



WATERAID UGANDA

A STUDY ON WORKING WITH PARLIAMENT TOWARDS IMPROVING WASH GOVERNANCE IN UGANDA

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ACRONYMS

ADP	African Development Bank
CSO	Civil Society Organisation
DFID	Department for International Development (UK)
DWD	Directorate of Water Development
JAS	Joint Assistance Strategy
JSR	Joint Sector Review
MoFPED	Ministry of Finance, Planning and Economic Development
MoWE	Ministry of Water and Environment
MTEF	Mid Term Expenditure Framework
NDP	National Development Plan
NEMA	National Environmental Management Authority
NWSC	National Water and Sewerage Corporation
PEAP	Poverty Eradication Action Plan
UWASNET	Uganda Water and Sanitation NGO Network
VHTs	Village Health Teams
WASH	Water Hygiene and Sanitation
WAU	WaterAid Uganda
WfP	Water for Production
WSCs	Water and Sanitation Committees

EXECUTIVE SUMMARY

Background

Parliaments have a crucial role to play in various national development processes – including Water, Sanitation and Hygiene (WASH). As representatives of constituencies where, they are also mandated to speak on behalf of the poor and other vulnerable groups, to ensure that development plans are informed by the real priorities of the people. In practice, they are expected to adopt requisite legislation, approve budget allocations, and exercise oversight over expenditures. However, parliaments often have limited independence, knowledge and resources to perform their functions effectively. As a result, the role of parliament in improving the effectiveness, impact of government financing and shaping development strategies that reflect the concerns of the people tends to be overlooked or in most cases weak.

WaterAid Uganda (WAU) in March 2011 commissioned a study to inform its advocacy relations with Parliament. Overall, this research intends to investigate the effectiveness and efficiency of Uganda's parliament given its mandate towards provision of WASH to the citizens of Uganda, and to identify key opportunities that WAU and its partners can explore in developing a partnership that can improve their mandate around WASH.

The study was informed by the following objectives:

1. To review the existing mandate of parliament in relation to WASH services and governance.
2. To assess the level of involvement and effectiveness of parliament relating WASH against their given mandate and/or expected role;
3. To identify opportunities that exist within the current working relationships i.e. parliament-donor, parliament-executive, parliament-civil society etc and recommend actions that lead to strengthening them in particular and the governance-accountability nexus in general for WASH sector performance in Uganda.

Methodology

The study used a descriptive study design drawing from qualitative methods of investigation. Quantitative data was generated from MoWE Progress Reports, Parliamentary Committee reports, sector reports, national budget documents, and UBOS statistical abstracts. Quantitative data broadly reflected budget allocations and expenditures in WASH, sources of financing by proportion and progress against WASH indicators. Qualitative data was generated through Key Informant Interviews with MPs, Committee Members, Donors, CSO officials, Line Ministry Officials and CSO Officials from selected institutions. Documents such as policies and laws related to WASH, Committee reports at Parliament, donor and civil society reports on WASH, as well as global publications on WASH, governance and accountability were also reviewed to inform the analysis and recommendations.

Key findings

The mandate and effectiveness of parliament in its WASH mandate

- *The role and effectiveness of parliament in WASH policy making*
Parliament works through functional committees. Unlike the plenary discussions, parliamentary committees have been largely non-partisan especially because in many instances committee discussions and debates are highly technical and involve a great deal of interface with governmental and non-governmental technical experts. During the 8th parliament, the issues relating to WASH that came up in the house for discussion included; Provision of sanitation facilities for the girl child in schools; Water sources or boreholes to be installed in all schools; Legislation that at least each household should have a pit latrine.
- *The role and effectiveness of parliament in the budgeting function*

The Budget Committee coordinates the parliament's response to government's proposed priorities early in the formulation stage. While the Ministry of Finance establishes its budget priorities, it is required to bring those priorities before the Budget Committee, together with a prediction of how the economy is going to perform over a defined period. This is then analysed and debated and parliament, through its oversight committees, debates these priorities and gives feedback to the executive branch. In practice however, even when the legislature declines to approve some budget issues, the government has in some instances gone ahead to spend. In some cases the government enters into loan agreements and seeks parliament's approval in retrospect.

- *Parliamentary Oversight; To ensure state accountability for WASH*

The Committees use the following procedure in scrutinizing the respective Ministerial Policy Statements (Parliament of Uganda, 2007):

- (i) Formally inviting the respective Ministers to present their policy statements
- (ii) Reading the statements together with relevant materials regarding the sectors (Policies, laws, regulations and write ups)
- (iii) Raising questions on the policy statements for clarification by the relevant Ministers
- (iv) Meeting autonomous bodies that take policy guidelines from the Ministry.

- *Functionality of selected committees relevant to WASH*

The parliamentary committees of relevance to WASH are: the Social Services Committee; the Natural Resources Committee; Public Accounts Committee and the Budget Committee.

The *Sessional Committee on Social Services* is mandated by Parliament to oversee the activities of the Ministry of Education and Sports; Ministry of Health; and other departments and parastatal institutions under the Committee's jurisdiction. It comprises of twenty (20) Members selected from among Members of Parliament on the basis of the parties or organizations represented in Parliament. Although Sanitation issues fall directly under the mandate of the Ministry of Education and Sports; and Ministry of Health, there is no mention in the Committee Reports of sanitation issues.

The *Public Accounts Committee* is provided for under Rule No.148 of the Rules of Procedure. It is mandated to examine the audited accounts showing the appropriation of the sums granted by Parliament to meet the public expenditure of government. The mandate of the committee is to ensure accountability of Public expenditure by Government through line Ministries - based on the Auditor General's report. The Committee also makes recommendations for actions to be taken for failure to account for public funds.

- *Challenges in Parliament's oversight function on WASH*

- Limited access to information
- Limited participation in grant and loan decision-making:
- Limited opportunities to monitor budget compliance:
- Limited control over compliance with WASH policies:
- Competing priorities within the sector:

- *Citizen representation; To ensure state responsiveness to WASH issues*

Many MPs do not have individual manifestos, but were guided by their party manifestos. Some parties explicitly elaborated promises for the WASH sector while others lacked WASH promises.

WASH Pledges by the NRM Manifesto: Continuing to expand piped water to more towns and trading centers, expanding safe-water coverage in rural areas (bore-holes, gravity-flow schemes, protected springs, water harvesting, etc) for human consumption. Irrigation-mega and micro-mainly, for agriculture to ensure that the erraticness of the weather does not affect us. (NRM, 2011)

WASH Pledges by the Democratic Party Manifesto: Ensuring that the government does not retreat from strategic economic sectors like energy and water. (DP, 2011)

WASH Pledges by the Uganda People's Congress Manifesto: Provide funding for continuous monitoring of land, forest, fisheries and water use at a national and district level. (UPC, 2011)

WASH Pledges in the Forum for Democratic Change's Manifesto: There is no specific mention of WASH in the FDC 2011 Manifesto

Opportunities for synergy between parliament, the executive, donors and CSOs

Parliament - donor: Donors involve parliament in sector reviews, through the respective committees which come to the country to undertake project feasibility missions. One of the conditions for project funding is for parliament to ratify the project based on the project appraisal documents. These being loans MoFPED has to seek parliament's approval and the necessary counterpart funds.

Parliament - executive: Parliament has through legislation supported NWSC for example, to scrap VAT on water and sanitation which is a basic need. Parliament has supported WASH through ensuring the NWSC receives grants as opposed to loans which attract high servicing costs. It is difficult to repay loans through tariffs because this reduces access since the money is spent on loan servicing. The grants reduce tariffs so that the corporation is able to expand water and sanitation systems.

Parliament - civil society: MPs noted that sometimes NGOs have well researched out issues backed by statistical evidence. CSOs are sometimes invited to present their reports during the committee sessions to help inform parliamentary debate. This kind of relationship should be enhanced to inform the legislative and budget processes in the different working groups at parliament since CSOs are immediate contact to the grassroots on a continuous basis.

Key recommendations

Recommendations for WaterAid Uganda's Advocacy

- 1) Identify allies in Parliament to champion WASH issues in the house.
- 2) Policy Briefing Papers: Policy briefing papers offer the most succinct channel of communicating technical information to busy policy makers. This notwithstanding, detailed reports should also be disseminated to relevant MPs or committees that need them.
- 3) Promotion of equity: MPs need to be sensitized on the different equity requirements in WASH, taking into account the diversities and dynamics of different geographic locations.
- 4) Enhancing Community Driven Development Approaches to identify WASH priorities, propose redress mechanisms and effectively monitor the performance of the various stakeholders.
- 5) Lobby for the establishment of a WASH parliamentary forum for technical interaction between parliament, CSOs and other interested parties. These forums are informative and will be effective in getting WASH issues onto the house agenda.
- 6) Regular Citizen Surgeries designed for citizens to hold their elected leaders to account through regular interface between leaders and citizens to assess progress towards achieving commitments.

Recommendations to Parliament

- 1) Strengthen the capacity of the Research Department to collect, analyze and disseminate WASH related information to MPs and Committees in real time.
- 2) E-governance through the use of electronic networking, Short Messaging Service (SMS) and others to enhance MPs' ability to receive and interact with CSOs and donors over WASH issues.
- 3) The Social Services Committee needs to pay attention to sanitation and hygiene since these are the direct mandate of the education and health sectors.

Recommendations to Donors

- 1) Allocate resources for capacity building, as well as hands-on technical support to improve the legislative, representative and oversight roles of parliament.
- 2) Donors should respect the role of parliament in loans and grants negotiations between Government and the Donors.

CHAPTER ONE: INTRODUCTION

1.1 Background

Parliaments have a crucial role to play in various national development processes – including Water, Sanitation and Hygiene (WASH). As representatives of constituencies where they have been elected, they are also mandated to speak on behalf of the poor and other vulnerable groups, to ensure that development plans are informed by the real priorities on the ground. In practice, they are expected to adopt requisite legislation, approve budget allocations, and exercise oversight over expenditures.

However, parliaments often have limited independence, knowledge and resources to perform their functions effectively. As a result, the role of parliament in improving the effectiveness, impact of government financing and shaping development strategies that reflect the concerns of the people tends to be overlooked or in most cases weak.

With this constraint to parliaments, national development approaches are shaped and driven by other governments through their donor-development partnership with a particular country or through interested civil/pressure groups. This problem is exacerbated when local communities have limited ability to continuously engage with their representative in parliament in seeking progress on how their views and concerns are being handled as well as following up on promises that are made during their campaigns especially provision of water which is always a key priority to most communities.

Through the Governance and Transparency Fund (GTF), WaterAid has supported the strengthening of some communities, in areas where her partners work, to effectively engage their leaders (political and technical) in seeking accountability on government-implemented work on WASH. The approach that has mainly been used is *community broadcasting* – where the media reaches out to communities to seek their views on the performance of WASH in their respective areas and later invite the responsible leaders to discuss this performance and commit themselves in finding solutions to emerging problems. In a way this approach has helped WaterAid to understand the demand side of WASH – in terms of the dynamics of community needs in relation to WASH. However, the supply side especially the facilitation role of parliament required further investigation.

WaterAid has now commissioned a study to inform its advocacy relations with Parliament. Overall, this research intends to investigate the effectiveness and efficiency of Uganda's parliament given its mandate towards provision of WASH to the citizens of Uganda, and to identify key opportunities that WAU and its partners can explore in developing a partnership that can improve their mandate around WASH.

1.2 Overview of the Water, Sanitation and Hygiene Situation in Uganda

As of June 2010, the national safe water coverage for rural water supply was estimated at 65%, no change from June 2009, while that of urban water rose from 66% to 67%. There was an average of 302 persons per improved water point across rural Uganda. The national sanitation coverage stands at 77% for urban areas and 69.7% for rural areas. Average of access to hand washing facilities at toilets is at 21% at household level and 31% in schools. (Ministry of Water and Environment, 2010)

Among its priorities in the National Development Plan, Government of Uganda is committed to the provision of safe water within easy reach and to improve sanitation. Progress in the achievement of this goal is measured against a set of performance and outcome indicators. These indicators include access, functionality, per capita investment, sanitation, water quality, equity, hand washing, management and gender (number of women in water user committees). (MoFPED, 2010). The performance of the water and sanitation sector against these indicators in 2008/09 and 2009/10 is illustrated in [Table 1.1](#).

Table 1.1: Water and sanitation sub-sector performance against the eleven golden indicators

Indicator			Achievements	
			08/09	09/10
1. Access % of people within 1km (rural) and 0.2 km (urban) of an improved water source	Rural		65%	65%
	Urban		65%	67%
2. Functionality % of improved water sources that are functional at the time of spot-check (rural/water for production). Ratio of the actual hours of water supply to the required hours (small towns)	Rural		83%	81%
	Urban		89%	90%
	WfP		23%	26%
3. Per capita Investment Cost Average cost per beneficiary of new water and sanitation schemes (US\$)	Rural		\$43	\$41
	Urban		\$64	\$46
4.1 Sanitation % of people with access to improved sanitation (Households)	Rural		68%	70%
	Urban		73%	77%
4.2 Sanitation: Pupil to latrine/toilet stance ration - schools			43:1	54:1
5 Water quality % of water samples taken at the point of water collection, waste discharge point that comply with national standards	Protected source – Rural	e-coli	70%	57%
		Treated Drinking water supply – Large towns	e-coli	83%
	Waste water	Colour	-	92%
		Phosphorous	-	-
	TSS	100%	61%	
6 Quantity of water Cumulative water for production storage capacity (million m ³)			17	21.2
7 Equity Mean Sub-County deviation from the national average in persons per improved water point			178	159
8 Hand washing % of people with access to (and using) hand washing facilities	Household		22%	21%
	School		31%	33%
9 Management % of water points with actively functioning Water & Sanitation Committees (rural/WfP)/Boards (urban)	Rural		68%	70%
	Urban		69%	89%
	WfP		29%	65%
10 Gender % of water user committees/water boards with women holding key positions	Rural		71%	85%
	Urban		15%	37%
	WfP		61%	68%
11 Water Resources Management Compliance % of water abstraction and discharge permit conditions (note that data currently refers to permit validity only)	Waste water discharge		40%	44%
		Surface water abstraction	65%	64%
	Ground water abstraction	55%	63%	

Adapted from the Uganda Water and Sanitation sub-sector Performance Report 2010

1.3 Objectives of the study

The Specific Objectives of the study are:

1. To review the existing mandate of parliament in relation to WASH services and governance.
2. To assess the level of involvement and effectiveness of parliament relating WASH against their given mandate and/or expected role;
3. To identify opportunities that exist within the current working relationships i.e. parliament-donor, parliament-executive, parliament-civil society etc and recommend actions that lead to strengthening them in particular and the governance-accountability nexus in general for WASH sector performance in Uganda.

