



Clinton Issues Critical Report On Preparations For Uganda Elections

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Secretary Clinton has issued a blistering report on Uganda's presidential election reparations

Sees "Damage" To Credibility of 2011 Uganda Vote

Secretary of State Hillary Clinton has submitted a sharply critical report to Congress documenting serious shortcomings by the Uganda government as the East African country prepares for presidential elections next year.

The report, in robustly blunt language, highlights numerous instances of harassment of opposition leaders and concludes that the lack of an independent election commission undermines the election's credibility.

In December 2009 the U.S. Congress --as part of its foreign appropriations act-- issued a directive calling on Clinton to monitor Uganda's preparation for the election; the voting itself; and the aftermath. She is to issue a report beginning in April 2010, and thereafter every four months; and, one month after the February 2011 vote.

The Black Star News has obtained a copy of the first report--a detailed and comprehensive review, highlighting several shortcomings and incidents, such as threats to opposition leaders, alleged intimidation of voters during recent by-elections, and the denial of access to media for opposition candidates.

Additionally the report recounts instances where top opposition party leaders, Olara Otunnu and Kizza Besigye have had their political events disrupted; the report also questions whether Uganda police can be entrusted with the investigation of an

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incident that Otunnu alleged was an assassination attempt last year.

It notes how women who demonstrated against the Electoral Commission's makeup reported that they were abused by police.

It says U.S. State Department officials, together with the American ambassador to Uganda and his U.K. and Dutch counterparts have been urging Uganda officials to level the political playing field.

The Clinton report says the government of President Yoweri Museveni -- who until the election of President Barack Obama had never been admonished by previous U.S. Administrations over alleged human rights abuses -- "took no action" to create an independent election commission.

The report says Museveni did not consult with opposition parties and civil society on the appointment of the Commissioners on the Electoral Commission. "Museveni unilaterally replaced" a retiring commissioner and then re-appointed six commissioners to new seven years terms, says the report.

The report warns that the "exclusion of key stakeholders from the appointments process compromised the Commission's independence and will damage the credibility of the 2011 electoral process." The report notes that the U.S. State Department "raised the Electoral Commission's lack of independence" with the Ugandan government on January 21, and January 29, 2010.

The Clinton report highlighted other shortcomings in the key areas the Secretary of State was tasked with monitoring by the United States Congressional directive: the establishment of an accurate and verifiable voter registry; the announcement and posting of results at polling stations; freedom of movement, assembly, and a process free of intimidation; freedom of the media; and, security and protection of candidates.

The report says the Ugandan government "took no additional actions to establish an accurate and verifiable voter registry." The report notes that the Election Commission had dedicated a significant portion of its limited funds to procurement of a biometric voter ID system "intended to clean up the voter registry and weed out double registrations;" it notes that the procurement had been cancelled due to "bidding irregularities."

"However," continues the report, "this system is unlikely to resolve longstanding problems with the voter registry, and the Commission's original intention to use biometric voter IDs only in urban areas that are opposition strongholds triggered questions of fairness, transparency, and constitutionality."

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The Clinton report notes that the public display of the voter registry -- scheduled for July 20 to August 10 -- is the "most important part of the Commission's plan to establish an accurate and verifiable voter register" but notes that last December the Uganda cabinet submitted a proposal to reduce the display period to 15 days instead of three weeks -- with "six days for the display of proposed deletions from the voter registry."

The report says the need for an accurate and verifiable voter registry was "underscored" by two recent by-elections, on January 25, and February 16, in Uganda. Voter registries in each of the by-elections were finalized just two days before the elections by the Electoral Commission, "thereby depriving stakeholders of a reasonable opportunity to verify the registries' accuracy" notes the report.

The report says the voter registry sold by the Electoral Commission to the Forum for Democratic Change (FDC) opposition party on January 21 "differed significantly from official voter registries issued to polling officers on January 25." The report notes that the Uganda People's Congress (UPC) opposition party paid for a copy of the registry of the February 16 by-election on February 8, but did not receive a copy until the day before the election.

