF) conducted Rwenzori Region- wide voter education after being accredited by the Electoral commission(EC).

Location of Rwenzori region on the map of Uganda

This report focuses on observations made across the Rwenzori region during the February 18 2016 general elections.[1] Observations are

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[1] Rwenzori region comprises seven districts of Kabarole, Kyenjojo, Kamwenge, Kasese, Bundibugyo, Ntoroko and Kyegegwa

structured as follows; time for voting, participation in the electoral process, presence of security, use of the Biometric Voter Verification Machines (BVVM), long queues at polling stations, interchange of election materials and symbols, closure of the voting process, signing of declaration forms, facilitation versus voter bribery, invalid votes, closure of Social Media and Mobile Money service network and cases of electoral violence. The report finally makes conclusions and recommendations on how to better our electoral process.

2.0. Methodology

The methodology applied to generate findings contained herein was through the *Kangabaije* online platform at KRC with over 250 reporters/subscribers drawn from all over the Rwenzori Region. Direct calls were made by Community Based Peace Actors and over 2000 change agents evenly distributed in the Rwenzori Region, these calls followed the blockage and screening of the online system and other social media platforms by Uganda Communication Commission. The calls that were made were equally backed up with direct observation at polling and tally centres by staff and reporters. In our observation in the 7 districts of Rwenzori Region, we sampled 14 sub counties, 3 town councils and 2 municipalities of Kasese and Fort Portal.[2]

3.0. General Observations

a) *Time for voting*

Time for voting was generally observed by the voters and in most polling stations voters were able to turn up as early as 06:00am save for some places which received voting materials late. Some of these included; Kigoyera Catholic Church Polling Station in Kyarusozi sub county and Kyamutasa polling station in Nyantungo sub county both in Kyenjojo District voting started at 9:50am and 9:30am respectively. In Kikyendo polling station in Kakabara sub county, Kyegegwa District, voting started at 9:40am. Reasons given by polling officials were late delivery of materials to the sub county, as there was only one vehicle delivering materials.

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[2] 14 sub counties sampled sub counties included; Kasenda, Karangura and Kicwamba sub counties in Kabarole District; Kyarusozi, Kihura and Nyantungo sub counties in Kyenjojo District; Nkoma, Mahyoro and Nyabani sub counties in Kamwenge District; Harugali and Busaru sub counties in Bundibugyo District; Rwebisengo sub county in Ntoroko District; Kyegegwa and Kakabara sub counties in Kyegegwa District. 3 Town councils included; Ntoroko and Karugutu town councils in Ntoroko District and Kyegegwa town council in Kyegegwa District;

b) Participation in the electoral process

Uganda has over 20 registered political parties and numerous political groupings. Of these political parties and groupings, only NRM political party had parliamentary candidates in all constituencies in the Rwenzori region. When it came to vote counting that started at 4:00pm, only NRM political party had agents at all polling stations. FDC party and independent candidates had agents mainly in urban and peri-urban polling stations. Other political parties and groupings did not have agents and members of the public were asked to volunteer to witness the vote counting on behalf of these absentee parties and groupings.

c) Presence of Security

There was presence of fully recognized security personnel at every polling station. These personnel were not armed but were in police uniform with batons. At Kahinju primary school polling station in Kabarole District, there was a prisons warder- who seemed incapable of guiding the whole process and ended up causing a fracas by creating 2 lines that voters rejected. Beyond polling stations military personnel with guns were always seen patrolling the area. Even after the election, military personnel have been seen at strategic locations like petrol stations in Fort Portal and Kasese municipalities.

d) Biometric Voter Verification Machines (BVVK).