1.4 Key Research Questions

The key study questions to achieve each of the study objectives are illustrated below. These were further broken down in the study tools which elaborated the sources of information/respondents as well.

Objective 1: To review existing mandate of parliament in relation to WASH services and governance.

- 1) What are Uganda's WASH Sector performance targets?
- 2) What are the roles and responsibilities of parliamentarians towards ensuring that Uganda meets WASH sector performance targets.
- 3) What laws are in place to ensure good governance in the WASH sector?
- 4) What transparency and accountability measures are in place for WASH?
- 5) How does parliament monitor the implementation of government WASH projects?
- 6) Examine the strengths, weaknesses, opportunities and threats in planning, budgeting and implementation systems for WASH governance

Objective 2: To assess the level of involvement and effectiveness of parliament relating WASH against their given mandate and/or expected role;

Effectiveness of legislative function

- 1) Review the functionality and effectiveness of the Social Services Sessional Committee; the Public Accounts Committee and the Natural Resources
- 2) Assess the level of focus that parliament has put on WASH in the last 5 years including financing, policy reforms and governance
- 3) Review the President's state of the Nation Address over the past three years and identify WASH issues
- 4) What was the nature of parliamentary debate of these issues? What resolutions were made and how were they implemented?
- 5) What have been the main achievements of parliament in WASH sector legislation?
- 6) What are the prevailing challenges in the WASH sector for which existing laws need amendment or for which new laws are required?

Effectiveness of the oversight function

- 7) What parliamentary measures are in place to ensure accountability in the WASH sector?
- 8) What are the strengths and weaknesses of each of the accountability measures?

- 9) What are the existing taxation regimes affecting the WASH sector? Are they adequate or do they need to be reviewed?
- 10) How is WASH financed in Uganda – document sources of funding and amounts over the past three financial years
- 11) What is the current budget deficit for WASH and how can this deficit be met?
- 12) What have been the main achievements of parliament in the WASH oversight function?
- 13) What are the prevailing challenges in the WASH oversight function – how can they be addressed?

Effectiveness of the representation function

- 14) What are the key issues in the WASH sector affecting the citizens?
- 15) How are these issues communicated to parliament?
- 16) To what extent has parliament addressed these issues – to what extent has parliament ensured government responsiveness to these issues?
- 17) What measures are in place to ensure dialogue and feedback to the citizens regarding WASH issues deliberated by parliament?
- 18) Identify how parliament can facilitate or increase the involvement of civil society organizations in discussions around improving access to and WASH governance
- 19) What are the main obstacles to the effective representative function of parliament in the WASH sector? What are the practical solutions to these obstacles?

Objective 3: To identify opportunities that exist within the current working relationships i.e. parliament-donor, parliament-executive, parliament-civil society etc and recommend actions that lead to strengthening them in particular and the governance-accountability nexus in general for WASH sector performance in Uganda.

Parliament-donor relations

- 1) Who are the main donors of the WASH sector in Uganda?
- 2) What are their planning/budget processes (investigate donor/sector working groups, country operational plans, Joint Assistance Strategy, etc)?
- 3) To what extent do members of parliament access these donor fora?
- 4) What is the nature of support parliament receives from donors for WASH governance? (Investigate financing, capacity building, donor demand for accountability, etc)
- 5) What are the major achievements in parliament-donor relations?
- 6) What are the prevailing challenges to parliament-donor relations? What can be done to address them?

Parliament-executive relations

- 7) What is the current nature of involvement between parliament and the executive? (Presidency, Prime Minister's Office, Ministry of Water and Environment, Ministry of Finance, Planning and Economic Development, etc)
- 8) What are the major achievements in parliament-executive relations?
- 9) What are the prevailing challenges to parliament- executive relations? What can be done to address them?
- 10) What are the main opportunities for strengthening parliament- executive relations for the WASH sector?

Parliament-civil society relations

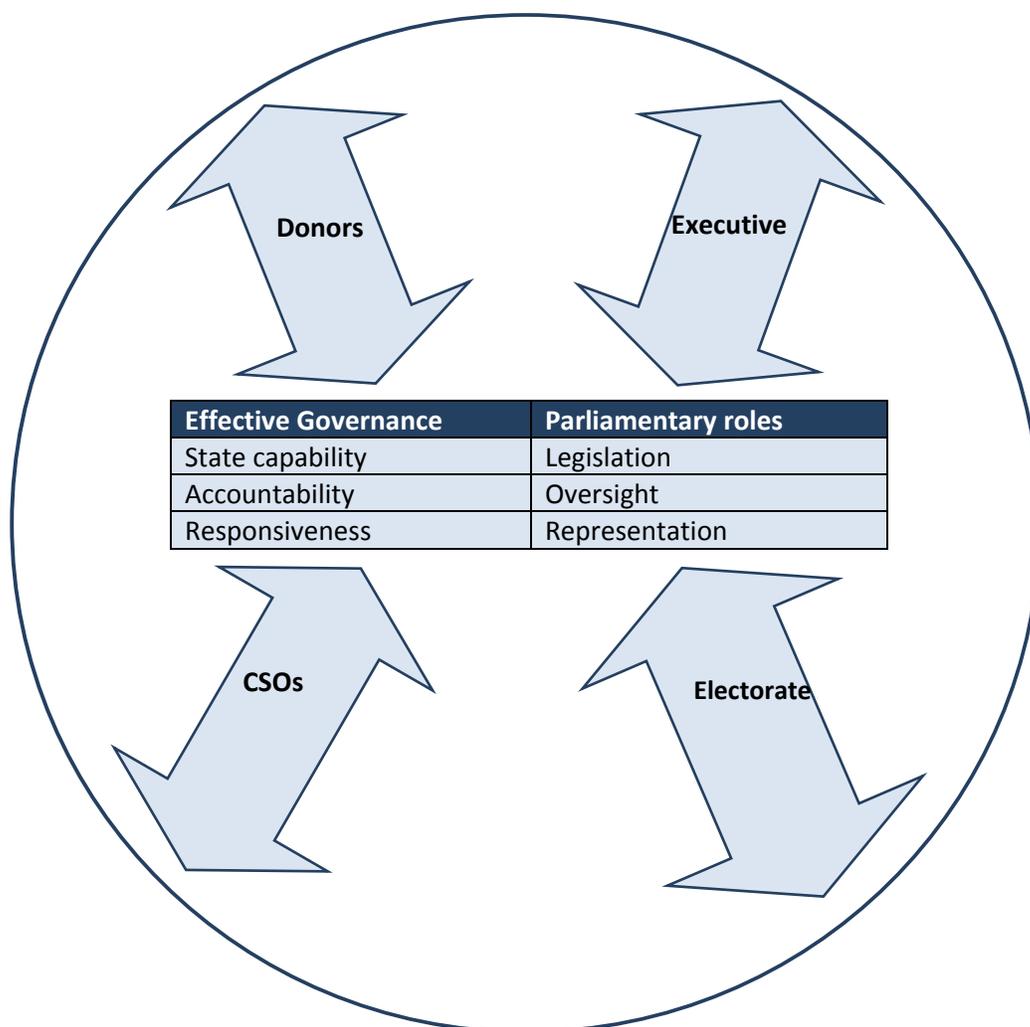
- 11) How does Civil Society engage with parliament generally to strengthen governance and accountability?
- 12) What are the barriers to parliament-civil society engagement?
- 13) What opportunities can WAU and other civil society organizations tap into to engage with parliament to improve governance and accountability for WASH?

CHAPTER TWO: METHODOLOGY

2.1 Conceptual framework

Governance is the system of actors, processes and rules through which decisions are made and authority is exercised in a society. Good governance for poverty reduction – requires state capability, accountability and responsiveness (ODI, 2007). Therefore, good governance is central to development and poverty reduction – particularly in crucial social services such as WASH. WASH governance is a function of parliamentary processes that inevitably interact with other entities – notably donors, the executive (including relevant ministries), CSOs, as well as the electorate (Fig. 2.1). This study on how to effectively work with parliament to improve WASH governance therefore explores how best these synergies between parliament and other entities can be translated into opportunities.

Figure 2.1 Synergies to ensure effectiveness of Parliament in WASH Governance



2.2 Methodology

Approach: The study used a descriptive study design drawing from qualitative methods of investigation. It was undertaken in a three phased-approach, as follows:

Phase 1: Document Review: This comprised two main parts, namely preparation and literature review. In the preparatory part of this phase, the study team held consultations with WAU officials with the aim of having a shared understanding of the terms of reference, roles and responsibilities, as well as agreeing focus areas and selection criteria for study respondents. Affirmation was also made of the methodology to be used in the study. Within KOIS, internal discussions were held to develop methodology (interview guides/checklists) and to clarify roles and responsibilities of key staff.

During this phase also a review of existing and relevant literature on the study was undertaken. Key documents included global WASH framework papers obtained from web-based searchers, GoU policy documents, as well as parliamentary committee reports. The initial document review helped the team to refine the study tools.

Phase 2: Field consultations: The Consultant held interviews with the Social Services Committee Members of Parliament, Officials at the Ministry of Water, Lands and Environment; and other relevant Government Departments of relevance to accountability in WASH. We also interviewed relevant officials from Donor and Civil Society actors (Refer to [Annex 1](#) for the list of people interviewed).

Phase 3: Analysis and Report writing: Analysis was done manually using a thematic method feeding into a reporting template which was discussed and agreed upon with WAU.

Methodology: Different methods were used to generate quantitative and qualitative data.

Quantitative data:

Document review: Quantitative data was generated from MoWE Progress Reports, Parliamentary Committee reports, sector reports, national budget documents, and UBOS statistical abstracts. Quantitative data broadly reflected budget allocations and expenditures in WASH, sources of financing by proportion and progress against WASH indicators.

Qualitative data

Key Informant Interviews: Were held with MPs, Committee Members, Donors, CSO officials, Line Ministry Officials and CSO Officials – ([Annex 1](#)) from selected institutions. Key informant Interviews were used to generate useful information relating to WASH governance and accountability.

Document review: Was used to generate qualitative and quantitative evidence. Documents reviewed included policies and laws related to WASH, Committee reports at Parliament, donor and civil society reports on WASH, as well as global publications on WASH, governance and accountability to inform the analysis and recommendations. (See list of [References](#))

CHAPTER THREE: WASH GOVERNANCE IN SUBSAHARAN AFRICA

3.1 WASH Governance performance of selected African Countries

The role poor governance plays in the water and sanitation crisis has not always been recognised. When analysing the failures in the sector and devising strategies to tackle these failures, the approach has largely been technological. While increasing attention has been given to environmental factors recently, political factors and policy have continued to be ignored to a significant degree. However, addressing governance is often very important for improved service delivery. The UNDP's *Human Development Report 2006* states: *'The world has the technology, the finance and the human capacity to remove the blight of water insecurity from millions of lives. Lacking are the political will and vision needed to apply these resources for the public good.'* (Tear Fund, 2010)

Good water governance is based on principles of good governance, which include equity, efficiency, participation, decentralization, integration, transparency and accountability. Yet there is also a tendency in the water sector to reduce issues to their component parts and thereby lose sight of the overall governance picture. Until recently, most aspects of governance have been treated in isolation. The application of mitigation measures (e.g. decentralization, participatory planning, etc.) has often been seen as an end in itself. Real improvements in governance have become lost and linkages between sector governance and the wider governance context overlooked. (African Development Bank, 2010). Moreover, recent studies have demonstrated that there is a direct correlation between the countries most lacking water services and those with the weakest governance.

This notwithstanding, the African Development Bank (ADB) has undertaken an assessment of Governance broadly, and WASH Governance specifically in a number of African Countries. The countries score to varying degrees on the WASH Governance scale ([Table 3.1](#)) which includes benchmarks such as: National Strategies; Institutional Arrangements; Sector Financing; Water sector M&E; Sector Capacity; Water Access; Rural/Urban balance; SWAP; and the Water Poverty Index. Uganda scores fairly on most of the indicators, however, the performance on the Water Poverty Index is poor.

