



POLLING DAY STATEMENT - NEBBI DISTRICT LCV BY-ELECTION JULY 11 2019

1.0 Introduction:

CCEDU observed polling day activities in the 223 polling stations, 69 parishes, and 16 Sub Counties that make up Nebbi District. The by-election attracted Forum for Democratic Change (FDC) candidate, Onyai Vicky Emmanuel; Independent Candidate, Othuba George; and National Resistance Movement Candidate, Urombi Emmanuel.

2.0 Objectives and Methodology of Observation:

Objective:

The objective of the CCEDU EOM was to make an independent, objective and impartial assessment of the July 11th 2019 Nebbi District LCV By-election. In pursuance of this objective, the CCEDU EOM observed the elections within the spirit and letter of the international election protocols that the Republic of Uganda is party to; the Guidelines of the CCEDU EOM, as well as the legal framework for the conduct of elections in the Republic of Uganda.

The CCEDU EOM was specifically required to:

- Determine whether the elections were conducted in compliance with the country's constitutional and legal framework, other relevant laws and the guidelines governing the conduct of elections in Uganda;
- Determine whether the election environment was conducive for voters to freely exercise their fundamental rights and express their will;
- Evaluate the transparency and adequacy of the voting, counting and tallying processes; as well as the announcement of the results; and
- Establish whether the results of the elections were a true reflection of the democratic will of the people of Nebbi district.

Methodology:

In order to achieve the aforementioned objective(s), the CCEDU EOM undertook the following activities:

- The Mission held consultation with key electoral stakeholders including the EC, political parties, representatives of Civil Society Organisations, security agencies' representatives and members of the media;
- CCEDU EOM also consulted with relevant stakeholders in Nebbi district;
- The CCEDU EOM requested and obtained information on activities related to the electoral process from the EC;
- On Election Day, the EOM observed all aspects of the electoral process in the respective areas of deployment;

- The CCEDU EOM presented its preliminary assessment of the elections through a Polling Day statement released on 11th July 2019.

3.0 Key Observations:

Distribution of polling materials:

The Electoral Commission dispatched polling materials to the 223 polling stations in the 16 sub counties between 4:00am and 6:30am, on 11th July 2019. Electoral materials arrived at over 90% of the polling stations in time to allow for the commencement of polling at 7:00am;

Opening of Polls:

Polling in about 15% of the polling stations did not commence on time – because the mandatory five (5) voters to witness the opening of the polling were not present. Polling Officials at most polling stations were however present and in time to commence polling at 7:00am;

Polling personnel:

Polling officials including a Presiding Officer (1), Polling Assistants (2-3) and Polling Constable(s) (1-2) were present at each polling station throughout Nebbi District. Polling officials appeared knowledgeable about their role in election administration;

Women and PWDs Participation on Election Day:

CCEDU EOM noted the impressive participation of women in the process on Election Day as polling officials, security officials and voters. In all the polling stations visited, remarkable attempt was made to satisfy gender balance in the composition of the EC officials. At least 50% of the polling officials were female;

CCEDU EOM noted that neither the EC nor political parties and candidates recruited Persons with Disabilities (PWDs) either as polling officials or candidate' agents – in the polling stations observed;

Political party/candidates' agents:

CCEDU noted that polling stations had presence of candidate agents (National Resistance Movement, Forum for Democratic Change and the Independent). Each of the candidate's agents had a copy of the voters' register. Agents appeared to be vigilant and well trained about their roles;

Voting process:

The voting process was generally orderly and appeared to be well understood by the voters. Polling staff assisted voters that required clarity on the procedure and process. In at least 70% of the polling stations, priority was given to the aged, pregnant women, voters with infants and persons with disabilities. In accordance with election regulations, voters who required assistance were also allowed to vote with assistance from a person of their choice;

Accessibility of polling stations:

Most of the polling stations were conveniently located for easy access by the voters. Almost all polling stations were located in public places and voting was conducted in the open. The number of registered voters in each polling station was manageable as most stations had less than 600 registered voters. It was however noted that polling stations in sub counties such as Erusi and Parombo were distantly located requiring voters to move long distances (more than 4 kms) to access their respective polling stations;

Biometric voter verification process:

The Biometric Voter Verification Kits (BVVKs) generally functioned well. In almost all polling stations, the voter verification process was fast and lasted under two (2) minutes for a voter. The CCEDU EOM however noted an incident in which a BVVK malfunctioned at Kulukulu Cooperative Center Polling Station in Alala Sub County at the commencement of polling. The EC however responded to the incident immediately;

Security on polling day:

CCEDU noted the minimal presence of uniformed security personnel during the by-election. The role of security on the polling day was largely limited to mobile patrolling in the 16 Sub Counties of Nebbi District. With specific regard to the polling day, the presence of security personnel was not of an intrusive nature. CCEDU EOM commends security personnel for the coordinated and structured manner in which election-day security was provided;

Whereas there was tension reported in the Sub Counties of Parambo, Padwot, Akworo, Erusi and Jupangira which boarder with the Democratic Republic of Congo (DRC), CCEDU EOM noted that polling in those areas proceeded without interruption or incidents. CCEDU could however not verify reports on non-citizens from DRC participating in the polling process – as was alleged by some stakeholders;

Voter turnout:

The CCEDU EOM noted the low voter participation throughout the polling day. At the commencement of the polling exercise, stakeholders informed the CCEDU EOM that most voters were participating in market days in Erusi, Parombo, Wadelay, Payani and Pakwach. The voter turnout however, remained low until the closure of the polls at 4:00pm. According to the EC report, out of 121,856 registered voters, 46,536 voters participated in the poll, representing only 38.2% voter turnout. CCEDU notes with concern a growing apathy towards local government electoral processes. This will require an in depth trends analysis aimed at devising strategies to increase participation in these elections;

Closing, counting and transmission of results to the tally center:

Polling stations closed on time (4:00pm) without voters in the queue. Counting commenced immediately at all polling stations and was complete by 5:00pm in over 80% of the polling stations in Nebbi District. The counting process was transparent, open and in compliance with the electoral procedures and regulations;

CCEDU noted that in at least 93% of the polling stations observed, all candidates' agents signed the Declaration of Results forms (Form DR) and the EC handed a copy of the same to the agents that were present during the counting exercise as procedurally required;

Upon completion of counting and declaration of results, polling materials were dispatched to the Nebbi District Tally Center. The transmission of the results was generally slow. Results were transported to the tally center by vehicles of the Electoral Commission. Poor terrain coupled with heavy rains delayed the arrival of election results from some sub counties in Nebbi district. The last vehicle carrying electoral results and material arrived at the tally center at 03:28am on 12th July 2019 from Parombo Town Council, Nebbi district.

4.0 Conclusion:

The CCEDU EOM observed that pre-polling and polling day were largely well administered and peaceful. The July 11th 2019 Nebbi district LCV by-election was conducted in compliance with the legal framework of the Republic of Uganda and in line with international obligations. The by-election was largely conducted in a manner that allowed the people of Nebbi district to express their will freely at the poll.

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