All polling centres were availed with BVVK. The very first 10-15 voters who used the machines complained about the slowness in the functioning of the BVVK machine but as time went on, both voters and polling officials got used to using the BVVK machine and the voting process went on smoothly. By midday, long queues had started reducing drastically in some polling stations while by 3:00pm; more people were still waiting to vote. One old man at Kathembo Primary School deep in Kasese District observed; *"These machines of yours will make us stand here for the whole day, if you were using our registers as it has always been, I would have left this place…"* In Kabarole District, some polling stations like Busaiga and Karangura had faulty BVVK machines, thus delaying the voting process. However, districts were availed with reserve machines to replace faulty ones.

e) Long queues at polling stations

Regrettably and sadly, in Kinyamaseke, Kasese District, an old man *Mzee KASUKUTU Aaron* 70 years, collapsed after receiving a ballot paper to vote. He had been in the voters' queue for over 3 hours under terrible sunshine. Kasukutu fainted, fell dawn and was rushed to Hospital. Unfortunately, he *died* before reaching the health unit. Overall, during the casting of votes, calmness was observed across the region, voters were enthusiastic and able to persistently withstand long queues and the heavy sunshine until they cast their votes. For some voters, it was a time to keep vigil and watch the entire voting process. It is reported that some voters stayed at the polling stations till the time for counting the votes saying they were **"protecting their votes."** The very first reporter on our online platform from Kayanzi fishing village in Kasese District, Mr. NASUR Banganalya indicated that the voting process in his parish was very calm.

f) Interchange of election materials and symbols

In Kyegegwa district, the District Woman Member of Parliament was not voted because the ballot paper contained two contestants both having the same symbol, yet one of them was supposed to be the NRM Flag Bearer and the other independent. The Kyegegwa District Registrar together with the District Police Commander cancelled the election till further clarification by EC-Kampala. In Kitagwenda and Kibaale West counties in Kamwenge District, polling materials were interchanged. In these counties, the electoral commission postponed the polling.

g) Closure of the voting process

Reports across the region indicated that most polling stations closed at exactly 04:00pm. Even where materials arrived a little late, the closing time was observed. Calmness was still observed at this very moment of closure. For stations which still had queues police constables stood after the very last person (s) on the line to ensure nobody else joins the line.

h) Signing of declaration forms

Reports from reporters/observers indicate that agents of various candidates and EC staff in the various polling stations signed declaration forms without any form of tension all over the region.

This signing indicated a mutual agreement on the outcomes of the election results at the respective polling stations.

i) Facilitation versus voter bribery

While the Uganda electoral laws allow political parties and candidates to facilitate their agents during the electoral process, in many cases in the Rwenzori region, just like the national trend shows, political actors have tended to circumvent "facilitation" to engage in acts of voter bribery. Some of the bribery cases are hard to detect and get concealed in cultural values and systems. Across the Rwenzori region, there were reported cases of hyper voter bribery both on the eve and on the Election Day. Bribery took forms of giving hard cash to voters, preparing meals for voters in the name of hospitality and giving out a wide range of gifts. According to some reporters, candidates and voters coined bribes different cultural names to avoid detection. In Runyakitara language, these names included; "ebikwatwa" loosely translated as tools and "ebyogya mumiro" loosely translated as throat cleansers. In Lukonzo "Akerirya" loosely translated as something to eat and in Lubwisi *Kakulya* In Ntoroko District, some candidates reportedly used government vehicles to transport voters to polling stations.

j) Invalid votes

Across the region, there were many invalid votes and there was no general agreement on what constitutes invalidity. In some cases, ticking symbols or photo of the candidate rendered the vote invalid while in other cases, such a vote counted. There were also cases of voters making a tick go beyond the ticking box on the ballot paper but not crossing to the box of another candidate. There was no uniformity across the Rwenzori region in rendering a ballot paper with an extended tick valid or invalid.

k) Closure of Social Media and Mobile Money service network

There were general complaints from voters on why the social media platforms especially whatsapp, facebook and twitter had been temporarily shut down by the UCC. These complaints were mainly from voters with smart phones. The situation was worsened by closing of the mobile money services which affected many people. The voters did not see a linkage between the electoral process and shutting down of the mobile money service network.

l) Cases of Electoral Violence

As opposed to the peaceful and calm elections across the region, Kasese districts turned bloody in the aftermaths of the polling day. On Friday afternoon, a mammoth crowd of voters had gathered at the Tally centre in Kasese District waiting in awe to get the results being declared by the EC. Reports indicate that as they were eagerly waiting, Police Officers and a polling official from Nyakasoja polling station came with two Ballot Boxes to the tally centre. The Polling Official had told the Police that he had mistakenly sealed copies of declaration forms in the Ballot boxes. He therefore requested that the boxes be opened and he gets the forms. But the crowd with all the anxiety and suspicions of rigging stormed the tally centre. Police quickly rushed in and started shooting live Bullets in the air and tear gas to disperse the crowds. As the situation got tenser, UPDF soldiers were called in to give support to Police. In the ensuing scuffle and the sporadic shooting, a straying Bullet killed a 16 year old boy called KULE ABRAHAM who was later buried on Sunday 21st Feb 2016.

