



EUROPEAN PARLIAMENT

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**Account of the mission
to observe the
presidential and parliamentary
elections
in Uganda
23 February 2006**

Leader of the delegation: Mr Johan Van Hecke

16 March 2006

INTRODUCTION

By letter dated 6 December 2005 the Ugandan Electoral Commission invited the European Union to observe the elections to be held in Uganda on 23 February 2006.

At its meeting of 9 February 2006, the Conference of Presidents of the European Parliament authorised a delegation composed of seven members to observe these elections, to be appointed by the political groups in accordance with the continuous d'Hondt system. In the event four members were appointed (see below).

A Memorandum of Understanding between the European Commission, on behalf of the European Union, and the Government of the Republic of Uganda on the observation of the 2006 elections was signed, after which a core team and long term observers (LTOs) went to Uganda under Mr Max van den Berg, MEP, Chief Observer.

The European Parliament delegation to observe the elections consisted of:

Mr Johan Van Hecke (ALDE) (appointed leader of the delegation on 15 February 2006)

Mr José Manuel García-Margallo y Marfil (EPP-ED)

Mr Filip Kaczmarek (EPP-ED)

Mr Fernand Le Rachinel (NI)

the delegation was accompanied by Mrs Armelle Douaud and Mr John Bryan Rose of the European Parliament secretariat, Directorate General for External Policies.

ARRIVALS

Mr Van Hecke and Mr Le Rachinel arrived in Entebbe on 20 February 2006 at 22.50 hrs on flight SN481.

Mr Kaczmarek arrived in Entebbe on 21 February 2006 at 11.00 hrs on flight ET809.

Mr García-Margallo y Marfil arrived on 23 February 2006 at 12.40 hrs on flight ET811.

PROGRAMME OF THE MISSION

Tuesday, 21 February 2006

Morning:

The members attended the final rally by President Museveni in Kampala (by the time the delegation had to leave the rally, President Museveni had not yet arrived)

15.30 hrs

Briefing with EU-EOM core team, introduced by country expert Mr Ralph Peters, followed by briefings by Mrs Idoia Aranceta San Anton (legal expert) and Mr Antonio de Gabriel (election expert).

18.30 hrs

Reception hosted by Mr Sigurd Illing, Head of EC Delegation to Uganda

Wednesday, 22 February 2006

Morning:

Mr Kaczmarek and Mr Le Rachinel, accompanied by Mrs Douaud, left Kampala for Rukungiri (area from which both President Museveni and Mr Besigye originated).

Mr Van Hecke had briefings with the Kampala long term observers (LTOs) Mr Jan Kretschmar and Mr Armin Rabitsch.

Afternoon:

Mr Van Hecke had contacts with the diplomatic community in Kampala.

In Rukungiri, Mr Kaczmarek and Mr Le Rachinel met the Chief of the District, then the Register Officer. They also visited the office of the main opposition party, the FDC. Later, they had contacts with other observers from the EUEOM and from the US Embassy. The different observers' teams decided to organise themselves so as to focus on a number of different municipalities.

Thursday, 23 February 2006 polling day

1. In Kampala

Mr Van Hecke, accompanied by Mr Rose, observed the opening in two polling stations in Makerere University, Kampala.

Mr Van Hecke and Mr García Margallo observed polling in eleven polling stations, including two in military barracks..

Mr Van Hecke and Mr García Margallo observed the count in two polling stations.

Evening:

Mr Kaczmarek and Mr Le Rachinel returned to Kampala from Rukungiri.

19.30 hrs

Meeting of the entire EP delegation to assess situation and prepare points to be included in Mr van den Berg's Statement of Preliminary Conclusions and Findings.

21.00 hrs

Meeting, Mr Van Hecke with the EU-EOM core team and, subsequently, with Mr van den Berg, on the conclusions of the EP delegation.

