

**FINAL REPORT ON
WOMEN'S
PARTICIPATION
AND GENDER IN THE
UGANDA PRESIDENTIAL,
PARLIAMENTARY AND
LOCAL COUNCIL
ELECTIONS 2021**

MAY 2021



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EXECUTIVE SUMMARY

On August 5, 2021, Women's Democracy Network-Uganda Chapter (WDN-U) received its letter of accreditation from the Electoral Commission to enable the organization to observe all electoral activities of the 2021 election. The letter followed an application by WDN-U on July 26 2018 to the Electoral Commission to seek accreditation to observe the 2021 general election. This report is in fulfillment of Section 16 (5) of the Electoral Commission Act which requires any accredited organization to make a written report to the Electoral Commission on his/her observation not later than six months after the declaration of results of an election.

The 2021 elections in Uganda took place amidst a global pandemic COVID19. The pandemic presented a challenging environment for the organizers of the election, political parties, candidates, agents, observers, and citizens. Restrictions were placed by the Electoral Commission on advice from the Ministry of Health on public gatherings and freedom of movement to reduce the spread of the pandemic which thrives in people-to-people contact. The public gatherings were limited to 200 people. Election violence characterized a large portion of the election process and was mainly observed during the election campaigns at the Presidential level. On November 18-19 2021, 54 Ugandans including women and children were killed by security agents following the riots that resulted from the detention of Hon. Robert Ssentumu Kyagulanyi the National Unity Platform Presidential candidate¹. To date, there has not been any accountability by the State for these deaths. Kidnaps, detention of those arrested in un-gazetted places, and stories of people² especially opposition supporters being released after detention without charge characterized the election and post-election period. The media covered some of the stories³ and the matter was also discussed in the Parliament of Uganda⁴. This created fear within citizens and may affect the participation of women and men especially youth who are a majority of Uganda's population in future elections. It is important to note that citizen participation is a cornerstone of elections given the centrality of elections in selecting those who govern⁵.

For the first time in the history of Non-Governmental Organizations forming coalitions to observe elections in Uganda to gain from the human resource and expertise of each other, the National Election Watch-Uganda (NEW-U) a coalition of about 60 NGOs was banned by the NGO Bureau from observing the elections as a coalition. Further, over five non-governmental national organizations majority of whom have been involved in election observation and human rights promotion over the years including Uganda Women's Network, National Human Rights Defenders Coalition, Legal Aid Service Providers Network among others were denied accreditation by the Electoral Commission without any official communication to the NGOs to indicate the reasons for the decision. This curtailed the extensive election observation and reporting that NGOs usually undertake to inform their reports and engagement with duty bearers on the findings to contribute to improving the conduct of elections in Uganda.

On January 14, 2021, the Executive Director of WDN-Uganda and 26 others were arrested in Kampala and charged and detained by the Police for observing elections without accreditation. This was done even when WDN-U produced its letter of accreditation from the Electoral Commission. As a result, WDN-U is not able to produce a report on polling day. This report, therefore, covers the pre-election processes including Nomination of Presidential candidates; Nomination of Parliamentary and

1 NTVNews @NTVTonight November 19 2020, <http://www.ntv.co.ug>
Daily Monitor, November 24 2020 <https://www.monitor.co.ug/uganda/special-reports/death-toll-from-riots-rises-to-50--3208320>

2 Uganda Law Society report on the 2021 elections: The State of the Rule of Law in Uganda, First Quarterly report, 2021

3 <https://www.monitor.co.ug/uganda/news/national/tales-of-abductions-across-the-country-3282010>

4 <https://www.parliament.go.ug/news/4965/govt-investigating-alleged-kidnap-44-people-gen-jeje-odongo>

5 Russell Dalton (2017) accessible on <https://www.democraticaudit.com/2017/08/22/is-citizen-participation-actually-good-for-democracy/>

Local Council candidates, Campaigns, Voter education, Conduct of Political parties, and Training of Women Candidates, and Specific Challenges that affected Women Candidates in the 2021 election. The report relies majorly on information from WDN-U's accredited observers in the districts of Arua, Wakiso, Kampala, and Koboko. The report also relies on information from other sources which are acknowledged.

As a women's rights organization, WDN-U majorly focused its observation on the participation of women and gender in the elections. In terms of positive trends observed in the election,

- The numbers of women who stood for election on both the open seat and the affirmative action seat increased in comparison to 2016, especially at Parliamentary and Local council levels. At the Presidential level, out of the 11 candidates, one was female. At the Parliamentary level, of the 353 constituency seats (open seats) and the 2659 contestants who run for election at the level of MP, 114 were female contesting for the open seat. This is in comparison to 2016 where out of the 1314 contestants 90 were women. For the position of district chairperson of the 146 elected district chairpersons, four are women and one will represent Masaka city. This is in comparison to three women district chairpersons in 2016.
- Some political parties like Democratic Party, Forum for Democratic Change, and National Resistance Movement provided support to their female candidates. This support was in form of funds for nomination fees, funds for conducting the campaigns, and printing posters. Funding for women candidates is important because of the economic factors that continue to limit women's access to resources and ultimately their participation in elective politics.
- The disaggregation of data by EC in terms of sex is commendable. For instance, the numbers of men and women nominated were disaggregated at nomination centers. Some returning officers like the one for Kampala were deliberate in announcing the numbers of women and men who had been successfully nominated for various positions. Disaggregation of data by sex enables various stakeholders to gain insights on the progress of gender in politics and to plan and implement relevant interventions to address the gaps.

Deficits

- The high cost of media denied women and youth especially those who are economically disadvantaged an opportunity to campaign through media. This was so even though campaign meetings were restricted to a minimum of 200 people to prevent the spread of COVID19. Further, there was no agreement between the EC and private media owners to compel media houses to give equal access to all candidates. Besides, there was no program indicating which candidate would appear when to allow candidates to listen to their opponents to enable them to respond appropriately when their turn to appear on media occurred.
- The shutdown of the internet by Uganda Communications Commission on January 13 2021 a few hours to election day on January 14, 2021, affected the flow of information especially voter education to voters on the dos and don'ts on polling day. It also affected other actors in the electoral process from effectively playing their roles as stipulated in the electoral laws of Uganda including media, observers, political parties and candidates, and citizens.
- Most radios in homes especially in rural areas are owned by men. The programs that the family listens to in most households are majorly dictated by the men. This affected the women and youth electorate who may not have radios or television but need to listen to the messages of candidates to inform their decision on whom to vote for on polling day. Further, the two categories-women and youth may not have an opportunity to listen to their candidates of choice if the husband/father supports a different candidate.
- Concerning women candidates, most radio stations are owned by men some of whom supported certain candidates. The candidates who did not have support from radio owners were

disadvantaged. This affected their outreach to voters with the campaign message.