Although the ADB matrix does not explicitly rate the involvement of parliaments across this spectrum, most of the indicators necessitate parliamentary action – either to legislate, ensure accountability or effective representation for WASH. Mapping the roles of parliaments onto the elements of good governance indicates the contribution which parliaments can make to the delivery of good governance and to National Governance Systems. Legislation is part of state capability; lawmaking is an important way in which capable states formulate and implement policies. Parliamentary oversight can contribute to ensuring that the relationship between the state and its citizens is one which is characterized by accountability. And representation is crucial to responsiveness; there is little chance of political decision-makers being responsive if citizens' views are not transmitted effectively by their political representatives. There is more to good governance than parliamentary representation, legislation and oversight, but in the absence of a parliament which can effectively perform these roles, good governance – and particularly good democratic governance – will be elusive. (ODI, 2007)

Table 3.1: Water Sector Governance Indicators of selected African countries

Country	IWRM	Water Sector Indicators					Access	Equity of Service	SWAp	State of Water Resources
	IWRM Plan Progress (7)	National Strategies (8)	Institutional Arrangements (9)	Sector Financing (8)	Water Sector M&E (9)	Sector Capacity (8)	Water Access (10)	Difference in Access (Urban - Rural) (11)	Presence of SWAp (12)	Water Poverty Index (13)
	1 to 3	A to C	A to C	A to C	A to C	A to C	Total	Water	-	0 to 100
Mauritius	2						100%	0%		59,8
Morocco	2						83%	42%		46,2
Mozambique	2	C	B	B	B	C	42%	45%	W*, H	44,9
Namibia	1						93%	9%		60,0
Niger		B	B	B	B	B	42%	59%	H, E	35,2
Nigeria	2						47%	35%		43,9
Rwanda	3						65%	21%	E	39,4
Sao Tome & Principe							86%	5%		
Senegal	2	B	B	A	B	A	77%	28%	W, H	45,3
Seychelles							88%			
Sierra Leone							53%	51%	H	41,9
Somalia							29%	53%		
South Africa	1						93%	18%	W, H	52,2
Sudan	2						70%	14%		49,4
Swaziland	2						60%	36%		53,3
Tanzania	2	B	B	A	B	B	55%	35%	W, H	48,3
Togo							59%	46%		46,0
Tunisia	2				A		94%	15%		50,9
Uganda	1	A	A	B	B	B	64%	30%	W, H	44,0
Zambia	2	C	B	C	C	C	58%	49%	H, E	50,4
Zimbabwe	1						81%	26%		53,4

Ranking Criteria and Governance Template Score:										
Good (5)		A	A	A	A	A	>91%	<10%		> 55,9
Satisfactory (4)	1						80-90%	11-24%	W	50-54,9
Fair (3)	2	B	B	B	B	B	61-79%	25-39%	H and/or E	46-49,9
Unsatisfactory (2)	3						51-60%	40-49%	None	40,1-45,9
Poor (1)		C	C	C	C	C	<50%	>50%	-	<40

(African Development Bank, 2010)

From the above matrix, Uganda's Water Resource Management progress is satisfactory; while water sector indicators (including strategies, institutional arrangements and sector financing) range from fair to good. Access indicators, equity and gender response are rated fair.

3.2 Implications for WaterAid Uganda

WASH governance is a function of broader good governance; including governance at the national level; the water sector's legal framework; the sector's institutions; sector management practices; water resources management systems; transparency, accountability and corruption; civil society participation; and, equitable service provision. Therefore, WaterAid's advocacy efforts with parliament should take into consideration the need for positive changes across all these domains.

Improving governance in the water sector is not only about government systems and service delivery; it encompasses a much broader range of factors, including engaging civil society, non-state agents and their relationship to government. Sustainable services are not achieved without involvement of other stakeholders and particularly water users in the development of the policies and laws for sector development. Therefore, WAU should consider that advocacy through parliament should not overshadow the need for participation of other stakeholders – particularly the voices of the users.

CHAPTER FOUR: FINDINGS

4.1 Uganda’s WASH policy and institutional framework

4.1.1 International policy and legal framework on WASH

There are a number of international policy and legal frameworks upon which Uganda’s interventions in the WASH sector are premised. [Table 4.1](#) identifies a few examples.

Table 4.1: The International legal and policy frame work

International Instrument	WASH Provisions	Uganda’s status
Millennium Development Goals	<ul style="list-style-type: none"> At the 2002 World Summit on Sustainable Development in Johannesburg, a target on sanitation was added to the Millennium Development Goals emphasizing that reducing the number of people without access to sanitation is as fundamentally important as the other MDG targets. The global target is to: Halve by 2015, the proportion of people without sustainable access to safe drinking water and basic sanitation 	<ul style="list-style-type: none"> As of 2005/2006, the proportion of the population using an improved drinking water source was 68% The proportion of the population using an improved sanitation facility in 2007/2008 was also recorded at 68% The proposed target for both indicators by 2014/2012 is 89% (Republic of Uganda, MoFPED, 2010)
International Covenant on Economic, Social and Cultural Rights, Statement on the Right to Sanitation, 2010	<ul style="list-style-type: none"> The right to sanitation is an essential component of the right to an adequate standard of living, enshrined in Article 11 of the International Covenant on Economic, Social and Cultural Rights. In line with the definition of sanitation as proposed by the Independent Expert on water and sanitation as “a system for the collection, transport, treatment and disposal or reuse of human excreta and associated hygiene”, States must ensure that everyone, without discrimination, has physical and affordable access to sanitation, “in all spheres of life, which is safe, hygienic, secure, socially and culturally acceptable, provides privacy and ensures dignity”. The right to sanitation requires full recognition by States parties in compliance with the human rights principles related to nondiscrimination, gender equality, participation and accountability. 	Uganda ratified the Convention on 21/January/1987. Although states parties are obliged to report to the UN Committee in the Covenant every 5 years, Uganda has not yet prepared its report on the status of implementation. This notwithstanding, efforts have been made by GoU to guarantee the right to a good standard of living by addressing inequities in water and sanitation.
Human Rights Council Resolution - Human Rights and Access to Safe Drinking Water and	<ul style="list-style-type: none"> Calls upon states to develop appropriate tools and mechanisms, which may encompass legislation, comprehensive plans and strategies for the sector, including financial ones, to achieve 	National policy and legal frameworks are in place to ensure realization of the right to safe drinking water and sanitation. However, structural

Sanitation, 2010	<p>progressively the full realization of human rights obligations related to access to safe drinking water and sanitation, including in currently un served and underserved areas</p> <ul style="list-style-type: none"> • The Resolution recommends that governments pay particular attention to vulnerable and marginalized groups, adopt effective regulatory frameworks for all service providers, and ensure effective remedies for violations. 	<p>challenges have continued to undermine full enjoyment by some regions – notably, the Karamoja region</p>
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(IELRC.org)

4.1.2 National Policy framework

Table 4.2: The Domestic Legal framework

Policy	Provision
The Constitution, 1995	<ul style="list-style-type: none"> • Preamble - The State shall protect important natural resources, including land, water, wetlands, minerals, oil, fauna and flora on behalf of the people of Uganda. • Article 14 - The State shall endeavor to fulfill the fundamental rights of all Ugandans to social justice and economic development and shall, in particular, ensure that. (2) All Ugandans enjoy rights and opportunities and access to education, health services, clean and safe water, decent shelter, adequate clothing, food, security and pension and retirements benefits.
The Local Government Act, 1997	<p>In accordance with the national constitution, chapter eleven, the Local Government Act of 1997 provides for the decentralization of services, including the operation and maintenance of water facilities for local governments in liaison with the ministries responsible for the sector.</p>
The National Development Plan	<ul style="list-style-type: none"> • The NDP outlines four objectives for the water sector <ul style="list-style-type: none"> ii. To increase access to safe water supply in rural areas from 63% to 77% by 2015 iii. Increase access to safe water supply in urban areas from 60% in 2008 to 100% by 2015 iv. Increase access to improved sanitation from 69% to 80% for rural areas and 77% to 100% for urban areas v. Improve efficiency and effectiveness in water and sanitation service delivery. • A number of strategies are enumerated to achieve the above objectives. Development support (in form of loans and grants) is guided by the priorities laid out in the NDP
Water Statute, 1995	<p>Provides for the use, protection and management of water resources and supply; the constitution of water and sewerage authorities; and the devolution of water supply and sewerage undertakings</p>
National Water And Sewerage Corporation Statute, 1995	<p>The National Water and Sewerage Corporation (NWSC) Statute establishes the NWSC as a Water and Sewerage Authority and gives it the mandate to operate and provide water and sewerage services in areas entrusted to it on a sound commercial and viable basis. The Statute requires the Minister responsible for Water Affairs to enter into a performance contract with NWSC in relation to its operations in accordance with the provisions of the Water Statute. The Statute empowers the NWSC to own assets in its areas where it provides</p>

	services without the need of compensation in respect of the transfer of such assets.
Water Act, 1997	Has the following objectives for the water sector – 1) To promote the rational management and use of the waters of Uganda through - (i) the progressive introduction and application of appropriate standards and techniques for the investigation, use, control, protection, management and administration of water resources; (ii) the coordination of all public and private activities which may influence the quality, quantity, distribution, use or management of water resources; (iii) the coordination, allocation and delegation of responsibilities among Ministers and public authorities for the investigation, use, control, protection, management or administration of water resources; 2) To promote the provision of a clean, safe and sufficient supply of water for domestic purposes to all persons; 3) To allow for the orderly development and use of water resources for purposes other than domestic use, such as the watering of stock, irrigation and agriculture, industrial, commercial and mining uses, the generation of hydroelectric or geothermal energy, navigation, fishing, preservation of flora and fauna and recreation in ways which minimise harmful effects to the environment; (d) to control pollution and to promote the safe storage, treatment, discharge and disposal of waste which may pollute water or otherwise harm the environment and human health.
Accompanying regulations [Water Resources Regulations (1998), Waste Discharge Regulations (1998), the Water Supply Regulations (1999), Sewerage Regulations (1999)]	Further refine the provisions of the Water Act into practical regulations
The Sanitation Guidelines	The National Sanitation Guidelines is one of the support manuals for the use of district and urban councils in planning, and promoting community managed sanitation and hygiene in Uganda. They have been prepared by the Ministry of Health for use by implementers, promoters and supporters of programmes on sanitation and hygiene within the country. The objectives of the new guidelines are to provide a guide and promote standardised approach for sanitation and hygiene promotion by the different institutions and projects involved in the sector.
The National Water Policy	The National Water Policy (NWP), adopted in 1999, promotes the principles of Integrated Water Resources Management, a comprehensive approach to water supply. In addition, the NWP recognizes the economic value of water, promotes the participation of all stakeholders, including women and the poor, in all stages of water supply and sanitation, and confirms the right of all Ugandans to safe water.
The LAND ACT, 1998	The Land Act vests all rights to water resources in the Government. It empowers the Minister responsible for water to regulate the management and utilization of such water. The Act allows for reasonable use by the occupier or owner of a piece of land, of water for domestic and small-scale agricultural purposes.

4.1.3 WASH Institutional Framework – Implications for WAU’s Advocacy

The mandate for different WASH components has been distributed to different Ministries ([Table 4.3](#)).

Table 4.3 Institutional framework for WASH

Institution	Specific role	Responsible Department/s
Ministry of Water and Environment	<ul style="list-style-type: none"> • The lead agency for water supplies and sanitation sub sector • Planning investments in sewerage services and public toilet facilities in towns & rural growth centers 	<ul style="list-style-type: none"> • Directorate of Water Development • National Water and Sewerage Corporation
Ministry of Health	Promotion of household hygiene and sanitation	<ul style="list-style-type: none"> • Environmental Health Division
Ministry of Education and Sports	Latrine construction and hygiene education in schools	<ul style="list-style-type: none"> • Primary Health Department
Ministry of Gender, Labour and Social Development	Develop guidelines for community mobilization and through community development officers coordinate the implementation cross-cutting development issues in health, education, water and sanitation, etc	<ul style="list-style-type: none"> • Community Development
Ministry of Local Government	Provide policy guidance and technical assistance to Local Governments for decentralized WASH service delivery	
Ministry of Finance, Planning and Economic Development	Allocating funds, general mobilisation of funding, co-ordination of donor inputs and the co-ordination of annual planning and budget cycles.	
Local Governments	Decentralized water and sanitation service delivery; Technical oversight of WASH-related construction contractors	<ul style="list-style-type: none"> • District Health Inspectorate • District Water Department

Implications for WaterAid

Although MoH is responsible for household hygiene and sanitation; and MoES is responsible for school hygiene and sanitation, sector budget ceilings to these two ministries have not increased with the transfer of responsibilities in parallel with a decrease in the ceiling given to MoWE. This implies that sanitation and hygiene often falls at the bottom of these respective sector priorities. Advocacy efforts should be directed towards lobbying Education and Health sector working groups respectively to prioritise hygiene and sanitation; and to Members of Parliament to debate and recommend corresponding budget allocations for sanitation and hygiene.

4.1.4 WASH Financing

The Sector has three main sources of funding: i) Government funding from the treasury – comprising both GoU local resources as well as grants and loans from development partners operating under the basket funding framework; ii) Donor funding (loans and grants) and iii) internally generated funds. (Ministry of Water and Environment, 2010)

On-budget funding: Investments in the water sector are financed through a number of mechanisms and modalities. The mainstream financing is through the Joint Partnership Fund (JPF) under the Joint Water Supply and Sanitation Programme Support (JWSSPS). This is a pool fund mechanism where major donors and government have established a common programme and pool resources for the purpose. This type of financing is what is commonly referred to as “On-Budget” funding and is tracked closely by the Ministry of Finance Planning and Economic Development to ensure compliance with sector ceilings (funding levels set by the MoFPED which the sector should not exceed - for purposes of macro-economic stability). The most significant concern however is that sector ceilings do not directly take into account MDGs and sector targets - the sole purpose is to control inflation. This means that inevitably different sources and forms of financing will be required if set targets are to be met. (The Water and Sanitation Dialogues, 2008).

