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WHAT COULD THE COVID-19 PANDEMIC MEAN FOR THE 2021 ELECTIONS IN UGANDA?

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COVID-19 has caused global trauma and hindered many operations to achieve economic, social and political plans by the government and many of its partners. According to the Electoral Commission (EC) 2020/21 strategic plan, Uganda's General Election has been scheduled for February 2021. However, due to the outbreak of the novel COVID-19, it is now a topic for debate. Stakeholders and the general populace are having mixed reactions. Many are asking the following questions: What is the implication of COVID-19 on the already ongoing electoral processes? Will the 2021 general elections still be a national priority in the crippled post COVID-19 economy? Has the COVID-19 pandemic increased the popularity of H.E the President of Uganda in line with his government's response and management of the pandemic? How can the opposition political establishment remain relevant during the and after COVID-19? To what extent has the COVID-19 global pandemic affected the electoral financing of opposition parties in the country? This manuscript attempts to offer some insights into these question.

Introduction

Uganda's political space has been afflicted with random decisions as a move to restrain the spread of COVID-19. Although Uganda started implementing stringent measures to curb its spread, many other countries, especially in Asia had been facing the impacts of COVID-19 since January 2020. Towards the end of March 2020, Uganda experienced a countrywide lockdown leading to the closure of all its border posts, closure of learning institutions, a stop on public transport, suspension of communal gatherings like political functions and rallies, prayers and halting all international travels among other presidential directives

The actions by the Government followed a cross-section of leaders' call for a total lockdown to save Uganda from the devastating effects of the virus which is spreading around the world. Jie County MP, Hon. Moses Bildard Adome called for a total need to shut all activities in order to save Ugandans. He emphasized that an early lockdown will save the country a full-blown outbreak of the virus which severe implications for an already weak health care system.¹

¹<https://www.independent.co.ug/mps-divided-over-calls-for-total-lockdown/>

However, the lockdown was not welcomed by many including the legislators and politicians who anticipated that it would have a great impact on both the Government and the people's social, political and economic performance. Amuria Woman MP, Hon Susan Amero, indicated that closing down will impact both on Government and the people. She advocated for the closure of public transport, but insisted that institutions like Parliament should not close because they are needed to guide the other sectors in times of crisis.²

In 2021, the Electoral Commission (EC) is supposed to organize a nationwide election that will end the 5-year term of the incumbent political leadership at all levels. Political parties were also in high-gear preparations but they have since suspended all their pre-election activities that include updating their voter registers. New members' recruitment, organization of grassroots Political Party elections and holding the delegates conferences. A case in point is the NRM party that had already started registering its new members in their famous "yellow book". The Democratic Party (DP) too had already set the first week of May 2020 to hold its Delegates Conference. All these have been put at a standstill because of the COVID-19 pandemic.

To this effect, a cross-section of Members of Parliament from the East African Legislative Assembly Parliament that included Hon. Dennis Namara and Paul Mussamali argued that going on with the 2021 elections would leave the country's economy leaping.³ The Kilak North MP, Gilbert Olanya also called on the Ministry of Health to recommend to Government to postpone the forthcoming general elections due to fears of coronavirus.⁴ This may however not come to pass because the 1995 Ugandan Constitution under Article 61 (2) provides that the Electoral Commission shall hold Presidential, General, Parliamentary and local council within the first 30 days of the lost 90 days before expiration of the term of the President. However, Article 77(4) provides that where it is impracticable to hold elections for example in case of an emergency which could prevent a normal election to be held, the parliament may by resolution supported by not less than 2/3 of all MPS extend the life of Parliament for a period not less than 6 months at a time.

¹<https://www.independent.co.ug/mps-divided-over-calls-for-total-lockdown/>

²<https://www.independent.co.ug/mps-divided-over-calls-for-total-lockdown/>

³<https://nilepost.co.ug/2020/04/10/should-the-2021-elections-be-postponed/>

Article 110(1) of the 1995 Ugandan Constitution also provides for the declaration of a state of emergency. The article states in part that, the President may, in consultation with the Cabinet, by proclamation, can declare a state of emergency in part or the whole of Uganda if the country is threatened by war or external aggression, when the security or the economic life of the country is threatened by internal insurgency or natural disaster or when there are factors that render necessary the taking of measures which are required for securing the public safety, the Defense of Uganda and the maintenance of public order and supplies and services essential to the life of the community.