- The limited access to resources by women and youth in comparison to men was manifested in the election. Some candidates especially youth and women could not afford the nomination fees of 3,000,000UGX⁶. The lack of resources was even worse when the campaigns began at both the Presidential and Parliamentary election levels. Ms. Nancy Kalembe, the only female presidential candidate suspended her campaigns for some time due to lack of money to run her election campaign⁷. Mr. John Katumba initially did not have a vehicle for his campaigns. He got a donation of a vehicle to enable him to traverse the country to seek votes⁸. The situation was no different for women who run for the positions of MP and local councilors. Women candidates WDN-U observers spoke to in the districts of Arua, Koboko and Zombo informed WDN-U that they had resorted to meeting people in places where they found them due to lack of resources to organize campaign meetings within the guidelines issued by the Electoral Commission.
- There was no summarized information by the EC on its website on the women and men nominated to contest for election at various levels in the entire country. Summarized statistical information relevant to various stages of the election e.g. nominated women and men candidates disaggregated by age eases access to and usage of information.
- Women candidates face specific challenges because they are women including why they are standing in a place where they are not born but married, why they are contesting for the open seat, triple gender roles, lack of education and exposure, and its effects on self-esteem, violence, etc.

WDN-U makes the following recommendations:

1. The Executive especially the Ministry of Internal Affairs, Police, and Parliament should work with families of those who lost loved ones during the elections to ensure that the perpetrators of election violence are held accountable. Families of those who lost loved ones at the hands of security agencies should be compensated financially by the State and with psychosocial support to enable them to heal.
2. The Executive, Parliament, and Political parties should address the issue of election violence to encourage citizen participation in elections.
3. The Executive, Parliament, Political Parties, and CSOs should reflect on the holding of elections within pandemics or other unforeseen occurrences that may affect the conduct of a free and fair election. Parliament should amend the Constitution and relevant electoral laws following the reflection.
4. Parliament should adopt regulations on campaign financing and the executive should enforce the regulations to address the worrying commercialization of politics and its effects on elections in Uganda.
5. Parliament should appropriate adequate funding for voter education at least three years before the next election.
6. Electoral Commission and CSOs which complement the EC in voter education should adopt and use creative methods to enable more Ugandans to receive information on the elections to inform voters' choices in an election. Further voter education messages should be inclusive and address the specific issues that affect women, the elderly, PWDs, and youth as candidates and voters.
7. Guidelines to ensure equality and equitable access to private media should be prioritized in the 2026 elections to guarantee equal access for men and women during campaigns.

6 <https://www.voanews.com/africa/ugandan-parliamentary-candidates-say-nomination-fee-too-high>

7 Halima Athumani (2020): Uganda Parliamentary candidates say Nomination fee to high <https://observer.ug/news/headlines/67721-nancy-kalembe-halts-presidential-campaigns-over-lack-of-funds>

8 <https://observer.ug/news/headlines/67305-pastor-mondo-donates-campaign-vehicle-to-presidential-candidate>

8. The Electoral Commission should adopt within its nomination guidelines for all candidates the practice that some Returning Officers adopted to verify nomination papers of candidates for MP before nomination day. This practice made the nomination process fast and reduced unnecessary congestion and complaints at the nomination center.
9. The Electoral Commission should take administrative steps to address some of the gaps that observers noted during the nomination process. Specific gaps on the nomination are highlighted in the report and recommendations are made under the section on nominations for LCs and MPs respectively to address the gender issues and to enhance inclusive participation of all interest groups especially at the level of LCs.
10. The Electoral Commission should provide a summary of sex-disaggregated data on its website on the numbers of women and men further disaggregated by age who were nominated and elected in the 2021 elections and all future elections.
11. Dialogue between the EC and other relevant actors in the electoral process including candidates, political parties, CSOs, and media should be promoted before, during, and post-election. The resolutions reached should be publicized and implemented to learn, unlearn and improve the electoral process. This will enhance a culture of addressing issues through dialogue.
12. Civic responsibility should be a key message of the Electoral Commission and Uganda Human Rights Commission in empowering citizens with information. For instance, the message on wearing masks should have been tied to civic responsibility first.

1. INTRODUCTION

The equality of men and women in public life is a well-established principle in international law, regional legal instruments, and the Constitution of Uganda. However, gender issues are frequently overlooked by election monitoring organizations when making their assessment of whether an election was democratic⁹. Thus the importance of observing women's participation and gender in elections.

In 1985, Uganda ratified the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), of which the elimination of discrimination against women in public and political life is an integral part. Article 7 requires that all State parties to the Convention take measures to ensure the right of women to vote in all elections; to hold public office; to participate in the formulation and implementation of government policy; and to participate in public, political and non-governmental organizations. In 2010, Uganda ratified the Maputo Protocol; which further consolidates the principle of State parties taking action to promote the participation of women in public life and decision making. In 2008 Uganda signed the African Charter on Democracy, Elections and Governance (ADEG). One of the objectives of the ADEG is to promote gender balance and equality in the development and governance processes of member states of the African Union. Uganda's Constitution has domesticated these international and regional legal instruments on women's rights to participate equally with men in elections and public offices and in the development of their countries. These laws, therefore, provide the basis for WDN-U to assess the level of adherence, gaps, and areas that stakeholders in the election should address to guarantee the fulfillment of women's rights in elections and to address emerging gender issues.

The objective of monitoring women's participation and gender in an election is to measure gender equality and obstacles to women's full participation during the entire electoral cycle. WDN-U used a 'Gender Checklist for Free and Fair Elections' to gather data that was used to assess gender equality at every stage of the election and set out conditions necessary to enhance the participation of women in elections and to create an environment of gender equality.

