UGANDA:
Internally Displaced Persons in the 2006 National Elections

Action Plan

IOM Project on
Political Rights and Enfranchisement System Strengthening
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Final Report

IOM International Organization for Migration
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Executive Summary

Nineteen years of conflict between the Government of Uganda (GOU) and the Lord’s Resistance Army (LRA) has caused the displacement of 1.5 to 2 million Ugandans. The displacement results from a deliberate LRA strategy of attacking civilian populations to undermine confidence in the government and to kidnap children to serve as soldiers, porters, and sex slaves for the LRA ranks.

The 2006 Ugandan elections present an opportunity for confidence-building between the country’s various ethnic and social groups and to further Uganda’s process of democratization and political liberalization. At its roots, the conflict is about political marginalization; LRA tactics seek to demonstrate the incapacity of the GOU to protect civilians and further alienate the Acholi from the Ugandan state. While the vast majority of Acholi and other Northerners loath the LRA, their tactics have reinforced a widely-held belief that the GOU is either not committed or is unable to meet their protection and development needs. Unless the affected communities are provided a voice and sense of inclusion in the broader political process, the elections will not contribute towards reconciliation in Uganda.

Under funding from the U.S. Agency for International Development, this IOM-PRESS Action Plan reports on a two week assessment visit to Uganda and desk research in March and April of 2005. The plan outlines the core constraints facing the full participation of IDPs in the upcoming electoral process and proposes interventions and capacity-building programs to ensure that Internally Displaced Persons (IDPs) are able to participate in the elections under conditions that guarantee their physical security and uphold their right to freely elect preferred representatives. The purpose of the report is twofold: 1) to increase international awareness and attention to the tragedy in Northern Uganda and the importance of IDP participation in the elections; and 2) to make specific recommendations to the GOU, the Ugandan Electoral Commission, donors, inter-governmental organizations, and domestic and international NGOs and civil society groups to ensure that IDP participation is conducted in a way that meets criteria for free and fair elections.

The GOU has expressed support for IDP participation in the 2006 elections, as it is required to do under the constitution, its obligations under various human rights covenants, and the recently passed National Policy on IDPs. The Electoral Commission (EC) is currently devising procedures to provide the displaced the opportunity to register and vote. However, the assessment visit to Uganda in March 2005 – which included extensive interviews with IDPs, district and national officials, domestic and international NGOs and donors – identified a number of constraints that could weaken the reconciliation value of the election. These issues can be grouped into two broad themes: civic awareness and technical capacity.

In terms of civic awareness, it is critical that the 2006 elections are seen as an instrumental component of the ongoing peace process and, more broadly, as an enabling tool to promote confidence between the GOU and the northern populations. The Action
Plan notes that reconciliation will be difficult in the context of deeply held suspicions between Uganda’s different ethnic groups, the return to multi-partyism under proposed constitutional amendments, and a lack of access to information regarding the unfolding political process in the IDP camps and communities. Specific programmatic interventions are proposed to help address some of these issues.

Technical capacity and security will also be critical for building confidence in the legitimacy of the elections. IDP voting programs pose logistical complications that can derail electoral timelines and result in technical flaws that reduce confidence in the outcome. The Action Plan identifies capacity weaknesses in the Ugandan Electoral Commission regarding modalities of IDP enfranchisement, the impact of continuing population movements and a lack of a solid demographic profile of the IDP populations, and structural weaknesses in the relationship between the EC and various police and security branches of government. These weaknesses need to be redressed early if the IDP voting is to succeed.

IDPs and their community leaders expressed little faith in the government’s ability to deliver a genuine election in which their voices are not only heard, but which results in tangible improvements in their conditions. Under these conditions, interventions will be needed to minimize technical flaws or irregularities that will heighten suspicions and weaken the reconciliation value of the elections. The GOU needs to seriously address the issue of IDP voting as part of the process of political reform in order to reassure all Ugandans that the state takes their interests and concerns seriously.

In a broader context, visible and genuine moves to including IDPs in the elections will signal that the GOU is committed to meeting its stated obligations under the National IDP Policy and various human rights instruments to which it is signatory. Transparent IDP enfranchisement will also reassure donors that the process of political liberalization in Uganda is on track. Donors can play a key role in the provision of support to the electoral process and reminding the GOU of its obligations. More importantly, donors should expressly link this support to continued moves towards confidence-building, protection of IDP rights, and commitments to a genuine electoral process.

This Action Plan examines the historical context of the current turmoil in Northern Uganda; identifies core problems confronting IDP enfranchisement; and suggests a number of possible interventions and support activities to ensure that IDPs are able to register and cast ballots under conditions that guarantee their security and meet minimum criteria for free and fair elections. The plan is divided into three functional areas: 1) “Framework Issues,” which proposes several ad-hoc coordination structures to assist the process of electoral reform and examines the core issue of IDP balloting; 2) “Election Information,” which discusses public education and outreach under an overall thematic framework of ensuring that the elections are widely perceived as genuine; and 3)

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1 Most importantly, the *International Covenant of Civil and Political Rights* (Uganda acceded January 1987) and the *Convention on the Elimination of all Forms of Racial Discrimination* (Uganda acceded November 1980), and the *African (Banjul) Charter on Human and People’s Rights*, all of which obligate signatories to guarantee the rights of all citizens to equal participation in the conduct of public affairs.
“Implementation Issues,” which addresses technical capacity, security, and the transparency of the IDP balloting.
### Acronyms and Organizations

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<tr>
<th>Acronym</th>
<th>Description</th>
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<tr>
<td>AAEA</td>
<td>Association of African Election Authorities</td>
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<tr>
<td>ADF</td>
<td>Allied Democratic Front</td>
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<tr>
<td>CEPPS</td>
<td>Consortium for Elections and Political Process Strengthening</td>
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<tr>
<td>CSOPNU</td>
<td>Civil Society Organizations for Peace in Northern Uganda</td>
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<td>DEMGROUP</td>
<td>Democracy Monitoring Group</td>
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<td>DDGG</td>
<td>Donor Democracy and Governance Group</td>
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<td>DRC</td>
<td>Democratic Republic of Congo</td>
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<tr>
<td>EC</td>
<td>Electoral Commission</td>
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<td>ECA</td>
<td>Electoral Commission Act</td>
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<td>EU</td>
<td>European Union</td>
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<td>FHRI</td>
<td>Foundation for Human Rights Initiative</td>
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<td>GOU</td>
<td>Government of Uganda</td>
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<td>HSMF</td>
<td>Holy Spirit Mobile Forces</td>
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<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<td>IDP</td>
<td>Internally displaced persons</td>
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<td>IFES</td>
<td>International Foundation for Election Systems</td>
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<td>IFI</td>
<td>International Financial Institutions</td>
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<td>IOM</td>
<td>International Organization for Migration</td>
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<td>IRI</td>
<td>International Republican Institute</td>
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<td>IVAG</td>
<td>IDP Voting Advisory Group</td>
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<td>KAP</td>
<td>Kalangala Action Plan</td>
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<td>KY</td>
<td>Bugandan Royalist Kabaka Yekka</td>
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<td>LC</td>
<td>Local Councils</td>
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<td>LDU</td>
<td>Local Defense Units</td>
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<td>LRA</td>
<td>Lord’s Resistance Army</td>
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<td>LSA</td>
<td>Legislative Strengthening Activity (Development Associates, Inc.)</td>
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<td>MSF</td>
<td>Medicines Sans Frontiers</td>
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<td>NDF</td>
<td>Nordic Development Fund</td>
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<td>NDI</td>
<td>National Democratic Institute for International Affairs</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>NEMGROUP-U</td>
<td>NGO Election Monitoring Group – Uganda (2001)</td>
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<td>NORDEM</td>
<td>Norwegian Resource Bank for Democracy and Human Rights</td>
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<td>NRA</td>
<td>National Resistance Army</td>
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<td>NRC</td>
<td>National Resistance Council</td>
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<td>NRM/NRMO</td>
<td>National Resistance Movement</td>
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<td>OCHA</td>
<td>Office for the Coordination of Humanitarian Affairs</td>
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<td>POA</td>
<td>2002 Political Organizations Act</td>
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<td>RC</td>
<td>Resistance councils</td>
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<td>RPG</td>
<td>Refugee Policy Group</td>
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<td>UNHCHR</td>
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<td>UPC</td>
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<td>UPDA</td>
<td>Uganda People’s Democratic Army</td>
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<td>UPDF</td>
<td>Ugandan People’s Defense Forces</td>
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<td>USAID</td>
<td>United States Agency for International Development</td>
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<td>WFP</td>
<td>World Food Programme</td>
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PART I: BACKGROUND

Introduction

Nineteen years of conflict between the Government of Uganda (GOU) and the Lord’s Resistance Army (LRA) has caused the displacement of 1.5 to 2 million Ugandans, primarily ethnic Acholis in the northern districts of Kitgum, Pader, and Gulu, although other groups across the north have been affected as well. The displacement results from a deliberate LRA strategy of attacking civilian populations to undermine confidence in the government and to kidnap children to serve as soldiers, porters, and sex slaves for the LRA ranks. The scale of displacement has been magnified by GOU programs that concentrate northern populations in camps in order to protect them from the LRA and clear terrain for military operations.

Uganda has been engaged in a halting process of political liberalization. Presidential and Parliamentary elections were held in 1996 and 2001 and Local Council (LC) elections in 2002. Although marred by technical flaws and organized within the framework of President Yoweri Museveni’s no party “movement” system balloting has generally been deemed secret and inclusive. A constitutional referendum is currently scheduled for July 24 of this year. National and local elections are due again in March 2006.

The 2006 elections present an opportunity for confidence building between the GOU and northern Uganda and, more broadly, to make genuine moves towards consolidating democracy. At its root, the conflict is about political marginalization. LRA tactics seek to demonstrate the incapacity of the GOU to protect civilians and to further alienate the Acholi from the Ugandan state. While the vast majority of Acholi and other Northerners loathe the LRA, their tactics have reinforced a belief that the GOU is not committed to meeting their protection and development needs. Conversely, Ugandans outside the North have little conception of the realities of the conflict and tend to blame the Acholi as a whole for the LRA rebellion. Unless the affected communities are provided a voice and sense of inclusion in the political process, the elections will not contribute towards reconciliation in Uganda.

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2 Figures vary. The consensus among humanitarian relief agencies is that approximately 1.4 million northern Ugandans are resident in the Internally Displaced Persons (IDP) camps scattered across the North, with most receiving some form of food assistance from the World Food Program (WFP). Agencies also note a substantial urban IDP population, estimated at between 300,000 and 600,000, who are not registered and are living with friends and families in Gulu, Lira, and Kampala.

3 According to Francis Deng, Former UN Representative of the Secretary-General on Internally Displaced Persons, displacement in Northern Uganda is related to three distinct causes. “By far the largest displacement situation is in the northern districts of the country, mainly in Kitgum, Pader and Gulu, and is due to the armed conflict between the Ugandan People's Defense Forces and the rebel Lord's Resistance Army (LRA). In the East of the country, displacement has been caused by drought and cattle-rustling by armed Karamojong tribal warriors. In the Rwenzori mountains, in the West of the country at the border with the Democratic Republic of the Congo (DRC), displacement was previously caused by attacks of the rebel Allied Democratic Front (ADF). However, this situation is now largely resolved.”
Elections alone, however, will not end the conflict. The 2006 elections should be viewed as part of a broader set of peace-building activities – including continued cease-fire negotiations and peace talks, the amnesty process, a commitment from the GOU to confront the developmental problems in the north, and civil society promotion to build dialogue and confidence between Uganda’s diverse cultures and regions. Poorly run or non-transparent elections would diminish popular confidence in the North, which would undermine other pillars of the peace process.

