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## **Policy Review Good Governance: Uganda Country Study**

*Report Commissioned by the Policy and Operations Evaluation  
Department (IOB), Ministry of Foreign Affairs*

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## List of acronyms

ACODE	Advocates Coalition for Development and Environment
BBO	Bureau Beleidsvorming Ontwikkelingssamenwerking (Office for policy making on development cooperation)
CAO	Chief Administrative Officer
CBTIC	Citizens' Budget Tracking and Information Centre
CSBAG	Civil Society Budget Advocacy Group
CSO	Civil society organisation
DANIDA	Danish International Development Agency
DDGG	Donor Democracy and Good Governance Group
DDP	Deepening Democracy Programme
DGF	Democratic Governance Facility
DUP	Dutch Uganda Platform
GoU	Government of Uganda
GPT	Graduated personal tax
HUGGO	Human Rights and Good Governance Office
HURINET(-U)	Human Rights Network (-Uganda)
ICT	Information and communication technology
IDRC	International Development Research Centre
IFI	International financial institution
IGP	Inspector-General of Police
IOB	Policy and Operations Evaluation Department
IPOD	Inter-Party Organisation for Dialogue
JLOS	Justice and Law and Order Sector
LC	Local Council
LGCSCI	Local Government Councils' Score Card Initiative
LGDP	Local Government Development Programme
LGSIP	Local Government Sector Investment Plan
MASP	Multi Annual Strategic Plan
MoFPED	Ministry of Finance, Planning and Economic Development
MFS	Medefinancieringsstelsel (Co-financing system)
MoLG	Ministry of Local Government
MP	Member of Parliament
NGO	Non-governmental organisation
NIMD	Netherlands Institute for Multiparty Democracy
NRA	National Resistance Army
NRM	National Resistance Movement
O&M	Operation and maintenance
PARP	Police Accountability and Reform Project
PCA	Power and Change Analysis
PEAP	Poverty Eradication Action Plan
PRSP	Poverty Reduction Strategy Paper
RC	Regional Council
RDC	Resident District Commissioner
SGACA	Strategic Governance and Corruption Analysis
SIP	Strategic Investment Plan
SWAp	Sector-wide approach
ToR	Terms of reference
UGMP	Uganda Governance Monitoring Programme

UGX	Ugandan shilling
UJAS	Uganda Joint Assistance Strategy
ULGA	Uganda Local Governments Association
UNDP	United National Development Programme
UPDF	Ugandan People's Defence Force
UPF	Ugandan Police Force

## **Executive summary**

### **Purpose of the study**

This study focuses on Dutch good governance policies implemented in Uganda between 2007 and 2012. Its purpose is to learn more about the effectiveness of governance activities and about the potential problems connected to the implementation of such activities in a context of increasing executive dominance of the political system and enhanced electoral authoritarianism. The study analyses in more detail a set of governance projects implemented with financial support from the Royal Netherlands Embassy in Uganda: HURINET-U's Police Accountability and Reform Project (PARP), and ACODE's Local Government Councils' Score Card Initiative (LGCSCI).

### **Main governance challenges in Uganda**

The main governance challenges related to justice, rule of law and decentralisation have arisen in Uganda since the mid-2000s against the increasingly authoritarian, personalistic and centralised character of governance in Uganda. This process involved the abolition of presidential term limits in 2005, the growing reluctance by the executive to fight corruption among senior and loyal political allies and the increasing use of force to retain power. Multi-party politics was restored in 2005 as a result of domestic and international pressure.

The major consequences of the changing political circumstances are threefold. Firstly, the need to 'buy' political support for parties (particularly the National Resistance Movement, NRM) has diverted increasingly large amounts of resources towards patronage. Secondly, the freedom of independent media houses, the judiciary and opposition politicians has been limited by the government in an effort to bolster its position. Finally, the decreasing reliance on development partners has made the government feel far less circumscribed in pursuing its domestic political agenda.

The governance challenges related to justice and the rule of law are fourfold. First, the justice and law and order sector (JLOS) has increasingly been subject to capacity constraints as a consequence of neglect by the Government of Uganda, and has become increasingly reliant on development partner funding. Next, the prevalence of corruption among justice personnel is an important challenge. Thirdly, executive interference in judicial matters has become increasingly commonplace. Finally, the Government's growing intolerance of opposition groups and critics has led to steady militarisation and politicisation of the Ugandan Police Force (UPF).

In relation to decentralisation, there are three major governance challenges. First, the creation of parallel structures to local government institutions has resulted in a 'parallel centralisation' of decision making on local issues. Secondly, the doubling of the number of districts between 2000 and 2015) for political purposes and the maintenance of patronage networks represents a major challenge to promoting more accountable and efficient local government. Thirdly, limited funding and capacity of local government structures and offices poses a major threat to decentralisation in the country.

## **Approach of the Dutch government, other Dutch agencies and other donors**

The approach of the Dutch government to Uganda was laid down in three Multi Annual Strategic Plans (MASPs), covering, respectively the 2005-2008, 2008-2011 and 2012-2015 periods. Strategic choices for the 2005-2008 period included JLOS, human rights and decentralisation. The 2008-2011 period was marked by a change away from general budget support toward sector budget support for JLOS and education, linked to a more results-based approach. Next, policies were aimed at police reform and human rights. The 2012-2015 period was marked by the move away from sector budget support in the light of concerns about corruption. Further support was provided to JLOS and the Democratic Governance Facility (DGF), while civil society in the justice and law and order sector was supported for promoting good governance and demanding accountability. Overall, aid commitments for democratisation, rule of law and control of corruption to Uganda amounted to almost US\$580 million between 2004 and 2012. The Netherlands was in the top 5 of donors for two sub-fields: legal and judicial development and democratic participation and civil society.

As part of the MFS programme, the Dutch government supported governance activities undertaken by Hivos, ICCO, OxfamNovib, SNV and the Uganda Governance Monitoring Platform, which brought together five Dutch and 19 Ugandan partner organisations. The Netherlands has also supported the Inter-Party Organisation for Dialogue (IPOD) through the Netherlands Institute for Multiparty Democracy (NIMD). Since good governance was dropped as a separate issue area for Dutch development policy, special programmes have been ended and the issue has been integrated into other programmes, e.g. as creating an enabling environment for private sector programmes.

Of other donors, Denmark has been playing a central role in financing activities aimed at good governance promotion, particularly in the field of democratic participation and civil society, through its support for the Deepening Democracy Programme (DDP) and DGF. External support for JLOS comes from, among others, Austria, Denmark, the European Union, Germany, Ireland, The Netherlands, Norway, Sweden, UNDP, the United Kingdom and the World Bank), which are brought together in the JLOS Development Partners Group.

## **The relevance of Dutch activities in the light of governance challenges and activities of other donors**

Data on Dutch commitments to Uganda suggest that major programme funding from The Netherlands has tried to address several of the issues identified as major governance challenges in the justice sector and local government, among others by providing support to JLOS. Yet, it is also clear that the major governance challenges – such as grand-scale corruption, executive interference, militarisation of the police force, parallel centralisation and district proliferation – are not addressed directly by The Netherlands.

The activities in the justice sector and decentralisation supported by the Dutch government and the Netherlands Embassy in Kampala were largely complementary to those of other Dutch agencies, such as the partners in the Dutch co-financing system (Hivos, ICCO, OxfamNovib and SNV) and the Netherlands Institute for Multi-party Democracy.

The approach to governance challenges by the international donor community has been characterised by coordination and collaboration among donors. The Netherlands has been an important contributor to activities on democratic participation and civil society, and legal and judicial development. The activities of three main programmes focused on the strengthening



of democracy and the legal system (DDP, DGF and JLOS) are the witness of the common endeavours of the international community in Uganda.