In addition to respect for women's right to vote as equals, the checklist included other indicators related to the exercise of fundamental rights and freedoms – the right to stand for public office, the right to express political opinions, and the right to freedoms of association, assembly, and movement. The checklist provided the information necessary to form an assessment not only of respect for these rights in law, but whether rights could be realized in practice, and if not, why this was so. Besides, an assessment of the field reports from WDN-U accredited observers were used to analyze whether gender issues were taken into account in the following aspects of the election:

- Voter education/information programs.
- The conduct of political parties and training for women candidates.
- Access to and use of media by women candidates.
- Articulation of gender issues in the election campaigns.

WDN-U assessed if gender equality principles were included in the voter education/ information program, whether the information provided explained complex electoral processes in a manner that would be understood by illiterate voters (the majority of whom are women). This assessment provides information on women's access to information.

To effectively observe women's participation and gender in the elections, WDN-U trained and deployed 23 long-term observers in the districts of Arua, Koboko, Wakiso, and Kampala. The observers had specific questionnaires that they used to observe the nomination and campaigns to enable them to report on the two processes. WDN-U observers worked closely with the Electoral Commission and Police to

ensure that citizens received information on the election process through community dialogues and radio programs. On nomination days, the observers were at the nomination centers and interviewed the candidates and some returning officers to collect information on the nomination process. WDN-U through telephone calls interviewed some of the women candidates in Moyo district on their experience with the nomination. The observers also observed the nomination process as it unfolded in the four districts.

During the campaigns, the observers interviewed some candidates and also listened to campaign programs in their media. The observers attended campaign meetings of the Presidential candidates who visited their respective districts.

2. LEGAL FRAMEWORK FOR WOMEN'S PARTICIPATION IN ELECTIONS IN UGANDA

Uganda has subscribed to several international instruments that seek to enjoin member states to guarantee women's rights and equal participation in the political and decision-making spaces. These include the following:

International and regional instruments

- The Universal Declaration of Human Rights (1948) Article 21(1) stipulates that "Everyone has the right to take part in the government of his country directly or through freely chosen representation."
- The Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) adopted in 1979 by the United Nations provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life, including the right to vote and to stand for public office.
- The Beijing Declaration and Platform for Action (1995), which outlined 12 strategic objectives and critical areas of action including "Women in Power and Decision Making."
- The 1985 Nairobi Forward-Looking Strategies and the Platform for Action (1993): Affirms that "Women's Rights are Human Rights" (United Nations Security Council Resolution (UN SCR) 1325 (2000) and 1889 (2009) – provide for women's active participation in leadership positions geared at preventing conflicts and guarantee the protection of women and girls' rights.
- The 2030 Sustainable Development Agenda with 17 SDGs whose goal five is to achieve gender equality and empowerment of women and girls. Women's full and effective participation and equal opportunities to leadership at all levels of decision-making are one of the key areas for action and tracking.
- The African Union's (AU) Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa 2000.
- African Charter on Elections, Democracy, and Governance: provides for 50/50 representation for men and women in parliament.
- The Solemn Declaration on Gender Equality in 2004.

The current overarching consensus and global framework for action on women's rights strongly emphasizes the significance of political will by governments to implement the regional and global gender obligations they have subscribed to. This stems from the realization that governments have broader legitimacy and other critical resources to support change in society¹⁰. Governments, in general, have the command to generate political power, to effect change that would otherwise be extremely difficult to realize¹¹. At the national level, the overarching legal framework is the Constitution. The Constitution recognizes women's rights including their right to political participation.

¹⁰ Women in the Electoral Process: Mapping Positive Trends and Persistent Deficits in 2016 Elections by ACFODE, CEWIGO, FOWODE, UWONET and WDN-U

¹¹ Ibid 2

The Constitution of the Republic of Uganda

National framework for the protection of human rights including women's rights

- Prohibits discrimination against women and promotes women's rights as equal partners with men in national development.
- The National objective VI of the Uganda Constitution mandates the state to ensure gender balance and fair representation of marginalized groups on all constitutional and other bodies.
- Article 33(5) provides for Affirmative Action in favor of marginalized groups based on gender, age, disability, or any other reason created by history, tradition, or custom, to redress imbalances that exist against them.
- Article 78 (1) (b) provides for the election of one woman representative for every district.
- Article 180(2) (b) provides for one-third of the membership of each local government to be reserved for women.
- Article 63 (3) provides for equality of the vote – the number of inhabitants in each constituency to be as equal as possible to the population quota.
- Equality of the vote – the number of inhabitants in each constituency to be as equal as possible to the population quota.
- Article 59(2) states that: It is the duty of every citizen of Uganda of eighteen years of age or above to register as a voter for public elections and referenda. However, every citizen has to register as a voter and to exercise their right to vote.

Uganda's commitment to global and national human rights frameworks sets a strong institutional foundation upon which women's political engagement, particularly their participation in electoral processes ought to take place¹². It is important to examine the extent to which the actual electoral process utilizes the existing framework that provides for equal participation of men and women in the process.

¹² Ibid 2

3. OBSERVATION OF WOMEN'S PARTICIPATION AND GENDER IN THE 2021 ELECTION

3.1 NOMINATIONS

3.1.1 Local council nominations

The nomination of candidates for local council positions is provided for in Section 119 of the Local Government Act. In line with S.119 of the Local Government Act, the EC is mandated to appoint nomination days. On July 6, 2020, the Electoral Commission issued a road map for the nomination of candidates for Local Council elections. The nomination for various positions from LC III, Mayors, and LCV was scheduled for September 21-October 1 2020. On October 1, 2020, the EC issued a press release to extend the period of nomination for LCIII, Mayors, and LCV to end on October 5 2020 including Saturday and Sunday of October 3 and 4 2020 respectively. It is important to note that while the extension was welcomed in many upcountry centers, in Wakiso and Kampala, the nomination centers at Ntinda and Kasangati registered low numbers of candidates on October 1, 2020. Most candidates were nominated before October 1, 2020.