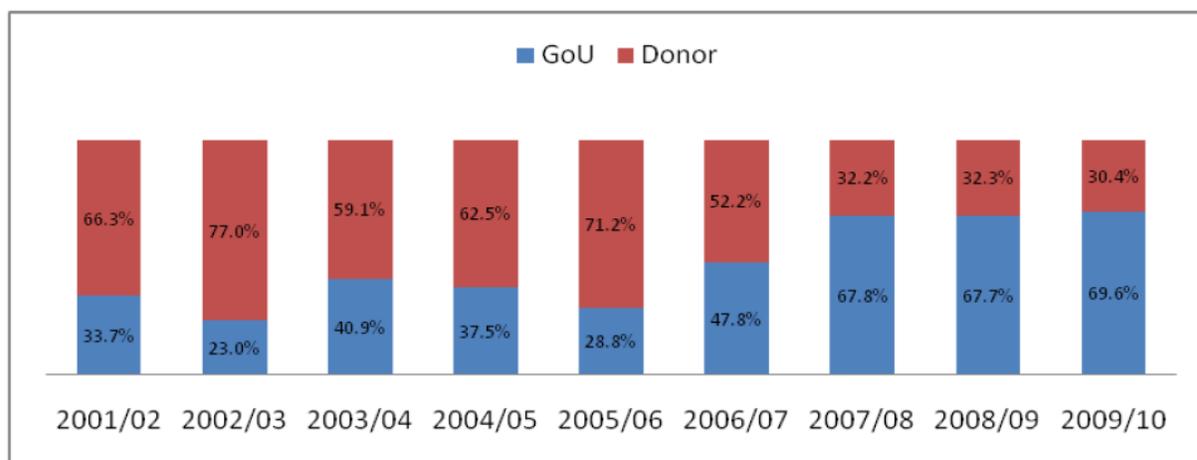
Budget allocations to the water and sanitation subsector as a proportion of the overall national budget are substantially low. The Water and Environment Sector for instance was allocated UGX 238.4 Billion which translates into 3.4% of the total national budget of UGX 7.04 trillion for FY 2009/2010 (Ministry of Water and Environment, 2010)

Off-Budget funding: This includes specific project support, investments by NGOs and international aid agencies. This kind of financing is not in favour with the MoFPED because in effect it inadvertently introduces resources in the sector over and above the sector ceiling. The level of financing volumes and trends under off-budget mechanisms cannot accurately be ascertained as the agencies responsible do not necessarily report to the sector through the annual performance review forum and no other common reporting framework is available for the purpose.

Implication for WaterAid: WAU could consider working with other CSOs in the sector to develop a harmonized reporting framework for off budget contributions to the sector. This will have the effect of justifying the need for more on-budget support for the sector – especially if off-budget financing does not adequately meet the deficits in the sector.

Internally generated funds: This includes revenue generated from the provision of water and sewerage services under the National Water and Sewerage Corporation. Through management contracts for small towns’ water supply, private operators are also expected to pre-finance operations and maintenance, which is ideally supposed to be paid with a margin as monthly management fees, and recoverable through user fees or tariffs.

Figure 4.1: Budget Allocation Trends within the WSS Sub-Sector, by Source of Funds



From the above graph, there is evidently declining allocation to the water and sanitation sub sector. According to the corporate planning manager of NWSC, The overall challenge in achieving WASH targets is influenced by resources because the allocation to the water sector compared to the overall budget has been stagnant for 5 years now, allocation to the water sector has stagnated at 4% of the national budget. This has dropped lower to 2.8% in the last FY. Despite the general demand for water and sanitation services, government funding has not increased.

4.1.5 WASH Monitoring

Government considers monitoring, evaluation and reporting (ME&R) as a key component of all national development programs. As part of the institutional set-up for the MWE, a department of Planning and Quality Assurance was established to, among other functions, carry out periodic monitoring, evaluation and quality assurance of all ministry activities including water supply and sanitation. The department issues periodic quality assurance reports highlighting the performance of the different departments in the ministry against set targets and recommendations on corrective measures to be implemented during the next reporting period. The WASH sub-sector has eleven (11) golden indicators as described in [Table 1.1](#).

In addition to the above arrangement, the water sector has also established a Joint Government/Development Partners Sector Review (JSR) held annually in September/October and attended by sector ministries, civil and political leaders, local government staff and representatives of development partners. During these reviews, a comprehensive review of the performance of the sector is carried out, shortcomings discussed and undertakings for addressing priority issues during the following year agreed upon.

As part of performance monitoring process, mid-term joint technical reviews are also carried out to assess the technical and financial performance of the sector. More detailed field visits are carried out during the technical review. Annual water sector performance reports are prepared and circulated to all stakeholders for review and information. The current reporting and monitoring framework has ensured coordinated and periodic reporting on all sector activities by the different stakeholders and has greatly improved on information flow between the central government, donors, local governments, NGOs and the private sector.

Besides the periodic reporting by different stakeholders, the framework also provides for periodic service delivery surveys, and specific independent surveys that are often conducted by different stakeholders. As part of this framework, the central government periodically issues policy benchmarks, national and local targets, performance indicators and monitoring and reporting guidelines and standards that have to be followed by all stakeholders in the water sector.

At parliamentary level, monitoring of government programmes is expected to be the mandate of every MP...

“When we go to communities, we do not only solicit for votes, we also monitor implementation of government programs, we identify problems and where necessary, we follow up with the district... the biggest challenge however is limited resources for monitoring” Woman MP Nakapiripirit

Monitoring of the WASH sector budget is done through the Public Accounts Committee. The Committee checks to ensure that money is put to proper use by Local Governments as well. Where they feel disenfranchised, the population can also make an appeal to parliament through the LG Committee, PAC at Parliament and the Statutory Authority Committee. However, there is no evidence that the population has in the past used this avenue.

Implication for WaterAid: This provides an opportunity for advocacy for the creation of an e-forum by which the population can directly interact with these committees. WAU could lobby for the creation of a parliamentary hotline or blog on WASH governance issues directly emerging from the population.

4.2 The Mandate and Effectiveness of Uganda's Parliament in the WASH Sub sector

4.2.1 Legislation; To enhance state capability on WASH

The role and effectiveness of parliament in WASH policy making

Parliament has passed a number of laws relating to WASH (Table 4.2). Parliament works through committees and at the start of a new parliamentary session members choose which committees they would like to serve on. Unlike the plenary discussions, parliamentary committees have been largely non-partisan especially because in many instances committee discussions and debates are highly technical and involve a great deal of interface with governmental and non-governmental technical experts. While it is true that the committees largely consist of NRM members (they are the majority in parliament), the committees have functioned in a non-partisan manner because of the nature of their work which is more technical than political. (Global Integrity, 2011)

During the 8th parliament, among the issues relating to WASH that came up in the house for discussion were; Provision of sanitation facilities for the girl child in schools; Water sources or boreholes to be installed in all the schools; Legislation that at least each household should have a pit latrine – however, MPs noted that some of these issues were within the mandate of Local Government as remarked by one MP...

“Of course to us at the national level we cannot implement this but we had a debate and recommended that the Local Councils make bye-laws. At parliament, we are also aware that the national budget has limits - increasing funding for one sector means cutting and compromising on other sectors so it is hard to make promises you know you cannot meet. Parliament looks at WASH from a general perspective and not specific targets and implementation (which is the role of the executive). Parliament may make the laws and approve budgets but the implementers may not put the limited resources into maximal use.” Woman MP, Masindi

This notwithstanding, in its legislative function, Parliament should promote equity in the allocation of resources - taking into account the diversities and dynamics of different demographic groups, geographic locations and geo-economic activities among others. However, a representative from a donor group noted that Uganda's WASH legislation does not provide for affirmative action to promote equity for vulnerable groups which include women, children, people with disabilities, older people, minority ethnic groups, pastoralists and people living in remote or peripheral areas.

According to WaterAid guidelines for ensuring equity and inclusion in WASH (2010), Equity involves recognizing that people are different and need different support and resources to ensure their rights are realized. To ensure fairness, measures must often be taken to compensate for specific discrimination and disadvantages. Different people are more likely to be marginalized and excluded from access to WASH in different contexts.

Furthermore, there is concern that budget allocation to the different districts for the WASH sub sector is done on a formula which does not incorporate several of the equity indicators. For this reason, some districts e.g. Rukungiri (93% coverage and 87% functionality) with higher water coverage than the national average (Uganda Water Atlas 2011) still receive a high WASH allocation compared with other districts with low WASH indicators. There is need for parliament to rethink the formula in order to promote equity.

Implication for WaterAid: WAU should consider conducting an equity study and preparing a policy briefing paper for consideration by parliament in order to ensure equitable resource allocation to districts with poor WASH indicators.

The National Development Plan (MoFPED, 2010), cognizant of the prevailing weaknesses in the WASH policy and legal framework made the following recommendations to improve the WASH policy environment – which could form a basis for WAU’s advocacy agenda as well:

- 1) Revise and update the water policy to incorporate new changes in the sector, protocols and agreements signed and ratified by Uganda
- 2) Revise and update the Water Act and subsequent regulations to be in line with revised policies and Acts
- 3) Strengthen the capacity of the policy analysis unit and put in place mechanisms to update and review policies in the sector
- 4) Implement the Water and Sanitation Good Governance Action Plan

In addition, the Social Services Committee of Parliament also made recommendations to improve the policy environment of the WASH Sector (Parliament of the Republic of Uganda, 2010)

- 5) The Committee observed that there is lack of a legal and policy framework for public- private partnership on water management and a policy frame work to attract investors in the sector. The Committee recommends that Government come up with a legal and policy framework in order to address some of the challenges being faced in the sector.
- 6) The Committee also observed that the Ministry of Water and Environment and other Government Departments do not have a comprehensive approach towards sanitation. The Committee recommends that the Government comes up with an all encompassing strategy towards sanitation in all Government Departments that deal with that component. (Parliament of the Republic of Uganda, 2010)

As WaterAid Uganda curves out the scope of its advocacy work with parliament, the above recommendations should be considered top priority advocacy items. WaterAid should work with its current and potential CSO allies and networks to undertake studies on the current policies to identify discrepancies with international protocols ratified by Uganda. Parliament will inevitably be a stakeholder in this process since it has the mandate to make/amend the laws.

The role and effectiveness of parliament in the budgeting function

The budget process is a cycle that runs through the entire financial year. It begins with the review and update of the Medium Term Expenditure Framework (MTEF), and a country Portfolio Performance Review between July and August each year. This is followed by the first Budget consultative workshop that takes place between October and November. After this, all Sector Working Groups and Local governments begin preparation of Budget Framework Papers (BFPs) and this is followed by Sector BFP Ministerial Consultations, which lead to the preparation of the draft National BFP. Once Cabinet approves the BFP, it is presented to all stakeholders in a national budget workshop called the Public Expenditure Review Meeting.

The final BFP is submitted to parliament by April 1, of each year. This is then followed by the development of the Background to the Budget and the detailed development of budget estimates by each Ministry and institution. The Ministry compiles these into the draft estimates of revenue and expenditure with consultation with the Parliamentary Budget Committee, and starts preparation of the Budget Speech, which must be presented, to Parliament by the 15th day of June of each year. (MoFPED)

The Budget Act 2001 regulates the budgetary procedures for a systematic and efficient budget process. The Act established a Budget Committee, as a special standing committee of parliament, as well as a Budget Office.

The Budget Office provides independent information and analysis of the budget and of the economy. This is very important if a parliament is to exercise effective oversight, and if it is to have its own source of information on the budget and on the economy.

The Budget Committee coordinates the parliament's response to government's proposed priorities early in the formulation stage. While the Ministry of Finance establishes its budget priorities, it is required to bring those priorities before the Budget Committee, together with a prediction of how the economy is going to perform over a defined period. This is then analysed and debated and the parliament, through its oversight committees, debates these priorities and gives feedback to the executive branch. This happens early on so that by the time the budget is tabled in parliament, there has already been an input by parliament.

Challenges faced by parliament in its WASH budgeting function

- *The overwhelming majority of the ruling party:* While this may lead to full support for government water and sanitation policies, there is an apparent risk that if WASH issues are not prioritized by the government, sailing such issues through the legislative process can be very challenging.

An MP of the ruling party stated that raising issues that point to the weaknesses in the party performance might lead to being labeled "*oppositionist*"

"Those of us from the ruling party find it difficult to point out the weaknesses of the government in meeting WASH promises we made to the population because raising such issues will make the government whip to label you an "oppositionist" who wants to bring down the party. Some Members of parliament from the ruling party constantly find themselves with conflict of interest, between their conscious observation of facts and supporting party positions." MP from the ruling party

Roles of the Budget Committee

The Budget Committee is a standing Committee of Parliament

- The Committee scrutinises the preliminary estimates and the macroeconomic plan
- It reviews the national budget and compiles amendments which are referred to various Committees

Roles of The Budget Office

- Provides budget related information to all Committees
- Submits reports on economic forecast, budget projections and options for reducing the budget deficit
- Identifies and recommends bills that provide for an increase/decrease in revenue/budget
- Prepares analytical studies on specific subjects
- Gives general advice on the budget and national economy

- *Antagonism of the opposition:* Some MPs interviewed for this study expressed concern that sometimes the opposition does not offer constructive debate and alternatives in plenary discussions. The opposition may oppose WASH initiatives of government without presenting alternatives. In other instances, the opposition uses past mistakes to stifle government WASH initiatives. For example, an MP from the opposition categorically stated

“Some of my colleagues always use the experience we had with the failed valley dams project in the 1990s to vehemently oppose every government initiative that relates to sinking valley dams and yet these are the most appropriate sources of water in the cattle producing areas.” MP from Pallisa

- *A powerful executive:* In practice, even when the legislature refuses to approve some budget issues, the government goes ahead and spends. In several cases the government enters into loan agreements and seeks parliament's approval later when it is difficult for parliament to refuse. In such a case, parliament has been a rubber stamp.

Recommendations to improve the budgeting function

- 1) *Nurture a bipartisan culture:* MPs interviewed recognize that WASH issues are above politics because of their centrality to public health and enhancing economic development. They therefore proposed that parliament needs to engage on WASH issues apolitically and yet there are currently few mechanisms and opportunities in the parliament to facilitate “political- free” interaction on WASH.

