



18th June 2014

His Excellency, President Y.K. Museveni
P. O. Box 25497, Kampala
UGANDA

Dear Mr. President:

RE: RESPONSE TO YOUR LETTER ON ELECTION RIGGING IN UGANDA, 1961 - 2014

Reference is made to your letter dated 25th May 2014 ¹ on 'election rigging in Uganda, 1961 – 2014' which was widely carried by the media. Your letter made special reference to the allegedly "stolen" Luweero Woman MP by-election held on 22nd May 2014 and went on to question the credibility of elections in Uganda and the independence of the current Electoral Commission. Whereas the Citizens' Coalition for Electoral Democracy in Uganda (CCEDU) observed the Luweero Woman MP by-election, we take exception to the allegations around vote rigging carried in your letter. Our team of observers who monitored the Luweero by-election noted a number of issues that your letter doesn't generally seem to address. Issues around missing names on the voters register, heavy police clampdown on opposition rallies as well as vote-buying especially during the campaign period. The myriad of electoral challenges in Uganda, some of which you highlight call for the passage of substantive electoral reforms to restore trust of all stakeholders.

Going by the language and content of your letter, CCEDU wishes to acknowledge and appreciate your new stance on reforming the electoral system in Uganda. We are very optimistic that you are equally interested in and committed to ensuring that among other things, the broader electoral reform proposals that have been on the table since 2005 are considered and passed in order to remedy what you described as 'a collapsed system' and avert scenarios where people who should not have been elected are elected because of 'sectarian intoxication' or because of 'cheating'.

¹ On 28th May, 2014, H.E YK Museveni wrote a letter on Election Rigging in Uganda since 1962. In his letter he accused the opposition parties of rigging elections in Uganda.

CCEDU remains the broadest active civil society coalition on issues of elections in Uganda, bringing together over 700 member organizations spread across the country. CCEDU has since its formation in 2009 worked towards promoting a social and political system that enhances fair, equitable and transparent electoral processes. In the aftermath of the 2011 general elections, CCEDU developed a Citizens' Electoral Reform Agenda. The agenda calls for: the restoration of presidential term limits; putting in place a clean and credible voters register; instituting mechanisms to guarantee the independence and credibility of the Electoral Commission; streamlining the role of security forces in elections; the introduction of campaign spending caps among others. These and many more reform proposals are being fronted by voices across the civic and political spectrum. Your Excellency, recent opinion polls also indicate that it is the hope of many Ugandans that sooner rather than later, the government and the opposition political parties will dialogue and agree on the proposed electoral reforms with the aim of safeguarding electoral processes to ensure that the 2016 general elections are free and fair.

While improving the integrity of elections requires reforms in many wider areas, safeguarding the independence of the Electoral Commission, as the cornerstone of the electoral process, requires specific and priority attention. As we approach the 2016 general elections, you too seem to agree that the Electoral Commission should be insulated against any external influences, secure its independence and provide it with increased powers in such a manner that shall address the trust deficit Ugandans (including yourself) have towards the electoral process.

The continued attacks on the Election Management Body undermine the electoral process and present undesirable ramifications including lack of confidence in the outcome of the poll, the possibility of using undemocratic means to achieve power, and above all, the prospect of violence.

In the second part of your letter Mr. President, you strongly encourage the adoption of new technologies in elections. However, we would like to draw your attention to the discomfort that the adoption of electronic voting technology has caused in elections (BVR²). In many countries, electronic voting systems have collapsed during elections and this has left a trail of doubt cast around the credibility of election results in those particular countries. Examples of such occurrences can be drawn from Ghana (2012), Kenya (2013), and Malawi (2014).

Your Excellency, countries which have adopted these systems have been motivated by the urge to have an election system free of loopholes. While it is true that technology in elections may optimize credibility, improve efficiency, and reduce disputes; we should be cautious about the temptation to expect use of electronics to guarantee integrity of the electoral process – a conjecture you seem to be falling prey to, Mr. President.

² Uganda adopted use of Bio-metric Equipment in the Update of the National Voters' Register ahead of the 2011 general election.

We therefore stress the need for a thorough needs assessment and feasibility study before deciding to introduce biometric technology in either voter registration or verification. The various challenges associated with the use of ICT, the time required for implementation, as well as availability of an enabling legal framework for the same must be taken into account alongside a cost-benefit analysis.

Mr. President, electoral irregularities that continue to occur in Uganda demonstrate the underlying breakdown in the value system of the country. Preserving electoral integrity would enable the voters to participate in genuine elections, which take care of transparency, accountability, and accuracy as well as the ethical behavior of key players.

Mr. President, election observer reports around the 2006 and 2011 elections highlighted the fact that politically-motivated violence, intimidation, and bribery of voters have marred previous national elections in Uganda. The reports also stressed that, accountability for such crimes has been very weak and that impunity for past electoral violence has been a major barrier to free and fair elections in Uganda.

Our fear is that such impunity in the electoral process has bred a society that is easy to compromise as you too acknowledge. We therefore recommend that all electoral offenders be punished in accordance with the provisions of the law. The safeguards to electoral integrity must be strengthened and supported by an active and educated electorate, effective and responsible political parties alongside objective national and international election observation processes.

Mr. President, we urge you to embrace the proposed reforms in Uganda's electoral system as the sure way of achieving electoral democracy.

Dr. Livingstone Sewanyana

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