



## The preparedness of the Uganda Police to ensure a free, fair and violent-free Elections in 2011



### Synthesis Report of Proceedings of the 6th State of the Nation Platform

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# List of Acronyms

ACODE	Advocates Coalition for Development and Environment
AIGP	Assistant Inspector General of Police
CBS	Central Broadcasting Services
CHOGM	Commonwealth Heads of Government Meeting
CID	Criminal Investigation Directorate
DP	Democratic Party
DPP	Director of Public Prosecution
ICT	Information Communication Technology
IPC	Inter-Party Co-operation
NRM	National Resistance Movement
UPF	Uganda Police Force
TTI	Think Tank Initiative

# Introduction

In recent years, Uganda has experienced violent riots and tensions surrounding elections. With violence reported in the most recent by-elections, the 2011 general elections have the unfortunate potential of erupting into serious violence, particularly in the urban areas.

Uganda is struggling to cope with the shift from two decades of a “no party” to a pluralistic political dispensation. The forthcoming elections will be the third in 30 years to be held under the new pluralist, or multiparty, system. The first, held in 1980, were heavily disputed leading to the launch of a five-year guerrilla war that ushered in the present government in 1986. The 2006 elections were marred by violence, charges of rape and treason against the leading presidential challenger, allegations of vote rigging, intimidation of voters, and reported incompetence by the Electoral Commission. They were also affected by a lack of understanding of the system by most voters given that not only were these the first multiparty elections in a long time but also it was the first time that presidential, parliamentary, and (higher) local council elections were being held on the same day. Also, with campaigns dominated by personalities, there was not much by way of serious policy debate for the voters to make properly informed choices.

Furthermore, the country’s politics continue to be affected by the memory of the instability and fear experienced under previous regimes. Memories of past insecurity, particularly among the older generation and those in rural areas, mean that for many, stability and peace are more important than development and prosperity. Younger urban voters, on the other hand, are pushing for new opportunities and the hope of a better future.

Kenya’s eruption into violence, complete with economic and ethnic undertones, in the immediate aftermath of the December 2007 elections demonstrated the potential even for countries with longer histories of political pluralism and considered relatively stable to unravel.

The deadly riots in Kampala in September 2009 ostensibly relating to the conflict between the central government and the Buganda Kingdom, which led to the continued closure of CBS Radio, should be a wake-up call. The riots, and ethnic tensions in places such as Bunyoro over land and politics, suggest that Uganda is yet to satisfactorily address some underlying grievances amongst various communities and segments of the population.

The fact that Uganda has not experienced a peaceful handover of

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power since independence combined with the high tensions of the current election cycle, mistrust of the Electoral Commission especially by the opposition, and the recent violence and tension in Buganda and Bunyoro are reason to think that serious and widespread violence around the forthcoming elections is both possible and probable.

The question is: How prepared are the police in ensuring smooth, free, fair, and violence-free elections in 2011?

The police mandate is clear (as is well captured in its motto: to protect and serve). The force strength and capacity have been beefed up since the 2006 elections. Still, the image of the police does not look good. The opposition claims the police are biased in favour of the ruling NRM party, while the public thinks the force is as spineless as it is brutal and corrupt. Assistant Inspector General of Police Asan Kasingye led the discussion on these and other related issues at the 6th State of the Nation platform.



*Cover photo: AIGP Kasingye (center) explaining how the Police manpower has been reinforced by training and recruiting more officers into the force since 2006. Looking on is Godber Tumushabe, the CEO of ACODE (left) and Peter Kibazo (right) the session moderator.*

# Summary of Discussions

## Police Mandate

The Uganda Police Force (UPF) is provided for under Article 211 of the Constitution. Article 212 spells out the functions of the force thus:

- a) To protect life and property;
- b) To preserve law and order;
- c) To prevent and detect crime; and
- d) To cooperate with the civilian authority and other security organs established under [the] Constitution and with the population generally.

