



CAMPAIGN SPENDING FOR NEBBI DISTRICT COUNCIL CHAIRPERSON BY-ELECTION

**A Call for Civic Engagement to Enhance
Voter Participation in Uganda**

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REPORT PREPARED BY:

HENRY MUGUZI
FELIX KAFUUMA
WILLIAM ANYOLITHO
ESERU ABEL

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ACFIM Secretariat
Interservice Tower, 1st Floor, Plot 33 Lumumba Avenue
P.O. Box 37206 Kampala
Uganda
Tel. +256-393-217168
Email: acim@politicalfinanceafrica.org
Website: www.politicalfinanceafrica.org

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Acronyms and Abbreviations

ACFIM	Alliance for Finance Monitoring
EC	Electoral Commission
FDC	Forum for Democratic Change
FM	Frequency Modulation
LC1	Local Council 1
LCV	Local Council 5
NRM	National Resistance Movement
RIP	Rest in Peace
SUV	Sports Utility Vehicle
UGX	Uganda Shillings

Executive Summary

Introduction

The Electoral Commission accredited four (4) campaign finance experts from Alliance for Finance Monitoring (ACFIM) to carry out observation for the By-election of Nebbi District Chairperson. Upon accreditation, ACFIM was given the Guidelines for the Accredited Election Observer(s). Section 4 of these Guidelines defines the role of Accredited Persons/Institutions and scope. Specifically, section 4(c) requires accredited persons/institutions to among other things: “ascertaining the voters/public awareness on the electoral process by;

- a) Studying voters participation in the election campaign process/programs
- b) Studying the ease with which those campaigning access public.

To be able to make objective assessment of the campaign activities and understand the attitudes of voters in this part of the country, ACFIM observed campaign activities for an extended period of at least 10 days. This was achieved by using the grass root activists who were already on the ground in Nebbi District. The activists were joined by a team of four (4) campaign finance experts from ACFIM Secretariat. Campaigns period ran from June 14th to July 9th 2019. ACFIM campaign monitoring mission was on the ground in Nebbi District from July 3rd to 12th, 2019.

The Arrest of ACFIM Staff while Studying Campaign Spending Trends

On Monday the 8th of July 2019, while driving through Erussi Sub-county, Nebbi District studying campaign spending trends, two ACFIM campaign finance experts and two activists one of the a local Journalist, visited a campaign event of the NRM candidate, were arrested and detained briefly at Erussi Police Post before transferring them to Nebbi Cental Police station where they were held for two and half days.

Nebbi District By-Election

The district comprises 16 sub-counties and 69 parishes with a total number of 121,856 registered voters divided among 223 polling stations. Three candidates were successfully nominated by the EC, namely:

- 1) Onyai Vicky Emanuel (FDC)
- 2) Othuba George (Independent)
- 3) Urombi Emmanuel (NRM)

Objective and Methodology

Monitoring the by-election of Nebbi District LCV Chairperson is part of ACFIM's mission of contributing to promoting electoral integrity for sustainable democracy in Uganda. The cardinal objective of ACFIM in this by-election was to deepen understanding about the influence of money on the fairness of campaign activities and ultimate electoral results in Local Government elections.

ACFIM's election observation team used the monitoring tools that were used in previous campaign finance monitoring missions in Kagoma Country and Sheema North County by-elections among others. The team was led by ACFIM Chairperson William Anyolitho (Mr) deputised by the ACFIM Executive Director, Henry Muguzi. The team further comprised of campaign finance experts from ACFIM Secretariat, local Journalists and campaign finance activists.

ACFIM team was on the ground for at least 10 days during which it consulted and interviewed key stakeholders in the by-election including nominated candidates, campaign managers, the District Returning Officer, opinion leaders, ordinary citizens on the ground in different sub counties and the media to among other things ascertain voters' awareness on the electoral process in order to make sense of the observation findings. ACFIM also observed the delivery and verification of polling materials at Electoral Commission Nebbi District offices a day before voting. On Election Day ACFIM used sample based observation approach and covered 19 polling stations. ACFIM observed the opening of polling stations, the voting process, vote-counting and tallying of results.