### **Insights from evaluations on Dutch good governance projects**

Available evaluations on Dutch good governance projects related to the Deepening Democracy Programme (DDP), the Local Governance Development Project (LGDP) 2000-2007, and the Justice, Law and Order Sector. The evaluation studies do not provide insights on the extent to which good governance projects have contributed to objectives such as poverty reduction or economic growth. With regard to the contribution of the projects to governance objectives (such as democratic participation, improved rule of law, more control of corruption, and a more transparent and accountable government), evaluation studies suggest that the three projects have played a positive role. DDP-supported interventions were found to be important for the integrity of elections and the nature of civic engagement. The LGDP activities were successful and bore many fruits, ranging from infrastructure and services to enhanced capacity of local governments. The projects paved the way for a sector wide approach to decentralization. The outcomes of LGDP, however, were not sustainable as some of the project effects dissipated over time. The JLOS programme has been able to improve the functioning of the sector in many ways: new laws enacted, better prisons, improvements in police facilities, capacity building to fight corruption, etc.

### **HURINET: Police Accountability and Reform Project**

The Police Accountability and Reform Project (PARP), implemented by Human Rights Network Uganda (HURINET-U), aimed to improve accountability and democratic governance within the Uganda Police services in close cooperation with civil society organisations. Target groups of the various activities differed from police officers, to representatives of the media, students, members of parliament and leaders of civil society organisations. Most activities were workshops aiming to create rapport between the police and a variety of social actors, and took the form of ‘dialogues’. Next to this, activities undertaken as part of the PARP were aimed at creating awareness about the impending changes in the Ugandan public order management regime. Research on the impact of PARP consisted of two parts. A survey among 600 police officers was used to find out whether officers who had participated in HURINET’s activities respond differently from non-participants to real-life cases describing undesired police behaviour. In-depth interviews were held with 23 high-ranking police functionaries to gauge the impact of HURINET activities in day-to-day police operations.

The survey among police officers has demonstrated a marked difference between the views on proper policing of those who participated in HURINET activities and those who did not take part. The results show that participants judge adherence to the official code of policing as more important than non-participating officers, evaluate situations of undue advantage, bribery and fraud more critically, are more likely to register complaints against the police, are less likely to discharge reports of severe crimes, and disapprove of the undue use of force by the police. The impact of HURINET activities appears most pronounced in relation to police officers’ attitudes and ethical judgements about undesired practices. Differences were much smaller when questions were asked about the likelihood that police officers would actually report misbehaviour by colleagues. Overall, the findings of the survey suggest that

organisational and internal structural dynamics of the police have an important bearing on the perceptions and work practices of police officers.

Notably, HURINET's activities appear to have been successful in diffusing knowledge about proper policing, as demonstrated by the findings that cases of more severe misbehaviour are judged more negatively and the differences between participants and non-participants of HURINET's activities are most pronounced in those cases. The most pronounced differences were found in cases related to the treatment of arrested persons, suspects, thieves and persons who filed a complaint; this seems indicative of the human rights agenda of HURINET, which appears to have resulted in better knowledge of appropriate policing among police officers who participated in HURINET activities.

The survey results indicate that, even when the rules about good policing are known and are officially in place, police officers do not fully comply with these rules. The self-assessment of their own behaviour indicates that individual police officers do not live up completely to the official standards of good policing. This suggests that official standards are only partially enforced, and leave room for individual officers to interpret the rules to their own advantage.

The results of the in-depth, qualitative interviews largely confirm the findings of the survey in the sense that the knowledge and attitudes of police officers in districts targeted by PARP were in conformity with the intended changes of the police project. Further, the responses by police officers indicate that the normative beliefs about proper police behaviour have been adjusted. Replies to questions about the involvement of civil-society organisations in police-oriented activities suggest furthermore that attitudes among police officers about those organisations have been impacted favourably by PARP activities.

### **ACODE: Local Government Councils' Score Card Initiative (LGCSCI)**

The Local Government Councils' Score Card Initiative (LGCSCI) was set up in 2009 with support from the Deepening Democracy Programme (DDP), a basket fund for supporting initiatives for improved democratic governance in Uganda, which was funded by, among others, The Netherlands. LGCSCI aims to assess the performance of district councils and councillors on the basis of a scorecard, provide feedback reports on those assessments, and organise capacity building for councils, councillors and citizens. Research on the LGCSCI was performed on the basis of administrative service-delivery data at the district level and data on citizens' perceptions of the quality of local democracy and governance from the Afrobarometer, as well as interviews and discussions with local government councillors, LGCSCI researchers and citizens.

District-level administrative data indicate that districts participating in the scorecard initiative spend, on average, less of their budgets than districts that are not part of LGCSCI, and return a larger share of their budget to the central government. This finding appears to be caused by the fact that the LGCSCI has resulted in a stronger sense of accountability among local government councils. Afrobarometer data indicate that the scorecard initiative has had negligible effects on the perceived performance of local councillors, although councillors in scorecard districts are generally seen to be less corrupt than councillors in other parts of the country.

Interviews and focus group discussions with a range of participants and observers show that the political economy of local government exerts a major influence on the functioning of local councils. In particular, the dependence of local governments on central government

funds reduces the effectiveness of local-level activities. The scorecard initiative appears to have had very limited influence on citizens' consciousness of public affairs in their district, as few citizens are aware of the scorecard's philosophy and seem to know only about the ranking of local councillors. Further, the scorecard has not resulted in greater demand by citizens for better services. Interviews and focus group discussions indicated that the introduction of the scorecard has mainly resulted in a better understanding among local councillors of their roles and responsibilities.

## **Conclusions**

A central finding of this study is that demand-side governance programmes are vulnerable to the political-economy realities in Uganda. The resources that are controlled by the incumbent political elite are being used as instruments to guarantee regime survival and maintain political control over society. As a consequence of this control over resources, the activities of Ugandan civil society and international agencies aimed at stimulating the demand for governance reform are sometimes rendered less effective or even outright ineffective.

Although the restrictions following from the Ugandan political economy may impede the impact of governance reform programmes in the short- to medium-term, it is by no means evident that such limits should lead to the cancellation of demand-side programmes. Despite the dominance of the executive, the existence of strong civil-society organisations is a likely positive political force in the long run. In order to maintain such vibrant civil society, providing support is necessary even if short-term effectiveness is limited.

The research also points at a paradoxical feature of the demand-side governance programmes that have been implemented in Uganda. While the objective of the programmes has very explicitly been the strengthening of the demand for governance reform, many of the concrete actions – such as the activities organised by HURINET for the police and the assessment of the performance of local government councillors – were in fact oriented towards supply-side actors. As a result of such bias, the impact of the activities on the Ugandan citizenry seems to have been neglected. The consequence of this is that citizen awareness of the roles and responsibilities of public servants has not been enhanced, and that the target group of demand-side programmes (police officers and local councillors) have not become significantly more attuned to engaging the citizenry on their grievances and expectations.

