# Masaka Woman MP vote recount sparks debate

Legal experts and members of the Opposition say the vote recount of the Masaka Woman MP race goes against what the law stipulates.

BY MONITOR REPORTERS

While the results of the vote recount for the Masaka City Woman MP race, which overturned the earlier declaration that had handed Ms Rose Nalubowa (NUP) victory in favour of Ms Justine Nameere (NRM), are no longer up in the air, the petition filed before the High Court for a review of the entire recount highlights what sections of the legal fraternity believe to be uncharted waters.

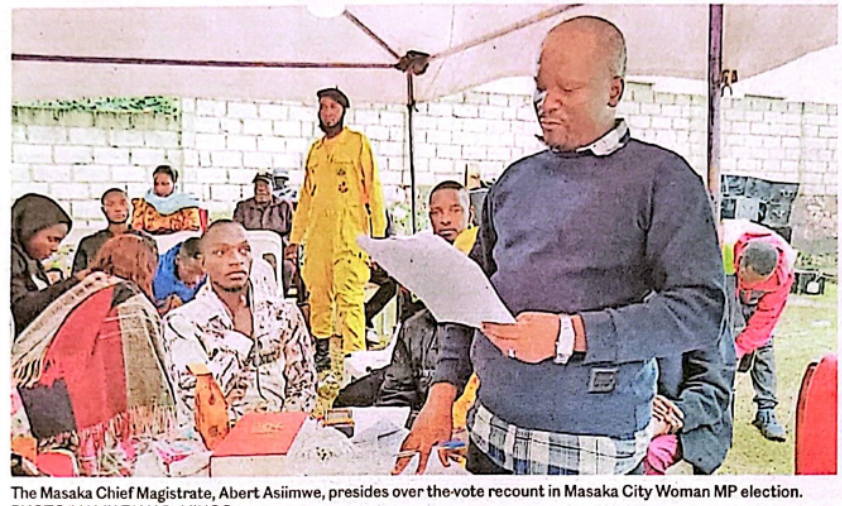
In the wee hours of Monday, February 2, 2026, Masaka Chief Magistrate Abert Asiimwe declared Ms Justine Nameere (NRM) the winner after a gruelling three-day recount exercise, with 25,502 votes against her closest rival Ms Nalubowa, who obtained 23,176 votes.

The presiding judicial officer, anticipating dissenting voices, made it clear that his actions were aimed at breaking new ground and letting the law come of age.

"Despite the irregularities, the law must mature. This court has set a new precedent. People forget that the law evolves, and justice must be served," he said shortly before delivering the results that gave Ms Nameere victory at the Electoral Commission offices.

Surprisingly, senior legal minds, including Mr Peter Kimanje, a seasoned city lawyer, sang a different tune about precedent-setting, arguing that such authority lies only with higher courts.

"The Chief Magistrate's Court is not a precedent-setting court. Precedents are set by higher courts, not lower ones. We can possibly use other terms, but not precedent-setting in this case. I have not fully interacted with the facts that informed the decision to continue with the recount even after one box was found tampered with. Earlier rulings that stopped recounts sought to cure an illegality," he told this publication yesterday.



The Masaka Chief Magistrate, Abert Asiimwe, presides over the vote recount in Masaka City Woman MP election. PHOTO/MALIK FAHAD JJINGO

By press time, even after lawyers representing Ms Nalubowa confirmed filing for a High Court review of the entire recount process, Mr Sam Ssekkyewa, lead counsel for Ms Nameere, said his client was still in the dark about the application.

Earlier, Ms Nameere had told her supporters that her case was not only a feather in the cap for the NRM party but also a win-win situation for members of the Opposition, who stood to benefit from the precedent that a recount can proceed when defective ballot boxes are set aside to ensure justice.

"My case is not just a win but will be a point of reference for many cases where justice is sought under similar circumstances. The exclusion of votes from 11 polling stations robbed me of the victory I deserved. This recount will go down in history and serve as a touchstone for future cases," she said yesterday.

### Inside the High Court petition

Through her lawyers led by Mr Samuel Muyizzi, Ms Nalubowa yesterday filed at Masaka High Court a motion for review of the entire record of the vote recount proceedings and orders issued by the lower court of Masaka Chief Magistrate under Cause No. 004 of 2026, seeking revision of the same.

Mr Muyizzi said the application for a vote recount was carried out outside the mandated four-day window required by law, with the exercise dragging on through the weekend.

They claim this stretched the rules beyond their breaking point. Masaka Chief Magistrate Asiimwe, even went so far as to disregard his own orders made before the recount began on Friday, January 30.

"The Chief Magistrate had vowed to stop the vote recount exercise in case it was discovered that the ballot boxes had defects (tampered with). It is surprising that he went against his words when a ballot box that had its seal broken was discovered. He directed the vote recount to proceed. About 10 ballot boxes were later discovered to be faulty including two boxes that had ballots for only Ms Nameere and the other boxes found to be empty during the vote recount exercise," he said.

It should be noted that on January 16, 2026, the Returning Officer of Masaka City declared Ms Nalubowa the winning candidate, having obtained 25,443 votes compared to 20,324 votes for Ms Nameere, 6,343 votes for Juliet Nakabuye, and 6,196 votes for Sauya Nanyonga. This detail forms part of the petition now before the High Court.

The petition further clarifies that on January 29, Ms Nalubowa raised preliminary objections against the recount application, but the Chief Magistrate overruled them, allowing the process to go full steam ahead.

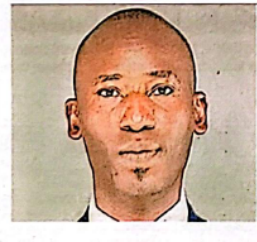
On January 30, the counsel for the applicant raised objections against proceeding with the recount without reference to packing lists for storage, transportation, and polling material seals in the verification process, and without biometric voter verification to authenticate the ballot papers.

These objections, too, were brushed aside by the Chief Magistrate.

This publication has also learnt that the Masaka Chief Magistrate Court had previously dismissed recounts for Kalungu East and Kalungu West constituencies after discovering broken seals on several ballot boxes.

However, in this particular case, the Chief Magistrate stood his ground, claiming that the single box discovered with a broken seal was just a drop in the ocean compared to the more than 300 ballot boxes, and therefore could not affect the overall recount.

Compiled by Dan Wandera, Fahad Malik Jjingo & Gertrude Mutyaba



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Mr Samuel Muyizzi, Ms Rose Nalubowa's lawyer.

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