The extension of nomination days was welcomed in upcountry centers where WDN-U had observers following complaints about delays at some nomination centers. Before October 3, 2020, the law had not been amended to allow chairpersons aspiring for Municipality, City Division, Sub-county, Town, and Municipal division chairpersons who are less than 30 years to contest for the position. On October 1, 2020, the law came into effect allowing persons of 18 years of age and above (no ceiling concerning age) to contest. This anomaly caused by the Parliament of Uganda's negligence to amend the law in time may have cost some candidates the position due to age.

On a positive note, observer reports from most districts indicated that the EC staff were professional and assisted the candidates to enable them to fulfill the conditions provided within the Local Government Act and EC Guidelines for nomination.

EC ensured that standard operating procedures were followed during the nomination process.

The candidates interviewed in the Ntinda EC nomination center stated that the nomination fee was affordable¹³. They further noted that the candidates who prepared the necessary documents for nomination sailed through the process without hindrances.



Arua district nomination center-October 3 2020

Most candidates adhered to the guidelines on nomination especially regarding the numbers of people in the nomination center. The major hindrance was the limited space at the nomination centers which did not allow for social distancing. EC staff were consistent about wearing masks in most of the centers. However, candidates and their nominators and seconders were not consistent about wearing masks. In the Arua district, the EC Returning Officer, had to remind all

13 Candidates at LCV paid 50,000/= as nomination fees while those at LCIII paid 20,000/=

candidates and their teams to wear masks or else he would not nominate them. Such incidents showed that a majority of leaders and citizens still do not understand the importance of wearing masks as a means of protecting themselves and others from contracting COVID19.

It is important to note that most candidates who stood in the NRM primaries in various local council positions and lost the election, got nominated as independent candidates for the general election. This trend will affect the multiparty system in Uganda because candidates can go through the political party processes of primary elections and disregard the outcome to get nominated as independent candidates. The number of independent candidates elected into the 11th Parliament is second to NRM at 74 seats of the 529 seats¹⁴ in the 11th Parliament of Uganda. Political parties must find a solution to the high numbers of independent candidates as one of the ways of strengthening multiparty politics in Uganda.

Gender issues during the nomination

1. Some of the nomination centers like Kasangati in the Wakiso district did not have washrooms. Some of the women candidates interviewed by the WDN-U observer on September 22 2020 complained about this.
2. In the Kasangati nomination center, on September 22, 2020, some candidates complained that the scheduled time for candidates was not followed. Others walked in and were nominated before those who had waited for a while.
3. The pace of nomination was slow in some centers because the law only allows the Returning Officer and Assistant Returning officer to review the candidates' nomination papers. On days when there were many candidates, the process was slow and caused frustration among the candidates. At the Ntinda nomination center on September 22 2020 the WDN-U observer noted that the computer network was slow. This caused a lot of delay and frustration. At one point only one computer was serving the purpose of verification as the other had stopped working due to a poor network.
4. In the Moyo district, the Magistrate who is the Commissioner of Oaths for the nomination papers of the candidates arrived in the district on the first day of nomination. This caused unnecessary delays for candidates who were scheduled for nomination on September 21, 2020.



Arua nomination center, Picture was taken by WDN-U observers on 29/2/2020

5. According to the EC Guidelines on the nomination for Local councils, Section 3.2. "Every place fixed for nominations of candidates shall be a public place such as a courthouse, city or town hall, community center or other public or private building in a central place". In the Arua district, the nomination center was not conducive for PWDs because it has stairs. The candidates affected complained about the stairs that they had to climb to get into the premises for nomination. In some cases, some candidates had to be carried into the premises. This affects their dignity.
6. In the Ntinda nomination center, on October 1, 2020, one of the candidates did not heed the advice of the Electoral Commission to take a fresh picture and was not nominated. One candidate for Rubaga South division councilor from National Unity Platform, Mr. Mukasa Mark was advised to take new pictures after he presented pictures with a red beret but declined to do so.
7. In some nomination centers like Kasangati and Koboko, FDC and NUP candidates had their nomination delayed because the party had to confirm their candidates through availing letters to

14 Electoral Commission website: https://www.ec.or.ug/ecresults/2021/MPS_RESULTS_2021.pdf

the EC to introduce their candidates.

8. In the Arua district, some seconders did not find their names on the national voters register and could not support the nomination of their candidates. However, ROs advised the affected candidates to get other seconders to meet the requirement of seconders. Some candidates were unhappy with the advice.

Recommendations for the nomination of LCs

1. Magistrates should be in the district at least one week to the nomination days to allow time for all candidates to have their papers commissioned. This will ensure that the nomination process proceeds as scheduled.
2. The nomination centers should take care of the needs and interests of the different candidates. Access to nomination centers should be conducive for all candidates including PWDs. Premises of nomination should have washrooms that cater to male and female candidates to enable them to get nominated in facilities that promote their human dignity.
3. Political parties should provide orientation for their female candidates on the requirements for nomination to enable them to get nominated in facilities that promote their human dignity. Parties should also ensure that they avail the Electoral Commission with letters introducing their candidates in time to ensure that they are nominated at their scheduled times.
4. All electoral laws should be amended at least two years before an election to give candidates enough time to determine the positions that they wish to contest for and to prepare for nomination.
5. The Electoral Commission should update its online systems to prevent delays and congestion at the nomination centers as a result of a poor or slow computer network.

3.2 Nomination of Members of Parliament

Per the Parliamentary Elections Act 2005 as amended, for a candidate to be nominated for the position of Member of Parliament, he/she should fulfill the following conditions:

1. Be 18 years of age and above
2. Possess a certificate of Advanced level education or its equivalent
3. Have a total of 10 registered voters as supporters of his/her nomination from her/his constituency
4. Pay a nomination fee of 3,000,000/=;
5. If she/he is a public servant resign her/his position at least 90 days before nomination day;

To effectively observe the nominations for candidates for the position of Member of Parliament, WDN-U observers were provided with a tool drawn from the Parliamentary Elections Act 2005 as amended and the Guidelines of the Electoral Commission on the nomination of candidates for Members of Parliament. The observers also interviewed some of the female and male nominees for the position of MP in their respective districts and spoke to some returning officers.

Most nomination centers opened between 8:00 am to 10:00 am.