2. In Rukungiri

Mr Kaczmarek and Mr Le Rachinel, accompanied by Mrs Douaud, observed the opening in a polling station in Bugangari, Rujumbura constituency.

Mr Kaczmarek and Mr Le Rachinel observed polling in eight polling stations in the countryside around Rukungiri (Bugangari and Bwambara municipalities), one in Rukungiri town and a polling station for the army in Mbarara (main town of the Western region).

Friday, 24 February 2006

Morning:

Further meetings with core team

Mr Van Hecke, Leader of the EP Delegation, met with Mr van den Berg, Chief Observer.

15.00 hrs

EU-EOM press conference in Sheraton Hotel, Kampala, at which Mr van den Berg presented his Statement of Preliminary Conclusions and Findings.

Mr Van Hecke made a statement on behalf of the EP delegation.

16.05 hrs

End of press conference

DEPARTURES

Mr Kaczmarek and Mr Le Rachinel left Entebbe on 24 February 2006 at 23.50 hrs on flight SN481.

Mr García-Margallo y Marfil left Entebbe on 27 February 2006 at 10.05 hrs on flight BA62.

Mr Van Hecke stayed on in Kampala.

BACKGROUND TO THE ELECTIONS

These are the first elections since parties were authorised to take part in elections in Uganda resulting from the revision of the Constitution following a referendum in July 2005. Prior to that there had been elections in Uganda, but political parties, which existed to a limited extent, were not allowed to contest these elections. In 2004 President Museveni, who has been in power since 1986, agreed to permit multiparty elections, but at the same time introduced provisions removing the limitation on the number of times that he could stand for election (since 1986 multiparty elections had not been permitted on the grounds that they were divisive and that Uganda, with its history of instability and civil strife, needed unity and stability above all else).

In the period after 1983 President Museveni's National Resistance Movement (NRM, or "the Movement") developed a network of organs from village to national level through which government was effectively exercised. The movement's organs were participatory, and enabled grass-roots involvement in local government and politics. Every Ugandan was deemed to be a member of the Movement. Political parties (the Movement was not regarded as a political party) could not open branches outside Kampala, neither could they hold national party conferences. Elections for Parliament were based on "individual merit", meaning that all candidates were members of the Movement and, in elections, stood against other candidates who were also members of the Movement.

This system was initially acceptable to the Ugandan people as the old political parties, notably the Democratic Party (DP) and Ugandan People's Congress (UPC), were largely discredited.

In fact President Museveni brought stability, and his market-oriented reforms led to economic growth. Some of the Asian business people expelled by Idi Amin in 1972 returned to Uganda during the 1990s. The number classified as living in poverty decreased from over 50 % in 1986 to 34 % in 2000 (However, for the first time since Museveni came to power, the poverty index has increased over the last four years to 38 %). Uganda has been remarkably successful in the fight against HIV/AIDS with its ABC campaign (Abstinence, Be faithful, Condoms), though this campaign is now running into difficulties as much greater emphasis is being placed on abstinence due to pressure from US Evangelical Christian activists and the Bush administration.

POLITICAL PARTIES

Apart from the National Resistance Movement Organisation (the successor of the National Resistance Movement) there are three other political parties. Two of them, the Democratic Party (DP) and the Uganda People's Congress (UPC) have existed since independence.

The Front for Democratic Change (FDC) is a modern creation led by Dr Kizza Besigye. Dr Besigye used to be a Museveni's personal doctor during their guerrilla days in the bush. They subsequently fell out. (Besigye's wife, Winnie Byanyima, used to be Museveni's girlfriend. She was rejected by Museveni in favour of his wife, Janet. Mrs Byanyima subsequently married Dr. Besigye and is bitterly opposed to Museveni. She is a very powerful personality).

The FDC leadership is made up of representatives of the country's main ethnic groups. The FDC is the most powerful opposition movement, and is not tainted by the past unlike the two other opposition parties.