The GOU appears committed to extending the franchise to IDPs. The Electoral Commission (EC) has devised procedures to provide the displaced with the opportunity to register and vote. However, the PRESS assessment visit to Uganda in March 2005 – which included extensive interviews with IDPs, the EC, district and national officials, domestic and international NGOs and donors – identified a number of constraints that could weaken the reconciliation value of the election. These issues can be grouped into two broad themes: civic awareness and technical capacity.

In terms of civic awareness, it is critical that the 2006 elections are viewed as an instrumental component of the ongoing peace process and, more broadly, as an enabling tool to promote confidence between the GOU and the northern populations. Core issues include:

- A widely held perception among the Acholi and other northern groups that the GOU does not appear focused on the larger issues of national reconciliation between the North and the Ugandan state;

- Uganda’s violent and fractious history of political party competition, which some stakeholders believe could be magnified by the concentrated and intermixed IDP populations. If political parties register and contest the national elections, IDP camps could become flashpoints for political violence. On the other hand, the lack of party competition is retarding Uganda’s democratic development and alienates many in the North. The transition to multipartyism is essential for Uganda’s continued liberalization, but must take place under conditions which guarantee the safety of IDP populations;

- The almost total dependency of IDP populations on humanitarian services, most of which are delivered by donor-funded international relief agencies in coordination with Ugandan authorities under armed protection by the Ugandan People’s Defense Forces (UPDF). This dependency could be exploited by candidates;

- An almost total lack of knowledge among IDPs regarding the political transition, the electoral process and country-wide political issues, which could undermine popular confidence in the election results, even if the election is free of technical flaws;
• The complex process of constitutional reform, which is required to conduct the election, is off-track and deadlines may not be realized. This represents an even greater challenge to IDPs given their physical isolation and the difficulties of daily life in the midst of a humanitarian emergency; and,

• A lack of attention on the part of parliamentarians to the legal issues surrounding IDP voting as they relate to the election law;

Technical capacity is also critical for building confidence in the legitimacy of the elections. IDP voting presents a number of logistical complications that can derail electoral timelines and result in technical flaws that reduce confidence in the outcome. Core issues include:

• Lack of focused attention at the EC to the unique mechanisms and procedures required for IDP registration and voting, which has resulted in little procedural guidance being passed on to the district registrars;

• A lack of capacity in the EC District Offices (as noted by the Commissioners themselves) to implement registration and election programs in areas with large numbers of IDPs;

• The lack of a solid demographic profile or database of displaced communities that includes both their current and original locations;

• Extensive population movements with no corresponding update of electoral districts could result in severe mal-apportionment and undermine confidence in Uganda’s political institutions at the national and local levels. In addition, no planning has been done regarding whether and how to run elections for LC offices from areas (sub-counties, parishes, and villages) that are substantially or totally depopulated;

• The prospect of continued population movements, either as a consequence of a cease-fire, or, more likely, as a consequence of continued fighting and programs to relocate IDPs in order to “decongest” some of the most crowded and unsanitary camps;

• Continuing insecurity in many regions which hampers regular access to IDP locations; and,

• No clear division of roles and responsibilities between the UPDF, district police, and local defense forces with respect to elections security.

IDPs and their community leaders expressed little faith in the government’s ability to deliver a genuine election in which their voices are not only heard, but which results in tangible improvements in their conditions. Under these conditions, interventions will be
needed to minimize technical flaws or irregularities that will heighten suspicions and weaken the reconciliation value of the elections.¹

**IDPs and Elections**

Carefully planned and highly transparent elections provide an opportunity for divided societies to resolve their differences at the ballot box rather than on the battlefield.² However, elections in a conflict or immediate post-conflict setting are complex affairs and irregularities in the voting and wide-scale disenfranchisement can heighten suspicions and lead to an intensification or resumption of hostilities. In the case of northern Uganda, it is unlikely that the upcoming elections alone will bring about a restoration of peace. The LRA and its leadership do not appear to have any clearly articulated political agenda other than armed opposition to the current government and will not participate in the electoral process in any meaningful or constructive way. On the other hand, a free and fair election in the region could improve the way the people of northern Uganda perceive the GOU and the seriousness it attaches to their plight.

IDPs around the world face special challenges in realizing their right to political participation. Their disenfranchisement violates fundamental human rights norms and weakens the reconciliation value of the elections. The right of political participation is enshrined in Article 25 of the *International Covenant on Civil and Political Rights* (ICCPR), ratified by Uganda in 1995, which states:

> “Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free will of the electors…”³

The *Guiding Principles on Internal Displacement*, although not treaty law, also directly addresses the issue. Principle 1 declares that: “Internally displaced persons shall enjoy, in full equality, the same rights and freedoms under international and domestic law as do other persons in their country. They shall not be discriminated against in the enjoyment

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¹ Coined by Rafael Lopez-Pintor, “reconciliation elections” are generally understood to produce better results after a peace agreement (however weak) is in place. This condition is currently not applicable to Northern Uganda, meaning that the electoral cycle will look more like an attempt to end conflict through elections prior to a negotiated settlement. Lopez-Pintor notes the relative ineffectiveness of this strategy, particularly as it relates to Liberia. See Rafael Lopez-Pintor, “Reconciliation Elections: A Post-Cold War Experience,” in Krishna Kumar, Ed., *Rebuilding Societies After Civil War: Critical Roles for International Assistance*. Boulder: Lynne Rienner, 1997, pp. 43 – 62.
of any rights and freedoms on the ground that they are internally displaced.”

This language is strengthened in Principle 22, which declares that:

“Internally displaced persons, whether or not they are living in camps, shall not be discriminated against as a result of their displacement in the enjoyment of the following rights: (a) The rights to freedom of thought, conscience, religion or belief, opinion and expression; …. (c) The right to associate freely and participate equally in community affairs; (d) The right to vote and to participate in governmental and public affairs, including the right to have access to the means necessary to exercise this right…”

Building on the Guiding Principles and working in close cooperation with the UN Special Representative on Internal Displacement, the GOU Office of the Prime Minister enacted the National Policy on Internal Displacement of Persons in 2004. According to the National Policy:

“Fundamental to this Policy is the recognition that Internally Displaced Persons shall enjoy, in full equality, the same rights and freedoms under the Constitution and all other laws, as do all other persons in Uganda. They shall not be discriminated against in the enjoyment of any rights and freedoms on the grounds that they are internally displaced.”

If properly organized, IDP political participation can support the broader objectives of reconstruction, reconciliation, and peace-building. IDP inclusion provides a political voice to those displaced by violence and human rights abuses and can help mitigate issues of political and social alienation. Electoral participation can also re-establish the link between the displaced and their home communities, paving the way for their eventual return and reintegration. Finally, elections provide an opportunity to establish communications among displaced communities so that there is visibility, transparency, and confidence in the election outcome. Together, these outcomes contribute to the value of the elections as one component of a larger peace-building and reconciliation process.

At the same time, IDP enfranchisement can have unintended consequences that open avenues for electoral coercion and fraud. IDPs are entirely dependant on the UPDF, the GOU, and humanitarian agencies to protect their security and meet their survival needs. They also face almost daily assaults from the LRA, which is prone to making political demands. As a result, they should be considered “subject voters,” as their capacity to make free political choices will likely be compromised. IDPs clearly articulated the Catch-22 they faced in the 2001 elections. On the one hand, the LRA circulated in camps, expressing preferences for particular candidates to the IDP communities and threatening group-retaliation if the results did not reflect their preferences. On the other, elements of the UPDF also indicated that a failure to support government-backed candidates would negatively impact relations between the IDPs and the UPDF. In the event, the North

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voted largely for opposition candidates and overt retaliation did not materialize from either side.

Second, the mechanics of IDP registration and balloting can open a number of windows for electoral fraud, including potential double-voting and problems with guaranteeing observer access to registration and polling stations. If handled correctly, the registration process can mitigate many of these concerns, and can even represent a first link between the displaced and their home community. If not conducted properly, however, the registration (or lack thereof) of IDPs can jeopardize the legitimacy of the election outcome. This necessitates fully observed and transparent registration and balloting in refugee and IDP camps to ensure that the vote is not manipulated. Since Uganda maintains a continuous register (and is currently conducting a country-wide update of that register), little or no observation of the registration process is currently underway. As a result, no independent record of the scope and accuracy of the voters register will be available.

Finally, IDP voting faces a number of technical and political issues that consistently work against full participation. Previous Ugandan elections have been plagued with technical flaws, inadequate polling station management, and the tardy and non-transparent issuing of last minute procedural and regulatory changes that have led to significant disenfranchisement in some regions (primarily in the North, but problems have been identified across Uganda. These issues will be compounded by the instability in the north, which could undermine popular confidence in the election results.

Methodology

This Action Plan examines Uganda’s ongoing democratization process and its relationship to the peace process; provides a brief overview of IDP conditions, locations, and statistics; identifies core problems confronting IDP enfranchisement; and suggests a number of possible interventions and support activities that could help ensure that IDPs are able to register and cast ballots under conditions that guarantee their security and meet minimum criteria for free and fair elections.

The information for the Action Plan was gathered through a field assessment to Kampala, Lira, Pader, and Gulu from 1–15 March 2005 and through desk research. The field assessment was conducted in cooperation with a broader USAID assessment team looking at a variety of the humanitarian emergency and other effects of the conflict in northern Uganda. Interviewees included Parliamentarians, civil society organizations, international and Ugandan humanitarian relief providers, journalists, representatives from IGOs and the donor community, the Electoral Commission, district officials and IDP leadership structures in the camps. The methodology employed combines the tested pre-election assessment modalities of IFES with that of the issues raised in the Refugees and
Elections study by the Refugee Policy Group\textsuperscript{8} and further developed by the USAID-sponsored IOM Participatory Elections Project.\textsuperscript{9}


\textsuperscript{9} See www.iom.int/pep.
PART II: WAR, DISPLACEMENT AND DEMOCRATIZATION IN UGANDA

From independence in 1962 until 1986, Uganda suffered persistent political instability, a series of coups, and extensive internal violence, culminating the coming to power of Yoweri Musevini’s National Resistance Movement (NRM). The roots of the crisis stem from competition between and within the two regional groupings, the northern “Nilotics,” including the Acholi, Langi, and Karamajong and the southern Bantu speaking groups, including the Baganda, Banyoro, and Banyankole. Overall, 56 distinct ethnic groups reside in Uganda, with none forming a majority of the population. The Bantu-speaking groups, however, comprise 2/3 of the total population.

Ugandan society is characterized by religious, socio-economic, and ethnic cleavages within the regions as well as among them. In the North, the Acholi, Langi, Karamajong, and West Nile populations evidence a deep mutual mistrust. The problem has been exacerbated by the 2002 LRA move into Lira district and increasing attacks against the Langi, who tend to blame the Acholi as a whole for the actions of the LRA. Karamajong cattle rustling and banditry also hampers relations between the northern tribes.