# 1. Introduction

## 1.1 From supply- to demand-side governance programmes

The Netherlands has had a long-standing development cooperation relationship with Uganda. Reflecting a broader trend within the international donor community, substantial aid flows have been allocated to governance-related activities since the turn of the century. From 2006 to 2013, The Netherlands spent a total of US\$ 114.1 million on activities related to government and civil society. This was roughly 40 per cent of all bilateral assistance provided by the Dutch government to Uganda (OECD 2015).<sup>1</sup>

Traditionally, a substantial portion of governance-related aid was spent on so-called ‘supply-side’ governance activities, related to state institutions such as Parliament, the judiciary and the security sector (army and police). The idea behind such supply-side support was that the quality of governance would be enhanced by improving the quality of institutions and training the individuals occupying positions within state institutions. Changes in thinking about the nature of governance reform, reflected among others in the attention to issues of ownership and accountability in the Paris Declaration on Aid Effectiveness, led to an emphasis of the importance of ‘demand-side’ governance activities, focusing on the strengthening of citizens’ groups and other civil-society organisations in order to empower them to ‘demand’ governance reform from their governments. The World Bank’s programmes on ‘demand for good governance’ were among the leading ones reflecting the more general trend of refocusing governance programmes to the demand side (cf. World Bank 2013).

For The Netherlands, the increased focus on demand-side governance support within the donor community was a reinforcement of earlier trends to supporting civil society organisations in partner developing countries, both from bilateral development assistance funds and from the funds that had been allocated to private development organisations through the co-financing programme. With regard to Uganda, the attention to demand-side governance activities coincided with and was reinforced by increased scepticism about the Museveni-led government in the country, which was felt to turn increasingly authoritarian and less accountable during the second half of the previous decade. In particular, the increase of so-called supplementary budgets under control of the Ugandan executive, in contravention of the country’s Public Financial Management Act, resulted in a revision of the Dutch approach to supporting the Ugandan government directly through budget-support arrangements (Daily Monitor 2012). Demand-side governance activities were felt to be needed in order to enhance the capacity of Ugandan society to call for greater accountability from the government.

This country study of Dutch good governance policies focuses on a set of governance projects implemented with financial support from the Royal Netherlands Embassy in Uganda. The purpose of the country study is to learn more about the effectiveness of governance activities and about the potential problems connected to the implementation of such activities in a context of increasing executive dominance of the political system and enhanced electoral authoritarianism.

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<sup>1</sup> OECD figures on commitments and disbursements by The Netherlands may differ from figures obtained from Piramide (the Management Information System used by the Dutch Ministry of Foreign Affairs) since different categorisations are being used.

## 1.2 Methodology of the country study

Work for this country study took place in two phases, organised on the basis of the Terms of Reference (see Appendix A). The inception phase was completed between May and October 2014; the field work phase took place from April until July 2015.

The *inception phase* consisted of desk research, interviews in The Netherlands and field work related to the activities of HURINET and ACODE and other actors in the governance domain in Uganda. Various methods of data collection were applied in order to triangulate findings on the basis of different types of sources.

Desk research in the orientation phase consisted of the analysis of documents from the archives of the Dutch Embassy in Kampala, the analysis of scholarly work on governance in Uganda and the analysis of policy documents (Multi-Annual Strategic Plans pertaining to the 2005-2015 period and documents produced by other Dutch agencies and other donors). Further, interviews were held at the Ministry of Foreign Affairs (see Appendix B, section B1) and information was obtained from key informants at various Dutch agencies.

A first phase of field work in Uganda took place in May 2014 and consisted of interviews with individuals or groups of staff members at the Dutch Embassy in Uganda, HURINET-U and ACODE, as well as representative of a set of other governmental and non-governmental organisations working in the governance domain in Uganda (see Appendix B, sections B1-B4).

The *field work phase* of the project applied a variety of methods of data collection and analysis. In this phase, further desk research was done, while both quantitative and qualitative techniques were used to collect data on the ground in Uganda.

Desk research in the field work phase involved the reanalysis of evaluations of projects and programmes in the domains of democratisation, rule of law and control of corruption. The purpose of the reanalysis was to find out what had been identified as factors explaining the (lack of) effectiveness of certain interventions that were aimed at governance reform in Uganda. The findings of the reanalysis are included in chapter 3 of this report.

Quantitative research techniques were used to establish the impact of the Police Accountability and Reform Project (PARP), implemented by HURINET, and the Local Government Councils' Score Card Initiative (LGCSCI), implemented by ACODE. In order to assess the impact of the PARP, a vignette-based survey was set up and administered among 600 police officers in Uganda. The results of the survey are presented and analysed in section 4.3. In relation to LGCSCI, quantitative data were obtained from the Ugandan Ministry of Local Government's annual assessment of the performance of local councils, and from the Afrobarometer. The results of the analysis of these data are presented in section 5.3.1.

Qualitative research in Uganda consisted of two parts. The first part related to PARP and involved interviews with police officers about the functioning of the Ugandan Police Force in general and their knowledge of and experience with PARP. The interviews served to get a better understanding of actual attitudes (and possibly behaviour) of police officers in Uganda. The findings of the interviews are reported in section 4.3.5.

The second element of qualitative research focused on the implementation of the demand-side oriented LGCSCI and ACODE's Citizens' Budget Tracking and Information Centre (CBTIC) and consisted of two main sets of activities.<sup>2</sup> First, interviews were held with representatives of relevant organisations that are involved in the implementation of LGCSCI and CBTIC, in order to get a better understanding of the political and political-economy context in which both projects were implemented. Secondly, interviews and focus-group discussions were organised in three districts where LGCSCI and CBTIC have been implemented. Those activities involved a range of actors at the local level, including councillors, administrative staff and citizens. The results of the analysis of the qualitative data are included in sections 5.3.2 and 5.3.3.

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<sup>2</sup> The research as part of the project placed most emphasis on the score card initiative (LGCSCI) since the state of implementation of this initiative provided better opportunities to assess the nature of demand-side governance activities in Uganda undertaken by The Netherlands.

## **2. Good governance promotion in Uganda**

### **2.1 Main governance challenges related to justice, rule of law and decentralisation**

*(TOR question 3.1)*

#### **2.1.1 Background and overview**

The Uganda inherited by the current Government of Uganda (GoU) in January 1986 was one where few citizens had access to state justice institutions and where the rule of law itself featured largely as a fiction for most of the population. The brutal and personalistic dictatorships of Idi Amin (1972-1979) and Milton Obote (1980-1985) coupled with the prolonged civil war (1980-1986) which brought Yoweri Museveni's National Resistance Army/Movement (NRA/M) to power lead to most of Uganda's state structures, including those of the justice sector, shrinking and collapsing. The highly centralised and sectarian regimes of Uganda's post-independence history had also jealously opposed any meaningful devolution of power to the country's regions and former kingdoms, particularly that of the comparatively wealthy southern Buganda kingdom, since Obote's abolition of these polities and Uganda's federal system during his first period in office in 1966 (Golooba-Mutebi and Hickey 2013).

Determined to introduce 'fundamental change' to the manner in which Uganda was ruled and mindful of his new government's relatively small regional support base, Museveni introduced a radically decentralised system of governance during the NRM's early years in power. This focused around devolving substantial powers to local 'Resistance Councils' (RCs; 'Local Councils' from 1996) established first in areas captured by the NRA during the civil war. These RCs existed at five levels – from village to district – and each was elected by its subordinate, drawing its authority ultimately from local communities voting for its lowest rung (Kasfir 1998, 2005). Though this occurred within the so-called 'Movement system' (1986-2005) whereby individuals could stand for office only on their individual merit and not on a party platform, the GoU's early decentralisation policies were praised by many commentators (Mamdani 1996; Langseth et al. 1997).

Similar radicalism and commitment was less apparent in the GoU's formative approaches to the justice sector where initial investment and interest from Kampala remained more limited. A raft of legislation and reforms were nevertheless introduced in the later 1990s and early 2000s – with the support of a range of donors – to enhance the justice sector's capacity and independence, to increase access to justice – particularly at the local level – and to tackle systemic bureaucratic and political corruption within the sector which had become endemic by the time the GoU came to power and has continued so into its tenure.