The Democratic Party's candidate is John Ssebaana Kizito. In the 1996 presidential elections the DP candidate Paul Ssemogerere polled 22.3 % of the votes against Museveni's 75.5 %.

The UPC's candidate is Miria Obote, the former president's widow. The UPC is the party of former president Milton Obote, who died last year

There is also an independent candidate for the presidency, Dr. Abed Bwanika, a 38 year old veterinary surgeon and born-again Christian.

All the main parties also put forward candidates in the parliamentary elections. The Movement had 214 candidates out of 215 and women candidates in all 69 districts. The FDC had 135 candidates, the UPC 74 and the DP 67.

ELECTION ORGANISATION

For the presidential election the entire country votes directly by universal adult's suffrage. If no candidate obtains 51% +1 of the valid votes in the first round of voting, there must be a second round between the two candidates with the highest number of votes. This must take place within 30 days of the declaration of the results.

For the parliamentary elections, three categories of MPs are elected. 215 are directly elected to represent single member constituencies in a 'first past the post' system. There are also 69 women representatives, one for each of the country's districts. In addition there are 25 'special interest groups' representatives, 10 from the army (of whom at least one must be a woman), 5

representing the workers (at least one woman), 5 representing youth (at least one woman) and 5 representing persons with disabilities (at least one woman).

There is only one round for the parliamentary elections.

The elections are administered by the Election Commission (EC) composed of 7 commissioners appointed by the President and confirmed by the Parliament. The EC is described by observers as being independent.

The voters' register has been cleaned up by the EC, some names being taken off, resulting in a final figure of 10 450 788. Registration is voluntary. In principle each voter should have a voter's card with photograph. In fact some 2 million voters have not been issued with cards. In principle, all persons on the voters' list should have a photograph beside his/her name. This is not always the case. In the absence of a photograph, persons may vote if they are on the voters' register. A voter can accredit his/her identity by showing a valid identity document such as a passport or if he/she is personally known to the polling staff or if there are witnesses to testify about his/her identity (in this case, the witnesses will have to sign an oath).

Generally, despite imperfections, the electoral register is regarded as better than previous registers.

Polling stations are generally in the open air. Secrecy is ensured by marking ballot papers in a plastic basin with fairly high sides.

The count was conducted in the polling station in the presence of party agents and observers. The results were then sent for aggregation at district level, before being forwarded to Kampala for national aggregation in the case of the presidential election.

ACCESS TO THE MEDIA

While the written press was reasonably objective, the state-run television station UBC gave highly disproportionate coverage to President Museveni. Radio, the most influential medium in the country, was divided among stations favouring different candidates.

VOTER EDUCATION

Voter education was inadequate. Despite the obvious enthusiasm of the Ugandan people for the elections, and the high turn-out, many voters were unsure of procedures, and, even more important, a large number of polling station staff, including presiding officers, were not properly trained. This led to irregularities, often caused more by lack of procedural knowledge than by any intention to misuse authority.

RUN-UP TO THE ELECTION

The run-up to the election was marked by the court appearances of Dr. Besigye, who has been charged with high treason and rape. Even though the high court declared that he should not be tried by General Court Martial, nevertheless he had to attend 27 hearing in different courts, which limited his time for campaigning. The cases are continuing.

Generally speaking the campaign was well conducted in an open environment in which freedom of expression, assembly and association were largely respected. The number of violent incidence was limited.

Unfortunately the prominence accorded to the presidential elections meant that they overshadowed the parliamentary elections held on the same day.

CONCLUSIONS

The European Parliament drew up a list of conclusions, which was presented to Chief Observer van der Berg (see below)

The leader of the EP delegation, Mr Van Hecke, was consulted by Mr van den Berg, Chief Observer, on his Statement of Preliminary Conclusions and Findings, presented at the press conference on 24 February 2006.

The general conclusion is that the presidential and parliamentary elections were well administered, transparent and relatively peaceful. On election day voters turned out in large numbers despite rain in part of the country (polling stations were in the open air).