In all the nomination centers observed, the EC followed the laws and guidelines on nominations. On a positive note, WDN-U observers were informed by the nominated candidates that those candidates who prepared their documents in line with the Guidelines of the Electoral Commission did not have any problems with the nomination.

A few candidates' nominations were rejected. The reasons given by the Returning Officers for rejection of the nomination of candidates included: discrepancies in candidates' names; failure to pay nomination

fees; attempting to get nominated on a party ticket where someone had already been duly nominated. There were incidents of some candidates' supporter's NINs missing in the register. However, they were requested to submit other names of their supporters to enable them to get nominated.

In Ntinda nomination center, the WDN-U observer who interviewed the candidates reported that according to a female candidate for FDC contesting for the position of district woman MP Kampala city, and another candidate contesting for Nakawa West constituency contesting as an independent candidate the nomination process was smooth and EC was swift in finalizing the process. Similar feedback was received from various districts where WDN-U observers observed the nomination process.

Areas for improvement

- Some new candidates need to be oriented by the Electoral Commission on the nomination process. The guidance by the Electoral Commission for all candidates on the nomination process should inform the candidates about the nomination requirements to enable candidates to organize their documents and to fulfill the nomination requirements.
- Candidates should exercise discipline and follow the nomination schedule developed by the EC for all candidates. In the Kampala district nomination center, based at Ntinda, some candidates interviewed by the WDN-U observer complained about the lack of adherence by some candidates to the EC timetable for the nomination of each candidate. Following complaints by some of the candidates about jumping the queue, the EC addressed the problem and stuck to the timetable for the nomination of all candidates. This restored order at the nomination center.
- The candidate for Kawempe South (NUP) indicated that he received the nomination fees from well-wishers in his constituency and did not have any challenges in the nomination process. His only complaint was allegations of intimidation and harassment by security agencies whom he accused of condoning off his home. He also mentioned that he did not sleep at home on the night before his nomination.
- The aspirants should be treated equally by law enforcement officers irrespective of their political parties.
- The EC should work with Police to arrest all candidates who forge academic documents as a deterrent to the practice.
- Some of the women candidates interviewed by WDN-U from NRM noted that women, in particular, faced peculiar challenges because they had to swear deed polls to streamline changes to their names especially due to marriage. In the past, married women who changed their names upon marriage would only be required to produce their marriage certificate. This requirement changed following a court case in 2017 and the adoption of a new law by Parliament on October 6, 2020. The process of publicizing the deed poll in the Uganda gazette cost each candidate 1,200,000/= because it had to be expressly printed since the Uganda gazette only comes out once monthly. It is important to note that the law mandating candidates who had discrepancies in their names on the national voters' register and any other documents required for the nomination was passed by the Parliament of Uganda on October 6, 2020. As a result, nomination for Members of Parliament was moved from October 12-13 to October 15-16 2020. These short notices affected all stakeholders in the election including the EC whose schedule for other activities was affected by this postponement.

Voices of some of the youthful candidates on the nomination exercise

"As young people, we have faced intimidation, threats, and arrests. Our small businesses have been closed. The major challenge for me as a young person was the fees of 3,000,000/=. We have many young people of quality who have good ideas and can serve their communities. It took a community to raise this money for me". NUP lawyers and the Commissioner who had to

sign our documents provided most of the help we needed. However, some of my colleagues were affected because their documents that had earlier been signed were taken by the military who broke into our office on October 14, 2020. Money in politics blocks many young people from contesting because the majority may not afford it since they have just started their work-life... **NUP Parliamentary candidate, Makindye East**

"The process here was smooth. However, the fee which was 3,000,000/= was much for me a 23 year old. I did not contest for primaries in any political party because there were many loopholes. EC should explain to new candidates the requirements for each process. Because for me I thought the Commissioner of Oaths would be found at the nomination center. I had to rush to find the Commissioner of Oaths elsewhere and then come back-23-year-old Independent male candidate for MP..." **-Rubaga North**

There were more candidates nominated as independents than under political parties. In Kampala for instance of the 92 candidates nominated, 40 were independents. Of the 92 candidates nominated in Kampala, 18 were female and 74 male. Of the 18 female candidates, nine were nominated for the open seats. WDN-U interviewed some of the candidates to find out the reasons why they stood as independents;

A DP-leaning independent candidate for the Kawempe South constituency stated that he was not satisfied with the conclusion of the DP vetting committee. He intimated that the party should have conducted a primary election in Kawempe South because it would have revealed the strength of each candidate. His argument is in line with a report by EISA on political primary elections which argues that: Primary elections give the candidate(s) a clear mandate and legitimacy since the decision has been taken by party members in general and not only by the top leadership.

One female candidate arrived at the nomination center in Ntinda after 5:00 pm. She was not nominated in line with the Guidelines of the Electoral Commission for the nomination of MPs which required nomination to close at 5:00pm.

Recommendations for the nomination of MPs

1. The EC best practice observed in some nomination centers like Ntinda in Kampala, of candidates tendering in their documents for review by the Returning officers before nomination day should be adopted as a best practice by all district Returning officers in Uganda. It enables candidates whose documents need correction to rectify the mistakes before their nomination day. Further, it made the nomination process fast and enabled all candidates to be nominated within the scheduled timeframes.
2. The EC should publicize the program for nominations and follow the schedule for the nomination of candidates. This ensures fairness for all candidates and makes the process fast and smooth.
3. The police should maintain law and order in the entire process and ensure that it applies the law equally to all candidates. In some cases, police can caution offenders instead of arresting them in large numbers amidst COVID19 which is partly spread through close contact between people.
4. The recommendations on each election process should be implemented after each election to ensure that Uganda improves its electoral process and to build public confidence in elections as a better alternative system of governance.

3.1.3 Nomination of Presidential Candidates

WDN-U was not invited by the Electoral Commission to the Kyambogo nomination center where the Presidential candidates were nominated on November 2-3 2020. It therefore cannot make comments on the process within the nomination center.

3.3 CAMPAIGNS

3.3.1 Legal framework for campaigns

Uganda is a party to international and regional legal frameworks that govern the conduct of elections of member states.