It is against this backdrop that this section will delineate the key challenges in the areas of justice/rule of law and decentralisation in Uganda for the period of the evaluation, 2007-2014. It will also briefly comment on the extent to which the GoU has been willing to address these challenges. In doing so, the historical problems of limited capacity and systemic corruption will be highlighted. Critically, however, it is crucial to highlight the degree to which the GoU's own evolving regime maintenance imperatives have not only limited its commitment to addressing such issues but also produced many of the most significant challenges in these areas in recent years. This is a consequence of fundamental shifts in

Uganda's political economy since the mid-2000s which have led the GoU to focus increasingly on patronage and violence, as opposed to service delivery and support from Western donors, as its main strategy for retaining power.

This section will therefore first outline the changing nature of these regime maintenance imperatives in order to place in context the subsequent consideration of key governance challenges to both the justice sector and decentralisation and the GoU's willingness to address these challenges.

While this will be undertaken from a national perspective, it is vital to acknowledge the very different experience of northern Uganda, a region which emerged from decades of conflict between the rebel Lord's Resistance Army and the Ugandan state in only 2006. Governed *de facto* by military commanders during parts of the 1990s and 2000s, this region's experience with decentralisation under the NRM has been very different from others in the country (Dolan 2009). The devastation of war has also exacerbated the capacity issues prevalent in the national justice sector overall far more here than elsewhere. This has nevertheless meant that other justice institutions – notably 'traditional justice' mechanisms – have often taken on much more significance and authority for many in the north (Allen 2006, 2010). Reconciling these established and locally legitimate mechanisms with those formal, and locally alien, justice structures of the state therefore represents a particular governance challenge in this part of contemporary Uganda.

### **2.1.2 Shifting regime maintenance imperatives and their effects on governance**

During its first two decades in power (1986-c.2005), the Museveni government sought to foster broad national support for its continued tenure through bringing a range of former political leaders and groups into a 'broad-based government', incorporating defeated and surrendered rebel groups into the new Ugandan People's Defence Force (UPDF) and restoring, in 1993, five of the kingdoms abolished by Obote in the 1960s, albeit as 'cultural' rather than a political institutions (Johanssen 2005; Khadiagala 1995; Tripp 2010: 140-142).<sup>3</sup> This occurred under a 'no-party' dispensation where political parties were banned and Ugandans stood for office individually as members of the national 'Movement System' (Kasfir 1998, 2000).

The GoU also worked hard to secure the support and assistance of the international donor community in its formative years, even abandoning statist economic policies in 1987 and wholeheartedly adopting IFI-recommended adjustment reforms by 1992 to do so (Brett 1996). To some extent, the very substantial injections of development aid (a significant part of which came to be delivered through General Budget Support by the early 2000s) encouraged the GoU to pursue 'donor-friendly' policies focusing on service provision, healthcare and poverty reduction (Mosley 2012). As Alan Whitworth, Tim Williamson and others have convincingly argued, however, the GoU itself (particularly President Museveni and senior officials within the Ministry of Finance, Planning and Economic Development (MFPED)) was a primary mover of many of these approaches (Whitworth and Williamson 2010; Whitworth 2010). Indeed, a range of policies which later received high praise from

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<sup>3</sup> Aside from Buganda, the other four kingdoms restored were those of Toro (south western Uganda), Bunyoro (western), Busoga (south eastern) and Ankole (south western). Other self-styled kingdoms, including Bamasaba, remain unrecognized by the state at present.



development partners, notably decentralisation and the introduction of Universal Primary Education in 1996, were initially opposed by this community for fear of their perceived radicalism and unaffordability.<sup>4</sup>

By the mid-2000s, however, Uganda's Movement system had atrophied as an increasingly authoritarian Museveni sought to personalise and centralise the governance of Uganda. This process involved the abolition of presidential term limits in 2005, the growing reluctance by State House to condemn or restrict involvement in high-level corruption activities by senior and loyal political allies and the increasing use of force (notably during the 2001 general election) to retain power (Gloppen et al. 2006: 21-22; Tangri 2005; Tangri and Mwenda 2010; Tripp 2010). A desire to streamline the GoU's political operation, coupled with some domestic and international pressure, led to the restoration of multi-party politics in 2005 (Makara et al. 2009). The post-2005 multiparty era, as Sam Hickey notes, has also coincided with the GoU's decreasing reliance on its traditional Western development partners as financiers, with the role of China becoming steadily more significant in recent years and the discovery of oil reserves in western Uganda in 2006 providing alternative revenue sources (Hickey 2013).

There have been three major consequences of these changing circumstances which are relevant to this part of the evaluation. Firstly, the opening-up of the political system has increased the 'cost' of 'buying' political support for parties (particularly the NRM) at local and national level leading the GoU to divert increasingly large amounts of resources towards patronage to retain the support of key communities and 'gatekeeper' individuals; a process Joel Barkan has referred to as 'inflationary patronage' (Barkan 2011). Secondly, perceived competition from opposition parties (and, indeed, internal NRM challengers) has encouraged the GoU to pursue increasingly discriminatory and violent approaches to independent media houses, the judiciary and opposition politicians themselves in an effort to bolster its position (Anderson and Fisher forthcoming).

Finally, the decreasing reliance on development partners has made the GoU feel far less circumscribed in pursuing its domestic political agenda. This has meant greater impunity being afforded to NRM/pro-NRM politicians and business leaders involved in corruption scandals as well as GoU support for populist and discriminatory legislation, including the 2014 Anti-Homosexuality Bill (Titeca 2014). At a general level, however, it has allowed the GoU to move away from poverty reduction and service provision as its key foci and for State House to increasingly override the objections of MFPED officials whose authority derived to a considerable degree from their close relationships with development partners. Instead, as Hickey has shown, the GoU has turned steadily towards supporting economic growth and investment in the 'productive sectors of the economy' (notably natural resource extraction, manufacturing and ICT) as its primary developmental focus with state support for the Justice, Law and Order Sector (JLOS), among others, largely deprioritised in the process (Hickey 2013), with the exception of the Uganda Police Force, see para 2.2.3 D).

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<sup>4</sup> Author interview with former donor officials based in Kampala during the mid-1980s and early 1990s, London, Washington and Kampala, 2009-2010.

### **2.1.3 Justice and Rule of Law in Uganda: Governance challenges and the GoU's approach to dealing with these**

#### ***A. Capacity constraints***

The JLOS has traditionally been dramatically under-resourced in Uganda, in terms of manpower, physical premises (courts, prisons etc.), training for judges and lawyers and accessibility to civilians physically and financially (through legal aid, paralegals etc.) (World Bank 2009) Access to justice has been particularly curtailed for those in conflict-affected areas (northern Ugandans largely relied on 'traditional justice' institutions during the 1986-2006 conflict in the region), those in rural areas and for women and children.

The GoU has, nevertheless, introduced a range of institutions and reforms during the 2000s (in partnership with donors) to address many of these challenges including creation of coordination bodies for the criminal justice system, family and children courts, Local Court Councils and the Judicial Service Commission (whose responsibility is to educate Ugandan civilians on justice matters, advise the President on judicial appointments and oversee disciplinary procedures within the justice sector, including removal of judges). Authority to decide on a range of issues has also been devolved to Magistrates' Courts during the 2000s to deal with growing backlogs in caseload (World Bank 2009).