Voting procedures were on the whole correctly adhered to, as were counting procedures in the polling stations.

However the playing field was not level. State media strongly favoured President Museveni, and the structures of the Movement throughout the country favoured the incumbent and the NRMO. Furthermore the ongoing court appearances of Dr Besigye did not act in his favour.

The Electoral Commission demonstrated independence from the executive, and was regarded as having done its job reasonably well.

The observers were impressed by the role of women in the Ugandan political structure (one of the presidential candidates was a woman). As can be seen from the section 'Election Organisation', there will be a solid representation of women in parliament. In addition, women were prominent as polling station officers, and many were presiding officers.

Overall, despite imperfections, the elections passed off well.

Conclusions of the European Parliament Delegation to observe the Elections in Uganda

23 February 2006

Kampala, 23 February 2006

The European Parliament Delegation observed the elections in Kampala and in Rukungiri district. It formed the following conclusions:

- The Delegation was highly impressed by the commitment of the Ugandan people to democracy, as demonstrated by the high turnout despite inclement weather conditions in parts of the country.
- The Delegations wishes to congratulate the Electoral Commission on the independent manner in which it oversaw the organisation of the election.

- The Delegation admired the dedication, application, and serious manner in which polling stations staff carried out their duties.
- The calm and disciplined behaviour of the voters was exemplary.
- The Delegation was pleased to note that a large number of agents representing the principal political parties was present in all the polling stations that it visited.
- The widespread presence of local observers should reflect positively on the democratic legitimacy of these elections.
- In all the polling stations observed by the Delegation security was adequately and discretely maintained.
- No signs of intimidation were observed by the Delegation.
- Generally speaking, the secrecy of the ballot was respected.
- However, there were shortcomings. The most notable was the fact that, in certain polling stations in Kampala observed by the Delegation, significant numbers of potential voters, in possession of voting cards indicating the name of a polling station, discovered that they were not on the register of electors for that station and were consequently not able to vote there. Such anomalies tarnish the image of the election.
- Not all the necessary election material had been received. Particularly regrettable was the absence of sufficient seals in many of the polling station observed. This lack, coupled with misinterpretation of the rules by some Presiding Officers, meant that many ballot boxes were either not sealed or ineffectively sealed. Nevertheless the ubiquitous presence of active political party agents mitigated the possible of fraud.
- Long queues formed outside many polling stations, frequently due to the long time taken to check identity and conformity with the electoral register. The Delegation would like to recommend that, for future elections, more officials be tasked with verifying identity and registration. This should enhance future efficiency.
- The Delegation is of the opinion that better training for polling station officials, and notably Presiding Officers, would remedy many of the shortcomings observed.

Annex I

Statement by Mr Johan Van Hecke, Leader of the European Parliament Delegation to observe the Elections in Uganda held on 23 February 2006 to the Press Conference held in Kampala on 24 February 2006

I had the pleasure to lead a Delegation of the European Parliament to observe the Ugandan elections. Our Delegation consists of Mr Jose Manuel Garcia-Margallo, Mr Filip Kaczmarek and Mr Fernand Le Rachinel. The Delegation was split into two groups, one group observed the polling in Rukungiri district and the other in Kampala.

The Delegation fully endorses the Declaration of my friend and colleague Max van den Berg. Our parliamentary Delegation was in Uganda as short-term observers for polling day only. A more accurate assessment of the electoral exercise is being carried out by the Observation Mission of the EU. We would like to add that we were impressed by the commitment of the Ugandan people to democracy, as demonstrated by the high turnout despite the rain in many parts of the country.

Based on what we observed, we would like to congratulate the Electoral Commission on the independent way in which it oversaw the organisation of the election. We were all impressed by the calm and disciplined behaviour of the voters, many of whom had to queue for hours. We also want to commend the party agents, a large number of whom were present in all the polling stations we visited. There was similarly encouraging number of local observers. The presence of party representatives and local observers gives democratic legitimacy to the electoral process.