From Independence to Instability

Following independence, power became concentrated in the hands of northerners who had dominated the military class under British colonial rule. Milton Obote, a Langi from the Lira district, came to power via democratic elections in 1961 as leader of the Protestant-based Uganda People’s Congress (UPC). Although initially in coalition with the Bugandan Royalist Kabaka Yekka (KY), the UPC and KY split over Bugandan demands for greater autonomy. Obote deposed the Bugandan King in 1966 and banned all political parties except the UPC. During the following years, Obote concentrated political and military power through purges of parliament and the military.

In 1971, Idi Amin, Commander-in-Chief of the armed forces, deposed Obote and installed himself as Head of State. A northern Kakwa from West Nile, Amin initially focused on purging the army of other northerners, particularly the Acholi and Obote-supporting Langi. “Over time, Amin began to target people he perceived as disloyal from other parts of the county. To protect the regime, which lacked political legitimacy … Amin recruited new soldiers into the national army from West Nile. In addition, he appointed prominent Bantu to important positions in his government. The regime however largely maintained the dominance of southerners in the civil service and commerce, while the northerners largely controlled the government and army.”

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While initially welcomed by many Ugandans, Amin’s reign degenerated into despotic misrule characterized by blatant corruption and horrific human rights abuses. Following an ill-advised military incursion into northern Tanzania, the Tanzanian military marched on Kampala in 1979 and toppled Amin, who fled into exile in Saudi Arabia. Following two short-lived governments, Obote was returned to power by elections (considered deeply flawed) in 1980.\(^\text{13}\) While some parties accepted the results and agreed to enter the new parliament as “loyal opposition,” others, including Museveni, “went into the bush” and organized the National Resistance Army (NRA) as a guerilla insurgency.

The second Obote regime continued the horrific human rights abuses of Amin and was unable to hold-off the NRA’s steady advance. In July 1985, Obote was deposed by the Acholi General Tito Okello Lutwa, who, as head of the military government of Uganda, signed a peace agreement in Nairobi with the National Resistance Movement/Army (NRM/A) in December 1985. The Nairobi Agreement broke down almost immediately and the NRA marched into Kampala on January 25, 1986.\(^\text{14}\) On assuming power, Museveni proclaimed the establishment of a no-party state under the leadership of the National Resistance Movement (NRM), which all Ugandans were eligible to join.

**Rebellion in the North**

Senior military figures and foot-soldiers from the Okello regime fled through the North to southern Sudan, warning the northern populations that the NRA would extract revenge on for the years of misrule under Amin and Obote. During the summer of 1986, these troops re-organized in south Sudan and entered Uganda in August under the name of the Uganda People’s Democratic Army (UPDA). Organized now as a guerilla insurgency, the UPDA began attacking NRA outposts in Kitgum and Gulu.

In August 1986, a young Acholi woman in Gulu named Alice Auma, proclaimed herself under orders of a Christian spirit named Lakwena (which in Acholi Luo means “Messenger”) and announced that she had been given spiritual powers and a mandate to “cleanse” the Acholi nation. The spirits “ordered” Alice to organize the Holy Spirit Mobile Forces (HSMF), to rid Uganda of the NRA and other “impure” forces.\(^\text{15}\) According to David Westbrook, “…the HSMF promised redemption. In order to join HSMF, one had to undergo ritual purification to cleanse themselves of past sins. According to HSMF doctrine, only an impure soldier could die in battle. There can be little doubt that the success of the HSMF was due, in part, to the beliefs in magic and spirit powers that are a part of the Acholi culture and, in part, due to the early successes

\(^\text{13}\) The main parties were the UPC led by Obote, which received 1,966,244 votes (47.1%) and the Democratic Party (DP) lead by Paul Ssesemogere, which received 1,963,679 votes (47.1%). The Uganda Patriotic Movement (UPM) led by Yoweri Museveni and the Conservative Party (inheritors of the Kabaka Yekka legacy) received 4.1% and 1.6% respectively. See Schmidt: 932.


of the HSMF.” The HSMF, despite odd military tactics, was able to march within 70 km of Kampala before its ultimate defeat in October 1987.

Meanwhile the UPDA continued the fight until 1988, when it signed a peace agreement with the GOU. Disaffected elements of the UPDA, however, came together under the leadership of Joseph Kony, who claimed to inherit the spiritual powers of Alice Lakwena and established the LRA. According to World Vision, “Kony … was at first welcomed; seen as one who could complete the press for state power that others had started, he was spiritually commissioned and sent to war.” However, Kony was never able to realize the same degree of popular support among the Acholi as Lakwena. In addition, his spiritual cosmology was significantly more complex than Lakwena’s, and included elements of Christian fundamentalism, African animism, and Islamic theology picked up during his time in Sudan. Whereas Lakwena’s spiritualism emerged from within the Acholi worldview, Kony’s was more alien to people he claimed to represent.

From 1988 until 1994, the GOU strategy against the LRA combined intensive military operations with periodic peace overtures, culminating in 1993-94 with peace talks under the leadership of the GOU Minister for Pacification of Northern Uganda, Betty Bigombe. According to David Westbrook, “Bigombe’s efforts very nearly came to fruition. It is said that, at the time, LRA soldiers were staying freely in the trading centers and that a cease-fire existed. These talks ended badly when President Museveni suddenly announced that he was giving the LRA seven days to put down their weapons and turn themselves over to the government. Within three days of this announcement, the LRA had once again begun attacking.” The end of the peace talks also coincided with a significant increase in military support to the LRA from the Government of Sudan.

The renewed conflict in 1994 introduced a new LRA tactic of kidnapping children, which further alienated Kony from the Acholi mainstream. According to World Vision: “For Kony, rejection had spiritual consequences. Believing himself to be a divine instrument, Kony turned his cause into punishment and correction of the Acholi people.” While most Acholi reject Kony as a legitimate voice for their concerns, there is a widespread belief that he does hold spiritual powers, which provides him a psychological hold over many people in the North.

**No Party Politics**

After capturing Kampala in 1986, Museveni transformed the NRA into the National Resistance Movement (NRM). Believing that fractious party politics had contributed to Uganda’s miserable post-independence path, the NRM organized popular participation through indirect elections for village level “resistance councils” (RC1), which political parties were prohibited from contesting. The elected RC1s then selected members for

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18 Westbrook: No Page.

parish “resistance councils” (RC2), cascading up until reaching the ‘National Resistance Council,’ (NRC) composed of 278 members. These elections were conducted in 1989 and 1992. The system enjoyed a degree of performance legitimacy among many Ugandans, as the NRM was able to restart basic social service provision and bring order to most of the country.  

The GOU organized direct elections for a Constituent Assembly to draft a new Constitution in 1994. The new Constitution was adopted in 1995, establishing a directly-elected parliament and presidency (still without parties) through universal adult suffrage. Parliament was to be elected by a First Past the Post (FPP) system from single seat constituencies and representatives of special interest groups elected through special caucuses.

Subsequent elections in 1996 were the first that allowed the direct election of the President, the Parliament, and the local-level administration. Most observers concluded that polling itself was largely free and fair. The “no-party” system remained in force, however, and many Ugandans believe that NRM preferred candidates were able to exploit the benefits flowing from Museveni’s control of the state resources. Critics of the “no-party” system complained that Uganda had become a de facto one-party system, allowing the NRM to entrench itself in the Uganda state apparatus and guarantee its domination of the political agenda.

The 2001 Elections

Presidential elections were last held in March 2001, with eight candidates running. Museveni captured 69% of the vote; the next closest candidate, Kizza Besigye, captured 27%. No other candidate captured more than 2%.

The election was monitored by 150 international observers fielded primarily by the Norwegian Centre for Human Rights’ NORDEM and over 18,000 Ugandans fielded by the NGO Election Monitoring Group - Uganda (NEMGROUP-U). Their respective reports indicate that the overall conduct of the balloting was generally free and fair, although the no-party system provided a significant advantage to movement-backed candidates. NORDEM and NEMGROUP-U reported the following general observations on the elections process:

- The late passing of the Presidential Election Act significantly impacted the ability of the EC to meet deadlines. As a consequence, the EC failed to satisfactorily update voter registers, to issue voter cards, and to distribute polling materials to all polling stations on time. The EC was also forced to issue a series of last minute

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20 Schmidt : 930.
21 According to the International Republican Institute (IRI), “… under the Movement system, elective office is contested on individual merit rather than along party, ethnic, or regional lines, which some claim were to blame for the civil wars of the 1970s and 80s.” See International Republican Institute, “IRI in Uganda” Website. Accessible at: http://www.iri.org/countries.asp?id=9461273651
22 NORDEM stands for the Norwegian Resource Bank for Democracy and Human Rights and is operated in close collaboration with the Norwegian Refugee Council.
procedural guidelines and changes that were not disseminated to every polling station. This resulted in different procedures being applied in different locations, especially in regards to the issue of voters with problematic registrations.

- Candidates were generally able to freely campaign and present their platforms through both state-owned and private media. Campaigning tended to emphasize the personalities and characteristics of individual candidates.

- Museveni benefited from the NRM resource advantage stemming from its control of state institutions. This was reflected in the amount of media coverage, funding, and ability to organize a truly national campaign, and security arrangements.

- Intimidation and violence by NRM-affiliated “youth brigades, the UPDF, and opposition groups marred parts of the campaign. The relationship between the UPDF and Local Police was not clearly specified.

Overall, however, the NORDEM report concluded that “…the technical and other irregularities could not amount to numbers that would significantly affect the results of the elections.” Less sanguine, the NEMGROUP-U concluded that “the pre-election period was characterized by violence, intimidation and uncertainty of the voters who were not sure of whether they would vote as a result of the shortcomings of the register update and display exercise…The media provided a forum for public debate on the election issues although there were concerns of inequitable coverage of the candidates by the state-owned electronic media.”

Parliamentary elections were last held in June of 2001, when Ugandans voted for 214 directly-elected Members of Parliament (MPs) from single seat constituencies. 78 additional MPs were indirectly elected as representatives from “special interest groups” earlier that month, and ten seats were reserved for the UPDF. According to NORDEM, “Many of the 876 candidates for the directly elected seats were able to campaign and to present their credentials to the electorate in an atmosphere of fair political competition. But, in some areas, violence including murder, threats and intimidation of candidates and supporters marred the campaign period, and even the polling day. Some of this violence was reportedly conducted by government agents and even by candidates in the election. The actual polling was in the main peaceful, but characterized by technical deficiencies. In some areas fraud was observed.”

Throughout both election cycles, the EC lacked resources and technical capacity and was forced to take a series of last-minute decisions due to the late passing of the various

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Elections Acts of 2001. According to Human Rights Watch, “…one and a half million voters were registered in an extremely short period of time-only twelve days …. Other problems compound the situation. Voter education is minimal and the level of awareness about the registration and update exercise in the districts was low. The publicity about house-to-house registration and updates …. was inconsistent and some voters missed registration as a result. Registration centers in some places were too distant for people to register, or serviced too large a population for one person to conduct the registration and update exercise effectively. Some districts lacked the materials.”