General Observations

No Party Primaries Conducted

It was noted that the NRM and FDC political parties participating in the by-election did not conduct primary elections, rather the respective district party leadership selected the contestants that went on to be nominated by the Electoral Commission.

Reduced Citizen Participation

ACFIM observed much reduced citizen participation in the campaign activities. In particular, ground rallies were attended by a handful of women and children across rural and urban areas.

Influence of Leading Businesspersons

It was further observed that leading local businessmen and political influencers so called “Nebbi’s Big Five”, had strong interest in the campaigns. These campaigns were largely peaceful with no incidents of violence reported through Election Day. Voter turnout was recorded at 38.2 per cent.

Strategies of Campaigning

The main campaign strategies included posters, campaign rallies at parish level with candidates reaching out to the voters, radio talk shows on Rainbow FM and to a lesser extent Paidha FM. Candidates had local artists who composed and produced songs for them with tailored campaign messages. These songs were played on local FM radios. Campaign processions were banned by the electoral commission and all candidates obliged.

Campaign Spending

Campaign spending on the ground was largely minimal. It was clear that candidates did not have spending power. Nonetheless the NRM party flag bearer overshadowed his competitors by moving with a big truck mounted with a strong public address system and local karaoke dancers with popular local Disco Jockey – Rasta Longe - following behind two flashy SUVs one of them a Toyota Harrier. The FDC candidate moved with a ramshackle Toyota Ipsum mounted with a megaphone, while the independent candidate was observed travelling sometimes on bodaboda¹. All candidates had colour posters which were observed in key trading centres and bodaboda stages. Local radios namely Rainbow FM hosted candidates at different times to deliver their manifestos and engage with the electorate through interactive talk show.

Commercialisation of Electoral Campaigns

It was observed the electorate across all sub-counties were creative in extracting money from candidates. ACFIM observed them preparing “red carpet” welcomes and donating gifts to candidates for in response to which candidates were compelled to show

¹ Bodabodas are motorcycles with a space for a passenger or for carrying goods, often used in rural and urban areas of Uganda a key means of public transport.

appreciation by donating cash worth at least twice the value of the gift. ACFIM activists reported that at the end of almost every campaign event the people were heard asking candidates, “*iwekuwa nenedi?*” meaning “how are you living us?” The NRM party reportedly distributed UGX 150,000 to villages through the LC1 structures and ACFIM activists observed this money being shared between NRM supporters on the villages. It is now common knowledge within the electorate that NRM party sends money to its village structures days before an election.

Election Day Activities

Election materials were delivered on time and all polling station ACFIM observers visited opened by 7.00am statutory time. It was reported that some polling stations delayed to open not because materials were not delivered but because of absence of the mandatory five voters that must be present at the polling station for it to be opened. Voting was peaceful with many polling stations observed to be idle due to the very poor voter turnout. There were no voter queues observed at any polling station ACFIM observers visited. Voting ended on time at 4.00pm, counting was done transparently, Declaration of Results forms were duly signed by polling agents and results delivered on time at the Tally Centre.

Voter Buying

Isolated cases of vote buying were reported in Erussi and Parombo Sub Counties but police reportedly dealt with them. It was understood that the culprits were able to recognise police approaching and fled before they could get arrested. There were further claims of vote buying alleged by supporters of independent candidate George Othuba but ACFIM could not independently verify them.

Conclusion

In conclusion, the by-election for Nebbi District LCV Chairperson was peaceful, recorded the lowest voter turnout statistics, and was conducted in accordance with the national legal framework for elections.

Recommendations

1. Enact election campaign finance law to regulate and control the influence of money on electoral outcomes.
2. Conduct massive citizens’ civic engagement to regenerate citizen interest in electoral process and rebuild citizen trust in the Electoral Commission.