I am pleased to state that our Delegation observed no sign of intimidation.

There were, of course, some shortcomings. Particularly notable was the fact that, in some polling stations in Kampala observed by our Delegation, a significant numbers of potential voters, in possession of voting cards, found that they were not on the register for the polling station where they believed they should vote, and they were consequently unable to vote.

Though generally impressed by the elections, we would nevertheless like to make some recommendations in order to enhance the efficiency of the polling exercise. There would include further training for polling station staff, in particular Presiding Officers, and for those responsible for providing the electoral material, including seals for ballot boxes. We also recommend that consideration be given to employing additional polling station staff to check voters' identity and conformity with the electoral register. This would speed up the process and reduce the length of queues.

Before ending, we would like to thank Max van der Berg and his excellent core team for their friendly and efficient cooperation. The success of our mission owed a great deal to their efforts.

In conclusion, I would like to assure that the European Parliament Delegation is pleased and proud to have been able to make its own modest contribution to this milestone in Uganda's democratisation process.

Annex II

Result of the presidential election

Regions/Sub-Regions (no of districts 2006/2001)	Registered Voters			Turnout %		Musveni %		Besigye %		others	
	2006	2001	Difference	2006	2001	2006	2001	2006	2001	2006	2001
Central (15/13)											
Buganda (15/13)	3,191,190	3,381,453	-190,263	64.6	66.2	59.7	65.0	36.6	32.8	3.67	2.2
East (24/17)											
Busoga (7/5)	1,134,378	1,280,180	-199,318	68.4	72.3	68.4	83.4	29.5	15.7	1.9	5.0
Teso (7/6)	868,940	890,707	-21,767	72.7	66.9	33.7	74.9	62	22.7	2.8	3.1
Bugisu (4/2)	534,409	463,791	+70,618	69.2	73.2	62.2	75.8	35.8	22.8	1.8	1.1
Karamajong (4/2)	207,585	189,010	+18,575	70.9	71.5	86.4	95.5	7.6	2.5	4.6	1.5
Sabiny (2/2)	85,916	77,549	+8,367	77.4	83.8	80.5	88.8	17.3	10.2	1.1	0.9
Sub-Total	2,831,228	2,901,237	-70,009	67.6	66.1	56.4	74.5	39.00	20.60	2.0	2.7
West (18/11)											
Toro (5/5)	731,056	712,962	+18,094	70.2	74.6	75.2	87.5	22.6	11.4	2.1	0.6
Kigezi (4/3)	533,033	581,337	-48,304	75.8	85.4	77.0	90.0	21.4	9.5	0.9	0.3
Ankole (6/3)	1,004,991	1,092,391	-87,400	77.7	80	79.7	86.3	19.3	13.6	0.8	0.7
Bunyoro (3/3)	509,266	472,225	+37,041	70	68	86.5	83.6	17.1	9.6	2.3	1.2
Sub-Total	2,778,346	2,858,915	-80,569	71.4	77.0	78.4	87.8	20.1	11.4	4.8	3.9
North (12/10)											
Acholi (3/3)	453,765	460,389	-6,624	61.9	60.0	15.8	14.4	79.2	79.1	4.9	6.4
Lango (3/2)	520,931	521,768	-837	68.5	74.2	14.4	20.7	81.8	73.7	10.8	5.4
West Nile (6/5)	675,428	651,894	+23,534	67.8	61.9	40.0	48.9	54.1	44.7	5.8	6.9
Sub-Total	1,650,124	1,634,051	+16,073	63.0	62.8	25.2	29.6	67.6	64.2	7.2	5.5
GRAND TOTAL	10,450,888	10,775,656*	-324,768	68.6	69.7	59.3	69.4	37.4	27.7	3.3	2.9