Summary of Relevant Electoral Legislation

The 2001 Presidential and Parliamentary elections rested on the following legal framework, which will need to be updated for 2006:

- Article 59 of the 1995 Constitution holds that: "Every citizen of Uganda of eighteen years of age or above, has a right to vote…”

- Article 69 of the Constitution provides the people the right to “choose and adopt a political system of their choice through free and fair elections or referenda.” The Constitution then specifies three distinct typologies of political system, being: “(a) the movement political system; (b) the multi-party political system; and (c) any other democratic and representative political system.” For the purposes of the 2001 election, the Movement system was specified. Article 72(3) authorizes Parliament to regulate the financing and functioning of political parties.

- Article 269 of the Constitution, however, holds that: “…. until Parliament makes laws regulating the activities of political organizations in accordance with Article 73 of this Constitution, political activities may continue except: (a) opening and operating branch offices; (b) holding delegates’ conferences; (c) holding public rallies; (d) sponsoring or offering a platform to or in any way campaigning for or against a candidate for any public elections; (e) carrying on any activities that may interfere with the Movement political system for the time being in force.”

- The 1997 Electoral Commission Act (ECA) regulates the responsibilities and powers of the EC, including: the demarcation of constituencies, creation and maintenance of the voters register, the appointment and training of election officials, and the logistical and administrative implementation of polling.

- The 2000 Presidential Elections Act regulates the nomination of candidates, required qualifications for candidates, campaigning, voting and counting procedures, announcement of results, illegal practices, and the process for handling complaints. Section 21 makes it legal for the president to utilise facilities connected to the office of president for the purposes of campaigning.

The 2001 Parliamentary Elections Act regulates the nomination of candidates, required qualifications for candidates, campaigning, voting and counting procedures, announcement of results, illegal practices and the process for handling complaints.

**Transition to Multi-Partyism**

Following the elections, Parliament passed the 2002 Political Organizations Act (POA), which formalized the prohibition on political parties from holding rallies, taking part in elections, holding more than one delegate conference per year or having offices outside Kampala as per Article 269. Existing parties were required to re-register or be deemed illegal.

Provisions of the POA were overturned by the High Court in November 2004. The ruling requires that “…some party activities be permitted such as: freedom to sponsor or offer a platform to or in any way campaign for or against a candidate in any Presidential or Parliamentary election or any other election organized by the Electoral Commission; use of a party’s symbols, slogans, colors, or names identifying them for the purpose of campaigning; opening of branches and offices in districts and levels below; and holding of public meetings, except for national conferences, executive committee meetings, seminars and conferences held at the national level and the meetings”. Following the ruling, Museveni announced his intention to put the issue of the political system and the transition to multi-party democracy up for popular referendum.

The constitutional reform process has been led by the GOU Constitutional Review Commission. In 2003, the Commission submitted proposals for 114 constitutional amendments and revisions to the Ministry of Justice (MOJ). Following the collection of government responses to individual items, the MOJ forwarded a “Government White Paper” to the Legal Affairs and Parliamentary Procedure Committee of the Parliament, and introduced on the floor of Parliament as an omnibus bill. In terms of the political transition, the two key proposals would replace the movement system with multi-partyism and repeal Article 105, which prohibits any individual from holding the office of the presidency for more than two terms. Which constitutional reform provisions will wind up on the July 2005 referendum, and how the questions will be worded on the ballot remains unclear.  

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27 International Republican Institute, “IRI Programs-Uganda.” Internet. Accessible at:  
28 As of March, 2005, a group of MPs has filed a petition with the Constitutional Court to prevent Parliament from debating the Bill, arguing that the formal process of amending the constitution is promulgated in Articles 259, 260 and 261 of the current Constitution, which specify whether a particular revision requires a national referendum (259), approval by district councils (260), or approval by Parliament (261). It remains unclear whether the Bill will be divided into three parts - in which articles that require referendum and district council approval will be separated from those that are to be approved by Parliament.
PART III: ISSUES AND OBSTACLES CONFRONTING IDP ELECTORAL PARTICIPATION

While Uganda has experience incorporating IDPs into recent electoral processes, these events have not contributed to confidence-building between the North and the GOU. Virtually all IDPs expressed an abiding and deep mistrust of the national electoral system, believing it was biased against northern interests. At the local level, however, most IDPs believe that local elections have been genuine, and relations between IDPs and their elected district and LC officials appear to be excellent.

The 2006 elections represent a very real opportunity for national reconciliation in Uganda, and, if implemented cleanly, could weaken the psychological hold that Kony and the LRA retain over the Acholi. The IDPs are tired of war, tired of LRA, and are open to dialogue and confidence-building with the government. The challenge for election organizers is to ensure that the historical perception of bias is not reinforced, and that the outcome genuinely reflects the will of the people, including IDPs. Deliberate attempts to manipulate the election results or technical and administrative problems that undermine popular confidence in the outcome will further alienate the Acholi and other displaced populations in the North and severely undermine Uganda’s democratic credentials.

IDP voting raises special logistical problems that must be addressed early and in a transparent fashion if the program is to contribute to national reconciliation. The balance of this section identifies core issues confronting election organizers. The next section proposes an “Action Plan” to help mitigate these concerns.

Wide-Scale and Unpredictable Population Movements

The conflict in Northern Uganda has been described as “the world’s biggest neglected humanitarian crisis.”[29] 1.5 million Ugandans are currently displaced in overcrowded and unsanitary IDP camps where they face severe protection threats from the LRA, the UPDF, and from other IDPs, particularly from rampant sexual and gender-based violence. An additional 500,000 IDPs are believed to be living with relatives in district capitals or in Kampala and are not counted in the official statistics since they do not receive food rations from the World Food Program (WFP).

Although the LRA conflict dates back to the late-1980s, the IDP crisis became particularly acute in 2002, when the official number of IDPs tripled from 500,000 to 1.5 million and the conflict spread into new districts. In the worst affected districts of Kitgum, Pader, and Gulu, over 95% of the entire population is currently displaced, with some having resided in the camps for more than 10 years.

### SUMMARY OF THE IDP POPULATION AS OF 22 JUNE 2004

<table>
<thead>
<tr>
<th>DISTRICT</th>
<th>DISTRICT POPULATION</th>
<th>IDP POPULATION (June 2004)</th>
<th>NO. OF CAMPS</th>
</tr>
</thead>
<tbody>
<tr>
<td>GULU</td>
<td>468,407</td>
<td>438,639</td>
<td>33</td>
</tr>
<tr>
<td>KITGUM</td>
<td>286,122</td>
<td>279,589</td>
<td>18</td>
</tr>
<tr>
<td>PADER</td>
<td>293,679</td>
<td>273,968</td>
<td>28</td>
</tr>
<tr>
<td>LIRA</td>
<td>575,763</td>
<td>293,996</td>
<td>54</td>
</tr>
<tr>
<td>SOROTI</td>
<td>371,986</td>
<td>34,000</td>
<td>38</td>
</tr>
<tr>
<td>KATAKWI</td>
<td>307,032</td>
<td>117,008</td>
<td>59</td>
</tr>
<tr>
<td>KABERAMAIDO</td>
<td>122,924</td>
<td>32,520</td>
<td>08</td>
</tr>
<tr>
<td>ADJUMANI</td>
<td>201,495</td>
<td>20,314</td>
<td>Hosted</td>
</tr>
<tr>
<td>KOTIDO</td>
<td>596,130</td>
<td>2,250</td>
<td>Hosted</td>
</tr>
<tr>
<td>APAC</td>
<td>676,244</td>
<td>29,275</td>
<td>06</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>4,287,797</strong></td>
<td><strong>1,639,017</strong></td>
<td><strong>218</strong></td>
</tr>
</tbody>
</table>

Source: Office of the Prime Minister, Department of Disaster Preparedness

Planning for IDP voting is seriously hampered by a lack of information on IDP demographics and ongoing population movements. There is no centralized database of IDP locations and places of origin; some data (not electronic) is retained at the district level, and all the camps visited during the assessment maintain written records of the camp populations. In fact, the most accurate electronic database of demographics in the North is probably already in the possession of the EC in the form of the 2001 voters register, which is currently being updated. This data, however, does not contain records of each IDP’s place of origin and the current registration update is not designed to capture this information unless the registrant selects the option of returning to their home community to vote.

The dynamics of displacement remain fluid. Humanitarian agencies expressed a growing despondency that the recent (December – February) cease-fire has ended and attacks on IDPs are increasing. After a decline in January, the number of night-commuters (children who leave rural areas to sleep in urban safe zones) has begun to increase, an indication that the IDPs are feeling less secure. Continued fighting will only increase displacement, complicating the ability of election organizers to develop a comprehensive strategy for IDP participation.

There has been a movement to “decongest” some of the larger camps by moving IDPs to new camps closer to their homes. This process is underway in one of Uganda’s largest IDP camps, Pabbo, which the United Nations Office for the Coordination of
Humanitarian Affairs (UNOCHA) reports will likely shrink from 60,000 to 30,000 persons as new camps are constructed. Additional camps are also slated for decongestion by the end of 2005, but humanitarian agencies doubt that the targets are achievable. The decongestion process will likely be ongoing throughout the election period, requiring that special mechanisms be in place to allow IDPs to transfer their voter registration details.

Finally, in the unlikely event a genuine ceasefire is implemented, IDPs will likely return to their homes as fast as possible. If this movement begins between the close of registration and Election Day, many could be disenfranchised.

Informal and limited surveys of IDPs suggest that many (if not the majority) are resident in the closest camp to their home and are thus likely to be within their original district and parliamentary constituency. This is particularly true in the more remote camps. However, camps around the northern urban centers appear to be far more intermixed, with IDPs from multiple districts and constituencies. The MP for Lira municipality, for example, claimed to have voters from seven different districts currently registered in her constituency. As IDPs continue to move (either through decongestions, spontaneous returns, or an increase in fighting) their electoral participation will be further complicated.

Current planning calls for IDPs to be provided an option of where to vote. They can “transfer” their registration to their current place of residence, or they can indicate a preference for returning to their original village to cast a ballot. The obvious problem with the latter option is that it is extremely unlikely that security conditions will permit the establishment of polling stations in many remote areas of Northern Uganda. As a result, those that select the return option will likely be disenfranchised on Election Day. There is no provision for an absentee ballot mechanism.

A related issue has to do with district apportionment. If the IDPs remain displaced on Election Day, there will be a severe imbalance in the number of electors to representatives across the districts. Some parliamentary constituencies are almost entirely depopulated, and others are swollen with IDPs. The EC lacks the funds and capacity to engage in a comprehensive delimitation exercise, which would be pointless anyway given the continued population movements and prospect that many IDPs would return home if a genuine peace is established.

Finally, stakeholders must decide whether and how to administer elections for the lowest level electoral contests (LC1 and LC3) for depopulated areas. It is assumed that those who register to vote for their current locations will cast ballots for all national and local

30 In conversations with the leadership of the Bala Camp, outside Lira municipality, every one of the eight people queried were within seven miles of their home. This was typical of the informal queries in all the camps.

31 The Constitution provides no concrete indicator for equality of representation. Article 63 holds that: “...the boundary of a constituency shall be such that the number of inhabitants in the constituency is, as nearly as possible, equal to the population quota ... the number of inhabitants of constituency may be greater of less than the population quota in order to take account of means of communication, geographical features, density of population, areas and boundaries of districts.”
contests in their current locations. For the depopulated constituencies, however, the only option short of an absentee ballot will be to not hold LC elections until after the return process is finished.