It is on the basis of those functions, and the provisions in laws such as the Police Act 2005, that the Uganda Police Force comes in to ensure that the 2011 elections, and elections beyond, are free, fair and non-violent. But why does any country hold elections at all? Assistant Inspector General of Police (AIGP) Kasingye said democracy is crucially about holding regular free and fair elections because governments need to renew their mandate. "Since Uganda has chosen the path of democracy," he said, "we cannot run away from it. This ensures that elected leaders are accountable and can implement their manifestos."

## Force, Strength and Approach to Policing

Different political actors and the general public raised concerns about police staffing levels during the 2006 election season, the police numbers were so low that the "inspector general of police himself and assistant inspectors general became constables at polling centres". In 2006, there were 21,000 polling stations compared to a Police Force whose total strength was 14,000 officers. By the time of the 2011 elections – which peak with presidential, parliamentary and local council polls in February 2011 – the UPF will have grown its strength to 38,411. International best practice requires a police-population ratio of 1:500 while the current police numbers in Uganda, boosted as they may be, still fall short at a ratio of about 1:800. Since 2006 the force has trained 480 cadets, 450 regular constables, regularized the administration police, and is regularizing special police constables by training and equipping them. "This shows how police has reinforced manpower to meet the challenges of policing Uganda, including elections," AIGP Kasingye said. "By February 2011 we will have even more specialized officers – in proactive policing, community policing – police who know their mandate and are able to execute it."

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Besides expanding its staffing levels, the UPF has increased the number of police posts to 1,000 compared to 671 during the last election cycle. “Even the calibre of officers commanding these police posts is high at the rank of assistant inspector of police,” Mr. Kasingye said. “This is a demonstration that we are building capacity.” The building of capacity, however, may be having unintended consequences. Reported rifts between the new and the old guard could potentially lead to divisions that may hinder the force’s ability to contain any electoral violence.

In any case, the preferred approach is community policing, which is being strengthened to encourage more effective engagement by officers with the public, including political parties. “We have to sensitize the people – what is expected of them, what is expected of the police,” said the officer who has been in charge of community policing since 1994.

Police logistics are key to delivering violence-free elections. The officer said the police in Kampala now have patrol cars with hotlines displayed on them. He urged each person to note which vehicle operates in his or her neighbourhood. The aim is to give the signal that the police are present everywhere and are trying to get nearer to the people. Because

a polling centre will be under one constable, the police are working to ensure that those not so deployed can respond to any disturbance much more quickly, Said AIGP Kasingye: “Now we respond in 10 minutes on average. In Kampala, it is less than 5 minutes. This is reassuring.” He said the police have the capacity to move by air and by water. “CHOGM helped us.” By 2011, if plans are followed, even rural areas will have motorized patrols. The nagging issue, however, is just how efficient can the police be in a place like Kampala where an overwhelming number of homes and businesses have no easily identifiable physical addresses because of decades of failed planning and enforcement of laws and ordinances.

However many the police officers and the number of patrol vehicles are, intelligence is crucial to success. Consequently, Mr. Kasingye said, the intelligence organ of the police – Criminal Intelligence under the Criminal Investigations Directorate (CID) – is being strengthened. “Our patrols must be intelligence-led.”

The area of information communications technology, however, is one in which the UPF needs to improve fast because, as a participant pointed out, crime is becoming increasingly ICT-related “but you see no computers at police stations”. Although the force

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has an ICT directorate, it still has a long way to go both at the level of machines and at the level of qualified personnel to run the machines so that information, especially on crime, can be processed quickly. "Intelligence is good but how fast you share it is important," the officer said. "Our systems are still manual." Manual systems combined with very few qualified officers in ICT also means that cyber crime, a new form of crime enabled by improving information technologies, is beyond the UPF capacity to fight effectively. Yet an expanding private sector, which is increasingly reliant on ICT, demands protection from cyber attacks and thefts. Besides, if there is election fiddling that is ICT-based, the police may not be competent enough in investigation, something that could prompt violent reactions from supporters of candidates of parties that feel wronged.