Bipartisanship is a political situation, usually in the context of a two-party system, in which opposing political parties find common ground through compromise. Sometimes the minority party can be obstructionist and thwart the actions of the majority party and yet the bipartisan approach will facilitate the identification of "common ground" which enables problem-solving.

Drawing from experience of other parliamentary democracies, it may be viable for the 9th parliament to develop a “bipartisanship” approach to the WASH sector.

- 2) *Lobby for the formation of a WASH parliamentary forum:* According to the chair of the Natural Resources Committee, a move towards closer collaboration on WASH issues in the 9th parliament might be better achieved through informal forums rather than formal parliamentary structures like committees of the house. One of such forums is the Parliamentary Forums. Parliamentary forums are informal groups recognized by parliament, through which members of parliament freely interact on pertinent issues of their interest. Currently there are several parliamentary forums e.g. parliamentary forum on climate change; parliamentary forum on children; and parliamentary forum on women’s rights among others - during which members of parliament from either side of the house meet free-of-party affiliations to share experience and develop common ground over issues.

Through these parliamentary forums, MPs have greater opportunities for interacting with the civil society and development partners through workshops and retreats. According to the chair of the natural resources committee, MPs from both sides of the political divide have severally developed consensus on otherwise contentious issues, and “common ground” bills have emerged from parliamentary forums. The Chairperson of the Natural Resources Committee therefore urges that members of the 9th parliament, particularly those from constituencies with major WASH priorities should form a parliamentary forum on WASH, which should be open not only to sitting MPS, but former MPS, civil society and development partners.

4.2.2 Parliamentary Oversight; To ensure state accountability for WASH

Oversight is about keeping an eye on the activities of the executive, and holding the executive to account on behalf of the citizens. A particularly important element of oversight concerns the budget; checking that spending decisions are in line with national priorities. Parliament of Uganda defines its accountability role as follows:

To scrutinize Government policy and administration through the following:

- a) Pre-legislative scrutiny of bills referred to the Parliamentary committees by Parliament
- b) Scrutinizing of the various objects of expenditure and the sums to be spent on each
- c) Assuring transparency and accountability in the application of public funds
- d) Monitoring the implementation of Government programmes and projects

Scrutiny of Government Policy

The official time parliament allocates to WASH is during the discussion of the Ministerial Policy paper. Further discussion can then be secured in the case of an emergency or when there is a new “investment project”. During the discussion of the Ministerial Policy Paper, the focus is on approving the budget, rather than thorough scrutiny for equity. Any delay and raising of questions could be interpreted as stifling government programmes. Therefore, there is need to increase the amount of time parliamentarians can engage over WASH issues, using the informal parliamentary forum among other avenues.

Different approaches are used by the different committees to scrutinize government Policy. However, all committees broadly use the following methods (adapted from procedures used by the Natural Resources Committee)

The Committee used the following procedure in scrutinizing the respective Ministerial Policy Statements (Parliament of Uganda, 2007):

- (i) Formally inviting the respective Ministers to present their policy statements
- (ii) Reading the statements together with relevant materials regarding the sectors (Policies, laws, regulations and write ups)
- (iii) Raising questions on the policy statements for clarification by the relevant Ministers
- (iv) Meeting autonomous bodies that take policy guidelines from the Ministry.

Functionality of selected committees relevant to WASH

Roles and performance of the Social Services Committee

The Sessional Committee on Social Services is mandated by Parliament to oversee the activities of the Ministry of Education and Sports; Ministry of Health; and other departments and parastatal institutions under the Committee’s jurisdiction. It comprises of twenty (20) Members selected from among Members of Parliament on the basis of the parties or organizations represented in Parliament.

Although Sanitation issues fall directly under the mandate of the Ministry of Education and Sports; and Ministry of Health, there is no mention in the Committee Reports of sanitation issues.

Conclusions and implications for WAU

Sanitation and hygiene do not compete favorably on the list of priorities for the education and health ministries. There is therefore need to rethink the placing of these issues and possibly consider taking them back to the sole stewardship of the Ministry of Water and Environment – in which case they would be given adequate scrutiny under the Natural Resources Committee.

In the interim however, WAU should consider more advocacy around sanitation and hygiene issues and highlight the need to have these issues given attention by the Social Services Committee, since they constitute a public health concern. There is need to engage the Social Services Committee to pay attention to sanitation issues in its education and health sector reports – since sanitation is the institutional mandate of the two sectors.

Roles and performance of the Natural Resources Committee

Rule 133 of the Rules of Procedure of Parliament mandates Sessional Committees to critically examine Government's Recurrent and Capital budget estimates and to make recommendations for general debate in the House. The Committee on Natural Resources is mandated by Parliament to oversee the activities and programmes of the Ministry of Energy and Mineral Development; and Ministry of Water and Environment. It comprises of twenty (20) Members selected from among Members of Parliament on the basis of the parties or organizations represented in Parliament. The Committee on Natural Resources is specifically mandated to cover the policy proposals and budgetary estimates for the following votes:

- Vote 017 Energy and Mineral Development
- Vote 019 Water and Environment
- Vote 150 National Environment Management Authority (NEMA)
- Vote 157 National Forestry Authority (NFA)

There is evidence from the report of the committee that indeed scrutiny of government spending and estimates as well as policies is done with a high degree of proficiency. For instance, the committee, considering the Ministerial Policy Statement and Budget Estimates for the Financial Year 2007/2008 after making scrutiny of budgets and sector outcomes made the following observations and recommendations:

Observations

1. Although the national water coverage is 62% this statistical figure remains deceptive because some areas are far above this i.e. 90% and above, others are 30% and below. Besides that the output figures by the Ministry of water were not comprehensive enough to show the impact of resources on water coverage.
2. This sector has continued to experience budget cuts despite the fact that water is life. During this financial year the budget for the sector was reduced from 50 billion to 45 billion raising a lot of complaints from beneficiaries. A plan to construct piped water systems in Northern Uganda which has the lowest piped water supply coverage still requires additional funds of 11.5 billion in the sector MTEF.
3. Clean water is still a problem to both rural and urban population in Uganda. This is especially the case where the water table is low and bore holes produce low yields. The committee was informed that Districts are free to use conditional grants to provide alternative water sources in such instances. Some districts however do not seem to be well advised in this regard.

4. Boreholes continue to be problematic and non functional. In many districts “Wanainchi” have failed to maintain these boreholes. Government has also continued to spend colossal sums of money on repairs, this financial year 1,442,877,000 has been ear marked for borehole rehabilitation. These funds however do not seem to be well monitored.
5. There is no standard cost for construction of boreholes; the committee was informed that it ranges from UG shillings 13-20 million depending on security, hydro- geological conditions, borehole depth and diameter among others. This has left a lot of room for corruption and other backroom activities.
6. A lot of projects have gone through the design phase but there are no funds to actualize them. Some designs have been available for as long as 4 years and people have continued to suffer in the process, with women being major victims because they spend several hours queuing for water. This has also affected schools that have found a lot of difficulty providing water for pupils who sometimes rely on water to substitute meals. The Minister informed the committee that most of these projects are being marketed to donors and some of the districts have also not applied for funding.
7. The government has made a lot of strides in providing water sources to IDPs which have now turned into rural growth centres with people returning home. This calls for the need to provide water to previously abandoned villages. The committee was informed by the Minister that districts in the North have a flexibility of allocation of up to 50% of the conditional grant for water and sanitation to meet this need. In addition the ministry has a separate central project to meet extra demands for piped water systems in concentrated communities.
8. Water provision to Karamoja is still in-adequate and requires a multi faceted approach to include water for irrigation. It was observed that the problem in Karamoja covers both water and pasture. It was noted that Karamojong normally move to neighboring districts in search of pasture.
9. The sanitation sector is still lagging behind and sewerage systems are in a horrendous condition. Only 12 towns have water borne sewerage systems, with less than 8% of the population connected. Even Munyonyo, the official venue for CHOGM is not connected to the main sewer line.

“Sanitation was under funded, people who are building in all the small towns have to use individual septic tanks which is very dangerous for sanitation and also very expensive yet if the sewer lines were collective it would be better managed. Currently, the Kampala sewer line caters for the seven traditional Kampala hills but Kampala is becoming 50 hills; extending to Mukono, Mpigi and Wakiso... with this scenario, you cannot use the old Kampala 7 hills structural plan because the sanitation is affected by the pressure on the sewer lines... the problem of sewerage /sanitation is much bigger than just the budget because it has implications for planning.” MP Bulisa and member of the Natural Resources Committee

10. The committee observed that a lot of shoddy work is being carried out by contractors. This is mainly the case with districts and includes the sinking of boreholes, water tanks inter alia. This problem has been escalating as a result of poor supervision by the centre.

The committee made the following recommendations...

1. Sufficient funds should be provided to enable Ugandans access clean water. This would definitely reduce government spending in the health sector.
2. Districts should be advised to provide alternative sources of water where boreholes are inappropriate. Detailed research of the area in question should be conducted before boreholes are sunk.

3. Government should streamline rehabilitation of boreholes and funds sent to the Districts for this purpose should be well monitored.
4. The ministry should come up with standard rates for construction of boreholes based on proper surveys, without this contractors will continue taking advantage of “wanainchi”
5. Government should intensify its efforts in seeking for donors to finance projects. In cases where donors are not forthcoming local funds should be mobilized.
6. Returnees from IDPs should be given priority in the provision of water as this is key to the resettlement process.
7. In addition Government should ensure proper co-ordination in the resettlement process to avoid duplication of services by the multiplicity of NGOs operating in the area.
8. Government should recognize the importance of sanitation and provide for it accordingly.
9. Government should strengthen supervision of water activities in districts. Companies and individuals who provide shoddy work should be black listed and funds recovered.

Conclusions and implications for WAU

Although the recommendations made by the Committee to the Ministry are plausible, the Committee lacks control over continuous oversight to ensure that they are implemented. This provides a good opportunity for WAU and CSOs to monitor and provide periodic reports on the situation of these recommendations. Therefore, as part of its advocacy activities, WAU should ensure that it obtains parliament’s Committee reports and tracks the status of implementation of the recommendations. This feedback should then be relayed to parliament at an appropriate time and in effective formats to ensure that the oversight function is fully implemented.

Roles and performance of the Public Accounts Committee

The Public Accounts Committee is provided for under Rule No.148 of the Rules of Procedure. It is mandated to examine the audited accounts showing the appropriation of the sums granted by Parliament to meet the public expenditure of government. Membership comprises of 20 members designated by Party Whips on the basis of proportional Party Membership in the House taking into consideration the interests of Independent Members. (Parliament of Uganda)

The mandate of the committee is to ensure accountability of Public expenditure by Government through line Ministries - based on the Auditor General’s report. The Committee also makes recommendations for actions to be taken for failure to account for public funds. The Committee however, sometimes recommends policy issues like allocation of resources and funds, based on performance of specific sectors. Policy matters and supervision of WASH is conducted by the Committees on Natural Resources and that for Social Services.

This notwithstanding, the committee made some general observations, which have implications to the WASH sub-sector:

- 1) Poor spending patterns by the Executive in service delivery: The committee has noted that a lot of funds are spent on administration rather than service delivery itself.
 - a. “The fleet of vehicles and associated costs at the MWE for example is unnecessarily high compared to what has been delivered in terms of services like boreholes, latrines in schools, and sanitation campaign programmes in our communities” MP Isingiro County and member of PAC.

The high administrative costs have compromised the value for money for most projects.

- 2) Misallocation of resources: Some of the projects have turned out to be “white elephants” either - not being relevant to the community, benefitting only a few members of the community or duplicated within a community. From the Auditor General’s report of 2009 a number of valley dams worth billions of shillings in Western Uganda were poorly constructed resulting in wastage of resources. A case in point is the Nsyenyi Valley Dam in Ntungamo District. It was observed that the new tank was constructed 20 meters away from another existing tank. The rationale for constructing a tank in an area which already had one was not well explained. It was also noted that both dams were dry at the time of the inspection. It was therefore recommended that “Management should ensure that the facilities are operationalised and future location of the tanks be done in a rational manner” Auditor General’s report, 13.5.4, 2009
- 3) Management and administration of WASH projects and activities from the center has led to poor supervision of projects and misallocation of funds. From the Auditor General’s report of 2009 on Management of Counterpart funding for the MWE; it was noted that Government counterpart funding under the Water and Sanitation Development Facilities of Mbarara and Lira was managed by the centre. This caused management problems where documents had to be sent to Kampala for payment processing. As a result, payments were delayed and record keeping became difficult as records were retained at Kampala. Districts were excluded from participating and deciding on how to make optimum use of funds and resources allocated to the Districts.

Recommendations made by PAC members interviewed for this study:

- Use of various Parliamentary forums to advocate and lobby for more funding of WASH activities. One such a forum is the Parliamentary Forum on Millennium Development Goals. This forum has been instrumental in lobbying for WASH activities as part of the MDGs. *“It’s our hope that the 9th Parliament shall pursue our proposal that this forum becomes a permanent Parliamentary committee with full funding and facilitation like any other committees”* MP Isingiro County and member of PAC
- Involvement of Local Leaders at the District in WASH related projects. The funds should be sent directly to the District to decide on allocation of the funds and resources appropriately. This is one way of ensuring project ownership and sustainability among the recipient community.
- Cutting of administrative costs: This is part of a bigger recommendation that will affect most sectors where expenditure on assets like cars to Public Servants, unjustified allowances, etc should be reduced.
- Meeting and interaction with the CSOs: The CSOs have been effective “whistle blowers” and would effectively complement PAC’s role in ensuring accountability by Government. It’s also important for Parliament to know what the several CSO’s are doing in their respective areas
- Stronger laws on recommendations made by PAC. Some of the recommendations made by PAC have not been effected and yet the committee’s mandate ends at only making recommendations

Challenges in Parliament’s WASH oversight function

Limited access to information: MPs lamented that their oversight role is significantly hampered by the limited or total lack of access to information. The chairperson of the Natural Resources committee stressed that MPs often do not have adequate information to engage on WASH issues. Sometimes, WASH line ministries do not provide adequate and timely information to MPs while in other instances the information provided by the ministries contravenes does not tally with the facts on the ground. Several MPs claim that while government statistics report progressive performance of WASH, in their constituencies, the situation is different as several of the indicators reported such as the number of boreholes might be absent.