The African Charter on Democracy, Elections, and Governance concerning electoral management, promotes best practices in the management of elections and the obligation to hold transparent, free, and fair elections per the Durban Declaration. Besides, the Charter includes provisions on the strengthening of national mechanisms *for redress in election disputes and a binding code of conduct for political stakeholders*. The Charter also contains provisions regulating the *free and equitable access by political parties to state-controlled media during elections*.

The Charter devotes particular attention to the crucial role of women in the development and strengthening of democracy. Article 29 of the Charter mandates *states parties to create the necessary conditions for the full and active participation of women in decision-making processes and structures at all levels as a fundamental element in the promotion and exercise of a democratic culture*. Also, Article 29 mandates *state parties to take all possible measures to encourage the full and active participation of women in the electoral process and ensure gender parity in representation at all levels, including legislatures*.

The laws governing Presidential election campaigns in Uganda are provided for under Sections 21-26 of the Presidential Elections Act, 2005 as amended; Parliamentary election campaigns are governed by Sections 20-26 of the Parliamentary Elections Act 2005 as amended. Local council campaigns are governed by Sections 122-127 of the Local Government Act.

3.3.2 Gender issues and Women's Participation in the Election Campaigns

3.3.2.1 High cost of media and its effects on the participation of women and youth in the 2021 election

Radio is the most listened-to medium of communication. According to the Uganda National Census report (2014), 55 percent of Ugandans listen to the radio.

One female legislator in the 10th Parliament who stood for re-election in 2021 lamented the high cost of media.

"Voters will have to incur some costs to listen or tune into the different media during campaigns. Costs for media platforms including internet fees, OTT, batteries, electricity, and others might not be a priority for the majority of women faced with competing needs such as buying food for their households or medicine for sick children thereby interfering with women's access to information through digitized campaigns"¹⁵-Chairperson Uganda Women's Parliamentary Association

Similar sentiments were expressed by women, men, and youth standing for election in Zombo and Arua districts. The cost of a one-hour radio program is 1,200,000 UGX. Most radio stations in the districts charge between 1,000,000UGX-2,000,000UGX. This cost is unaffordable for most candidates especially women and youth.

Most women are not on social media. In districts like Yumbe, of the 50 women candidates from the

¹⁵ Daily Monitor, July 17 2020 accessible on <https://www.monitor.co.ug/uganda/news/national/2021-polls-female-mps-raise-alarm-over-access-to-media-platforms-1900266>

political parties in the district including NRM and FDC whom WDN-U trained to prepare them to conduct effective campaigns, only eight had Smartphones and four use Facebook. In the Nebbi district, only 12 of the 50 participants had a Smartphone.

3.3.2.2 Joint campaigns and their effect on costs of the election campaign

In Arua city, WDN-U observers noted that some parties like ANT organized joint campaign meetings. This provided a platform for male and female candidates at different levels to campaign at a minimal cost. Independents with no party support were largely absent from the campaigns.

3.3.2.3 Poverty and the effect of commercialization of election campaigns on candidates and voters

WDN-U in April 2020 had conducted an assessment of female incumbents in the districts of the West Nile region including Nebbi, Koboko, and Arua, and their fears for the 2021 elections. The high levels of poverty during COVID19 and the resultant personal demands on candidates by voters was a major finding from the assessment. This was confirmed by the observations during the election campaigns.

3.3.2.4 Candidates Messages

The observers noted that most candidates did not have a clear agenda when they addressed voters. This may partly have arisen from the personal demands voters made on candidates without demanding a candidate's stand on specific issues that affect citizens for example health care, access to quality education, economic empowerment for youth, youth unemployment among others. The candidates rarely spoke to specific issues that affect each interest group.

Election violence also affected the focus of voters on candidate messages as more media reporting and coverage of the campaigns especially Presidential campaigns focused on election violence which characterized a major part of the Presidential campaigns and shaped the public discussions. Voters, therefore, lost an opportunity to listen to the candidates and their messages and to ask questions on the available platforms. Also, the high costs of media, blockage of some opposition Presidential candidates by security agents from appearing on media¹⁶ denied voters an opportunity to listen to the candidates' messages to inform their choices on polling day.

By the end of December 2020, observers in the Arua district reported that campaigns for MPs and local councilors were hardly going on. Most candidates complained of a lack of money to continue with the campaigns. The candidates both men and women informed observers that the door-to-door campaigns had proved expensive as "kitu kidogo" (bribe) was a constant demand by voters. Our observers spoke to five women candidates for local council who informed them that they had given up on looking for votes. One youth candidate for the position of councilor in Arua city informed the WDN-U observer about the dire situation in which candidates find themselves and is quoted as follows:

"It is as if I have already been elected as councilor. Voters call me for money for food, medical bills, transport to run their errands, and alcohol. -Male youth NRM contestant for councilor in Arua city

An FDC female candidate in the former Dadamu sub-county informed WDN-U observers about her frustration regarding the campaigns.

"I'm fed up with the calls from voters who expect me to solve all their financial problems. This is the most difficult campaign ever".

3.3.2.5 Election Violence

Electoral violence¹⁷ majorly characterized the Presidential election campaigns. Sadly, election violence

¹⁶ Africa Center for Media Excellence (2020): Uganda Media Coverage of the 2021 elections

¹⁷ Election violence can be defined as any random or organized act or threat to intimidate, physically harm, black mail or abuse a political

led to the loss of lives of over 50 Ugandan citizens including 45 males, two of whom were children (Amos Segawa, 15 years old and Isma 16 years and five women¹⁸ and scores of injuries of citizens and some police officers. The over 50 Ugandans of different ages who were shot and killed by security agents died from their bullet wounds on November 18 2020 while others passed on a few days after. The people killed were caught up in the brutal response by the security agents who shot indiscriminately at citizens in response to the riots in various parts of Uganda which were triggered by the arrest of Presidential candidate Kyagulanyi Robert Sentamu of the National Unity platform (NUP). The failure by the heads of security forces to acknowledge the fault fast of the security agents who indiscriminately killed Ugandans and to investigate their officers who committed these extra-judicial killings and to hold them accountable promotes impunity and may affect the participation of citizens in future election processes.