1. INTRODUCTION

1.1 ACFIM Mandate

The Electoral Commission accredited four (4) campaign finance experts from Alliance for Finance Monitoring (ACFIM) to observe the by-election of Nebbi District Chairperson. Accreditation came with Guidelines for the Accredited Election Observer(s). Section 4 of these Guidelines defines the role of Accredited Persons/Institutions and scope. By this provision, all accredited persons/institutions were required to endeavour to study the various aspects of the by-election and come out with a fair judgement on the process. Specifically, section 4(c) requires accredited persons/institutions to among other things: “ascertaining the voters/public awareness on the electoral process by;

- a) Studying their (voters’) participation in the election campaign process/programs
- b) Studying the ease with which those campaigning access public.

It was stated clearly in the guidelines that observers “are also free to request and obtain information on activities relating to the electoral process”. In order to make objective and fair judgement of the scale and magnitude of campaign spending during this by-election and make fair judgement, ACFIM monitored the campaign process for an extended period of at least 10 days leading up to Election Day. Campaign period ran from June 14th to July 9th 2019. ACFIM campaign monitoring mission was on the ground in Nebbi District from July 3rd to 12th, 2019.

1.2 Arrest and Detention of ACFIM Staff

On Monday the 8th of July 2019, while driving through Erussi Sub-county, Nebbi District studying campaign spending trends, two ACFIM campaign finance experts and two activists one of the a local Journalist, visited a campaign event of the NRM candidate, were arrested and detained briefly at Erussi Police Post before transferring them to Nebbi Cental Police station where they were held for two and half days. The arrest followed a call to the police by NRM leaders claiming that they were being insulted by the presence of ACFIM team on a purely public campaign event. It was later understood that the NRP party officials had need riled by a message that was on the T-Shirt of one of the activists.

The black T-Shirt had a message on the back reading: “Twakoowa Abakulembeze Ababbi”, which is literary translates as “*we are tired of leaders who are corrupt*”.

The detainees who had been charged with the offence of “interfering with the electoral process”, were released on police bond, on the eve of elections and were able to observe Election Day activities.

The arrest substantially disorganised the operations of ACFIM during this by-election but did not stop ACFIM from completing her mission. However it is an indicator of the hard times ahead as ACFIM prepares to monitor the excessive use of money of pre-campaign and campaign period, misuse of state financial and administrative resources on campaigns, and the unlawful inducement of voters to influence the outcome of elections.

1.3 Background

The by-election was a consequence of the untimely demise of the District Chairperson Mr. William Alenyo (RIP), who succumbed to injuries sustained during a motor accident. Nebbi district is situated at the heart of Uganda’s West Nile region. As an electoral area, the district comprises 16 sub-counties and 69 parishes with a total number of 121,856 registered voters divided among 223 polling stations.

Three candidates were successfully nominated by the EC - all of them male - namely:

- 1) Onyai Vicky Emanuel (FDC)
- 2) Othuba George (Independent)
- 3) Urombi Emmanuel (NRM)

At the end of the tallying process, the Returning Officer declared the NRM flag bearer, Emmanuel Urombi as winner of the by-election having polled the biggest number of votes cast. The results declared are as follows:

Table 1: Electoral Results from Nebbi District LCV By-election

Candidates	Votes	Percentage
1. Onyai Emmanuel (FDC)	4,022	9.01%
2. Othuba George (Independent)	18,323	41.06%
3. Urombi Emmanuel (NRM)	22,280	49.93%
Total votes cast	46,536	
Total Registered Voters - 121,861		
Percentage voter turnout - 38.3%		

Source: Electoral Commission

1.4 Monitoring Objective

Monitoring the by-election of Nebbi District LCV Chairperson is part of ACFIM's mission of contributing to promoting transparency and accountability in election campaign financing, enhancing civic engagement for electoral accountability, and documenting findings with a view of making a solid contribution towards building electoral integrity for sustainable democracy in Africa.