Investment in the prisons sector and human resource field, however, remains limited and the GoU has remained deeply ambivalent about the role of traditional institutions in northern Uganda's judicial sphere, in spite of the greater trust many civilians have in these mechanisms compared to those of the state (Allen 2006, 2010). A growing challenge in the JLOS sector, however, is its growing neglect by the GoU in the latter's move towards investing in more 'growth-focused' sectors (see above) – a development which has exacerbated the backlog issue. An emerging challenge in this regard, therefore, relates to the growing reliance of the JLOS on development partner funding to function - an issue which not only undermines Ugandan ownership of JLOS but also makes this sector particularly vulnerable to shifts in the political economy of international funding patterns.

#### ***B. Corruption***

Another longstanding challenge to the provision of efficient, effective and equitable justice in Uganda has been the prevalence of corruption among justice personnel before and since the contemporary Museveni era. The current GoU initially demonstrated significant commitment to tackling this systemic problem – within and outside the judiciary - through the establishment of a range of investigative and oversight bodies during the 1990s and early 2000s tasked with identifying corrupt practices, from the top downwards, including the Inspectorate-General of Government (Tangri and Mwenda 2006; Watt et al. 1999). This practice has continued into the present day with the opening of an Anti-Corruption Court (established in 2009) in 2013 (CMI 2013; *NTV Uganda* 09/01/2014).

These institutions have a mixed record with a range of senior GoU officials and Museveni advisers investigated by them (leading, on some occasions, to their arrest and imprisonment) since the late 1990s including Museveni's brother Salim Saleh and former close ally Jim Muhwezi, Ugandan foreign minister (Sam Kutesa), health minister (Mike Mukula) and former vice president (Gilbert Bukenya). As Roger Tangri, Andrew Mwenda and others have shown, however, the GoU has increasingly manipulated and interfered with these institutions'

work to ensure that they ‘punish’ officials out of favour and absolve those close to the presidency (Tangri and Mwenda 2013). Moreover, the demands of ‘inflationary patronage’ (see above) since the mid-2000s have led the GoU to increasingly sanction and even engage in corrupt practices at the local and national level to retain the support of key stakeholders and mobilisers (Tangri and Mwenda 2008, 2013). This has, naturally, rendered its commitment to tackling corrupt practices, within JLOS and elsewhere, substantially reduced.

### ***C. Executive interference***

The independence of the Ugandan judiciary is guaranteed by Uganda’s 1995 Constitution and judges have security of tenure (World Bank 2009: 37-38). During the first two decades of the Museveni Government this arrangement was largely observed by the GoU and a range of judgments issued during the mid-2000s which undermined or criticised GoU policy were nonetheless respected by actors in the executive. Since the dawn of the multi-party era, however, executive interference in judicial matters and police officers’ ignoring of judgments overturning arrests of opposition leaders or closure of media houses (see below) has been increasingly commonplace (Anderson and Fisher forthcoming). Most notoriously, following a judge’s decision to release opposition leader Kizza Besigye from prison on bail<sup>5</sup> in the midst of the 2006 presidential election, paramilitaries linked to the GoU stormed the court house and refused to allow anyone in attendance (including some Western diplomatic personnel) to leave until Besigye was re-arrested and re-imprisoned (Makara et al. 2009: 196-197).

### ***D. Militarisation of the police force***

In contrast to much of the rest of the JLOS, the Ugandan Police Force (UPF) have benefited from considerable and sustained investment from the state since the mid-2000s leading to their total strength growing from 14,352 in 2003/04 to 18,000 in 2006 and 40,000 in 2012 (*New Vision*, 16/07/2013; World Bank 2009: 31). The GoU’s focus on recruitment has meant that the ratio of Ugandan police to civilians has substantially exceeded the international standard ratio of 1:500 since the early 2000s although the Government has also allocated significant funds to address and improve police welfare, particularly in the areas of housing and HIV/AIDS prevention and treatment (substantial numbers of UPF personnel were lost to HIV/AIDS on an annual basis during the 2000s; World Bank 2009: 31).

The Museveni Government’s growing intolerance of perceived threats to it posed by domestic opposition groups and critics has nevertheless led to the GoU’s steady militarisation and politicisation of the UPF in the last decade including the appointment of senior military allies of the President to the UPF’s highest office, Inspector-General of Police (IGP), since 2001 (Anderson and Fisher forthcoming; Mwenda 2007; Tripp 2010: 135-140). During the tenure of the current IGP, Kale Kayihura (2005-), in particular, the UPF has come to act increasingly like a presidential guard of the NRM leadership. Dressed in fatigues almost indistinguishable from those of the UPDF, UPF personnel have been involved in a range of crackdowns of dubious legality on media houses, opposition parties and leaders and even on internal NRM critics themselves since the early 2000s (Anderson and Fisher forthcoming; Perrot 2014). This politicisation of the role of the Ugandan police represents a major challenge to maintenance of the rule of the law in the country.

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<sup>5</sup> He was in prison for ‘treason, concealment of treason and rape’ (Makara et al. 2009: 197).

## **2.1.4 Decentralisation in Uganda: Governance challenges and the GoU's approach to dealing with these**

### ***A. Parallel centralisation***

The Museveni Government has gone further than any previous Ugandan administration in the promotion and institutionalisation of decentralisation with a substantial range of powers (political and financial) devolved to the elected members of RCs/LCs through a range of legislation including the Resistance Councils and Committees Statute (1987), Local Government Decentralisation Programme (1992), Local Governments Act (1993) and Local Government Act (1997) (Green 2013: 5-6). As Peter Langseth et al. wrote in 1997, 'districts have now more power, resources, responsibilities and decision-making autonomy' than ever before in Uganda's post-colonial history – a statement which remains true today (Langseth et al. 1997: 2)

Particularly since the early 2000s, however, the GoU has created and augmented a range of parallel structures at the local level to ensure that central authority reaches down to the village level. These include 'NRM Committees', composed of NRM loyalists elected in parallel processes and structures to those of the RCs/LCs, tasked with mobilising government activities at the local level with the Resident District Commissioner (RDC) – an NRM official appointed by the Presidency as *de facto* political representatives with a range of powers over local government structures (Green 2008; Green 2013: 6-8). The creation of an 'Executive Director' of Kampala Capital City Authority within months of the election of opposition politician Elias Lukwago as Lord Mayor of Kampala in 2011 represents a further example of this practice of parallel centralisation. Many of the Lord Mayor's powers were transferred to the Executive Director in this process with the latter being appointed by the President himself (*Independent*, 06/04/2014).

This increasing practice by the GoU of 'going over the heads' of governance structures to build support directly at the local level represents an important part of the changing political dynamics of regime maintenance in Uganda (Hickey and Golooba-Mutebi 2013: 16-17). Indeed, as Sandrine Perrot has argued, the success of this strategy played an important role in securing a major victory for Museveni and the NRM during the 2011 general elections (Perrot 2014).

### ***B. District proliferation***

A further challenge to the effectiveness of decentralisation in contemporary Uganda has been the mass creation of districts by the state in recent decades. While the number of Ugandan districts rose from 33 to only 39 between 1980-1994, this figure has increased vastly since the late 1990s, rising to 56 in 2000, 80 in 2006 and 111 by 2012 (Green 2010: 88; Uganda Ministry of Trade, Industry and Cooperatives 2012). While this has led to greater representation of Ugandan citizens at the local and national level (all districts elect a new Woman MP to the Parliament in Kampala) it has not lead to any noticeable improvement in service delivery. As Elliot Green notes, there appears to be no significant relationship between district creation and improvements of livelihood indicators in these new districts – or, indeed, between the location of new districts created and more impoverished areas (Green 2010).