The quotation below – obtained from the “Report of the Committee on Social Services on the Ministerial policy statements for financial year 2008/09” summarises the frustration of MPs with the limited information, and which subsequently undermines their oversight role...

The committee noted that for the 2008/09 budget cycle, the preparation of sector budget framework papers, ministerial policy statements and budget estimates was changed to emphasise vote functions. This was as a result of new guidelines issued by the Ministry of Finance, Planning and Economic development (MFPED). The committee noted that important information like the amount of money received by the sectors as well as progress on implementation of parliamentary recommendations among others are omitted in the guidelines. The committee could not readily get some of this information.

The Committee invited the MFPED for a meeting to clarify on specific issues. The deliberate failure of the MFPED to honour the invitation of the Committee, let alone failure to respond in writing to the issues forwarded to him in spite of various appeals was considered contempt of Parliament (Parliament of Uganda, 2010)

Going forward, it is vital that MPs have adequate, accurate and reliable information in order to effectively play the oversight role. In addition, Parliament should be updated with any new guidelines that affect its oversight function with the respective Ministries.

Parliament has a research department which is supposed to provide MPs with information they need to perform their roles. The capacity of the research department of parliament needs to be particularly enhanced to provide WASH related information for parliamentarians. Given the centrality of WASH, an MP proposed that a full time research officer designated to WASH should be employed by the department. This also presents an opportunity for WAU and other CSOs to provide accurate information to respective parliamentary committees to enhance the oversight role for WASH.

Limited participation in grant and loan decision-making: Parliament is often not able to keep pace with budget allocation and expenditure in the water sector. For example at the time of the study (February 2011) the European Union had just launched a new initiative to fast track the realization of Millennium Development Goals (MDGs) in Uganda. This comes with financial support and the Ministry of Finance, Planning and Economic Development decided that the funds should be allocated to the water and sanitation sector. While this is a positive development for the sector, parliament does not appear to have been involved in the discussion and decision-making process. This will make it difficult for parliament to monitor the performance of such an initiative. According to a respondent from DFID,

“Parliament should be involved in all discussions related to allocation of funds to the sector in order to effectively scrutinize, challenge and influence budget allocation and actual expenditure in the water sector.”

Related to the above, parliament is not able to decide sector rewards based on performance. Parliament should be able to ensure that the water and sanitation sector receives adequate budget allocations. However according to a respondent from DFID,

“The water sector appears to be penalized for its good performance. The water sector has had its budget constantly reduced for the last two years despite its constant good performance compared to other sectors of government” Representative of DFID

Parliament should advocate that the sector is rewarded through budget allocation for its good performance.

Limited opportunities to monitor budget compliance: Parliament faces challenges in monitoring government's compliance with the budget. Although MPs are allocated money to monitor government programmes in their constituency, the scrutiny of government spending usually comes after the financial year has ended. This is seen in the work of the Public Accounts Committee which summons respective Ministries to defend their spending. Although the efforts of the PAC are commendable, the approach is reactive rather than a corrective. There is need to monitor expenditure during the course of the financial year to ensure compliance with the budget. The PAC's investigation arm also needs to be facilitated to carry out evidence based investigations. The Committee sometimes refers cases to the Police who are usually underfunded for further investigations. To fast track the investigative process it is prudent to facilitate the PAC's investigation arm.

Limited control over compliance with WASH policies: Even where parliament is aware of non-compliance with WASH policies, it has limited technical capacity to ensure compliance. Some of the policy limitations for instance include:

- Failure to fully devolve WASH management to local governments: While the Local Governments Act defines roles for different levels of government in provision and management of water and sanitation related activities, the central government continues to centrally decide and design water projects without involvement of the respective local governments.
- While in the current set up almost every district has a water management office, creation of new districts might present challenges to the water management and delivery model. For example, questions arise on the viability of establishing a water management office in every new district. This calls for rethinking the water management structure, for example the possibility of creating water zones, comprising a group of districts to establish a viable water management geo-arrangement.

Competing priorities within the sector: The challenge of balancing between meeting water needs for production compared to water for domestic use and sanitation is a persistent one. A member of parliament from Moroto pointed to the apparent “competition” for and “imbalance” in the allocation of resources for water between production needs vis-à-vis domestic consumption and sanitation. According to the MP, in 2010, the office of the Minister for Karamoja affairs invested over 600,000,000 UGX in sinking valley dams for livestock against no budget for water for domestic consumption and sanitation.

“The municipality does not have a piped water and sewage system. When the rains come, we shall forget the problem of water for livestock, and yet the sanitation problem will even worsen due to emergence of water borne diseases.” MP from Moroto

Parliament thus needs to build the case for ensuring balance in the allocation of financial and technical resources to optimally respond to the increasing competing and vital pressures for water for production and water for domestic and sanitation uses.

Opportunities for participation of CSOs in the oversight function

- Conduct high quality and timely research on WASH and avail the information to MPs for better use to hold government accountable
- Present well researched and well written petitions and identify a member of parliament to present the petition on behalf of CSOs on WASH. Parliamentary rules of procedure allow MPs to present petitions regarding a Bill before it is read a second time if it has any member of the population it affects, who have come up to petition Parliament. Petitions relating to a matter other than a Bill before a Committee are also allowed, which the Speaker may then refer to a relevant Committee for consideration and report. This provides a good advocacy forum for CSOs.
- Increased interaction with the CSOs to support parliament in planning, budgeting and monitoring to ensure improved service delivery.

4.2.3 Citizen representation; To ensure state responsiveness to WASH issues

Key WASH priorities of the population

The WASH needs of the population vary across districts/regions in the country. While urban areas have specialized WASH needs e.g. for piped water, public toilets and garbage management; some rural areas grapple with inconsistencies in water supply mostly due to seasonality of water sources, challenges with the bed rock and the water table, as well as outright lack of water sources in some locations, requiring that people walk long distances to available water points and wait long hours before accessing water. Latrine coverage in rural areas also continues to be a challenge – due to low hygiene literacy as well as lack of logistics to construct latrines.

To address some of these issues, MPs made some promises during their campaigns – some of which are highlighted below.

Key issues in Political Party & MPs' Manifesto to respond to WASH

Many MPs did not have individual manifestos, but were guided by their party manifestos. Some parties explicitly elaborated promises for the WASH sector while others lacked WASH promises. The section below makes a verbatim (un-edited) presentation of WASH promises reflected in the manifestos:

WASH Pledges by the NRM Manifesto: Continuing to expand piped water to more towns and trading centers, expanding safe-water coverage in rural areas (bore-holes, gravity-flow schemes, protected springs, water harvesting, etc) for human consumption. Irrigation-mega and micro-mainly, for agriculture to ensure that the erraticness of the weather does not affect us. (NRM, 2011)

Rural water

- 1) Increase access to safe and clean water in rural areas within a radius of 1 km from the current 65% to 100% by the year 2016 through; Springs protection, Shallow wells installation, Deep boreholes installation, Rain Water Harvesting Tanks, Piped is appropriate

though out the country. Lirima (Manafwa District), Nkaka (Kisoro district), Gomba, Nabweya (Bududa District), Muyembe, Bunambutye and Bukwo (Bukwo District) will be constructed.

- 2) Government to subsidise construction of water tanks for each household in rain water harvesting with a programme initially covering water-stressed districts such as Sembabule, Mubende, Kiboga, Nakaseke, Kiruhura, Nakasongola, Luwero, Kayunga, Bugiri, Mayuge, Buyende, Kyegegwa, Masindi (Kimengo Subcounty and Ntoma Parish), and the Islands of Buvuma.

Urban water

- Ensure that water supply coverage in the urban areas increases from the current connection activities. Expand water services to the greater Kampala Area through the implementation of the Kampala Water Supply Project. This project will entail the construction of a new water treatment Plant in Katosi (Mukono), the rehabilitation and expansion of the Kampala network and the elimination of water-stressed zones in Kampala.
- Rehabilitate and expand the existing water supply and sewerage systems in the towns of Hoima, Masindi, Arua, Bushenyi, Gulu, Mbale, Kasese, Mbarara, Masaka (Kako), Nsangi and Buloba
- Continue with the rehabilitation and expansion of the existing piped water supplies and sanitation facilities in all townships that are district headquarters and municipalities. Ensure that both water and sanitation services to the urban poor in all urban centres are improved through the extension of water and sanitation facilities, and the installation of prepaid meter services on public water kiosks in all the urban poor settlements.

Water for production

- Increasing the storage capacity in the country with an additional 30 billion litres of water by construction of reservoirs for example in Mubende, Kibaale, Oyam, Nebbi, Lira, Karamoja, Teso, Kiruhura Districts etc
- Rehabilitate and desilt 104 dams in the cattle corridor. Construct bulk water transfer systems and strategic reservoirs for multipurpose use e.g. Aquaculture and Irrigation in areas such as Bukanga (Isingiro), Nyabushozi and Kazo in Kiruhura District, Kakuuto and Kooki in Rakai District and Kabula in Lyantonde District. Others include Nakasongola, Nakapiripirit, Katakwi and Moroto Districts.
- Design and construct 5 bulk water schemes in Rakai, Kiruhura, Nakasongola, Napak and Moroto.
- Construct 5 large scale irrigation schemes in Rakai, Nakapiripirit, Kasese, Napak and Bukedea
- Upscale provision of water for production construction equipment to be accessed by farmers to other districts. Government will mobilize resources to acquire 10 equipment units for this purpose.

WASH Pledges by the Democratic Party Manifesto: Ensuring that the government does not retreat from strategic economic sectors like energy and water. Running business should not be the main pre-occupation of government, but government should not abandon its core strategic responsibilities. The partnership between the public and private sector will ensure that the market also serves the public. (DP, 2011)

WASH Pledges by the Uganda People's Congress Manifesto: Provide funding for continuous monitoring of land, forest, fisheries and water use at a national and district level; Propose the establishment of a multilateral Great Lakes Ecosystems Regional Environmental Authority/Framework (GLEMA/F) that brings together Uganda, Congo, Tanzania, Rwanda,

Burundi, Sudan, in the sustainable management of the natural resources - water, fisheries, marine transport, forestry, etc - in the Great Lakes Watershed. (UPC, 2011)

WASH Pledges in the Forum for Democratic Change's Manifesto: There is no specific mention of WASH in the FDC 2011 Manifesto

This notwithstanding, some MPs indeed made some WASH promises during their campaigns as illustrated in [Table 4.4](#).

Table 4.4: WASH campaign promises made by selected MPs

District	County	MP	WASH Campaign Promises	Strategies To Deliver
Katakwi	Katakwi	Charles Oleny Ojok	<ul style="list-style-type: none"> Advocate for increased water coverage to less than 5km distance or provision of a borehole per village. Katakwi had over 60 IDP camps. Water provision was around camps at the cost of villages. Camps have since been depopulated as people returned to villages. There are over 40 villages most of them needing urgent intervention – mainly boreholes. Reduce congestion at water collection points and overuse of boreholes by installing new boreholes near communities as opposed to schools. Advocate local governments to increase sensitization on building of basic sanitation and hygiene facilities such as bathing shelters, latrines, plate racks 	<ul style="list-style-type: none"> Use local government structures to pass ordinances implemented by chiefs at sub county and parish development assistants as opposed to LCs (who are elected and can be highly compromised). There has to be political directive to promote WASH. Local Government leaders should talk about it and enforce the “cleanest home campaign” to act as role models to the community. WASH should be mainstreamed in other government programmes e.g. <i>bona bagagawale</i>, UPE, NAAD Advocate for laws to be put in place for provision of compulsory hand washing facilities at every household and public place. <i>“Provide a bar of soap per household for a start. This will lead to reduction of diarrhoea and related infections which in turn will encourage people to adopt best practices”.</i> MP Katakwi
Masindi	District woman MP	Hon Jalia Bintu	<ul style="list-style-type: none"> MP campaigned under NRM party so did not make any individual promises <i>I cannot promise people that I can provide for them water or anything like that because I do not have direct access to money to provide for the whole district. We know the budget shortfalls, so we can't make promises we can't fulfil... I am working under a party</i> 	<ul style="list-style-type: none"> Same as NRM party strategies

			<i>structure so, I am bound by the NRM manifesto which promised on WASH</i>	
Nakapiripirit	District women MP	Ms Iriama Rose	<ul style="list-style-type: none"> • Advocate for construction/building of pit latrines in <i>manyatas</i> (homesteads). Currently, pit latrines only exist in institutions like schools, health centres and other institutions and coverage in the district is only 5%. • Provision of boreholes in the communities and schools. • Ensure rain water harvesting in schools. • Advocate for promotion of formal school enrolment (this will ensure the children learn good hygiene practices) <i>“...it is very difficult to sensitise a person who has never been to school to change practices. It takes time and it becomes an obstacle to NGOs to sensitise uneducated people... To promote good hygiene and sanitation, we need to embark on education...”</i> 	Sensitization to demystify cultural influences (e.g. <i>pregnant women do not use latrines</i>), work with existing structures and CSOs to influence communities to change attitudes.
MUBENDE	Buweekula	Semuli Anthony (newly elected)	<ul style="list-style-type: none"> • Increase access to clean and safe water to the communities. • Advocate for improved sanitation and hygiene good practices in the community 	<ul style="list-style-type: none"> • Lobby NWSC to extend water from the town council to the neighbouring sub counties i.e. Kitenga, Madudu, Butalogo etc. Buweekula is a semi arid area with low water table thus the need for a sustainable water source • Repair dams • Work with LG to ensure that WASH programs are implemented. • Get technicians to train the communities to repair boreholes • Embark on sensitization to promote good hygiene and sanitation practices using the three locally available FM stations in collaboration with CSOs.