**Level of Confidence**

Since the start of the rebellions in the North, the GOU has used two primary instruments to return security to the region: military operations and periodic cease-fires and peace talks. In 2000, the GOU added an Amnesty Act, offering blanket amnesty to all who renounce rebellion. To date, none of these efforts have succeeded in ending the conflict, although some moves, such as the Amnesty Act, have been well received in the IDP communities and led to the defection of several senior LRA commanders. Unfortunately, there is a widely held perception among the Acholi that the GOU does not appear focused on the larger issues of national reconciliation. According to Civil Society Organizations for Peace in Northern Uganda (CSOPNU), “[M]any Acholi see their experience in a highly polarized way, and are convinced that the government and people from the West are seeking revenge against them in a systematic manner. Some Acholi even …. talk of a plot among other Ugandans to persecute and destroy the Acholi.”

Camp leaders and residents gave generally negative assessments of relations between the IDPs and national authorities. Even some elected opposition Acholi parliamentarians are viewed as unresponsive to constituent concerns. In the Pabbo Camp, camp leaders claimed that their MP had visited the camp only once in the previous three years during a quick automobile tour. Northern MPs and journalists in Gulu, however, claimed that the absence of regular MP visits to the camps is largely a result of security conditions. Since many camps can only be accessed under heavy UPDF escort, the MPs rely on the military for access rights. In November of 2004, four non-movement Acholi MPs were beaten by UPDF forces while attempting to travel to constituency meetings in the North. The UPDF maintains that the MPs were traveling without UPDF permission. This MP dependence implies a powerful advantage to pro-NRM candidates who can use the UPDF/GOU relationship to their advantage.

On a brighter note, many IDPs indicated strong support for recent peace-building moves by the GOU. Initiatives such as the Amnesty Program, increased GOU support for the Bigombe Peace Process (particularly the limited unilateral ceasefires of November 2004 and February 2005), and an effort to improve relations between the UPDF and the IDPs have been well-received. After years of ignoring the crisis, Museveni appears to be committed to progress in the region. If genuine, this trend represents an excellent

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33 Furthermore, two of the Acholi MPs beaten in this incident were subsequently arrested on murder charges in April 2005.

34 This shift is largely the result of donor pressures, although some observers also believe Museveni may be calculating a political advantage in the 2006 elections. According to the International Crisis Group, “For the last 18 years, the NRM could afford to pay little attention to the North because it had strong support in the southern and central regions as well as parts of the east. These bases are growing shaky as disagreements emerge within the NRM …. If peace can be re-established in the North before the elections,
opportunity for donors to further encourage and support GOU moves to reach out to the IDPs through confidence building programs and support for a fully inclusive electoral process.

**Level of Civic Awareness**

IDPs expressed an almost complete lack of knowledge regarding the unfolding electoral process. Camp leaders and residents offered two primary explanations. First, most camp residents view the elections as a secondary issue given their immediate humanitarian needs. The daily struggle to find food, water, and medical assistance takes top priority. Second, many camps are in remote and isolated locales, with only limited access to radio and other media.

All camps have generated surprisingly democratic internal political structures through elections for camp committees and leaders. These elections are generally organized by the camp residents themselves, and seem to be a universal feature in the camps. IDPs expressed satisfaction with the camp leadership structure, and clearly understood the value of basic democratic practices in the selection of their local representatives. IDPs also expressed a belief that their locally elected officials (LC 1 through 5) were responsive to their concerns and had been selected through a transparent and genuine electoral process.35

On the other hand, many IDPs are convinced that their votes for national level institutions do not influence outcomes. According to a resident of the Bala camp in Lira district, “We voted in 2001 for a different candidate and yet Museveni won. Voting does not matter.” While this perspective relates to the sense of political marginalization expressed above, it also reflects a lack of understanding regarding how Uganda’s national level political institutions are elected and work. This confusion is reinforced by the technical problems that have plagued recent elections. Regardless of the cause, late delivery of materials, problems with the voters register, and confusion surrounding the location of polling stations only reinforces a sense that the elections process may be compromised and stacked against northern interests and non-Movement candidates.

Limited NGO access to northern camps has meant that most donor supported services to the IDPs have centered on the core humanitarian service of food, water, sanitation, health, and shelter. USAID and other donors have recently targeted civil society building, peace education, and psycho-social healing, but these initiatives remain less intensive

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35 Not all camps had generated new democratic leadership. In some camps (Palenga, for example) residents of the camp had simply turned to their previous elected LC and tribal leadership on arrival in the camp. This meant that authority was not unique to the camp and that each community had its own leadership structures within the camp.
than similar programs in other war-torn countries. OCHA reports that “…UN agencies and other international NGOs are restricted to movement only in the presence of armed escort provided by the UPDF. WFP runs convoys six days a week to camps under heavy protection. While agencies are able to join such convoys, their time in the camps is limited to the time it takes to distribute the food and when the majority of the camp population is preoccupied in collecting their allotments. The few NGOs that access some of the camps without escort place themselves at considerable risk…. The relatively limited access to the camps is also a deterrent for many NGOs to set up programs in the three districts, and especially in Pader District where lack of access is acute. Given the scale of the problem and the concomitant needs, it is disappointing yet understandable that the number of international NGOs in the region remains relatively modest.” This lack of access has also hindered the capacity of Ugandan NGOs to provide services in the camps.

**Public Information**

IDP access to news about political events and the peace process varies. In the more remote camps, no media (press, radio, or television) are available and information spreads mostly by word of mouth. Some camps are entirely inaccessible except for the monthly WFP food distribution convoys, limiting even word-of-mouth information.

Significant areas in the North receive only sporadic, if any, radio reception, primarily from relay transmitters from Kampala and local stations in Gulu and Lira. Very few IDPs in the remote camps own or have access to radios. IDPs also reported that the few camp residents who do own radios do not generally make broadcasts available to the public. There do not appear to be any communally owned and operated radios.

Print media are only available to the camps near to urban centers. Even there, however, they are not widely read. IDPs cited cost and illiteracy as the chief obstacle. No IDPs cited the internet as a source of information related to political news.

Given the lack of electricity, televisions are not available to camp residents.

**Security**

Northern Uganda is plagued by insecurity. The GOU’s unilateral ceasefire of January and early February is effectively over and the peace process remains stalled. Attacks on IDPs in or near the camps are a near daily occurrence as are engagements between UPDF and

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36 Recent efforts to rectify this are beginning to show results. Important confidence building programs such as the USAID funded Northern Uganda Peace Initiative (NUPI) and Community Resilience and Dialogue (CRD) activities are attempting to insert a peace-building and sensitization component to complement ongoing humanitarian relief efforts and CSO development as well as more fully engage the GOU and local communities to find a solution. Other donors and agencies such as the European Union, UNICEF and World Vision are also pushing to include more confidence and peace building programming into their activities in the North.

the LRA. Many transport routes remain off limits without a robust and armed UPDF escort, limiting humanitarian access to many camps to a monthly or even bi-monthly visit. A few NGOs (MSF and International Committee of the Red Cross) travel independently of UPDF convoys, but most remain reliant on armed protection to deliver services to the remote camps.

The UPDF retains primary responsibility for protecting the camps from external attack, but plays only a limited role in maintaining order within them. Relations between the IDPs and the UPDF are not always smooth. Many IDPs openly complained that UPDF forces were undisciplined and had been known to rob and rape IDPs. In many cases, UPDF soldiers accused of crimes against the IDPs have gone unpunished, with the accused perpetrator facing only re-assignment to a new region in the North. Many IDPs expressed a view that the UPDF has become more disciplined over the past year, and that relations between camp leaders and brigade commanders have improved. Better dialogue and outreach between UPDF commanders and the IDPs can only improve the prospects that the elections will occur under transparent and peaceful conditions.

Internal camp security is theoretically maintained by the district police, who handle cases of petty theft, assault, drunkenness, etc. In total, however, Uganda’s entire police force numbers only 13,000 personnel – far too few to serve as more than a token presence. In the northern districts, the number of police is barely adequate to provide security in the urban centers, much less in the far flung and remote camps. In the Pabbo camp, with 68,000 residents, there are only three permanent police officers. IDPs in all camps visited acknowledged that local police are not capable of maintaining order within the camps, with most of the work falling to the camp leadership committees or vigilante justice.

### Number of police and special constables in northern Uganda by district

<table>
<thead>
<tr>
<th>District</th>
<th>No. Police</th>
<th>Special Constables</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gulu</td>
<td>142</td>
<td>3</td>
<td>145</td>
</tr>
<tr>
<td>Kitgum</td>
<td>56</td>
<td>0</td>
<td>56</td>
</tr>
<tr>
<td>Pader</td>
<td>30</td>
<td>82</td>
<td>112</td>
</tr>
<tr>
<td>Lira</td>
<td>201</td>
<td>150</td>
<td>351</td>
</tr>
<tr>
<td>Apac</td>
<td>102</td>
<td>55</td>
<td>157</td>
</tr>
<tr>
<td>Soroti</td>
<td>159</td>
<td>96</td>
<td>155</td>
</tr>
<tr>
<td>Kumi</td>
<td>74</td>
<td>47</td>
<td>121</td>
</tr>
<tr>
<td>Katakwi</td>
<td>65</td>
<td>151</td>
<td>216</td>
</tr>
<tr>
<td>Kabermaido</td>
<td>63</td>
<td>90</td>
<td>153</td>
</tr>
</tbody>
</table>

Source: Ministry of State for Disaster Preparedness and Refugees, Office of the Prime Minister

Believing that local knowledge could help end the insurgency, the UPDF has sought to organize Local Defense Units (LDUs) from within the IDP communities to assist in the protection of camps. The most well-known of these, the “Arrow Boys,” number some 8,000 young men from the Soroti district who organized themselves to combat the LRA when it first entered that Teso region in 2003. The UPDF has sought to replicate the program in other regions, including Lira, Pader, Kitgum, and Gulu.
The UPDF appears to have significant control over the LDUs, but the relationship is not formalized. With the exception of the Arrow Boys, most LDUs are generally small, ill-equipped, and not capable of maintaining law and order. In addition, camp residents complain that in some instances the UPDF has forcibly recruited IDPs, including children, to serve in the LDUs. IDPs also complained of a lack of discipline among some LDUs.

Some Ministers have expressed an interest in recruiting the LDU militias to provide election security. IDPs and civil society organization (CSO) representatives, however, expressed concerns that the LDUs operate outside of regular security forces command and control structures, and could play a negative role in the election process.

Current planning by the EC does not appear realistic regarding either the potential for violence during the election process or the capacity of local police to respond. The larger IDP camps will require dozens of polling stations, far more than can be protected by the small handful of police currently present in each camp. Furthermore, secure transport corridors will be required to allow voters and observers to move freely on Election Day. As a result, the UPDF will ultimately have to take responsibility for election security. The relationship between the EC and the UPDF will need to be clearly structured with a common understanding of respective roles and responsibilities.

Transition to multi-party democracy

Uganda faces increasing pressure to move beyond “no-party politics.” The Movement system is hindering Uganda’s democratic development, alienating a significant percentage of the country’s population, and contributing to a sharp increase in corruption within the state apparatus. No viable democratic system can exist in which one organization monopolizes the political space and excludes other voices and perspectives. While the “no-party” system initially appeared an attractive alternative to the factionalism and chaos surrounding Uganda’s early years of political competition, the system is beginning to retard prospects for continued stability and economic growth.