The cardinal objective of ACFIM in this by-election was to deepen understanding about the influence of money on the fairness of campaign activities and ultimate electoral results in Local Government elections.

1.5 Monitoring Approach and Methodology

ACFIM leverages the presence of campaign finance activists on the ground in several parts of Uganda including West Nile. These activities were mobilised in 2015 and successfully monitored campaign spending for Presidential and Parliamentary elections in 2016. These activists are skilled and experienced in monitoring campaign activities at grass root level and documenting campaign spending using the tools developed by ACFIM.

These activists were mobilised to monitor campaign activities in their own sub-counties of domicile. These were joined by the team of campaign finance experts from ACFIM secretariat that were accredited by the Electoral Commission. The team of experts conducted key informant interviews with nominated candidates on campaign trail, political party leaders, former political candidates, campaign agents, local journalists, opinion leaders, religious leaders and ordinary citizens. To corroborate the insights during the interviews and the reports from activists on the ground, the team of experts took off time to observe campaign activities on the ground. With this approach, ACFIM election observation team was able to make sense of the situation on the ground, understand voter attitudes and draw objective conclusions.

Campaign spending was tracked for a period of 8 days. ACFIM further observed delivery of polling materials, Election Day activities and the tallying of votes. On Election Day, ACFIM used sample based approach and observed voting in 6 sub counties out of a total

of 16. These sub counties are: Atego, Ndheh, Erussi, Parombo, Akworo, and Nebbi Municipality.

This being the first Local Government by-election for ACFIM to monitor, the approach was more geared towards understanding the campaign finance dynamics; scale and magnitude of commercialisation of electoral processes including interrogating how the private sector relates with Local Government electoral processes; and assessing behaviour of voters in comparison national electoral processes. ACFIM did not set out to specifically quantify campaign spending in this by-election.



A brave woman asking one of the candidates a question about plans of improving the livelihoods of the community once elected into office. It was common practice for candidates to entertain questions from voters.

2 FINDINGS

2.1 General Observations

No Party Primaries Conducted

It was noted that the NRM and FDC political parties participating in the by-election did not conduct primary elections, rather the respective district party leadership selected the contestants that went on to be nominated by the Electoral Commission. It was understood that the selection was based on consensus within the district party leaders. The argument is that experience from previous party primaries is that they have been seen to create divisions within the party resulting in the rise of independent candidate that challenge the party flag bearer leading to a split in votes and possible electoral defeat. As it turned out, the NRM Party camp made the better choice by bringing out a little known youthful Emmanuel Urombi who won the election.

Reduced Citizen Participation

All candidates made effort to reach out to voters in their localities and they would always start in the afternoon to allow the electorate time to attend to their gardens. ACFIM observed much reduced citizen participation in the campaign activities. In particular, ground rallies were attended by a handful of women and children across rural and urban areas. But there was a gender perspective observed on the campaign rallies. Rallies of the FDC candidate Onyai Vicky Emanuel were largely attended by women while rallies of the NRM candidate Emmanuel Urombi attracted more of men as show in the following photographs.



Above: FDC Flagbearer Onyai Vicky Emanuel in action with mostly female electorate and children.

Below: The NRM Candidate Emmanuel Urombi addressing a crowd of mostly male electorate.