Angry residents at the Tally Centre in Kasese

The tension went on through the night under heavy security deployment comprising the UPDF. A few party representatives were allowed to access the tallying room. After a long period of advent characterized by heavy anxiety, shouting, throwing of stones and wearing of grass by the voters, results of all Members of Parliament in Kasese District from all the five constituencies were declared at 2:00am. Results of the Kasese District woman Member of Parliament were

declared on Saturday at 3:00pm equally under tight security and pressure being mounted on the EC officials from the angry community.

Police in Kasese District regretted the loss/death of the young boy and promised to give the necessary support to the deceased family. The other two survivors who were injured were rushed to Kilembe Mines Hospital. All in all the exercise was generally peaceful in the whole region and KRC mourns with the families of Late Mzee **KASUKUTU Aaron and KULE ABRAHAM.**

4.0. Conclusion

Overall, reports from all observers that were commissioned through the online platform indicate that the elections were generally peaceful across the region except for Kasese District where the election was marred with violence and tear gas. In two sub counties of Karangura and Kichwamba in Kabarole District, there were reported tribal clashes following the release of election results. There was also noticeable overwhelming voter turn up, both in urban and peri-urban areas.

KRC and RFPJ commend the efforts of the EC to integrate high level technology into the electoral process. This strategy showed that the electoral commission had made a step forward in advancing the credibility of the electoral process. The use of the voter verification machines created a level of confidence into the voters and reduced on a number of questions especially pertaining to multiple voting which is one way of election rigging. We also commend all the institutions of government that worked tirelessly to maintain law and order during this election period.

We further commend the people of the Rwenzori region for exercising their rights and maintaining peace. Our appeal goes to those areas where violence occurred, that all the people should seek to use civil means of resolving their discontent without recourse to violence.

Despite the peaceful elections in the region, we strongly condemn the fracas that loomed Kasese District for over three days and two nights. The electoral commission needs to be more enthusiastic and remain in a position of making independent decisions.

5.0. Recommendations

Given the analysis above, we would like make the following recommendations to better the forthcoming electoral activities;

1. The EC should put more emphasis on voter education to avoid incidents of having many invalid votes. In this voter education, the EC may among others consider helping voters practice voting ahead of elections.

2. Government should immediately constitute a non-partisan National Reconciliation Committee to lead national reconciliation following the national general elections. The EC should make the work of reconciliation a part of the electoral process.

3. On security, government in future should provide adequate financial resources to Uganda Police to provide the required security and not the army. There was evidence in this election that police was not well capacitated to manage the election and therefore, had to be assisted by the prisons and the military. The military should never be involved in the electioneering process lest the election will be criticized as was the case in this election. Involvement of the army in electioneering process should happen with a sufficient justifiable reason.

4. Government needs to consider and uphold certain provisions of the law. The Access to information Act of 2002 clearly provides for the right of every Ugandan to access public information. Shutting down social media networks could be interpreted as a violation of the right to access information and such a shut down could also shore up suspicions of foul play meant to facilitate electoral fraud and irregularities.

5. There should be timely delivery of voting materials to enable early voting. In future, the election should designate regional Centres where election materials will be secured until the Election Day. Without this, similar delays in the voting time will most likely continue to occur.

6. Although reporters reported a peaceful and transparent vote counting process, political parties and groupings should in the next election strive to have agents at every polling station to witness the vote counting process.

7. The government should explicitly differentiate facilitation from bribery. This clarity will help law enforcement agencies and other stakeholders to easily identity voter bribery cases for legal redress.

8. Those aggrieved with the out-come of the elections should use civil and legal means to seek redress –as opposed to calls for violence.