Welfare is yet another dampener to the efforts of the police leadership to turn things around. The low wage rate somewhat encourages corruption. Besides, some of the people the force has recruited may desert over low pay and general poor working conditions. Even some of the innovative solutions the force is trying are yet to bear fruit. With Shs2 billion from the government, the force, following the UPDF example, is just planning to set up police shops across the country.

### Police and Elections

An election is not a one-day event. It is a process with three main stages, any of which could turn violent. There is the period before elections, during elections, and after elections. The featured speaker went on to make some observations on behalf of the UPF.

- Do we have knowledge when elections will be held? Yes, we have the Electoral Commission's roadmap. Presidential elections will be held in February 2011.
- There has been a reorganization of polling centres so that each centre does not have more than 800 voters. (Uganda's police-population ratio, it is worth repeating here, is 1:800.)
- Elections are not just the mandate of the Electoral Commission but others as well, say political parties, which are now undergoing primary elections.

In short, the police have not just heard of the 2011 elections. The force has been preparing. Apart from the general steps enumerated earlier, it has trained 150 officers to staff the political and election offences squad in CID. These are officers who understand the electoral law. Each police station in the country now has an officer trained

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in electoral offences, and every one of them is expected to train others at their respective stations. The force was, however, criticized for using the word “squad” because it sounds threatening. “These are squads that have been terrorizing us,” a participant said. To which the AIGP responded: I will take this back [to headquarters] but of course we are a force and are organized in squads.

It takes more than a well trained and well equipped police force to help ensure that elections are free, fair, and non-violent. The other important actors are the parties, the Electoral Commission, and the general population. If police personnel do anything wrong, the senior officer said, “we should be held accountable”. That also means that candidates for political office should not incite the public saying that if they do not get elected then their supporters should reach for pangas. “The candidates must appeal to their electorate that much as they exercise their mandate, they should not be violent.” To the individual parties, he said they should address internal disputes otherwise such wrangles are a recipe for violence. This was in reference to the internal fighting that was then tearing the opposition Democratic Party (DP) apart.

Which is partly why it was suggested that instead of having political and

election offences squads, which the opposition is wary of, there should be closer co-operation between the police and political parties. For instance, a committee involving the police and political party representatives could be formed to make it easy for the parties to register complaints. It would be useful for the inspector general of police to kick things off by sitting with the candidates, especially opposition presidential candidates, to assure them that their rights and those of their supporters would be respected and that he would be happy to work with either of them who emerged the winner at the polls. Mr. Kasingye said the police are committed to working with candidates in elections to forestall potentially violent situations.

The question, however, was asked: since we have had election-related violence before, where are the perpetrators? “We should compile all evidence on election violence so that people can be charged,” said one speaker. “Torture is an international crime. We could invite [International Criminal Court Prosecutor Luis Moreno] Ocampo here so that we can have sanity.” Said Mr. Kasingye, matter of fact: Where are the perpetrators of violence? It is us. The police needs to prosecute them more. The question as to why the force is not prosecuting them more now was left hanging.

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### Police Image

To ensure free, fair and violence-free elections, the UPF must not only be neutral it must be seen to be neutral and well regarded by the different parties and their supporters. A persistent public perception of the police, however, is that of an armed force biased against the political opposition, and one when confronted with any public disturbance is so weak-kneed it has to call in the army which comes and takes over operations. That is a characterization that AIGP Kasingye disputed. Despite his protestations, some members of the State of the Nation Platform emphasized that the police should support but not block the people's exercise of constitutionally guaranteed rights, especially the right to dissent through assembling to hold public demonstrations. Police should escort political demonstrators but not clobber them and fire tear gas canisters into their midst. "If you want a first class jet," one member said wryly, "you should also want first-class democracy."