Youth Missing in Action

The youth (male and female) who constitute the bulk of the population of Uganda were missing in action from the campaign rallies. This begged the question, why are the energetic male and female youth not participating in the campaign activities? Interviews

with campaign managers, political analysts, opinion leaders, young people, media and civil society actors attribute low citizen participation to the following factors;

- a) Violence in Previous Elections. Previous elections in Nebbi district (2016 and 2011) have been characterised by violence resulting in the death of one youth who was shot by the escort of the current NRM Party district chairperson. The violence that was witnessed in the neighbouring Arua, district, during the by-election of Arua Municipality Member of Parliament could have informed the decision of the electorate not to participate in this by-election campaigns. The violence in Arua reportedly involved stoning of one vehicles in the motorcade of President Museveni, shooting to death of the Driver of People Power leader Hon. Robert Kyagulanyi, the subsequent arrest and reported torture of several leading political figures.
- b) Mistrust of Political Leaders. There is a growing perception within the electorate that political candidates are corrupt and self-seeking individuals who once elected will only care about the interests of their families and friends, as opposed to addressing the service delivery needs of the electorate. The people have been voting by the conditions in health centres, schools, murrum roads that become impassable during the rainy season remain as poor as ever.
- c) Mistrust of the Electoral Commission: There is a sense in which the electorate in Nebbi district believed that the winner of the by-election will not be determined by voters but by the Electoral Commission which enjoys the mandate to announce electoral results. This perception is likely to carry through 2021 is no measures are taken to rekindle citizen trust in the electoral commission.



A rally by NRM flag bearer Emmanuel Urombi (above) and one by FDC Flag bearer Onyai Vicky Emanuel (below). Both candidates experienced low turnout of electorate with participation of mostly women and children. In the end the by-election recorded a very low voter turnout of 38.2 %.





Strategies of Campaigning

The main campaign strategies included posters, campaign rallies at parish level with candidates reaching out to the voters, radio talk shows on Rainbow FM and to a lesser extent Paidha FM. Candidates had local artists composed and produced songs for them with tailored campaign messages. These songs were played on local FM radios. Campaign processions were banned by the electoral commission and all candidates obliged.

2.2 Campaign Spending

The campaign period was limited to 20 days only. Campaign spending on the ground was largely minimal. It was clear that candidates did not have much spending power. Nonetheless spending on campaign activities is inevitable and candidates had to spend in one way or the other. Candidates spent on production of customised campaign songs, mobile music systems, transport, full colour posters, and as the practice in now – the “individual touch”. Individual touch is where voters get to see and touch the candidate. And in Nebbi the use creative means for the individual touch by laying “red carpets” Nebbi

style for the candidates. This individual touch has deeper implications because it means the candidate have to donate money to the electorate.



Carpet laid for the NRM candidate leading to the seat prepared for him. It was a must that having enjoyed walking on the carpet, the candidate left behind money to buy soap and appreciation for the owners of the cloths that donated them for the “red carpet” welcome. This was mostly the work of women groups and sometimes they also prepared gifts for candidates. These gifts ranged from chicken, eggs, crate of soda or at time a live goat. This situation was encountered by all the three candidates wherever they went to campaign. According to Uganda’s cultural practices, when one receives a gift or kind gesture, one must return the favour. In this context candidates returned the favour by donating cash that had to be at least twice the monetary value of the gift or risk losing out on voted. (Photo by Abel Eseru)

Other Forms of “Red Carpets” – Nebbi Style
“



2.3 Who Spent More in the By-Election?

The NRM party flag bearer overshadowed his competitors by moving with a lorries/trucks mounted with a strong public address system and local karaoke dancers with popular local Disco Jockey – Rasta Longe - following behind two flashy SUVs one of them a Toyota Harrier. The FDC candidate moved with a ramshackle Toyota Ipsum mounted with a megaphone, while the independent candidate was observed travelling sometimes on bodaboda². All candidates had colour posters which were observed in key trading centres and bodaboda stages. Local radios namely Rainbow FM hosted candidates at different times to deliver their manifestos and engage with the electorate through interactive talk show.



² Bodabodas are motorcycles with a space for a passenger or for carrying goods, often used in rural

and urban areas of Uganda a key means of public transport.