Instead, district creation has undermined service provision through diverting limited funds (see below) to paying district-level administrative staff and maintaining district buildings and headquarters. Green and others have convincingly argued that the impetus behind district proliferation is a desire on the part of central government to provide patronage resources (jobs, budgets etc.) to increasingly valuable local powerbrokers under Uganda's multi-party dispensation; a state of affairs which represents a major challenge to promoting more accountable and efficient local government structures in Uganda (Golooba-Mutebi and Hickey 2013: 16-17).

### ***C. Funding, capacity and corruption***

Finally, effective decentralisation in Uganda faces growing challenges posed by the limited funding and capacity of local government structures and offices. Difficulties experienced in collecting sufficient revenue by local officials during the 1990s and early 2000s has led to local structures becoming increasingly reliant upon central government for funding since 2005 (Green 2013: 9-11). This has, however, coincided with a decrease in funding allocations to local government in GoU budgets (from 25 per cent of Uganda's national budget in 2005/06 to less than 18 per cent in 2011/12) and the embezzlement of significant amounts of money bound for northern Ugandan districts by officials in the Prime Minister's Office between 2011-2013 (Green 2013: 10-11; *Independent*, 17/02/2013). These problems have been exacerbated by the growing number of districts being created – more local government structures are coming into existence with decreasing amounts of funding to support them.

Systemic corruption – particularly linked to the transfer of funds from the centre to districts and from districts to sub-counties – along with an absence of properly-trained and educated staff within local government structures represents a further on-going challenge to decentralisation efforts. The problem of insufficient staff numbers overall and of skilled staff in particular is, once again, especially aggravated by district proliferation, a process which has not been accompanied by the offering of training to new district staff (Green 2013).

### ***D. The political and legal context of strengthening demand side governance at the local level***

An understanding of the context in which local political and administrative officials operate is required for a proper assessment of the effectiveness of any activity aimed at demand-side governance reform. For while the planning, resourcing and implementation of a wide range of services has been devolved to local government units – particularly districts (LCV) and sub-counties (LCIII) – since 1997 especially, their independence, discretion and capacity has been steadily circumscribed since the mid-2000s. Likewise, while a range of local structures, architectures and fora theoretically serve to facilitate wide popular participation in sub-county and district budget-making from the village level (LCI) up, in reality few of these structures function effectively or transparently. Ultimately, any effort to promote demand-side governance in Uganda must contend with – and acknowledge – the limited space available for LCs and their staff to respond to local demands independent of central government priorities and resources.

The 1995 Ugandan Constitution and 1997 Local Government Act clearly demarcated the responsibilities and resources of the country's central and local government units, with local governments empowered to create their own development plan and to plan and implement a

range of devolved programmes across a wide area (including schools, health centres, road construction, water and land, forestry and veterinary services). They also confirmed local governments' authority to raise revenue – through the longstanding graduated personal tax (GPT), effectively a poll tax dating from the colonial era – and to hire and dismiss administrative staff from Chief Administrative Officer (CAO) down via a District Service Committee (Awortwi 2011; Green 2013; Kjaer 2009; Nabaho 2013).

The RC/LC structure (see 2.1.1.) was also developed in part to allow for an institutionalised and permanent means for citizens to participate in local politics and development. While district officials are meant to consult with key stakeholders in specific areas (e.g. water and sanitation) at annual district-level coordination committee meetings, the main space for popular participation in the overall budget process – outside of *ad hoc* lobbying of councillors or administrators – is the annual 'budget conference', held at all LC levels (Blore et al 2004: 105; Golooba-Mutebi 2012; interviews with councillors, technical staff and CSO representatives, Amuru, Kabarole and Mbale, 15-21 April 2015). Theoretically open to all, these conferences involve the discussion of project proposals from citizens, the appointment of project management committees to implement or monitor projects and the 'kicking upstairs' (to the district) of proposals which cannot be funded at a particular level (Blore et al 2004: 105; interviews with councillors and district and sub-county technical staff and CSO personnel, Amuru, Kabarole and Mbale, 15-21 April 2015).

Since the mid-2000s, however, there has been a clear erosion of local government's authority and ability to deliver its own development plans – and to respond to citizen demands and proposals therein. The abolition of the GPT in 2005, for example, removed the primary source of local revenue for LCs (84 per cent at the district level by then according to Green) and was replaced several years later by local hotel and service taxes which raise barely 8 per cent of the revenue formerly raised by the GPT (Green 2013). This revenue yield is also highly unstable – in Mbale District between 2010/2011 and 2011/2012 local revenue yields declined by 18 per cent, then rose by 64 per cent by 2013/2014 before falling again by 38 per cent in the next financial year (Mbale District 2015). Consequently, LCs often seek funding from the private sector or international actors (development partners) to bridge this gap; in the three districts visited during fieldwork (Amuru, Kabarole and Mbale) respondents discussed their linking-up with the World Bank, UNICEF, World Vision and others in relation to road construction, bridge repair and safe water provision (Golooba-Mutebi 2012; King 2015; interviews with CSO representatives and district councillors, Mbale and Kabarole, 15-21 April 2015).

Councillors and technical staff interviewed during field work for this review frequently cited the GPT's abolition as a major reversal in their ability to respond to citizens' service delivery demands since it leaves districts 'reliant on central government' and its priorities for funding of local services. Different respondents suggested a figure of around 90 per cent as the proportion of local budgets financed by central government (Cammack et al 2007; Lewis 2014; interviews with councillors and district and sub-county technical staff and CSO personnel, Amuru, Kabarole and Mbale, 15-21 April 2015). The research team was able to corroborate this directly through attending the laying of the Mbale District Local Government Budget in April 2015 where estimates for the District's sources of revenue for 2015/2016 were broken down as follows: 86.96 per cent from central government transfers, 10.98 per

cent from donor funding and 2.06 per cent from local revenue (Mbale District Local Government 2015: 7).<sup>6</sup>

In reality, the impact of the GPT abolition on central vs local funding for budgets is less clear. As Francis and James demonstrate, GPT revenue failed to cover more than 10 per cent of district budgets even in the early 2000s owing to difficulties in collecting what became a deeply unpopular and resented tax. Moreover, a significant percentage of GPT collected (40 per cent in Mbale by 2003) was consumed in the actual collection itself or spent on officials' salaries (Francis and James 2003). What appears to have had a much more significant impact on the independence and discretion of local government units vis-à-vis budgeting and spending has instead been the overall decline in the size of central government allocations since the early 2000s: where around 20 per cent of the national budget was allocated to districts in the early 2000s, this figure has now been slashed by more than a quarter (Grossman and Lewis 2014). The proliferation of district creation during the same period (see 2.1.4.) has led to a further stretching of funds allocated to individual districts (Green 2013).

This situation has been exacerbated by an increase in central grants provided for specific, predetermined purposes ('conditional grants') and a significant decline in central grants which LCs can spend as they wish ('unconditional grants'). Where unconditional grants represented around a quarter of central grants in the early 2000s, the figure is closer to 10 per cent now (Lewis 2014; interviews with councillors and technical officials, Kabarole and Mbale District headquarters, 15-21 April 2015). In other words, over the last decade LCs have progressively received less money from central government but became more reliant upon it and have steadily lost control over how the vast majority of their funds can be allocated.

This has come about in part due to a concern in Kampala that LCs lack the competence and integrity to plan and implement service delivery programmes effectively (Awortwi and Helmsing 2014; Nabaho 2014). It is also, however, a product of evolving regime maintenance imperatives under Uganda's multi-party dispensation (see 2.1.2. and 2.1.3.). Now in competition with opposition parties, Museveni and the NRM are increasingly keen to demonstrate the direct impact of their (national) policies on local citizens – hence they wish to extend greater central control over LCs. More generally, as noted, the regime has become more centralised, personalised and authoritarian since the mid-2000s and changes to LC financial and political independence should be seen through this lens.