MP's efforts to ensure fulfillment of party manifesto

Party Manifesto are not customized to constituency needs: The MPs interviewed (both from the National Resistance movement and opposition parties) said they do not make individual WASH

election promises; they are bound by the manifesto of their political parties. In our view, this has a limitation in that the respective MPs may not take adequate time to investigate constituent-specific WASH concerns, let alone to develop customized lobbying strategies to address constituent-specific issues. While MPs said they had avenues for receiving complaints/feedback from their constituents e.g. through their constituency-based offices, they did not have clear structures for receiving and addressing WASH issues.

Without constituent specific WASH issues for an MP during his term of office, the respective community will not have the baseline for assessing the performance of the respective MP. While majority MPs do not have clear WASH agendas for their constituents, their electorate are constantly grappling with water scarcity and the need to make critical decisions on how to use any available water. Clearly, MPs need to be capacitated to be able to analyze WASH issues for their constituencies, establish redress mechanisms as well as monitor the extent to which WASH issues of the respective constituencies are addressed.

Piloting community participatory approaches like Community Driven Development in WASH may help to generate constituent specific WASH agenda, over which communities may hold their MPs accountable.

Weak relationship between MPs and local government leaders: Some MPs asserted that fulfillment of WASH manifesto promises at the constituency level largely depends on the relationship between the respective MPs and Local Government officials. While MPs are Ex-officio members of the district planning committees, they do not have any influence on the allocation of district consolidated funds and other revenues. Provision of social services is the responsibility of the local government. An MP revealed that...

“We make pledges to provide water but the truth is that as members of parliament we cannot implement what we promise because planning and executing social services is the role of Local government. If you are not in good books with the LC V chairperson, your ideas will be totally ignored” MP Pallisa

It is apparent that some MPs may not be fully articulate of their role in the decentralized governance system. For example one defined decentralization as *“leave districts alone to do what they want”*. With such an attitude, such an MP may not perform his role of monitoring the quality of service delivery in his constituency, including those that relate to WASH; and may not participate in District Council meetings although they are mandated to participate as ex-officio members. It is therefore prudent that efforts are made to ensure a close working relationship between MPs and local government officials. This is even of greater importance where the MP and local government leaders are of different party affiliations.

Lack of veto powers: There is also need to review the relevant constitutional provisions and Local Government Act clauses which legislate the role of MPs in relation to service delivery. According to the MPs, the provisions appoint the MP to play an oversight responsibility without any power to veto decisions or influence allocation of resources to sectors such as WASH which are of great priority for the people.

An MP was of the view that MPs conduct a comparative study, to examine the involvement of parliamentarians in service delivery. According to the MP, the system in some countries is that MPs are given a significant control over the allocation of local government funds, and can directly intervene if they feel constituency priorities are not being addressed. Part of WAU’s advocacy function should be to advocate that MPs should be part and parcel of their respective

Local Government Planning functions (since the law allows them to be defacto Council Members). They should participate in planning and budget to facilitate the bottom-up sector prioritization function and to enhance their parliamentary committee debates. In addition, Constituency Development Fund priorities should be obtained from these district fora.

Opportunities for CSO participation in ensuring effective representation on WASH

Service delivery by CSOs

“At parliament, we play a mediator role, when we approve budgets and make laws, we hand everything back to government to implement. The biggest gap is felt at the lower levels; they fail to mobilize themselves to implement the programs. Working with CSOs at lower levels would therefore increase responsiveness to WASH” Woman MP Nakapiririt

The Constituency Development Fund

CSOs need to explore how best to work with communities and MPs to tap into the Constituency Development Fund for WASH purposes. MPs are entitled to a Constituency Development Fund (CDF) intended to relieve them of the pressures of their constituents in regard to the promised and other development projects. The CDF is a sum of money intended for the MPs on annual basis in regard to those development projects. In Uganda, there is no comprehensive law governing the management of CDF.

The guidelines for the use of CDF mandate that:

1. Every MP has to establish a Committee of 5 people composed of him/ herself as the Chairperson, a Secretary, a Treasurer and two other members for the purpose of handling this money;
2. The money would be released to the individual MP and the responsibility of accountability to the Accounting Officer (Clerk to Parliament) would lie with the MP;
3. The money would be accounted for within one year;
4. The funds would only be used on activities that directly increase household incomes and productivity; on interventions that can trigger rapid rural transformation and economic development; and on agro-processing and marketing of produce in the respective constituencies;
5. The money would not be used on development of infrastructure projects already under the Local Government initiatives or Central Government programmes or projects; and on political and/or religious activities.

Potential parliamentary forum on WASH

Parliament also works through different parliamentary fora that lobby for policy and resource focus on pertinent themes. The currently existing fora include: the Uganda Parliamentary Forum for Children (UPFC); Parliamentary forum for women; Parliamentary Forum for Climate Change (PFCC); Greater North Parliamentary Forum, and Uganda Parliamentary Forum on Millennium Development Goals (UPFMDGs) among others.

A parliamentary forum is usually formed with impetus from a CSO which identifies a member of parliament to champion the particular cause. This could be an MP who has technical expertise in the subject or who has a history of championing that particular cause. This MP then lobbies others to join the forum.

The role of the CSO at this point is to furnish the championing MP with evidence to justify the need for a forum. The CSO must also lay out what activities the forum will be performing; funding options for the activities; as well as potential benefits to the constituencies of the members of the forum.

After the background/lobbying work is done, the CSO organizes for a meeting in which the first reading of the proposal is made to potential members. The championing member then leads the process of obtaining acceptance from the house. After the constitution of the forum is adopted and the leadership elected, the forum is then registered with the Clerk to Parliament where it is recognized and allocated an office and other basic facilitation. The forum is then registered as a company, with the Registrar of Companies, after which it proceeds to open a bank account and to operate to meet its objectives.

WaterAid Uganda should consider allocating resources towards the formation of such a forum since WASH issues pose challenges to many constituencies – both rural and urban. Rural constituencies are riddled with water supply and equity challenges, while the urban constituencies grapple with water as well as sanitation and garbage disposal challenges. The formation of a WASH forum is therefore a “winnable battle.”

4.3 WASH institutional synergies and opportunities

4.3.1 Parliament-donor relations

The major Development Partners/Donors in the WASH Sub-Sector include DANIDA, UNICEF, World Bank, Austria, GTZ (GIZ), and SIDA among others.

Donors like DFID support the water sector through General Budget support as opposed to Direct Project Support. About 50% of DFID overall aid framework is allocated to direct budget support. This is also in line with the ‘Sector Wide Approach to Planning (SWAP) for the comprehensive Water Sector Strategy, investment plans and time bound national targets for the sector up to 2015.

General Budget support is currently preferred by development partners on the premise that that General budget support gives the government more autonomy over the allocation of its resources to national priorities as opposed to direct project support which is subject to donor dictations. The SWAP framework also guarantees the participation of all stakeholders in the planning and implementation of water sector activities.

Support to the WASH sub sector by donors is also through components of some of their major programmes, for example DFID is a major funder for the Northern Uganda Post conflict reconstruction and resettlement programme, which has a large component of water and sanitation.

However, some donors particularly those who had direct project support have since phased out their support to the water sector. For Example, the Swedish International Development agency phased out its water and sanitation program at the end of 2009.

Planning and budgeting for World Bank WASH activities is done by the working groups that include the Country Office and the line Ministries such as Ministry of Health and Ministry of Water and Environment. The plans and budgets are then forwarded to the regional offices for consideration before being presented to the Government of Uganda for Parliamentary approval.

The African Development Bank on the other hand provides lump sum indicative grant figures to government, which in conjunction with the sectors (who will have submitted project proposals) prioritises and allocates indicative amounts to the sectors. Bank officials then come to the Country for Project Identification missions followed by preparation and appraisal of projects. The project appraisal is submitted for board approval and later project agreements are signed with the recipient country. The identified executing agency then follows through with conditions of effectiveness and disbursements and implementation then commences. Each project prepares an 18-month procurement plan and a 4 month disbursement plan against which funds are disbursed. Projects keep some of the money in Bank of Uganda Special Accounts, while other funds are disbursed directly to procured contractors/consultants.

The ADB is a signatory to the Joint Financing Agreement/Joint Water Supply and Sanitation Programme Support (JFA/JWSSP) governing most water sector development partners and participates in all the strategic sector working groups (WESG, WSWG, WSDPG). All development partners previously were subscribing to the Uganda Joint Assistance Strategy as the country strategy paper; which was in line with the Poverty Eradication Action Plan. This time round however all have agreed to prepare separate Country Strategy Papers and the Bank prepared its 5 year CSP for 2011-2015 which is in line with the 5 year National Development Plan.

According to most of the donors talked to the MPs do not participate in their planning and budgeting directly. The Donor Partners such as the World Bank and ADB work closely with the Executive as mandated through the line Ministries such as the Ministry of Health and the Ministry of Water and Environment to discuss plans and budgets for intended WASH programmes. The Ministries in some cases participate in the planning and budgeting as part of the stakeholders who sit in the sector working groups instituted by the partners.

However, donors involve parliament in sector reviews, through the respective committees which come to the country to undertake project feasibility missions. According to a respondent from one of Donor Partners, "One of the conditions for project funding is for parliament to ratify the project based on the project appraisal documents. These being loans MoFPED has to seek parliament's approval and the necessary counterpart funds".

Donor planning/budget processes – Participation by Parliament

The Water and Sanitation sector is one of the four major sectors in the framework that donors have agreed for tracking government performance on an annual basis with clear performance indicators. Other sectors are transport, education and health. Annual indicators show that the water sector is performing well above average compared to other sectors. This is partly because of the way the sector has been streamlined over the last two years with management policy frameworks, delivery framework, as well as a good monitoring framework and donor cooperation. According to a respondent from DFID, there is need for a discussion among major donors on the possibility of shifting or balancing between investment support for the development of water and sanitation infrastructure to "soft ware" support like capacity building in areas such as development of water management policies and systems, strengthening of water management functions in districts through direct technical support, as well as development systems and mechanisms for improving community demand-driven accountability in the water and sanitation sector .

An annual meeting is held by heads of donor missions with parliament to review the role of budget support and how it contributes to government efforts. This is a general discussion, which is expected in a way to mention water and sanitation issues. The approach of general budget support has not allowed for WASH- related engagement between most donors and parliament.

Development partners and donors share some responsibility for weak parliamentary performance. The focus of donor interventions in support of good governance has tended to be on the executive; an effective state has been equated with an effective executive and civil service. Whilst there is clearly value in donors working closely with the executive, an overly-exclusive focus on this branch of government does risk marginalizing parliaments. The IMF and World Bank have also marginalized parliaments. Whereas civil society participation was encouraged, parliaments were initially excluded from the PRSP process. And parliaments have not had the right to see or scrutinise the conditions attached to loans offered by the international financial institutions. This undermines democratic domestic accountability and risks further marginalising parliaments. (ODI, 2007)

Development partners need to support the parliament to monitor the extent to which sector institutions - in particular the Directorate of Water Development (DWD) performs its role of planning and monitoring water and sanitation programs. Parliament should also be facilitated to develop the capacity of monitoring how government includes and supports the private sector and community participation in all water sector activities.

Opportunities for synergy

The lack of systematic data about what works, makes it a challenge to design effective parliamentary strengthening programmes. However, it is possible to identify some guidelines for parliamentary strengthening, which donors should follow (ODI, 2007):

- Respond to what parliaments and other development stakeholders say they need in terms of parliamentary strengthening. Do not impose inappropriate models of how parliament should work.
- Address the causes of poor parliamentary performance, rather than solely the symptoms.
- Take full account of the local context – including the political context within which parliaments function.
- Involve a range of local organisations, and interest groups, including opposition MPs and parties as well as members of the government.
- Use particular issues such as budget oversight, anti-corruption, WASH and poverty reduction as entry-points for improving parliamentary performance, rather than focusing solely on parliamentary procedures.
- Coordinate and deliver appropriate activities with other agencies, and ensure that activities are appropriate to the objectives of parliamentary strengthening.

There are opportunities that parliament and civil society can tap from DFID - for example civil society can apply for funds from the Deepening Democracy fund to build the capacity of parliamentarians and political parties on how best to engage on WASH issues.

4.3.2 Parliament-executive relations

Parliament has through legislation supported NWSC for example, to scrap VAT on water and sanitation which is a basic need. Parliament has supported WASH through ensuring the NWSC receives grants as opposed to loans which attract high servicing costs. It is difficult to repay

loans through tariffs because this reduces access since the money is spent on loan servicing. The grants reduce tariffs so that the corporation is able to expand water and sanitation systems.

NWSC had a big debt-burden, but parliament restructured it, making NWSC debt-free. Officials at NWSC and NEMA however expressed their frustration that although parliament is doing a very good job to support WASH through legislation, the executive which is supposed to implement parliament's decisions does not do it - instead they frustrate decisions through building on wetlands, and mismanagement of wetlands. NEMA and NWSC are constantly in battle with people who encroach on wetlands which are supposed to be the filters for sanitation. NWSC Corporate manager

Another frustration the Ministry has is that although the guidelines for operation and maintenance require communities to contribute some optimal maintenance fees, parliamentarians due to personal political interests tell the communities otherwise causing setbacks in implementation, maintenance and sustainability of water systems/sources.

4.3.3 Parliament-civil society relations

Community organizations working with local NGOs have been responsible for many of the most cost-effective initiatives to improve and extend provision for water and sanitation to low-income households.