The transition to multi-party politics will not be an easy process, however, particularly in the North. Given the camps’ overcrowded population densities, lack of employment opportunities, widespread drunkenness, inadequate police presence, and (in some cases) diverse ethnic and religious demography, tensions between supporters of rival parties can be expected to flare. Prospects for severe disturbances that threaten IDP safety are high.

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38 According to Refugees International, “IDPs not willing to join the LDUs voluntarily may be considered collaborators with the LRA. Arrest and mistreatment of “collaborators,” in some cases people opposing government policy, is a disturbing trend. Refugees International, 14 December 2004, Widespread human rights violations continues despite improved security conditions.” Available at: http://www.refugeesinternational.org/content/article/detail/4677?PHPSESSID=d6f92073f6e9542db74cd4048c11f44

Particularly worrying are the establishment of party-affiliated “youth brigades,” with ill-defined mandates and historical track-record of confrontational relations with opposition parties and supporters. The most well-known is the “Kalangala Action Plan” (KAP), an informal group established by the NRM and headed by a senior presidential advisor. According to Human Rights Watch, “[t]he KAP was allegedly created as part of Museveni’s election strategy, and during the 2001 campaign, members of the KAP committed arbitrary arrests, detained people without legal authority, and committed violent attacks, according to reports in both government and independent newspapers based in Kampala, and eyewitness testimony to Human Rights Watch. A similar organization operating in Gulu municipality is locally known as the Labeca (also spelled Labeja) group.\textsuperscript{40} The presence of organized youth brigades in the IDP camps could result in intimidation, violence, and potential vote-buying.

A second issue with the transition is the contentious process of constitutional reform. As noted above, IDPs indicated an almost complete lack of knowledge regarding national political developments. With the referendum imminent this summer, it is unlikely that programs can be designed in time to engage the northern populations on the issues at stake on the June ballot. In addition, the lack of trust in the electoral process would indicate that the results of the referendum will not be widely understood as reflecting the will of the population. Preliminary results from a poll conducted by Afrobarometer indicated that 57% of those surveyed in the North oppose an extension of the presidential term limit.\textsuperscript{41}

**Electoral Commission Capacity**

Following a series of court challenges claiming irregularities in the administration of the 2001 elections, Museveni sacked all but one of the commissioners in 2002. The new Commission has subsequently organized several district-level by-elections, but has yet to conduct a nation-wide election. Some observers have questioned the capacity of the new EC to meet the demanding requirements of updating the voters register and conducting a nation-wide ballot.

The new Commission is aggressively moving to reorganize its internal structures and improve capacity. Several donor-funded technical assistance agencies are providing support to this process, particularly the Donor Democracy and Governance Group’s Election Support Unit and USAID funded capacity-building programs via IFES, which are providing ongoing training to national and district level staff. The challenges are daunting, however. In particular, EC budget requests continue to be met behind schedule, impacting the operation of the voter registration update and ability to upgrade the registration database. This is particularly troubling, as problems with the voters register have been a recurrent issue in Uganda’s electoral process.


\textsuperscript{41} Personal communication with USAID Mission, Kampala. May 31, 2005.
The issue is magnified in the North. District-level Registrars claimed that nothing in the current guidelines and procedures issued by the EC in Kampala directly addresses the problems of displacement in relation to organizing the registration and elections. This is partially a function of the fact that no electoral reform is possible until the referendum is conducted in July. However, as the electoral issues are placed on the agenda, greater sensitivity and awareness to the issues of IDP voting will clearly be required.
PART IV: ACTION PLAN

This Action Plan makes a number of recommendations to the GOU, the EC, donors, and other stakeholders to ensure that Ugandan IDPs can register, contest, observe, and cast ballots in the 2006 elections under conditions that guarantee universal suffrage, voter secrecy, and physical security. The plan proposes programs and mechanisms to ensure that the overall election framework addresses the complexities of IDP voting. More detailed operational planning will be needed once the electoral law is finalized and the EC has established a working election timeline.

There are four strategic underpinnings to the Action Plan conceptual model:

1. The plan should contribute to the reconciliation value of the elections by helping to build confidence in electoral institutions, promoting IDP participation, improving representation of IDP issues and concerns and protecting IDPs during all phases of the electoral cycle;

2. The plan should be a broadly-scoped partnership between the GOU, donors, international organizations, and domestic and international NGOs;

3. The plan should establish temporary, ad hoc structures among governmental, international, and non-governmental actors to implement a process that will be unique to this election; and,

4. The implementation of the plan should be monitored by national and international observation teams.

There are six functional categories of international and national actors who should be engaged in the process: 1) constituents; 2) advocates; 3) public services; 4) donors; 5) technical assistance; and 6) monitors.

Constituent organizations include representatives from the displaced communities. The key actors will be the IDP camp leadership structures and committees, which enjoy broad legitimacy and should be fully engaged as interlocutors for the delivery of election related information and initiatives aimed at civic awareness and confidence-building.

Advocacy organizations include political parties, CSOs, media organizations, human rights monitors, religious organizations, and international humanitarian NGOs. Not all of these agencies have a peace-building or civil society mandate, yet many can serve as useful conduits for election-related information and can serve a transmission belt for feedback to the EC.

Public services include government agencies involved in the electoral process or providing services to the IDPs. These include the Parliament (particularly the Legal and Parliamentary Affairs Committee), Ministry of Justice (which will draft the election law),

42 The primary emphasis of this Action Plan is on the March 2006 general elections.
Office of the Prime Minister – Department of Disaster Management and Refugees; the Electoral Commission, and District and LC officials.

Donor groups, including bilateral donors such as USAID, the European Union (EU), and others (coordinated through the Donor Democracy and Governance Group - Election Support Group) and the UN system agencies need to coordinate their election-related programming and recognize the unique needs of the North when identifying their funding priorities.

Technical assistance will be provided by an array of international organizations such as IOM and NGOs such as the Consortium for Election Political Process Strengthening (CEPPS) consortium partners (the National Democratic Institute - NDI, the International Republican Institute - IRI, and IFES), NORDEM and others to provide necessary staffing, training, and materiel to organize and conduct the process.

Finally, the enfranchisement process should be monitored by international and domestic organizations. The international groups include political party institutes, NGOs, bilateral delegations, and representatives from regional associations such as the African Union (AU) and the Association of African Election Authorities (AAEA).

The plan can be divided into three functional areas: “Framework Issues,” which proposes several ad-hoc coordination structures to assist the process of political and electoral reform and examines the core issue of IDP participation in Uganda’s political process; “Election Information,” which discusses public education and outreach under an overall thematic framework of ensuring that the elections are widely perceived as genuine; and “Implementation Issues,” which addresses technical capacity, security, and the transparency of the IDP balloting.

**Framework Issues**

Framework issues need to be decided through a consultative process that includes IDP representatives, the Ministry of Justice, Parliamentarians, political parties, civil society groups, and the EC. Unfortunately, the 2006 presidential, parliamentary and local election laws cannot be drafted until the core issues of constitutional reform (e.g., presidential term limits and political parties) have been decided. Nevertheless, the following arrangements should be in place to monitor and respond to the issues that displacement will present for registration and elections planning.

**Institutional Structures**

An **IDP Voting Advisory Group (IVAG)** should be established to coordinate activities related to IDP political participation. The IVAG will organize consultations with political parties and parliamentarians to address framework issues as part of the election reform process, coordinate technical assistance activities with the EC to avoid redundancy, organize and provide IDP specific voter education activities, and identify resource requirements and funding sources for the IDP voting program.
The IVAG should be comprised of:

- Representatives from the EC (preferably a Commissioner);
- Bilateral donors individually and through the DDGG’s Election Support Unit;
- IOM
- Domestic civil society organizations, including the Uganda Joint Christian Council-led DEMGROUP and the Foundation for Human Rights Initiative – FHRI;
- Donor sponsored technical assistance organizations such as IFES, Development Associates’ Legislative Support Activity (LSA), NDI, and IRI; and,
- International agencies and groups that wish to monitor the 2006 elections process (particularly NORDEM, the EU, the Carter Center, and the Commonwealth), should be invited to participate in meetings of the IVAG.

The EC should organize an internal **Technical Committee on IDP Voting**. This committee should be headed by a commissioner and include representatives from the legal, budgetary, registrar, information, procurement, civic education, and logistics departments in the EC. The committee should meet weekly to ensure that the operational aspects of the IDP voting program are accounted for in the election planning. The committee would ensure regular communication with district election officials in the North. The leadership of this committee would represent the EC to the IVAG.

At the regional level, District Registrars should be encouraged and supported to establish and chair informal **IDP Voting Consultative Groups**, comprised of LC officials, CSOs, camp leaders, political parties, UPDF brigade commanders, and local police. Each camp in the District should be represented in these groups, which will provide input and planning assistance for the Registrars. The Groups would provide training programs for camp leaders on election-related issues, coordinate the work of CSO democratization programs, and provide input and advice to the EC in Kampala. Some limited resource support should be considered to help the consultative groups organize meetings and tours of the camps. IOM or IFES could lead the effort to establish and support these groups.

Within the DDGG, one donor should take the lead in coordinating and sponsoring IDP-specific election related programming. The Election Support Unit of DDGG already has a clear set of objectives and priorities through the election cycle, although none of the programming is IDP-specific. USAID should consider playing a lead role in supporting the IDP vote. The North will require special attention and additional resources on top of country-wide CSO programming. The creation of a lead donor on IDP voting issues would help ensure that the region is fully covered in terms of EC logistical capacity, CSO programs, and monitoring and observation.

**Electoral Reform**

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43 IFES, in particular, should sponsor two forms of specific technical assistance: help with designing the IT platforms for registration and legal support on drafting the election law.
The electoral reform process needs to clarify the registration, candidature, and voting rights of displaced Ugandans. The law should include language governing voter eligibility that gives the right to IDPs to register and vote for their home constituencies, either in person or by absentee ballot, in line with the Constitution’s guarantee of universal suffrage and the GOU National Policy on Internal Displacement, which holds that “…Internally Displaced Persons shall enjoy, in full equality, the same rights and freedoms under the Constitution and all other laws, as do all other persons in Uganda. They shall not be discriminated against in the enjoyment of any rights and freedoms on the grounds that they are internally displaced.” Electoral reform should also specifically address the issue of political party campaigning in relation to the IDPs.

Donors will need to monitor and provide support to the drafting of the electoral law. The GOU should be strongly reminded of the logistical problems that resulted from the late passing of the Presidential and Parliamentary elections laws in 2001 and encouraged to fulfill its commitments in the Constitution and under the IDP policy more specifically. Several technical assistance agencies and CSOs with existing programs in Uganda could provide support:

- IFES should engage legal experts to work with the EC’s Legal Department and various stakeholders to ensure the EC’s recommendations are inclusive and are incorporated into the electoral legislative amendments process;
- IRI and NDI can provide support to political parties to sensitize them to IDP voting issues, advocate for those issues, and ensure that IDP interests and concerns are represented in the law;
- LSA can organize a tour of the northern IDP camps specifically for members of the Legal and Parliamentary Affairs Committee who will be involved in reviewing the electoral law and making recommendations to Parliament; and,
- FHRI, a Ugandan NGO that played a significant role in the drafting of the IDP policy and is a cooperating partner with the EC, should engage a consultant to work on the electoral law. USAID or another donor should consider providing budgetary support to FHRI for this purpose.