A state of emergency for the Corona crisis is still a myth or opinion talk however it if is declared, Article 101(7) provides that Parliament shall enact laws as shall be necessary for enabling effective measures to be taken for dealing with any state of emergency that may be declared under article 110. This will come in line with Article 110(8) which provides that any resolution passed by Parliament for the purposes of Article.101 (4/5) shall be supported by the votes of more than half of the Members Of Parliament.

According to the New Vision article published on April 2, 2020, Hon. Rebecca A. Kadaga, the speaker of the Parliament of Uganda said that declaring state of Emergency was objected by a cabinet Minister who convinced the President against declaring a state of emergency.⁵

On the same note, the Electoral Commission has not come up with a clear position on the postponement of elections. In an interview with KM radio, the Electoral Commission, Chairman Justice Simon Byabakama informed the public that EC would come up with a position to update the Nation on the changes in the election road map. He further added that the EC had postponed Elections for special Interest groups that were to take place in April.⁶

⁴<https://www.pmldaily.com/news/2020/03/mps-want-2021-elections-postponed-over-coronavirus.html>

⁵<https://thecapitaltimes.co.ug/2020/04/02/president-museveni-advised-to-declare-a-state-of-emergency-what-next/>

⁶<https://www.kfm.co.ug/news/special-interests-group-elections-to-be-postponed-ec-boss.html>

Assessing the Impact of COVID -19 on 2021 General Elections: Who Wins? Who Loses?

The Electoral Commission (EC) is established under Article 60 of the 1995 Ugandan Constitution and is mandated under Article 61 of the same constitution to organize, conduct and supervise regular free and fair elections and referenda, among other functions.

According to the Electoral Commission's (2020) Strategic Plan, the administrative units and voting population for the 2021 elections increased the total number of districts are 141, municipalities (80), counties (200), sub-counties (2000), parishes (9500), villages (65,200). There are 35,000 polling stations compared to the 28,010 polling stations in the 2016 general elections.⁷ The registered voters were in the strategy estimated to rise from 15,277,198 in 2016 to 19,400,000 in 2021 .

Since December 2018, the EC has been implementing a General Election roadmap ⁸ that stipulates 2019/2020 – 2020/2021 electoral milestones. The notable milestones underway include the gazette and publishing of candidate's nomination dates and venue in-line with presidential elections Act section 8(1), parliamentary elections Act section 4(4) (a), section 9(1) and Local Government Act Sec 119(1); and nomination of Sub County, parish and village Special Interest Groups (SIGs).

One of the assumptions made by EC in its roadmap was that Government will provide timely and adequate funding for the strategic plan and general elections. The funds include engaging stakeholders through awareness-raising and an increase in participation in the election cycle, which hangs in balance due to limited activity.

With the COVID-19 outbreak, the Government has shifted its National Financing priorities and plans to prevent the spread of the pandemic under the health and security sector by making budget reallocations.

⁷<https://www.ccedu.org.ug/index.php/publications/media-center/news-highlights-events/567-readness-towards-2021-is-government-meeting-our-expectations>

⁸<https://www.spyuganda.com/electoral-commission-launches-national-strategic-plan-road-map-for-2020-21-general-elections/>

The Minister of Finance, Planning and Economic Development. Hon. Matia Kasaija presented a paper in Parliament showcasing the economic impact of COVID -19 in the country. He informed the Parliamentarians that due to the COVID-19 pandemic the country was facing an economic shock. He further added that there would be need for fiscal and monetary policy adjustments that would directly affect Government Agencies.⁹ Electoral Commission may not therefore be in position to fully finance its roadmap if the funds allocated from GOU are not enough.

The Presidential Directive of a lockdown has also deeply affected many political activities in the country. By March 16th, 2020, according to the East African (2020), at least 24 people had officially declared their intention to run for Presidency. With the clearance of the gazette and publishing of candidates' nominations that had been planned for early April 2020, the candidates would now be ready to traverse the country to present their manifestos to the electorates for consultations.

The citizenry too is putting less debate about the up-coming election yet during the past elections, at a similar time, the debate would be about holding a successful election, Political Party primaries, talk of possible opposition coalitions and electoral financing. Currently most of the attention has been put towards the Presidential speeches on combating COVID -19.

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Uganda has lost the time to clean up the pending, yet crucial issues related to updating the voter registers, display of voter credentials at parish/ village's levels, consultations by many political groups, training/ capacity building for politicians including women and youth and many more initial activities by development partners and the CSOs that take place during the pre-election time are now at a standstill.