3.3.2.6 COVID19 and the Election Campaigns

The emphasis on Standard Operating Procedures by the Ministry of Health and Electoral Commission limiting campaign meetings to 200 people per campaign meeting was not followed by most of the candidates at all levels. According to media reports and reports of WDN-U observers in the districts of Arua and Koboko supporters of Presidential candidates from NUP, FDC and NRM held processions in different parts of the country in total disregard of the SOPs.

The Electoral Commission did not come out with a public statement to guide citizens on the impasse between candidates, voters, and security agencies on SOPs and the violence that marred the campaigns of majorly Presidential candidates Robert Kyagulanyi and Patrick Oboi Amuriat. The majority of the public did not know the resolutions of meetings that were held between the EC and the affected candidates to address the issues that were affecting the conduct of their campaigns. As a result, the public did not know how to support the resolutions reached.

About campaigns of candidates for Member of Parliament and Local Councils, women's rights organizations who conducted training for women candidates from both the ruling and opposition political parties in 40 districts were informed by the candidates that SOPs were largely not adhered to. This information is confirmed by WDN-U observers in the districts. Some candidates who were interviewed on the issue of SOPs amidst the campaigns expressed the following sentiments:

1. It is impossible to adhere to SOPs because voters are used to hugging, greeting, and speaking to candidates whose faces they can see. Voters threaten to withhold votes from candidates who wear masks. The candidates, therefore, do not know how to react because they want votes but they also acknowledge the importance of preventing the spread of COVID19 through wearing masks. The candidates, therefore, do not have a consistent message to voters on the issue of wearing masks to prevent the spread of COVID19.
2. Some voters are demanding for the Government of Uganda masks which the President on May 18 2020 during his address to the nation promised to provide to citizens as a measure to contain the spread of COVID19¹⁹. The President during the address stated that " *The masks must be worn all the time you're in public...This is the new point of emphasis, "Museveni said, and added that since many people, were expressing concern that they can't afford to buy these masks, the government has decided to provide masks to all Ugandans of six years and above.*"

Voters are also demanding masks from candidates if the former want them to wear masks.

stakeholder in seeking to determine, delay or to otherwise influence an electoral process. Election violence can be aimed at candidates, voters, candidates agents, electoral officials or objects (ballot boxes, ballot papers or electoral facilities)

18 Daily Monitor, November 24 2020 <https://www.monitor.co.ug/uganda/special-reports/death-toll-from-riots-rises-to-50--3208320>

19 Independent, May 18 2020

Candidates are unable to provide masks to voters because they do not have money to do so²⁰.

Candidates largely had no control over the number of voters who could access the venue. The lack of a publicly known mechanism for controlling crowds at candidate meetings led to violence and conflict between some Presidential Candidates and Police police. In some districts, this led to stand-offs between the police guards assigned to the candidates by the Electoral Commission and the police²¹. Observers were very concerned that such incidents may have led to violence between the two groups and ultimately result in injuries and loss of lives and property which Article 212 of the Constitution of Uganda requires the Police to protect²².

Recommendations on the Campaigns

- Guidelines to ensure equality and equitable access to private media should be prioritized in the 2026 elections to guarantee equal access for men and women during campaigns.
- The Executive, Parliament, and Political parties should address the issue of election violence to encourage citizen participation in elections.
- The Executive especially the Ministry of Internal Affairs, Police, and Parliament should work with families of those who lost loved ones during the elections to ensure that the perpetrators of election violence are held accountable. Families of those who lost loved ones at the hands of security agencies should be compensated financially by the State and with psychosocial support to enable them to heal.
- The Executive, Parliament, Political Parties, and CSOs should reflect on the holding of elections within pandemics or other unforeseen occurrences that may affect the conduct of a free and fair election. Parliament should amend the Constitution and relevant electoral laws following the reflection.

²⁰ Interviews conducted with women candidates in West Nile region, Kasanda district Woman MP (NUP)

²¹

²² Article 212 (a) of the Constitution of Uganda states that: The functions of the Uganda Police Force shall include the following: to protect life and property

4. VOTER EDUCATION

Article 1 of the Constitution of Uganda vests all power in the people of Uganda, who are required to exercise their sovereignty following the law. To exercise this authority, the people must be informed. Voter education and publicity on the electoral laws and processes, roles and rights of various stakeholders including Electoral Commission, Police, candidates, agents and voters, media, and observers create knowledge and awareness among voters and enables them to participate in an election from an informed perspective.

Voter education can promote the credibility of an election if citizens are empowered with knowledge on how to exercise their authority in an election. The 2016 elections for President and MPs registered a higher voter turnout of 67.6 percent in comparison to the 57% in 2021. This can be partly explained due to the intensive voter mobilization strategies employed by the Electoral Commission and 26 CSOs to turn out the vote in 2016. Besides, 2016 also saw a high number of invalid votes totaling 477,319²³ in comparison to 393,500 in 2021 where the voter turn-out was less by almost 10.6 percent. Invalid votes, therefore, were still very high in 2021 bearing in mind the fewer number of people who voted in comparison to the 2016 elections.

Due to COVID19, public gatherings were limited. Voter education was limited and according to WDN-U observers, there were few media programs of the Electoral Commission and accredited CSOs focused on voter education. This is further compounded by the limited access to media by majorly women. A few days to polling day, the voters whom WDN-U observers spoke to did not know what the new polling stations would look like amidst COVID19. They also did not know whether curfew would be lifted to enable them to witness the count for especially parliamentary elections which in some cases would start close to the time of curfew. The lack of answers to some voter education programs affected the participation of some voters in the election. There were no specific messages focused on women and youth (particularly first-time and second-time voters) to enhance their participation in the election. The messages on aspects of the elections cycle were general.

Recommendations on voter education

- Electoral Commission should strengthen its relationship with CSOs and media to complement its voter education programs.
- The voter education messages should be delivered through various platforms and spaces which target different interest groups and have wide access.
- Voter education messages should address the gender issues that affect the different interest groups especially women, youth, PWDs, and the elderly.
- Government should increase funding to the Electoral Commission and ensure that funds are allocated at least three years before an election to enable the Commission to prepare and implement its voter education programs in time.

