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PRESS STATEMENT

THE CHALLENGES FOR THE GENERAL AND PRESIDENTIAL ELECTIONS 2021: ARE HUMAN RIGHTS ON THE LINE?

On 14th January 2021, Ugandans will cast their vote to determine their president for the next five years, while the country is reeling from the shocking impact of the innumerable instances of grave human rights abuses that have become the unnerving hallmark of the 2021 electoral process.

Arguably 2021 General and Presidential elections are taking place at a time when the world is blighted by COVID19 pandemic which has brought to the fore public health concerns that necessitate prudent policies and multi-stakeholders' engagement in order to control the spread of the pandemic. Indeed these were the defining elements in the much recorded success of Uganda in rolling back the spread on HIV/AIDS as well as the control and management of other epidemics in the country including Ebola and Marburg Virus Disease (MVD), in the recent past.

Regrettably the government seems to have dropped in great measure what worked best in the past, in preference to security enforcement as a measure of controlling COVID19 pandemic, which critics argue is designed to give the incumbent an unfair and unlawful advantage in the electoral process. Elections are a serious and important democratic process that thought to be managed in a manner that is agreeable to the key stakeholders, consistent with the international human rights standards, and within the confines of publically promulgated domestic laws.

Regarding the current context, Justice Access Point (JAP) is concerned:

- a) That many contestable directives are being issued by the Electoral Commission that are likely to generate further protestations and possible violent confrontations between the security agencies and the political activists who are rejecting the restrictions imposed on them; and;
- b) That security officers are making partisan and evidently politically-skewed pronouncement that could be construed to give allegiance to one of the candidates in utter disregard of professional codes of conduct and relevant laws;
- c) That there is a phenomenal increase in the level of hate speech in relation to the presidential campaigns from the different political camps;
- d) That the partisan application of the COVID-19 Standard Operating Procedures (SOPs) is undermining the implementation of the COVID-19 control measures and leading to the aggravating the health situation arising from the spread of COVID-19;
- e) That there is increased securitization of COVID-19 control measures and the relegation of a well tried and tested public health education approach which has hitherto worked very well for Uganda;
- f) That the repeated clamp down on public assemblies and political campaign rallies by security operatives and incessant warnings by security officers that any such assemblies will be

violently crushed gravely endangers enjoyment of the right to peaceful assembly; and threatens the integrity of the elections.

- g) That the Electoral Commission by not accrediting non state actors early enough has greatly compromised the capacity of the local observers to legitimately monitor and offer recommendations at the different stages of the electoral cycle so as to improve the performance;
- h) The arrest and harassment of human rights defenders including journalists by security and government agencies

In view of the above,

1. The Electoral Commission should desist from making any more contestable directives that have not been arrived at through consultation with key stakeholders or specifically provided by the law or violates the rights of the candidates and citizens;
2. The law enforcement officers should act in a professional and nonpartisan manner and desist from making statements that would put in question their conduct. Stern action be taken against officers that choose to do so in order to avoid impunity within the security forces.
3. All stakeholders should take personal and professional responsibility for engagement in hate speech to prevent escalation of the existing risk factors into full blown violence.
4. The government should eminently consider its obligations under the national, regional and international treaties and seek throughout the electoral process and thereafter to operationalize its commitment to the doctrine of responsibility to protect its citizens. To this end, government should investigate and prosecute the alleged cases of killings, kidnappings and forced disappearances of citizens during the electoral process.
5. In issuing COVID19 SOPs linked to elections, the Electoral Commission should defer any politically sensitive measures that will put the political out come in dispute.

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