⁹<https://www.finance.go.ug/press/statement-minister-finance-parliament-economic-impact-covid-19-uganda>

The issuance of the National Identification cards that are presumed to be a voting requirement for the upcoming Elections has also been affected. On April 7, 2020 via Twitter, the National Identification and Registration Authority (NIRA) ¹⁰ pronounced that the offices have closed due to COVID 19.

Furthermore, the prerequisite to voting in Uganda is having your name included in the voters' register however before the onset of the COVID crisis, EC had already closed the registration exercise and had already informed the Legal and Parliamentary Affairs Committee that they would not re-open the voters registration process because their goal was to have a clean up-to-date Voter Register by end of March 2020, followed by nomination of the Special Interest Groups- SIGs Committees elections then nominations for Local Governments, Parliamentary and Presidential elections however due to the COVID-19 crisis all these have been put on hold. ¹¹This therefore means that even if the processes re-open, EC will have to work hurriedly to meet deadlines .There is not even enough time for pro-democracy groups and activists to question the government on issues surrounding a clean voters' registers ahead of the 2021 elections or such a time to bring up such debates at the time when the country is in worry of the spread of the coronavirus and its likely impact.

COVID-19 and its Implications for Electoral Processes

Election Process Financing

There has been a lot of panic in the allocation of COVID-19 relief financing since all these processes must be done hurriedly with less accountability of the resources. Currently, the Health and Security sectors have been given priority pertaining to allocation of funds. This means that the ability to provide the entire financing required for organizing free and fair election may become impossible. The EC could realize budget cuts that will significantly limit its planned activities and the ability to match its milestones based on the available budget as per the central Government re-allocation.

¹⁰<https://www.nira.go.ug/>

¹¹<https://ugandaradionetwork.net/story/ec-declines-to-re-open-voter-registration-exercise>

The COVID-19 pandemic has badly hit Uganda's opposition. Many Political Parties/ individuals or opposition groups who intend to participate in the upcoming election may also find a hard time to execute their plans. It should be noted that most of the opposition Political Parties/pressure groups heavily depend on external political financing from the Western world to finance their campaigns. However, most of these countries have been terribly hit by COVID-19 pandemic and might thus change their funding priorities in the ensuing years.

The Development Partners, CSOs including election observers and NGOs have shifted from their usual work plans to address the effects of COVID-19 through providing relief financing threatening electoral financing and the provision of civic education related to electoral processes.

For example, as part of its mission to eradicate poverty, reduce inequalities and build resilience to crises and shocks, the United Nations Development Programme (UNDP) has diverted funds to provide a collaboration tool, Zoom, and an assortment of ICT gadgets to enable virtual government business continuity as the novel coronavirus disease (COVID-19) affects routine operations in several ministries, departments and agencies as well as the Executive, Legislature and Judiciary.

Delayed/Shortened Consultation by Politicians:

Ugandans will not freely exercise their political rights which is a crucial element of democracy due to the restricted movement and association. Many politicians including the President by this time would be traversing the country and constituencies for consultations. For the Electoral management bodies, this was the time to plan for the allocation of finances and training of electoral processes management teams.

Anticipated Loss for the incumbent Members of Parliament/Politicians.

The COVID -19 crisis has further widened the already big gap between the Current Members of Parliament and the General Public. The Amendment of Article 102 (B) that scrapped off Presidential term limits left many Ugandans disappointed with the 10th Parliament. This has been worsened by the COVID -19 crisis. On the 15th April 2020, the Budget Committee Chairperson, Hon. Amos Lugolobi presented a COVID-19 supplementary budget to Parliament that was passed without debate automatically quashing the minority (opposing report) from the opposition presented by Ntugamo Municipality MP. Gerald Karuhaga.

Political leaders in other countries have cut their pay to top-up finances in the fight against COVID-19. In Malawi, the President, ordered a 10% pay cut for himself and his 32 cabinet to cushion the impact of corona virus on the economy,¹². To the surprise of Ugandans, the Ugandan MPs went ahead and allocated themselves 10BN Uganda shillings equivalent to 20 M shillings per MP to help sensitize their constituents in combating COVID-19. Ugandans are very bitter with this act especially at a time when majority are desperately in need of relief food. The discussion has made rounds on very many social media platforms with many commenting against the decision.