CSOs have contributed to increased access to water supplies. They have continued to develop improved water sources in both rural and urban areas thus contributing to improved access to improved water sources. NGOs have also contributed to functionality of water supplies as one of their core focus for both existing and new water sources. According to UWASNET, NGOs have done this through sensitization of communities - encouraging them to participate in the water projects and own the new water sources by contributing towards capital costs.

NGOs have contributed to the improvement of water supply to the urban poor for example CIDI and its partner organization KICWA has facilitated the introduction of pre-paid water meters in Kisenyi III parish – Kampala city council. The pre-paid meter facilitated poor households to obtain water at UGX 20 whereas they used to pay UGX 100 for the same volume of water. This has proved to be effective for the mobile populations since they can move with their tokens and use them to pay for water services in other locations.

CSOs have introduced and continue to provide non-traditional sanitation facilities and construction of new toilet facilities for vulnerable groups. According to UWASNET Performance report for 2010, in order to improve access to improved sanitation, 21,329 traditional latrines, 130 VIP LATRINES, 86 Ecosan toilets, 7 sky loos and 20 fossa alternative toilets were constructed by CSOs in schools and households. Although majority of NGOs do not own water testing kits, it was noted that they have continued to work with district authorities to ensure good quality of water through water testing.

Most NGOs and CBOs in WASH sub sector promote access to hand washing with soap. UWASNET reported a total of 26,752 household hand washing facilities were installed with an investment of UGX 316.3 million. At schools 506 hand washing facilities were installed at an investment cost of UGX 62.5 million. The installation is often coupled with sensitization on the importance of washing hands with soap as one way the community will reduce incidence of diarrhoea and other sanitation related illnesses.

CSOs have contributed to good governance in the WASH sub sector. Good governance approaches have included WASH dialogue in the districts of Moyo, Adjumani, Nebi under a partnership of NETWAS, CEFORD and IRC, community score cards, learning for practice and policy in hygiene and sanitation in primary schools and households (in Kyenjojo and Kamwenge), ARUA and Koboko under NETAWAS in partnership with HEWASA, FORUD and Karitas Arua). The approaches facilitate discussions between service providers, local policy makers and the beneficiary communities to bring mutual understanding among them in search of lasting solutions to WASH related problems and issues –improving service delivery.

MPs interviewed are aware of the critical role of civil society in keeping track of WASH issues. Several admitted that most of the information they have about WASH concerns from their constituencies is from CSOs. Despite such recognition, there does not appear to be a constructive level of engagement between parliamentarians and civil society on WASH. One MP was of the opinion that MPs cannot influence the agenda of Civil Society Organisations.

There is need to sensitise MPs on the application of the notion of community driven Development to the WASH sector, so that they can guide their constituencies on setting the agenda of NGOs and other agencies operating in their locality. Community driven initiatives for water and sanitation improvements generally have much lower unit-costs per person reached than conventional government or private utility managed initiatives, and greater possibilities of cost recovery. Thus, external support for these on a larger scale does not require levels of external funding that are unrealistic.

Opportunities for synergy

MPs noted that sometimes NGOs have well researched out issues backed by statistical evidence. CSOs are sometimes invited to present their reports during the committee sessions to help inform parliamentary debate. This kind of relationship should be enhanced to inform the legislative and budget processes in the different working groups at parliament since CSOs are in immediate contact to the grassroots on a continuous basis.

There are several CSOs with programmes in WASH, and there is also a national umbrella for CSOs (UWASNET) addressing WASH programmes in Uganda. There are also regional CSOs addressing WASH; all of which provide the opportunity to the parliament of Uganda to constructively engage with CSOs on WASH.

Furthermore, the parliamentary forum discussed earlier is a great opportunity for providing an interactive opportunity between MPs and civil society regarding WASH.

CHAPTER FIVE: CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusions

5.1.1 Effectiveness of parliament in its mandate for WASH

There is a gap between the formal powers that Parliament has to hold the executive to account, and the ability or willingness of MPs to use those powers. Improving parliamentary effectiveness means understanding why that gap exists and tackling the causes. They may frequently be linked to the capacity or technical ability of the parliament, but they are invariably also linked to politics. It needs to be acknowledged that the effectiveness of parliament is determined as much by the attitudes, outlook and behaviour of its members as by its constitutional powers. The effectiveness of parliament in WASH legislation, oversight and representation can best be summarized in a SWOT analysis that fuses the discussion in [Chapter 4](#) of the report.

Table 5.1: A SWOT analysis of Parliament’s role in WASH governance

<p>Strengths</p> <ul style="list-style-type: none"> • Independent/non-partisan and functional committees relevant to WASH – Natural Resources Committee; Budget Office; Budget Committee; Public Accounts Committee • A functional research office • Accommodative rules of procedure which allow issues to be presented by members regardless of party affiliation • Adequate opportunities for representation of the electorate (through committees, plenary sessions, petitions) 	<p>Weaknesses</p> <ul style="list-style-type: none"> • Limited attention to sanitation and hygiene issues by the Social Services Committee • Weak veto power over budget allocations • Poor reputation among the electorate for holding government accountable – reputation of a “rubber stamp parliament” • Lack of access to timely accurate information to inform decision-making • Lack of constituency-specific WASH manifestos undermines effective responsiveness
<p>Opportunities</p> <ul style="list-style-type: none"> • A parliamentary forum with representation from CSOs and Donors could be formed to discuss WASH issues • Public petitions offer an opportunity for WASH issues to be channeled directly from the public domain to the attention of parliament • Capacity building funds do exist in some donor portfolios to strengthen parliamentary democracy – these could be used to address specific gaps in WASH governance • Many CSOs have research grants and capacity to conduct high quality WASH studies that could provide accurate timely information to enable MPs make informed decisions for WASH • E-governance could be tapped into to enable effective dialogue between MPs, CSOs, Donors and the public on WASH issues 	<p>Threats</p> <ul style="list-style-type: none"> • An all-too-powerful executive which overrides parliament’s decisions • Contempt of parliament by some members of the executive arm – e.g. Ministers refusing to appear before relevant committees when summoned • Multiparty allegiances quash objective thinking • Changes of guidelines by the MoFPED to Line Ministries sometimes limits the participation of parliament • Loan acquisition by government without parliamentary approval

5.1.2 WASH Institutional synergies

Parliament – Executive relations: As per the principle of separation of powers to provide checks and balances, parliament is inevitably required to interface with the executive in its functions. Parliament interacts with the MoWE by discussing their policy and budget papers and approving sector budgets; the MoFPED to negotiate and approve new loan agreements and public borrowing; and the presidency through discussing the state of the nation address among others. Although some challenges exist in the relations between parliament and these entities from time to time, there is evidence of institutional synergies between parliament and the executive.

Another arm of the executive worth mentioning are the Local Governments that undertake direct service delivery at the local levels. The effectiveness of MPs in WASH is also in part influenced by their relationship with local leaders, particularly Chairpersons of LC V. This is because while MPs have the oversight role, the local government leaders have actual decision-making power in the allocation of resources. While the two centers of power should work cohesively, differences arising from differing priorities and party affiliation among others appear to have drastically affected cooperation of MPs and local leaders during the 8th parliament – affecting service delivery including WASH. Forums that can increase networking between MPs and LC leaders are necessarily to enhance cooperation towards addressing constituency priorities.

Parliament – Donor relations: There is limited contact between donors and parliament. Although the annual Joint Sector Review forum exists to discuss WASH sectoral issues between the MoWE, Donors and CSOs, parliament has not been formally invited to these fora. The weak link between parliament and donors is further demonstrated by the apparent by-passing of the role of parliament when donors grant loans to government – that have not been approved by parliament. In addition, donors who finance strengthening of governance in Uganda have not proactively taken it upon themselves to build the capacity of parliament for effective democratic governance in general and WASH governance in particular.

Parliament – CSO relations: Although MPs recognise the contribution of CSOs in meeting WASH needs of their constituencies, there hasn't been effective interaction between the two entities. This is in spite of mutual opportunities that exist for both to interact. While MPs on the one hand need CSOs to address the WASH needs of their communities; CSOs need parliament to put in place an enabling policy environment as well as offer effective representation of WASH challenges of the poor on the other.

5.2 Recommendations

A number of recommendations have been made in preceding sections of the report. Nevertheless, this section re-emphasises some of the critical recommendations, and suggests other recommendations addressed to the different entities that have a bearing on WASH governance in Uganda. For WaterAid Uganda, the recommendations also include advocacy alternatives that could be adopted to initiate a process of engagement with parliament on WASH governance issues.

5.2.1 Recommendations for WaterAid Uganda's Advocacy

- 1) Identify allies in Parliament: Some MPs have in the past demonstrated high levels of integrity and concern for accountability and protection of the public good in environmental issues among others. WAU could consider identifying some MPs as key allies to champion WASH issues in the house.

- 2) Policy Briefing Papers: WAU should consider investing in quality research studies to generate evidence on WASH to inform parliament's WASH oversight function. This will address the acute lack of access to accurate and timely information. Policy briefing papers offer the most succinct channel of communicating technical information to busy policy makers. This notwithstanding, detailed reports should also be disseminated to relevant MPs or committees that need them.
- 3) Promotion of equity: A key advocacy theme for Water's aid work with parliament will be that of promoting equity. MPs need to be sensitized on the different equity requirements in WASH, taking into account the diversities and dynamics of different geographic locations.
- 4) Enhancing Community Driven Development Approaches in WASH: The representation role of parliamentarians in WASH, is in part informed by the capacity of the community to identify its needs, and propose redress mechanisms. Data from this study indicates that there is little mechanism for parliamentarians to directly contribute to the WASH conditions of their constituents since the MPs do not have constituent specific WASH agenda; neither do they have mechanisms specifically for obtaining WASH related complaints. Using the Community Driven Development Approach to WASH, communities will be empowered to identify their WASH priorities, propose redress mechanisms and effectively monitor the performance of the various stakeholders, including their MPs in addressing these priorities.
- 5) Lobby for the establishment of a WASH parliamentary forum: A parliamentary forum allows for technical interaction between parliament, CSOs and other interested parties. These forums are informative and will be effective in getting WASH issues onto the house agenda. The p
- 6) Regular Citizen Surgeries: Citizen Surgeries are designed as accountability platforms through which citizens hold their elected leaders to account. These are platforms for regular interface between leaders and citizens in assessing progress or otherwise of agreed upon demands or other realistic promises and commitments during campaigns. The NGO forum in its Citizen's Manifesto proposes these surgeries with MPs shall take place once a quarter through citizens fora at sub county levels, district council meetings, and radio, and an annual audit of the President's tenure is done annually (The Uganda National NGO Forum, 2011). WaterAid could either tap into this planned mechanism or undertake its own WASH-specific citizen surgeries.
- 7) Citizen Parliamentary Calls: This is yet another opportunity planned by the NGO Forum through the Citizen's Manifesto. Citizens will make physical visits and calls to Parliamentary Sessions or meetings to see for themselves how their elected leaders are performing or engaging in their business. Citizen Manifesto Partners will work with relevant agencies to ensure that up-to-date information on topics being discussed is availed and organize citizen visits accordingly (The Uganda National NGO Forum, 2011). This too could either form a direct opportunity for WAU or could be adapted to WASH-specific citizen parliamentary calls.

5.2.2 Recommendations to Parliament

- 1) Strengthen the Research Department: Parliament has a research department. There is need however to invest in capacity building for this department to collect, analyze and disseminate WASH related information to MPs and Committees in real time.

- 2) E-governance: Linked to the above, access to timely information and feedback may also be enhanced through e-governance. This would involve the use of electronic networking, Short Messaging Service (SMS) and others to enhance their ability to receive and interact with CSOs and donors over WASH issues.
- 3) Promote objective non-partisan debate: While the 9th parliament will have a large majority of the ruling party and a small opposition, it is prudent that cohesion between the two sides of the house is maintained on WASH issues. There will be need for lobbyists to advocate that WASH is high on the agenda of the government business in the house; and also that the opposition does not oppose government WASH related motions except for the need of ensuring great value and equity.
- 4) Equal attention to sanitation and hygiene issues: The Social Services Committee needs to pay attention to sanitation and hygiene since these are the direct mandate of the education and health sectors.

5.2.3 Recommendations to Donors

- 1) As part of strengthening democratic governance, donors should consider more involvement with parliament – through allocating resources for capacity building, as well as hands-on technical support to improve the legislative, representative and oversight roles of parliament.
- 2) Donors should respect the role of parliament in loans and grants negotiations between Government and the Donors. All loans or grants to the country must have parliamentary approval. Approval should not be sought in retrospect.

5.2.4 Recommendations to line Ministries

- 1) Legal and policy updates to conform to international protocols: MoWE should work with the Law reform commission and other legal institutions; Parliament and CSOs to update the different policies and legislations which constitute Uganda's WASH legal framework. During the process, the stakeholders should identify areas for legal reforms/review as well as the need for new legislation to clarify the legal mandate of MPs and civil society in WASH

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ANNEX 1: LIST OF PEOPLE INTERVIEWED

- 1) Mr Isingoma David Senior Corporate Planning Manager. NWSC
- 2) Stephen Mukitale MP Bulisa- and member of Natural Resource Committee
- 3) Eng. Aaron Kabirizi, Commissioner Rural Water, Directorate of Water Development
- 4) UNICEF WASH Programme Officer- Mr. Stephen Wandera
- 5) UWASNET- programme coordinator
- 6) Hon Charles Oleny Ojok; MP Katakwi district
- 7) Hon Jalia Bintu; Woman MP for Masindi district
- 8) Hon Iriama Rose; MP women Nakapiripirit district
- 9) Hon Semuli Anthony MP Buwekula Constituency - Mubende District
- 10) Hon. Oduman – Former MP Bukedea County