"The Commission's failure to produce in a timely fashion a transparent, accessible, and verifiable voter register for these by-elections disenfranchised voters and undermined the credibility of the electoral process," the report states, noting that U.S. State Department officials raised "concerns" with the Uganda government on February 8; and again, on March 3, together with Dutch and British diplomats. What's more, on March 3, the United States Agency for International Development (USAID), "offered to help the Electoral Commission render the voter registry more transparent and accessible by posting the entire document online."

What's more, notes the report, "U.S. and other observers were not able to visit all 141 polling stations during the January 25 by-election, and a significant number of these stations reported impossibly high participation rates, suggesting fraud." And during the February 16 by-election, the report continues, "the Electoral Commission voided results from several entire polling stations -- thereby disenfranchising several hundred voters -- due to procedural errors by presiding officers to invalidate entire ballot boxes."

The U.S. and Dutch ambassadors, together with the British High Commissioner raised the matter with officials but the Ugandan government "has not yet responded to these concerns," says, the report.

The report also notes that the opposition party complained of intimidation by security forces and government officials during the by-elections. "In one incident, an unidentified member of the security forces fired into the air outside a polling station

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to disperse a crowd," the report says. "In another incident, the bodyguard of the State Minister for Housing fired at the tires of a vehicle belonging to the entourage of a rival candidate, injuring one person in the foot." (The reference is to Werikhe Kafabusa, the State Minister of Housing; the body guard allegedly fired at supporters of Dr. James Mutende.)

The Clinton report was critical of the Ugandan government's handling of gatherings and movement of people. The Uganda government "continues to restrict opposition leaders' freedom of movement and opposition parties' freedom of assembly," the report states. The report notes that the authorities are still holding onto the passport of Dr. Kizza Besigye, the FDC president, stemming from 2006 treason charges, forcing him to postpone a U.S. visit in January. It notes that the courts haven't yet ruled on Besigye's motion to dismiss the pending treason charge.

The report gave several instances of disruption of movement by opposition leaders. "On January 25, police in Masindi disrupted a rally for FDC President Besigye, and on January 27, police in Kampala arrested a UPC member for holding up placards belittling the NRM's January 26 celebration of 'Liberation Day' " notes the report. "The government charged the lone protestor with sedition on January 28 and released her on bail."

"On January 28, police in Kagadi prevented Uganda Peoples Congress (UPC) presidential aspirant Olara Otunnu from visiting a local hospital and other locations," says the report. "Police claimed Otunnu failed to inform authorities of his itinerary in a timely manner. Otunnu accused police of blocking his movements to prevent him from highlighting the poor quality of Kagadi's public hospital."

The report notes that government officials and police disrupt rallies and opposition events by using "provisions of the Police Act, which require opposition parties to inform the Inspector General of Police of assemblies" involving more than 25 people.

"On January 4, police temporarily prevented opposition leaders from entering the office of the Inter-Party Cooperation (IPC) coalition," says the report, "to lead what the IPC described as a peaceful and law-abiding protest against government repression of the media, the biased composition of the Electoral Commission, and government closure of the Buganda Kingdom's Central Broadcasting Station (CBS) radio station."

The IPC is an alliance of the leadership of Uganda's main opposition parties, including the UPC and FDC.

The report says on January 18, police arrested 35 female members of the IPC after, one-by-one, they tried to enter the Electoral Commission building to demand the resignation of the Commission's chairman. "Several of the women accused the

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police of mistreatment during their arrest and subsequent imprisonment, claiming that police used excessive force, forced some women to undress, and placed some in police holding cells with men overnight," says the report. The women, who were later released on bail and given a court date were charged with "illegal assembly, trespass, and belonging to an unlawful organization," says the report.

The report notes that opposition parties have also accused the NRM -- or National Resistance Movement, Museveni's ruling party -- with using government officials and security officers to go door-to-door to recruit members throughout the country, and that the opposition "suspect that NRM and government officials used this membership drive to intimidate voters and identify opposition party sympathizers."