Absentee Balloting

The EC should continue to raise the issue of an absentee voting option for IDPs in discussions with stakeholders (MPs, Ministry of Justice, CSOs, technical assistance organizations and donors), and identify logistical constraints. The core question can be posed as follows: Should an IDP who is originally from one constituency but is currently residing in another and is unable to return to their home have the option of “voting in” their current place of residence, but “voting for” candidates/parties from their original constituency? If so, should this rule apply to all levels of governance? The arguments in favor of absentee balloting for Uganda’s IDPs include:

- Voter does not have to make the potentially dangerous journey to their home constituency (where the EC may not be able to establish polling facilities anyway);
• IDP communities can organize and advocate for their unique interests in the peace-building process;
• Clearer mandate for elected officials;
• Political leadership would be in place to serve as interlocutors with donors and humanitarian agencies when the return process commences;
• The registration process would produce a useful database of where Ugandans intend to return; and
• Would provide a more even distribution of the electorate among the county-based constituencies.

The arguments against absentee balloting can be summarized as follows:

• More complex to implement, particularly for the LC level elections (Uganda has over 1.5 million elected officials);
• Could open the registration and voting to potential fraud by allowing political actors to stack the electoral roles with non-resident voters who may not have an historic connection with particular constituencies;
• Costs;
• Could result in mal-apportioned constituencies if returns do not occur; and
• More difficult to present candidate platforms to a widely dispersed electorate.

Few stakeholders interviewed during this assessment expressed support for an absentee voting option, and current EC planning assumes that an absentee ballot option will not be provided. Instead, IDPs are expected to either return to their home constituency to vote or to vote for candidates in their constituency of current residence, even if they do not intend to remain there. As part of the current registration update, voters are asked to choose where they will cast a ballot on Election Day. If many areas of northern Uganda remain insecure on Election Day, the EC will clearly be unable to operate polling stations in many villages. How will the voters who selected this option be enfranchised? A final decision on the absentee voting option should be taken by September 2005, in order to ensure that subsequent operational plans can meet the unique technical needs of such a program.

A second important issue is where and how IDP votes should be counted. In general, it is preferable to mix IDP ballots with those of non-displaced voters based on the constituency where the ballot will have effect and count them in a central location (such as Kampala). This provides additional security to IDP communities, as those who threaten violence in order to swing their vote to preferred candidates will not be able to know distinguish clearly how local communities voted. In Uganda, however, previous experience with public counting of ballots in the camps has not resulted in clearly identifiable retribution by either the GOU or LRA. Given the widespread lack of trust in the electoral process evidenced by IDPs, it would be preferable to publicly count ballots
within the polling stations.\textsuperscript{44} Removing the count to a central location may make it less transparent in the eyes of the voters.

The electoral laws should also specifically address issues related to the conduct of the elections, the role of political parties, and the provision of security. In general, the law should:

- Guarantee equal candidate access to the IDP camps;
- Regulate the behavior of parties in relationship to IDPs;
- Limit party affiliated “youth brigade” access to the camps;
- Provide clear guidelines for the relationship between UPDF and local police during the polling; and,
- Explicitly deny a formal electoral role for the LDUs.

\textbf{Election Information}

Voters require access to three types of election-related information: 1) Process information covers the mechanics on when, where, and how to register, eligibility requirements, and voting dates, locations and procedures. This information is made widely available by the EC and distributed through media outlets, posters, and CSOs and through other non-traditional means; 2) Sensitization information covers the political rights, responsibilities, and practices related to a functioning and healthy democratic polity. This information should be the special focus of the EC, IVAG and donor supported initiatives in the North; and 3) Political information includes the actual programs and platforms of the candidates. This information is produced and distributed by the parties and candidates, either directly through paid advertisements, posters, and rallies, debates or indirectly through press coverage and editorials.

\textbf{Information delivery}

In order for Uganda’s IDPs to vote with full information, donor-supported programs will be required in all three areas. This will require the development of an information distribution platform that addresses the difficulties of reaching IDPs in northern Uganda.\textsuperscript{45}

Given the lack of radios and signal coverage in many camps, donors should consider the provision of communally owned hand-crank radios to be managed by the camp leadership. The radios would be placed in public locations within the camps during

\textsuperscript{44} Many IDPs interviewed during the assessment expressed concerns that the GOU and EC will manipulate the ballot counting process.

\textsuperscript{45} Articles 65 and 67 of the 1995 Constitution guarantee equitable access to state owned media for all candidates. The GOU IDP Policy holds that: “The Ministry of Information shall ensure free broadcast of information relating to assistance to IDPs in all mass media under its control… The Office of the Prime Minister – Department for Disaster Preparedness and Refugees will act as a repository and conduit of all information relating to internal displacement and Internally Displaced persons in Uganda and play a primary role in advocacy and public information.”
specified hours to broadcast election related information. In areas with weak or no radio reception, “radio in a box” projects could provide camp-owned and managed low-wattage broadcasting in local languages. USAID’s Office of Transition Initiatives has extensive experience with these programs. Any programming in this area should be coordinated through the IVAG and will need to consider Uganda’s public airwaves regulatory structures.46

Many of the camps are served by humanitarian agencies that conduct education and training on social issues such as gender based violence, HIV/AIDs, and peace-building. Organizations such as the Acholi Religious Leaders Peace Initiative, the International Rescue Committee, World Vision, the Uganda Joint Christian Council, and UPHOLD could be engaged to use existing information delivery modalities (training sessions, social action theater, etc.) to deliver electoral process and sensitization information. UNOCHA can provide information related to which agencies are active in which camp.

Some camps have drama clubs that could serve as useful conduits for election related information. Donors might consider supporting the development of a common theatrical script that could serve as the basis for individual camp drama programs.

A special effort should be made to engage camp leadership structures as conduits for voter information, as they are widely respected and understand the unique local dynamics of each camp. Some capacity building and training for the camp leadership structures would be useful and could be organized under the leadership of the EC District Offices.

**Process Information**

In terms of process information, the EC and DDGG should develop programming specific to IDP voting procedures. Information on registration and voting while in displacement should be produced and distributed through radio advertisements in Lira and Gulu and in the print media, through distribution of posters and flyers in the IDP camps, and by engaging and sponsoring civil society NGOs to conduct election related training activities in the camps. District Registrars in Gulu and Lira are already engaged in some of these activities. However, most of these programs are limited to the distribution of generic information produced by the EC in Kampala. Little IDP-specific information (particularly regarding their registration options) is currently being distributed.

The EC and donors should recognize that greater resources will be required to conduct comprehensive information campaigns in the North.

**Sensitization**

46 These programs should be closely monitored. The technical requirements are demanding, requiring constant maintenance and upkeep. In addition, close care should be taken that radio transmitters are not “captured” by camp factions who abuse the privilege.
In terms of sensitization, international and domestic CSOs, in consultation with the EC and IVAG, should develop modules and conduct training on democratic norms and practices with a specific emphasis on displaced populations. Possible programs might include:

- Displaced-specific radio programming focusing on elections and democratization, including scripting and producing generic segments for distribution to regional media;
- Commissioning drama clubs in the camps to develop social action theater programs in local languages;
- Training sessions on the GOU’s National Policy for Internally Displaced Persons, the Guiding Principles, and IDP political rights for journalists and others. This could include facilitated workshops organized by IOM; and,
- Workshops for International NGOs that have established peace-building programming in the IDP camps in order to include a democracy-related component to these programs.

**Political Parties and Platforms**

The issue of political party campaigning in the camps requires careful consideration. Voters require access to political party platforms and information to make an informed choice. However, the population density, difficult living conditions, and weak security infrastructure in the camps could make the campaign period especially dangerous. Security considerations and the inaccessibility of many camps will also mean that candidates will be reliant on UPDF convoys to campaign. Organized Party “Youth Brigades” (discussed below) could also threaten security in the camps and hinder the exercise of IDP electoral rights.

Political parties should be allowed to campaign in the IDP camps during the official campaign season; yet their activities should be monitored and subject to defined regulations. The EC should organize a political party “pact,” stipulating that parties will not campaign coercively within organized displaced communities and will not intimidate or manipulate voters. Actions such as distributing food or benefits near the Registration Centers in the camps would be prohibited. The pact would constitute part of the electoral rules and regulations and violations should be actionable in front of the EC electoral complaints tribunal.

In addition, careful consideration should be given to allowing the establishment of party offices in the camps. Party access to the camps should be coordinated through the camp leadership structures, LC officials, and security forces. The pact should guarantee that all parties will be provided equal access to the camps. The EC would ensure compliance with the pact and accredited international and domestic monitors should be permitted free access to the camps in order to report on party activities throughout the campaign period.

Technical assistance can also be provided to political parties to build awareness of IDP issues as a party platform issue. Organizing party workshops with such a focus and
involving displaced communities in the workshop presentations should be explored with organizations like IRI and others that work with political parties. This assistance should include encouraging the political parties to establish a Code of Conduct in displaced communities and development of a training program for political party agents to monitor registration and voting in displaced communities.

Additional programs to assist in the distribution of platforms could include:

- Using radio segments to present candidate platforms. The parties and candidates would be provided equal time (perhaps five to ten minute segments) in which to record their platforms as related to IDP issues for distribution via radio networks;
- Tape recordings of the five/ten minute candidate segments could be broadcast at community meetings inside the camps;
- Leaflets for distribution on bulletin boards at public facilities inside the camps; and,
- Camp leaders could coordinate “mini debates” inside the camps, with clear rules of civility and audience behavior as a pre-requisite to participation.

Implementation Issues

Uganda’s Electoral Commission will require significant technical assistance to implement free and fair elections that minimize the technical shortcomings and delays experienced in 2001 and demonstrate neutrality, integrity, and a commitment to an inclusive political process. All but one of the Registrars are newly appointed, and the Commission would benefit from assistance specifically related to IDP voting.

Currently, the main technical assistance providers to the EC are the DDGG and IFES. The DDGG has an established program and commitments in excess of six million Euro to support the electoral process, including over two million Euro in technical support to the EC. Its programming will also include significant CSO and Media support. In terms of support to the EC, priorities include: support to manage and update the voters register; support to the drafting and implementation of a Code of Conduct and election complaints tribunal; and the provision of technical experts to assist with logistics and other areas of election management. None of the DDGG programming contains a specific IDP dimension, although much of its work will indirectly support the IDP vote. DDGG should be a key player in the establishment and operations of the IVAG.

With funding from USAID, IFES has begun support and capacity building programs for the EC, including the positioning of a full time country representative who has completed a series of Basic Election Administration Training (BEAT) modules for EC staff and will coordinate additional support throughout the electoral cycle. IFES could explore several other areas of technical assistance directly related to the IDP issue, including:

- The development of specific procedures and manuals for IDP registration and voting;
• Organizing and sponsoring workshops that bring regional District Registrars from the North to periodically receive training and provide input to the EC on IDP issues, technical and logistical challenges, etc.;
• Establishing pre-election timetables that account for the logistical challenges, poor security, and longer implementation periods required for IDP voting;
• Devising a mechanism to account for IDPs who register to vote in their home communities but are unable to do so if security remains poor;
• Improving the IT infrastructure if an absentee voting option is selected; and,
• Support for the creation and operations of the Technical Committee on IDP Voting within the EC.