The UPF was particularly castigated for violently dispersing a peaceful demonstration of women of the Inter-Party Co-operation (IPC) outside the Electoral Commission headquarters demanding the resignation of electoral commissioners for their alleged incompetence and bias in favour of the ruling NRM party. In his rebuttal,

Mr. Kasingye said the inspector general met with the IPC women after their follow-up demonstration, this time at Parliament Buildings. He said both sides agreed to less confrontation and the upholding of the demonstrators' rights. The meeting was also about getting to understand the IPC women's agenda. "We have asked the DPP to drop charges against these IPC women," he said. In some ways this is a good example of why the police and other Ugandans, especially those who do not support the government, should interact more.

The question of public demonstrations, however and the police's handling of them could not go away. Participants questioned the need for prior notification of the police before a public demonstration can take place and the related police requirement that if permission is given demonstrations can only take place outside of the central business district in places such as the Kololo Independence Grounds, popularly known as Kololo Airstrip. "People need to make a point by demonstrating in places where they can be seen," one member said. "This is a constitutional right." The question of going to Kyambogo, Kololo is no more, the AIGP said. "What we want is notification – where are you starting from, where are you going, is there another function going on?" He then referenced the divisions in DP thus:

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Imagine Dr [Bayiga] Lulume's group and [Norbert] Mao's group collide, you will say, police, how can you do that? So we want to be informed seven days in advance to allow for planning. Unaddressed, however, was why demonstrations about political matters almost always end in chaos involving the police and the demonstrators and not those about, say, advocating the end of domestic violence. It could be because demonstrations about straight political issues carry with them the germ that has the potential to threaten the hold on power of the ruling elite and thus must be confronted and put down quickly and forcibly. Not so a demonstration about the need to end hunger in Uganda.

Going back to the theme of co-operation, it was suggested that those who want to organize demonstrations ought to be civil enough to not "appeal to the police's worst impulses. Don't go to police hoping to be blocked [from demonstrating]. In turn, police should give advice in good faith instead of threatening: let them come they will see. We should watch our language." Giving himself as an example, Mr. Kasingye said he once told an opposition politician that he would finish his latest three-year contract as assistant inspector general in May 2012 and the politician retorted: "But we will have come in, in 2011." The implication, in Mr. Kasingye's mind, was that if the opposition party to

which the politician belonged won state power, the UPF would be purged. The AIGP said he thought to himself: "If you say that to me, what stops me from stopping you from coming to power in the first place? What stops me from being biased against you so that you do not come to power and chase me from my job? I thought that was unfortunate. I have children in this country." All of this seems to point to a high level of toxicity in national discourse. Ugandan politics has increasingly come to be couched in binary oppositions – us against them; we are good and they are evil. The exclusivist language and the politics it espouses leave no grey areas, no nuances. Is there no basic consensus on anything amongst members of the political establishment in Uganda?

Much as the impartiality of the police is critical to free and fair elections, people will always question small things here and there. When you have people contending, there will be disputes and that is true of any country. But if the head of a political party says "the police did not vote me", as one said publicly, this shows how partial such a person is, Mr. Kasingye said. When do the police officers vote when there are 21,000 polling centers and fewer police officers than the centers, as was the case previously? He said the police do not vote because they are keeping law and order at polling centers. To ensure that the members

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*A section of the State of the Nation Platform core group members that attended the 6<sup>th</sup> session on March 5, 2010*

of the force are not disenfranchised any more, the police leadership and the Electoral Commission are working to ensure that police officers vote just before the election date as is done in some countries.

When will police have improved capacity to avoid calling in the army during election time and during other instances like rioting in Kampala? Why have the police not explained the Kiboko Squad that emerged out of Central Police Station in Kampala during demonstrations in 2007? With successive demonstrations, both the police and the demonstrators are using more vicious means. The setting up of squads (or paramilitary gangs) of young men wielding sticks and stones by different political players is because the police are not controlling squads

like Kiboko. Indeed, the people's alleged increasing loss of confidence in the UPF may lead to violence. The barrage of questions and comments did get the AIGP running for cover. He held fast.

He said each political party had wanted to create its own paramilitary squad but that had been strongly and successfully discouraged and therefore there are not any more such groups.