So too should the recentralisation of powers to appoint CAOs and their deputies since 2005 – a further way in which LC's ability to respond to local demands has been eroded in recent years. Formerly under district control – via District Service Committees (see above) – CAOs have been appointed by the central Public Service Commission. Though still technically responsible to the district chair, CAOs are thus now politically and personally responsible to the centre rather than to local councillors or their constituents. As Nabaho observes, CAOs 'now suffer from "operational" loyalty to local councils and their "career" loyalty to central masters' (Nabaho 2013: 25).

Aside from incentivising CAOs to privilege central government priorities over local ones (when the two clash), this change has further weakened the accountability of LCs' technical bureaucracies since Kampala often appoints CAOs with little personal connections to a

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<sup>6</sup> Attendance at Mbale District Local Government budget speech and laying session, April 2015.

district. Many CAOs therefore need significant time to become acclimatised to a new operating environment, particular in large districts and those with particularly remote populations or poor infrastructure. Many also do not feel an obligation to keep district chairs informed of travel beyond the district, leading in some cases to extended absenteeism and under-spending of funds – with the latter often reclaimed by the centre at the end of the financial year (Nabaho 2014).

The ‘dual loyalty’ of CAOs has also caused considerable friction between the political and technical branches of LCs in recent years (see Watala 2013). Where the former often resent the latter as ‘creatures’ of the centre with little commitment to responding to local demands, technical staff (who tend to be more consistently educated to a high standard than councillors) often criticise councillors for being corrupt and incompetent. In Mbale district, for example, one senior councillor interviewed suggested that district administrators should be evaluated in the LGCSCI (see below) alongside councillors to address their ‘accountability deficit’ while a senior administrative official condemned some councillors for their ‘lack of integrity, drunkenness and dubious deals’ (interviews, Mbale District headquarters, 15 April 2015).

## **2.2 Approach of the Dutch government to good governance promotion in Uganda**

Motivations and objectives of Dutch policies and activities in Uganda from 2007 to 2013 have been analysed by studying the three Multi Annual Strategic Plans (MASPs) adopted in this period (MASPs 2005-2008, 2008-2011 and 2012-2015). Next, interviews with staff based at the Dutch embassy in Uganda served to complement the analysis of the policy documents.

### **2.2.1 Planning period 2005-2008**

In the MASP 2005-2008 ‘good governance’ was one of six strategic choices.<sup>7</sup> Within this category, the following five goals were identified:

- reduction of corruption;
- pursuit of democratisation;
- provision of a good judicial system;
- respect for human rights; and
- reinforcement of local governance performance.

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<sup>7</sup> The other strategic choices are:

- significant reduction in the proportion of the world’s population that live on less than a dollar a day;
- all children, both boys and girls, should have the opportunity to complete primary education;
- equality between men and women, giving women a greater voice;
- a better business climate in developing countries, making them more competitive on both national and international markets; and
- regional stability by means of effective action in conflict prevention, crisis management, conflict solution and post-conflict recovery. (Royal Netherlands Embassy Uganda 2005: 9)



## *A. Contextual factors*

The strategic choices made in relation to good governance were informed by: an analysis of the Ugandan context, the policy agenda of The Netherlands and the perceived strengths and weaknesses of the Royal Netherlands Embassy in Uganda.

With respect to local governance, the MASP 2005-2008 argued that the Ugandan Poverty Eradication Action Plan (PEAP)<sup>8</sup> gave the decentralisation process a boost by emphasising basic service delivery for the poor. Moreover, a fiscal decentralisation policy provided local governments with more discretion over planning of and spending on local service delivery. The MASP estimated that more than 38 per cent of the national budget was transferred to local governments as a result of the adoption of the 1997 Local Government Act. Important issues were identified in the MASP:

- the inadequate institutional capacity within local governments;
- the overemphasis on ‘upward’ rather than ‘downward’ accountability;
- the inequalities between and within districts; and
- the local government system’s lack of financial sustainability.

In addition, a trend of re-centralisation by the government was noted in the MASP, which was seen as a threat to decentralisation processes (Royal Netherlands Embassy Uganda 2005: 3, 19).

In the justice and rule of law area, the MASP pointed to serious concerns about the government’s (lack of) commitment to justice and law and order and the respect for human rights. The MASP indicated that the budgets for institutions like the police, the judiciary and the prison system were insufficient, in spite of the donor-supported Justice, Law and Order Sector (JLOS) reform programme, and that this situation could impact negatively on the human rights situation in Uganda.

With respect to the aid environment, the MASP observed a robust framework for donor coordination and dialogue between donors and the government. A Donor Democracy and Good Governance Group (DDGG) had been set up to deal with democratisation, human rights and anti-corruption. Concerns were voiced on the time-consuming nature of donor coordination and the impact of coordination on the original principles of more critical donors, such as The Netherlands (Royal Netherlands Embassy Uganda 2005: 4).

The key priorities of the Dutch government policy agenda for Uganda were felt to be: the promotion of good governance and human rights; the acknowledgement that bilateral cooperation should also involve political, diplomatic and commercial partnerships and involve civil society organisations, the private sector and academia; and the emphasis of donor coordination and harmonisation.

The main strength of the Dutch Embassy in Uganda was felt to be in the governance sector, with a clear emphasis on local governance and justice and law and order processes. It was

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<sup>8</sup> The PEAP is a medium term development plan to guide government policy and sector and district plans. It is Uganda’s version of a Poverty Reduction Strategy Paper (PRSP). Poverty Reduction Strategies encouraged the establishment of ‘sectors’ for coordinated planning in support of national poverty eradication goals. They were favourite among international donors to channel and align development aid.

argued that the donor community tended to perceive the Netherlands Embassy in Kampala as having strong governance expertise and clear and consistent views on human rights, governance and budget support issues (Royal Netherlands Embassy Uganda 2005: 8).

### ***B. Strategic choices***

The MASP argued for an active Dutch role in JLOS, with an annual allocation of €5 million in general budget support, conditional on whether Uganda would meet the general criteria for budget support and would make sufficient progress against agreed benchmarks for JLOS. In addition, small-scale JLOS activities would be funded out of a Programme Support Fund, and the Embassy would attempt to stimulate the government's commitment to JLOS, including by working more closely with the Legal and Parliamentary Affairs Committee (Royal Netherlands Embassy Uganda 2005: 18). The MASP aimed to contribute to a strengthening of the rule of law (in particular the crime level, the provision of legal aid in the districts and judicial procedures), and saw the role of the Dutch Embassy in stimulating the development of a monitoring and evaluation system and enhanced coordination among JLOS institutions.

With respect to human rights, the MASP called for stronger cooperation in the donor group, harmonisation of support to human rights organisations and continuation of the dialogue of the JLOS donor group with the government in order to reduce the number of torture cases. The Embassy envisaged, among others, contributing to basket funds for support of the Uganda Human Rights Commission and legal aid, supporting media-initiatives, and providing support to finance small-scale human rights interventions (Royal Netherlands Embassy Uganda 2005: 18-19). Among the strategic goals, the Embassy included improvements in human rights observance through rule of law activities for the army, security organisations and the police, and maintenance of the independence of the Ugandan press. The role of the Dutch Embassy would be to contribute to the emergence of an unequivocal set of criteria in the field of human rights as part of periodic DDGG progress reports, and the working out of common donor approach towards the Ugandan government, in particular through the JLOS donor group (Royal Netherlands Embassy Uganda 2005: 18-19).