9. The government should also desist from using high-handed means to quash the protests by the opposition-the amount of provocation notwithstanding.

Signed

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MWANGA JULIUS
Executive Director-KRC

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TUHAISE FRANCIS
Coordinator-RFPJ

Annex I:

Messages below indicate the situation during the elections while the last slide of the Kanga Baije platform represents a trigger that had been sent out and showed that the situation would generally be calm but also chaotic in specific areas.

Message	Reply	Number	Sender Name	Date Created	Msg Id	Map To Question
1 no	Your Number Does Not Exist in our Register,However your message has been received	256781995260		2016-02-22	1,939	
1 no	Your Number Does Not Exist in our Register,However your message has been received	256781995260		2016-02-22	1,938	
conflict in kasese fighting for failures refused to sign opposition people have been put to jail plus those who passed through mp kalusabe mugisha	Your Message has been received at krc	256773965685	Mbambu Martha	2016-02-19	1,936	
1 elections has been free and fair	The response[elections has been free and fair] is not allowed for the question[As we approach the closure of the elections to vote counting. we emphasize that you stay calm and avoid big crowds of chaos] Possible values include:1 Yes	256783906268	Nasoor	2016-02-18	1,934	

Kanga Baije

RFPJ

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Dashboard | Trigger | SMS | Data | Reports | Maps

Settings

Question response List

Please type search item and press enter

View Responses

Select Active Trigger

Trigger Name: Situation prior to choosing.
Creation Date: 2016-02-11

#	Question	Response	Actual	Actual	Tel:	Action
1	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:28:47 UTC	256785103784	⤭ ✕
2	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:29:48 UTC	256772956145	⤭ ✕
3	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:33:47 UTC	256781304826	⤭ ✕
4	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:28:12 UTC	256772471753	⤭ ✕
5	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:27:52 UTC	256777307780	⤭ ✕
6	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:58:51 UTC	256774473103	⤭ ✕
7	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:37:03 UTC	256782622442	⤭ ✕

4:58 PM
2/22/2016

Kanga Baije

RFPJ

root

4	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:28:12 UTC	256772471753	⤭ ✕
5	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:27:52 UTC	256777307780	⤭ ✕
6	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:58:51 UTC	256774473103	⤭ ✕
7	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	1 calm	2016-02-11 12:37:03 UTC	256782622442	⤭ ✕
8	What is the situation like as we prepare to choose our leaders on 18.02.2016?	calm	calm	2016-02-11 13:04:29 UTC	256771437438	⤭ ✕
9	What is the situation like as we prepare to choose our leaders on 18.02.2016?	tension	1 tension	2016-02-11 12:33:52 UTC	256779811616	⤭ ✕
10	What is the situation like as we prepare to choose our leaders on 18.02.2016?	tension	1 tension	2016-02-11 19:48:37 UTC	256787391077	⤭ ✕
11	What is the situation like as we prepare to choose our leaders on 18.02.2016?	tension	1 tenstion	2016-02-11 18:18:50 UTC	256778622351	⤭ ✕
12	What is the situation like as we prepare to choose our leaders on 18.02.2016?	tension	1 tension	2016-02-11 12:39:55 UTC	256777878415	⤭ ✕
13	What is the situation like as we prepare to choose our leaders on 18.02.2016?	tension	1 tension	2016-02-15 02:13:32 UTC	256774985142	⤭ ✕
14	What is the situation like as we prepare to choose our leaders on 18.02.2016?	tension	tension	2016-02-15 06:11:58 UTC	256782814290	⤭ ✕
15	What is the situation like as we prepare to choose our leaders on 18.02.2016?	tension	1 tension	2016-02-12 08:03:21 UTC	256789577605	⤭ ✕
16	What is the situation like as we prepare to choose our leaders on 18.02.2016?	tension	1 tension	2016-02-11 18:27:01 UTC	256772180029	⤭ ✕
17	What is the situation like as we prepare to choose our leaders on 18.02.2016?	tension	1 tension	2016-02-12 17:11:06 UTC	256782141296	⤭ ✕

4:58 PM
2/22/2016