Registrars would also benefit by first-hand observation of elections in other countries with large IDP populations, either to witness first-hand the best practices and procedures in these situations, or to witness the complexities and the “what can go wrong” element. Once the July referendum is complete, the following countries make good candidates for EC election observation missions: Azerbaijan, November; Sri Lanka, December; Georgia, undetermined (probably late 2005). Although no elections are scheduled this year, a visit with the Bosnia and Herzegovinian (BiH) Election Commission might be useful as well, as this commission has extensive experience operating IDP absentee balloting programs. USAID via IFES should also consider a workshop that links election officials from Uganda with those from BiH.

**Security Issues**

While the EC has initiated a regular consultative process with UPDF, the roles and responsibilities of various agencies (police, LDUs, camp leadership structures, and local police) needs to be clarified based on a realistic assessment of likely security threats during the election process. This includes the issue of internal camp security, protection from LRA and UPDF attempts to intimidate voters, the movement of candidates and observers to camps, and the secure and monitored transport of ballots and other elections materials (including the communication of last-minute procedural updates and changes to areas with no cell phone coverage).

This clarification of roles and responsibilities should begin with a comprehensive EC review of security needs in the north (in consultation with local IDP camp leadership, CSOs, and international NGOs present in each region), which would be communicated to the Parliamentary Legal Affairs Committee along with recommendations for a legal framework governing the relationship between the EC and security forces. This review should be completed no later than August 2005, and subsequently be incorporated into the various electoral laws governing the process. Donors should consider supporting programs to bring specialized election security experts to assist the EC and UPDF in this process.

Under no circumstances should LDUs be formally authorized to provide election security.
**Monitoring and Observation**

IDPs are an exposed and almost defenseless population – easily subject to electoral coercion. As a result, the electoral process needs a third-party validation of the integrity of their participation. International and domestic observers should be present in all IDP camps through the campaign period and on polling day, and should be authorized to monitor the counting and transport of ballots.

While Uganda has a well-developed history of domestic and international monitoring, these programs have not typically recognized the unique issues confronting IDP voting. Both the NORDEM and NEMGROUP-U observation reports provided no special mention of IDP voting in 2001 (when the number of displaced was significantly smaller than today). The IVAG should coordinate with domestic and international monitoring organizations (The AU, NDI/IRI, Carter Center, IPU, Commonwealth, Association of African Election Officials, etc) to ensure that a common approach is adopted to monitoring in the North. Monitors in the North will also require facilitated access to the IDP camps and security while in the most dangerous areas in the North, coordinated through the UPDF.

The lead domestic monitoring organization is DEMGROUP, a coalition of NGOs headed by the Uganda Joint Christian Council, which also spearheaded the 2001 NEMGROUP-U observation mission. DEMGROUP will require significant donor assistance in order to achieve its goal of one monitor per polling station across the North.
PART V: CONCLUSION

Holding elections in the midst of armed conflict is dangerous, difficult, and does not generally lead to an immediate cease-fire or a sudden breakthrough in the peace process. This will be particularly true in northern Uganda, where the LRA is clearly not in a position to speak on behalf of the Acholi or assume political power as a regular political party.

Observers might wonder, therefore, whether elections should wait until a more stable environment is present, in which candidates would have guaranteed access to voters, freedom to travel and communicate their platforms, and voters would participate under conditions that do not compromise their physical security. These particular elections, however, are a critical element in the ongoing democratization process and postponing them is not an option. While the 2006 ballot cannot solve the divisive social problems confronting Uganda, they can lay the groundwork for a state that is perceived to be legitimately construed. Similarly, a decision to only conduct elections in the southern stable areas would only further alienate the North.

While the elections themselves cannot resolve the LRA conflict, they can, if properly organized, contribute to dialogue, confidence building, and reconciliation between the North and the rest of the country and strengthen the mandate of elected leadership to govern effectively. This will require that all components of the election process are implemented in a free and fair environment and without technical flaws that cast suspicions on the results. The converse is also true: if the elections are flawed (or perceived as flawed), the situation in northern Uganda will likely deteriorate further.

Uganda faces a tremendous challenge in enfranchising areas of the country where over 90% of the population is currently displaced. The assessment visit revealed a profound IDP mistrust of national level political institutions and the election process. This lack of trust must be addressed if the elections are to serve any reconciliation value. In addition, the assessment revealed a lack of attention to the IDP-specific issues confronting election stakeholders. More resources and more attention are needed to ensure free and fair IDP participation.

The Action Plan makes a number of specific technical and implementation recommendations. As a conclusion, we wish to make the following broader recommendations to key actors and stakeholders:

To the Ugandan Government:

- The constitutional reform process leading up to the 2005 referendum needs to be better managed and more broadly inclusive. While all stakeholders have obvious interests in realizing their objectives, IDPs perceive the process as flawed. Efforts to ram core priorities through the Parliament will result in a poorly conducted ballot that will not help long-term peace building, democracy promotion, and development in Uganda.
• The electoral reform process for 2006 needs to be addressed as early and as transparently as possible. The lessons of 2001 indicate the need for more attention to the regulatory environment of the elections and the timely transmission of appropriate levels of funds to the EC.

• The GOU should clarify the relationship between the Ugandan state apparatus and the NRMO. Efforts to use state resources to further NRMO candidates will reduce popular confidence in the elections.

• A clear delineation of electoral roles and responsibilities of various security forces is urgently needed. This is particularly true in terms of the UPDF. The role of the UPDF as a guarantor for all candidates and as a provider of election security needs to be clarified.

• The active promotion and early adoption of confidence building measures such as political party pacts, an inclusive and fair electoral law, and statements in support of IDP participation will help mitigate many of the issues and concerns expressed by IDPs regarding the electoral process and reassure donors of Uganda’s commitment to genuine and inclusive elections.

To the Donor Community:

• Donors should ensure that their support to the electoral program is linked to GOU commitments to protect IDP civil and political rights as expressed in the National IDP Policy.

• Significant donor resources are expected to support key elements of the electoral process. However, no specific programs are yet in place to address the unique needs of the IDPs. While DDGG programming will certainly relate to some of the issues of civil society building and election strengthening in relation to the North, no specific IDP related programming is currently under consideration. This situation needs to be rectified. One donor should take the lead on supporting the IDP dimension to the elections.

• Donors should coordinate their work on the relationship between peace-building and CSO development in the run-up to the elections. Specialized election and democracy sensitization information programs will be required that address the core concerns of the IDPs.

• Donors should support long-term and intensive domestic and international election observation and monitoring. International monitors should be coordinated to ensure sufficient personnel are deployed to the northern districts and can access the IDP camps. The monitoring needs to be long-term, in order to ensure transparency during the campaign period.
• Donors should support technical assistance activities related to the IDP-specific issues confronting the EC. This is particularly true in terms of the integrity of the voters register and the implementation of any unique balloting arrangements provided in the camps.
Annex I: Overview of Proposals and Recommendations

A variety of actors and stakeholders can play a constructive role in assisting the IDP voting process. The following table reviews the proposed institutional mechanisms and suggested roles contained in the Action Plan. Most will obviously require funding support, although some would simply require a re-allocation of existing resources.

| IDP Voting Advisory Group (IVAG - Proposed) | • USAID/DDGG takes lead role in organizing and sustaining. Other donors actively participate and provide resources  
• Coordinate donor support to Ugandan CSOs for information dissemination and training  
• Coordinate donor support to EC for implementation of IDP voting mechanisms |
| IDP Voting Consultative Groups - Proposed | • Consult with District Registrars on IDP registration/voting issues |
| IOM | • Training workshops for IDPs, journalists, and CSOs on the National IDP Policy and IDP political rights  
• Implementation of IDP survey  
• Logistical assistance to election observation teams  
• Support to IDP Voting Consultative Groups |
| IFES | • Technical assistance to EC on IDP registration and voting issues  
• Support to IDP Voting Consultative Groups  
• Assistance/support for EC trip to meet with other election commissions that have IDP voting experience |
| NDI/IRI | • Include IDP specific programming as part of support to 2006 elections  
• Sensitization programs for political parties with regards to IDP voting issues and development of a “political party pact” |
| DDGG | • Financial support to civil society and for election information programs that include specific focus on IDPs  
• Continued support to EC for technical assistance |
| LSA | • Continued IDP sensitization work with Parliamentarians in the context of electoral reform |
| UNOCHA | • Provision of information on "Who's Doing What Where"  
• Liaise between IVAG and CSO and humanitarian agencies in the camps |
| DEMGROUP, UJCC and other Partners | • Election Observation and commenting on electoral reform |
| FHRI | • Hiring of expert to make proposals and comment on drafts of electoral law in relation to IDP issues |
| Other Ugandan CSOs | • Education, sensitization, and awareness programs in the IDP camps in coordination with IVAG |
| Observers | • Ensure special emphasis on the North as part of observation planning |
Annex II: Number of IDPs benefiting from Relief Food in the Conflict Affected Areas

Number of IDPs benefiting from Relief Food in the conflict affected districts

AS OF SEPTEMBER 2004

Total number reported by WFP: 1,380,211

- Kitgum: 267,078
- Pader: 279,589
- Lira: 297,218
- Soroti: 81,857 at municipality, 215,361 at rural camps
- Apac: affected district with no regular food assistance to IDPs
- Adjumani: affected district with no regular food assistance to IDPs
- Katakwi: no more relief food distribution as of September 2004
- Soroti: no more relief food distribution as of September 2004

30 September 2004
Annex III: Map of northern Uganda showing numbers of IDPs by district and as a percent of population (May 2004) Courtesy: Reliefweb Map Centre
Annex IV: Bibliography


International Republican Institute, “IRI Programs-Uganda” Internet. Accessible at: http://www.iri.org/countries.asp?ID=9461273651


Annex V: About IOM – PRESS

IOM considers the establishment of democratic electoral processes to be an essential component of peace building and vital to the creation of sustainable and credible democratic structures. In those cases where populations are displaced and without opportunities to register and vote, a mechanism for their enfranchisement is warranted. To the extent that these groups are left outside of the electoral processes, the legitimacy of these processes is compromised.

IOM has extensive experience organizing programs to ensure refugees and other displaced/migrant populations are able to participate in post-conflict elections and referenda. IOM has administered these programs for elections in Bosnia and Herzegovina, Kosovo, East Timor, Afghanistan, and Iraq. The administration of these programs, through which millions of conflict-forced migrants have been able to vote, has contributed to IOM’s unique institutional capacity and expertise with election technical issues as they relate to external and absentee voting programs.

Through the USAID-funded Participatory Elections Project (PEP), which was completed in July 2004, IOM assessed existing electoral practices; identified the obligations, standards, and best practices concerning the enfranchisement of conflict-forced migrants (CFMs); and established a Web-based information resource providing documentation and case studies on CFM enfranchisement (www.iom.int/pep). The completion of PEP has uniquely positioned IOM with global expertise in both research and practice on migrant political rights.

Under a follow-up grant from USAID, IOM has recently launched the Political Rights and Enfranchisement System Strengthening (PRESS) project in order to further work towards genuine and inclusive elections. This Uganda Action Plan is the first under PRESS.