²³ Daily Monitor newspaper accessible on: <https://www.monitor.co.ug/uganda/oped/letters/-voter-education-is-crucial-as-2021-elections-approach-1815028>

5. THE CONDUCT OF POLITICAL PARTIES AND TRAINING FOR WOMEN CANDIDATES

Political parties including DP, FDC, and NRM supported their nominated candidates with some funds. Some women candidates contesting for the position of MP on the DP ticket informed WDN-U that the support was not uniform. Some women candidates stated that they did not receive any financial support from the party. Some male candidates like the party President of DP and NUP deliberately visited some of the districts where women candidates were contesting for MP on the DP and NUP ticket respectively and campaigned for them. This is a good practice that should be adopted by all political parties because male leaders play an important role in demystifying women's political leadership. Their presence at campaign meetings or rallies for women candidates can be used to educate voters about the importance of women's leadership and address some of the stereotypes and misinformation especially about women contesting on the open seat.

Training for women candidates was not a priority for most political parties. Most of the women candidates training for women standing on party tickets of major political parties including ANT, DP, FDC, NRM, NUP, and UPC was conducted by Women's Rights Organizations (WROs) in over 50 districts of Uganda. The WROs included Uganda Women's Network (UWONET), Women's Democracy Network-Uganda Chapter (WDN-U), Forum for Women in Democracy (FOWODE), Center for Women in Governance (CEWIGO), and Action for Development (ACFODE). The topics of training included: legal and human rights basis for women's participation in leadership, leadership and transformative leadership, gender, public speaking, fundraising for an election, using ICT to the campaign- dos and don'ts, running a successful election campaign, mitigating election violence, managing polling day.



Training by WDN-U for women candidates in Yumbe district-November 19 2020



Training by WDN-U for women candidates in Nebbi district-November 18 2020

5.1 Specific challenges faced by women candidates in the 2021 election

During the WDN-U training for women candidates standing for MP and LCs from the political parties of ANT, DP, FDC, NRM, NUP, and UPC in the districts of Arua, Adjumani, Moyo, Yumbe, Nebbi, Koboko, and Zombo, the women informed WDN-U that because they are women, they face specific challenges during elections. Some of the challenges mentioned by the women candidates in the seven districts of the West Nile region are highlighted below:

1. Women's political leadership is affected by the area where they are married. For example, a married woman will be asked questions of eligibility to stand in an area if she decides to contest in the area where she is married or where she is born. If she contests where she is married, the community usually refuses to vote for her arguing that she will take the money she gets through her leadership position to the area where she is born.

2. Women do not have enough time to conduct their campaigns because of their triple gender roles.
3. Some husbands do not allow their wives to contest because they think that the woman will start undermining him, disrespect him and start coming home late.
4. Low levels of education are still a big problem in all the seven districts of the West Nile region which benefited from the women candidates' training. Some of the women contestants do not do quality work when elected because their level of education is low and they lack the skills to deliver on their mandate.
5. Limited/ inadequate access to information on the rights and responsibilities of girls and women in the community/society. Some girls and women do not know that they have certain rights for example the right to stand for any elective position.
6. Lack of funds to campaign. This is partly caused by the culture in the West Nile region which bar women from owning a property like customary land. As a result, access to resources for campaigns is limited and has affected the campaigns of women and youth candidates in particular since most people derive their livelihood and incomes from land. Also, most women cannot access radio stations because the costs are exorbitant. In the Zombo district which has only one radio station (radio Paidha), a one-hour talk show costs about USD 330. Most women cannot afford it.
7. Failure by the government of Uganda to supply the masks it had promised to all citizens led to disregard for Standard Operating Procedures (SOPs) by voters thereby making it difficult to enforce SOPs issued by the Electoral Commission for the conduct of campaigns amidst COVID19. In areas where the women candidates requested voters to wear masks, they were told to buy them. The women could not afford to buy masks for the electorate. In spaces where they found people congregated for their activities, the women candidates couldn't demand that they wear masks. Where they attempted to do so, they were chased away.
8. The number of women candidates with phones and smartphones is very small. This makes access to information and communication with voters via social media difficult for most women candidates. For example in the Zombo district, out of the 50 women candidates who attended the training, only seven had smartphones.
9. Low self, esteem, lack of support from their husbands, and lack of exposure which affects their problem-solving skills make them doubt their candidature. This has an impact on their campaigns and election.
10. The women candidates acknowledged that some of the women contestants are incompetent and lack qualities of leadership. As a result fellow women and men may not vote for some women.

Recommendations to address the specific challenges that affected women candidates in the 2021 election

1. Political parties should integrate training for women in their strategic plans and implement the plan at least three years before an election. This will give women the confidence, skills, and knowledge which they need to run for election.
2. Political parties should continue to support women candidates with campaign funds. Criteria on how they fund women candidates should be shared with the women's league leadership to create transparency. The funds should be made available a few months to polling day to ensure effective usage.
3. Political party leaders should be deliberate in supporting women candidates by among others going on their campaign rallies to campaign for them. This is especially important for women standing on the open seat at the parliamentary level and district chairpersons and new women

candidates contesting on the affirmative action seats.

4. Voter education should address some of the particular negative attitudes, beliefs, and gender stereotypes within the Ugandan population that affects women's access to leadership, especially on the open seats.
5. Coaching, mentoring, and training should be prioritized by WROs which support the empowerment of women leaders and by political parties. This will ensure that women candidates work on their self-esteem and leadership skills before an election.
6. Political party leaders should integrate a program within the party that targets husbands of women leaders in the party and aspiring women candidates. Party leaders should make an effort to engage spouses of women candidates and encourage them to support their wives/partners to stand for election. This will contribute to building the trust and support that women need from their spouses.

6. CONCLUSION

The 2021 election was held amidst COVID19 and presented unprecedented challenges for the organizers of the election, political parties, candidates, media, citizens, observers, and security agencies. Uganda had not held an election amidst a pandemic before. There were shortfalls as the report reveals in the conduct of the election and some positive aspects for gender and women's participation in elections particularly the increased numbers of women who contested in the election albeit the factors that still affect women's equal participation with men in politics. The report also showed that the youth face some similar challenges to women due to their age and status in society albeit their majority number in Uganda's population. The recommendations made if implemented by the relevant stakeholders can contribute to improving Uganda's future elections and the democratization process.

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