State Department officials urged the Ugandan government to "take additional steps to ensure freedom of movement, assembly, and a process free of intimidation on January 21 and January 29," continues the report.

"The U.S. Mission to Uganda also engaged with senior members of the Electoral Commission and the Police on this issue, and on February 24 police allowed approximately 30 female IPC members to stage a peaceful impromptu sit-in outside Parliament," notes the report, adding "The women assembled to demand a new Electoral Commission, the restoration of presidential term limits, and the removal of the Ugandan military from Parliament."

The Clinton report was critical of the Uganda government's dealing with the media saying it "continues to impose restrictions on local media." The government in January repeatedly questioned two reporters from *The Daily Monitor*, an independent newspaper, over two articles about the NRM's civilian paramilitary training program, notes the report, adding that the journalists were later charged with criminal libel "for a December 19 article that briefly compared President Museveni to Ferdinand Marcos."

"On February 8, the Monitor's managing editor and one of the journalists charged with libel for the December 19 article appeared in court to respond to forgery charges stemming from the August 2009 publication of a letter from President Museveni to local leaders in Western Uganda," adds the report. "The government alleges that the journalists altered the text of the letter, a charge the Daily Monitor denies." (A report in today's edition of *The Daily Monitor* says a judge, Joyce Kavuma, had set a new date of May 20 for a hearing, for Daniel Kalinaki, the managing editor of The Monitor and Henry Ochieng, the political editor and that it's the fifth time the case has been moved).

The Clinton report also notes that the Constitutional Court on January 18 heard a petition filed in 2005 by a prominent Ugandan journalist Andrew Mwenda "arguing that sedition charges infringe on constitutional rights of freedom of expression.

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Mwenda has multiple counts of sedition and other media related offenses pending against him. A decision on Mwenda's petition is pending."

"Several rural radio stations denied FDC president Besigye access to the airwaves, in some cases even after the FDC paid for airtime," the report adds. "On January 30, an FM station in northern Uganda prevented Besigye from appearing on air.

Opposition leaders alleged that Besigye was also prevented from appearing on local media outlets in Hoima and Kapchorwa." The report says in response to allegations that rural FM stations had denied opposition candidates airtime "based on 'orders from above'" the State Minister of Internal Affairs and NRM Chief Whip and one Electoral Commissioner "called on local authorities to ensure equal access to the media."

The report says the State Department "raised concerns about continued restrictions on press freedoms" with the Ugandan government on January 21 and January 29; and with the Electoral Commission on February 8. (*Black Star* Editor's Note: Subsequent to the report's preparation, Otunnu, the UPC president, after an appearance on Voice of Lango FM, was charged by the Uganda government with defamation and subsequently with "sectarianism" after he reportedly discussed the government's complicity with the Lord's Resistance Army. Museveni himself called to complain to the radio station's owner according to Uganda media accounts).

The Clinton report discusses Otunnu's allegations that he was the victim of a botched assassination attempt last year; Senator Patrick Leahy had previously called for an investigation of the incident, as had the U.S. Department of State.

"Police claimed that an investigation into the December 21, 2009, incident between UPC presidential aspirant Olara Otunnu and the Presidential Guard Brigade (PGB) convoy is ongoing. Otunnu has alleged that the convoy deliberately forced his vehicle from the road," says the report, noting that the Ugandan government dismissed the incident as an accident. "It is unclear whether local police have the ability or authority to investigate the actions of PGB, and there is no evidence that an investigation is underway."

On January 21 and February 8, "State Department officials raised this issue" with the Uganda government, states the report.

"According to the Electoral Commission's November 2009 roadmap for the 2011 elections, parties will nominate their presidential candidates on October 14, 2010, and the presidential campaign will start on October 28," adds the report. "The Electoral Commission told U.S. Embassy officials that the Commission is not responsible for the security of political leaders in advance of these dates."

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Officials were not available for comment this evening at Uganda's Permanent Mission to the United Nations.

The next Clinton report on the Uganda elections should be due in August, under the Congressional directives guidelines. The report's formal title is "Report on the 2011 -