In this regard, some opposition Members of Parliament have gone ahead to criticise the decision. Hon Robert Kyagulanyi, MP Kyandondo East and Aspiring Presidential candidate in his open letter released on the 16.04.2020 expressed his dissatisfaction about this Parliamentary act.¹³ Other MPs include Hon. Ssegona of Busiro East and Hon. Betty Nambooze of Mukono Municipality.

Politicians have also not explicitly come up to address the Gender-COVID -19 related issues in the crisis. The number of Maternal and Child deaths are on the rise, Domestic Violence relates cases have also gone high but there seems to be less effort from the Ugandan female Parliamentarians in addressing these pertinent issues.¹⁴

¹²<https://www.voanews.com/economy-business/malawian-leaders-cut-their-salaries-covid-19-fight-critics-say-its-not-enough>

¹³<https://www.bing.com/search?q=Bobi+wine+open+letter+on+COVID-19&form=PREXEN&pc=UP97&mk t=en-us&httpsmsn=1&>

¹⁴<https://www.dispatchlive.co.za/news/africa/2020-04-05-ugandan-doctors-say-anti-coronavirus-measures-could-cause-deaths/>

The electorates are questioning the capability of the female legislators if they cannot defend the plight of fellow women at such a critical time.

The incumbent president is receiving more media visibility than any other opponent to address the Country on the management of the pandemic. All the actions related to the control of the spread of COVID-19 have been decided and delivered by the President. Like never before, since 1986, Ugandans yearn to know the new Presidential Directives and guidelines about the disease. This was evident on 14.04.2020 when the country experienced a total power shut down minutes before his address, Ugandans went into panic with fear of missing COVID-19 message on the way forward in combating the pandemic. The Presidential speeches are thereafter followed by online posts that have softened the hearts of Ugandans towards the President.¹⁵ This may knowingly or unknowingly provide a platform for the incumbent President to front his political agenda for re-election for a sixth term in power.

This also translates well with the urban dwellers that have received relief food. Some have already changed their mind-set on his re-election. In Bwaise a Kampala City slum, another praised the Government for saving her and her children from hunger.¹⁶ Many city dwellers have the same thought claiming that the President has the stamina to steer the country to greater heights. The situation/feeling was escalated when the President recorded a video of himself guiding Ugandans to carry out physical exercises in their homes. Many Ugandans perceived this as a good example set by the President.

Key aspiring Presidential Candidates have however been forced to go under mandatory lockdown. For example, Dr. Kiiza Besigye had a parallel plan in the fight against COVID-19 but he was immediately stopped by the authorities. He then resorted to providing COVID-19 health strategies/preventive measures on different media platforms.¹⁷ He has gone ahead to provide a telephone contact where vulnerable Ugandans can reach him to access free relief food. The People Power Movement also had a plan of providing food independently but Security forces have taken over the control and all the politicians were advised to channel all their relief items through the ruling government relief task force.

¹⁵<https://www.youtube.com/watch?v=xvNTASAcvKQ>

¹⁶<https://www.monitor.co.ug/News/National/Kampala-food-Bwaise-Museveni-Covid19-UPD/F/688334-5515074-boaf0d/index.html>

¹⁷https://www.youtube.com/watch?v=cN_tpMCOFDU

Hon. Robert Kyagulanyi has also released a COVID-19 sensitization song to deliver his message to Ugandans.¹⁸ He has also pledged maximum support in helping the Ugandans that are stuck in China to return home or to stay safely during this crisis.¹⁹ Gen. Henry Tumukunde who also expressed interest in consulting for the top-most job has been left to spend some time in Luzira prison because the Judiciary feels it's unsafe to release him during this COVID-19 crisis.²⁰ These hindrances have greatly downplayed the efforts of the Opposition in the country in terms of remaining relevant.

Postponing or Continuing with Electoral process:

Some electoral processes earlier scheduled may be shut down or postponed as a result of COVID-19 until further notice. The Electoral Commission announced disruptions of the 2021 election management.

Case Study

On March 23rd, 2020, Justice Byabakama Mugenyi Simon, the Chairperson of the Electoral Commission postponed the 2020 Election of the Special Interest Groups (SIGs) Committees from village to national level. In the categories of older persons, Persons with disabilities and youth. The elections were earlier on scheduled to commence in April 2020.

The Social Media Debate: Postponing an Election

The NBS²¹ on April 9, 2020 published a Facebook post on postponing the 2021 elections to 2023 by a section of legislators who said that organizing the election in the COVID-19 situation will leave the economy limping.