Without coming clean on the Kiboko Squad, the AIGP said the police would continue to work with lawful agencies such as the Electoral Commission, and other security organs before, during, and after elections. There is no harm in co-operating with "our [constitutionally established] sister agencies" in ensuring that elections

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are free of violence. What is wrong with the army and the police patrolling together to make sure there is a conducive environment for elections? The officer's question, otherwise rhetorical, still got an answer from one participant: "What is wrong is that when the army comes in, it takes over. I would be happy if the police are in charge. But is that practical? If you want military support, have a [known] unit in the army you can call on." Mr. Kasingye said that the police use the Military Police, the civil arm of the army, when the situation demands. And that there is a chain of command and the police is always in charge. Possibly it helps that the inspector general of police is an army major general.

Ultimately, the question remains: Can the Uganda Police Force as presently constituted and led capable of delinking itself from the command of the President and the candidates in the President's party given that most of the politicians the courts have found guilty of electoral offences have been members of the ruling party?

### Worthwhile Ideas

- Establish a committee involving police and representatives of political parties to make it easy for them to pass on complaints.
- The Electoral Commission and the

leadership of the Uganda Police Force should work to ensure that police officers, almost all of whom are always on duty on polling day, vote before the election date.

- Uganda should eliminate police barracks. This is because the barracks shield the police away from the people they are supposed to protect in a civil way and they only come out as "a fist of the state". That is something that does not help the image of the UPF. The police should, therefore, live amongst the wananchi. After all, the current nature of barracks was part of the colonial control project. Kira Road Police Station, for example, was meant to protect white people who lived up Kololo Hill from the Africans who lived down below. The same could be said of Jinja Road Police Station.
- Wandegeya Police and Central Police Station aimed at keeping Nakasero Hill, another white settlement, safe from the 'natives'. Location of police stations established in the colonial era around the country had quite similar intentions. "The police will soon live in the communities following the implementation of a planned public-private partnership strategy," AIGP Kasingye said and declined to give details saying the time was not yet.

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## About State of the Nation Platform

The State of the Nation platform is a national policy forum to promote upward and downward policy conversation on contemporary public policy and governance issues in Uganda. The platform brings together individual leaders and professionals in the public sector, the private sector, civil society, the media and other interest groups into a policy discourse on contemporary policy and governance issues in the country. As an innovation in policy outreach and communication, the platform is a hybrid of ACODE's breakfast dialogue format, interactive panel discussions and outreach through media. This policy outreach initiative has been conceived and is made possible with core funding support to ACODE provided under a grant from the Think Tank Initiative (TTI).

The State of the Nation platform as a policy dialogue fora is defined by five core features:

A core group of persons selected based on their professional backgrounds and achievement, public roles, active leadership in their social groups and interest in public policy and governance issues. Because of the individual influence and positions of its individual members, this core group acts as the brain trust of the State of the Nation platform and provide a policy feedback loop between citizens and policy makers.

Local Level Segment is an innovative elements of the State of the Nation platform as a strategy for downward and upward policy engagement. The district fora aims at localizing national policy debates and putting them into the local context.

Students Segment are organised to nurture and encourage a new generation of young leaders in the country, special segments of the State of the Nation Platform are from time to time organized targeting students and student leaders. Like the District segment of the platform, the students' segment are organized in the different parts of the country and attendance is by invitation.

All proceedings of the various State of the Nation platform are fully recorded. ACODE has entered into partnership with a number of media houses (TV and Radio) to ensure that the proceedings are broadcasted to a wider audience. In addition, the proceedings are also produced in the form of video and audio podcasts and loaded on the internet so that they can be accessed through ACODE and other partner websites.

The participants in the State of the Nation platform have been built into a citizens network linked through electronic media, in particular, e-mail, cell phone and shot message texts. Building on the lessons from previous policy campaigns, the participants are mobilized into a network of citizens exchanging views and ideas on contemporary public policy and governance issues, helping members leverage key policy and decision making centers to increase the impact of their work, and generating consensus on issues of national importance.



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