2.3.1 Spending on Campaign Paraphernalia





2.4 Strategies of Campaigning

The main campaign strategies included posters, campaign rallies at parish level with candidates reaching out to the voters, radio talk shows on Rainbow FM and to a lesser extent Paidha FM. Candidates had local artists composed and produce songs for them with tailored campaign messages. These songs were played on local FM radios. Campaign processions were banned by the electoral commission and all candidates obliged. Political parties backed their candidates with President Yoweri Museveni and the FDC President Engineer Patrick Oboi Amuriat all coming to drum up support for their respective candidates on the final day of campaigning. Overall, the campaigns were peaceful.

2.5 Influence of Private Sector on Outcome of Elections

Leading businessmen in Nebbi who are also among the top officials of the NRM party in district, did not only make significant campaign donations to the NRM candidate, they also participated directly in planning and management of the campaign activities. The entire campaign was coordinated at GAF Apartments owned by renowned civil engineering contract and also party chairperson, Mr. George Kermudu.

2.5.1 Nebbi District's King Makers

The so called “Big Five” in Nebbi is a team that comprises of top businesspersons in the district who at the same time are renowned supporters and leaders in the NRM Party. The Big Five are perceived to be the king makers in the district in a sense that once a political candidate has their support, the chances of winning are high. In the case of this by-election, it was the Big Five that unanimously chose Emmanuel Urombi as to the flag bearer for the NRM and once they threw their weight behind him, the election was won.

Urombi in an interview with ACFIM said he was working with a Non-Governmental Organisation at the time of his nomination. He revealed that it was the private sector that was providing the funding for his campaign activities. When private businesses and business persons finance a winning candidate to head a Local Government such as it was in Nebbi, there is a likelihood that private interests may capture the office of the District LCV Chairperson with keen interest on public contracts.

2.6 Commercialisation of Elections

It was observed the electorate across all sub-counties were creative in extracting money from candidates. ACFIM observed them preparing “red carpet” welcomes and donating gifts to candidates for in response to which candidates were compelled to show appreciation by donating cash worth at least twice the value of the gift. ACFIM activists reported that at the end of almost every campaign event the people were heard asking candidates, “*iwekuwa nenedi?*” literary meaning “how are you living us?”

Candidates were compelled to give out some money to the electorate in appreciation of the “red carpet” welcome and all candidates were observed doing this through their agents. The amounts given ranged between UGX 50,000 – UGX 100,000. The NRM party reportedly distributed UGX 150,000 to villages through the LC1 structures and ACFIM

activists observed this money being shared between NRM supporters on the villages. It is now common knowledge within the electorate that NRM party sends money to its village structures days before an election. The electorate construe this money as a token from the party leadership to go and vote. ACFIM interprets this as a blatant act of commercialising electoral processes.

2.7 Election Day Activities

Election materials were delivered on time and all polling station ACFIM observers visited opened by 7.00am statutory time. It was reported that some polling stations delayed to open not because materials were not delivered but because of absence of the mandatory five voters that must be present at the polling station for it to be opened. Voting was peaceful with many polling stations observed to be idle due to the very poor voter turnout. There were no voter queues observed at any polling station ACFIM observers visited. Voting ended on time at 4.00pm, counting was done transparently, Declaration of Results forms were duly signed by polling agents and results delivered on time at the Tally Centre.

2.8 Voter Buying

Isolated cases of vote buying were reported in Erussi and Parombo Sub Counties but police reportedly dealt with them. It was understood that the culprits were able to recognise police approaching and they fled before they could get arrested. There were further claims of vote buying alleged by supporters of independent candidate George Othuba but ACFIM could not independently verify them.

3.0 CONCLUSION AND RECOMMENDATIONS

3.1 Conclusion

In conclusion, the by-election for Nebbi District LC5 Chairperson was peaceful, recorded the lowest voter turnout statistics, and was conducted in accordance with the national legal framework for elections.

3.2 Recommendations

1. Enact election campaign finance law to regulate and control the influence of money on electoral outcomes.
2. Conduct massive citizens' civic engagement to regenerate citizen interest in electoral process and rebuild citizen trust in the Electoral Commission.