¹⁸<https://www.bing.com/search?q=bobiwine+releases+song+on+corona+virus&qs=n&form=QBRE&sp=-1&pq=bobiwine+releases+song+on+corona+virus&sc=1-38&sk=&cvid=E632676822B548AABE1C23F8627659>

¹⁹<https://edge.ug/2020/04/13/bobi-wine-assures-ugandans-suffering-in-china/>

²⁰<https://www.watchdoguganda.com/news/20200414/90655/gen-tumukunde-denied-bail.html>

²¹https://m.facebook.com/story.php?story_fbid=2967986153292330&id=128467260577581

This steamed up a debate among online readers, some who thought that postponing was necessary while others thought it was not the right time to.

@Wamala Robert wrote: That is the selfishness of the highest order. USA is having the highest challenge of COVID-19 and their elections is scheduled this year and they are not yet discussing that. The United Republic of Tanzania is also planning to have their election this year and they have not discussed any postponement of the same. Now, why should the Ugandan legislators discuss the postponement of the election of next year when we are still in April this year if you are not a selfish animal?

@Tumusiime Martin wrote: Politics benefits a section of people in Uganda. What is important now right now is our health that every Ugandan is focusing at regardless of political affiliation, religion, culture and color.

@Erima Collins wrote: MPs should not fear the ballot. We are in April 2020. Elections are in 2021. Corona virus may be will have gone or normalized before the end of this financial year.

@Sekitoleko John Lee Sr. asked: What does the constitution say about such situations?

@Denis Kamara wrote: We will not be paying their salaries for the illegal two years in parliament, their term expires in 2021.

Electoral Petitions:

On 09th April 2020, Abby Mgugu a concerned citizen rushed to the civil division of high court seeking a declaration that court suspends or postpones and/or halts all elections for five years or until the government gains control over the threatening disaster or danger of coronavirus. "Based on the nature of how coronavirus is spread, the Ugandan community will not freely exercise their political rights which is a crucial element of democracy due to the restricted movement and association" he argued.

Mgugu believes the restrictions in movement, association, and contact which will consequently affect the spread of campaign messages by the candidates to their voters and is a fundamental factor to free and fair elections ²². To date, the high court has however not yet pronounced its position about this petition.

Opportunities that COVID-19 presents

The pandemic has helped the politicians rethink about what should be done in their preparation for the 2021 elections and what factual issues should be discussed or presented in their manifestos.

Some MPs are being helpful during this to provide relief and other support services to their constituencies. For instance, Kawempe South MP Hon. Mubarak Munyagwa made several hand washing tank taps with his 2021 campaign poster and distributed them in major markets in his constituency. Area Member of Parliament for Mawokota North, Hon Amelia Kyambadde also gave out a brand-new ambulance and food relief to her electorates. This however only gives the incumbents at an upper hand since they have the resources to use. However, it is to the disadvantage of the young aspirants who have less or no money to invest in electoral financing.

Recommendations:

The EC should analyse the financial implications of cancelling electoral processes that were already underway.

COVID-19 has disorganized so many political calendars around the world. However, South Korea went ahead to conduct elections amidst the COVID-19 Pandemic. The Government put in place prevention measures, for example, the use of armies of public servants during election time, temperature measurements for all voters, use of masks and hand sanitizers, social distancing (3 feet intervals) and mobilizing youth to conduct election related Civic Education. Uganda should benchmark from South Korea to learn how best the Country can run an election successfully amidst the COVID-19 pandemic

²²https://www.newvision.co.ug/new_vision/news/1516451/coronavirus-court-cancel-2021-elections

EC can consider designing a risk and mitigation matrix for COVID-19 response and hold mass consultations to guide the stakeholders on the mitigation of the effects of the pandemic on electoral processes.

Public involvement in issues related to the postponement of any related activity to avoid the breach of democracy. Critical decisions by the EC must be done in concert with and within the purview of the 1995 Constitution of the Republic of Uganda. There should be clear guidelines issued with a great buy-in by the electorates.

Open communication and equal enjoyment of media space for all politicians.

As it is the mandate of the Electoral Commission, it should take the lead to inform the stakeholder of the next process or expectations and the likely impact caused to the electoral processes for proper planning.

Using such a time to train security personnel shall be rewarding regarding the management of security during the elections.

The security officers must be trained to ensure the safety and health of the people, respect human rights and people's rights as well as protect the electorates.

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