Concerning decentralisation, the MASP was oriented to the implementation of the joint-donor Local Government Development Programme II (LGDPII), where The Netherlands had been the leading bilateral donor. Activities were proposed on local revenue generation, operation and maintenance (O&M), and improvement in local economic activities. Instruments would include direct technical assistance for capacity building in nine districts, in partnership with SNV (Royal Netherlands Embassy Uganda 2005: 20).

#### **2.2.2 Planning period 2008-2011**

The MASP 2008-2011 identified as priorities: support for the education sector and the justice, law and order sector (including human rights and gender) and work on cross-cutting issues related to Northern Uganda, political governance and taxation and accountability. These choices were based on an analysis of the Ugandan context, the Embassy's experience and comparative advantage, the choices in the context of the Uganda Joint Assistance Strategy (UJAS), the division of labour with other donors, and the Dutch policy agenda.

## ***A. Contextual factors***

The analysis of the Ugandan context in the MASP 2008-2011 was informed by a Power and Change Analysis (PCA) that had been undertaken as part of the Strategic Governance and Corruption Analysis (SGACA). SGACA, implemented between 2007 and 2009, aimed to provide analytical support to the embassies and the Ministry of Foreign Affairs in the formulation and revision of their strategic governance and anti-corruption policies. SGACA analyses were intended to reflect on the choices and intervention strategies formulated in the Multi Annual Strategic Plans. The introduction of the SGACA instrument was driven by a growing concern about the impact of informal governance practices and corruption in aid-receiving countries (Koenders 2008; Hout and Schakel 2014; ECORYS 2009).

Uganda was one of SGACA's pilot countries. The PCA was undertaken in June 2007 and its key findings were that the NRM government had become increasingly occupied with regime maintenance and that the functioning of the existing formal institutions was weakened by the informal practices related to the dominance of the president, the role of the army, patronage and corruption (ECORYS 2007). The MASP 2008-2011 reflected the PCA by pointing out that the Ugandan 'regime uses a corrupt, inefficient and wasteful neo-patrimonial system ... , coupled with varying ... measures of pressure on alternative power centres (such as judiciary, parliament, media, civil society). Democratisation, separation of powers and state stability could be increasingly threatened and the armed instruments of the state (police, security apparatus) might increasingly be used for regime survival if risks are perceived to necessitate such action' (Royal Netherlands Embassy 2008: 2). At the same time, the MASP noted that the Ugandan government seemed genuinely committed to parts of the poverty alleviation agenda and that there was sufficient overlap between the 'circles of interest' of the Ugandan and the Netherlands government (Royal Netherlands Embassy 2008: 2).

## ***B. Strategic choices***

The political approach that the MASP 2008-2011 claimed to follow entailed making clear choices concerning the focus of the embassy's strategy and the implementation of appropriate funding strategies. An important change in the MASP 2008-2011 was the move away from attempts 'at trying to "fix" all areas and aspects of decentralised service delivery' (Royal Netherlands Embassy 2008: 6) towards an engagement in decentralisation for the education sector, particularly by contributing to universal primary education.

The Embassy's engagement in the Justice, Law and Order Sector (including human rights) was focused on promoting security and stability, and more specifically on moving from regime policing to democratic policing and civilian oversight. Security and stability were seen as prerequisites for further democratisation, which in turn was seen to contribute to further development. The second JLOS Strategic Investment Plan (SIP-II) described the goals, strategy and targets for the sector, including the promotion of the rule of law and due process, human rights, enhanced access to justice for all and the reduced incidence of crime and increased safety and security. Sector budget support to JLOS and a selection of strategic project interventions would be the means to contribute to those goals (Royal Netherlands Embassy 2008: 14).

The choice for sector budget support was made in view of the disenchantment with earlier attempts at 'notionally earmarking' general budget support for certain sectors, particularly since this had not provided the right incentives for the government of Uganda to change its

governance arrangements (Royal Netherlands Embassy 2008: 6). In particular, the Embassy and the Ministry had become concerned about the increases of expenditures by ‘State House’ (the President of Uganda), resulting in a mismatch between the approved budget and actual expenditures, the difference being related to so-called ‘costs of patronage’ (interview, Jeroen Verheul, 1 July 2015).

Another reason for sector budget support was that the embassy expected that the move away from general budget support would strengthen sector dialogue. The choice to move towards a more results-based approach to funding was reflected in the MASP’s proposal to make support dependent on a contractual relationship with the government related to results (ex-post funding) rather than budgeted inputs (ex-ante funding) (Royal Netherlands Embassy 2008: 9-10).

Next to providing support for JLOS, the Embassy emphasised objectives falling outside the circle of interest of the Uganda, but closely linked to the shared agenda, namely the fostering of more democratic policing and increased civilian oversight. The Embassy aimed to convince the government of Uganda of the long-term benefits of its approach through dialogue, ‘show projects’ and the support of advocacy initiatives. The Embassy wanted to build on its good relationship with the police, which had resulted from the support provided to the police to strengthen its presence in the North, after the withdrawal of the Lord’s Resistance Army (interview, Ministry of Foreign Affairs, 12 May 2014). The Embassy estimated that the risk following from the regime’s use of the police to maintain its grip on power, could be mitigated by building on the police’s commitment to the goals of SIP-II, engaging regularly with high-level representatives of the police and playing on professional pride (Royal Netherlands Embassy 2008: 14).

Next to the support to the police, the embassy prioritised the independence of the judicial system within the JLOS sector. While this would not seem to align with the government’s direct interest, the embassy saw scope to strengthen the judiciary, even at the political level, based on its lead role in the JLOS and its good reputation within the sector (Royal Netherlands Embassy 2008: 14). To ensure the link between JLOS and poverty reduction the Embassy chose to focus on the delivery of justice to vulnerable groups in Ugandan society and pay attention to the areas of family and land justice (Royal Netherlands Embassy 2008: 14).

Human rights got special attention in the 2008-2011 period. The Embassy emphasised that the shared agenda seemed to be limited, since the incumbent regime was mainly interested in maintaining stability and security. Despite this, the Embassy did see an overlap in interests at the technocratic level: the MASP pointed at the existence of an increasingly effective Uganda Human Rights Commission and the adoption of an enhanced human rights culture as one of the core objectives of JLOS. The human rights strategy attempted to link activities on human rights to activities in JLOS, as became evident in the police review process, the security sector reform debate, the support to the peace talks, and the support to gender activities like fighting female genital mutilation. The specific focus was on the most serious human rights violations in Uganda, like torture and illegal detention by security and law enforcement organisations and violations of the right to fair trial and due process (Royal Netherlands Embassy 2008: 15).

### 2.2.3 Planning period 2012-2015

The MASP 2012-2015, under the title ‘Food and justice: Investing in human security in a challenging governance context’, reflected a revision of the Netherlands’ policy towards Uganda based on the new Dutch development and foreign affairs policy and the lessons learnt from the previous MASP. In contrast to the previous MASP, the 2012-2015 multi-annual plan focused on two ‘spearheads’: 1) security and rule of law and 2) food security. The choice for these spearhead was in line with new Dutch policy priorities (Minister for Development Cooperation 2011) and was informed, among others, by the assessment that the spearheads can positively impact conditions for stability, that The Netherlands would be able to produce value added and that the spearheads would offer reasonable prospects for setting up effective programmes within the existing governance context.

Another main difference with the previous planning period was the move away from sector budget support. While the MASP 2008-2011 described budget support as the preferred aid modality in the case of overlap between the ‘circles of interest’ of the Dutch and Ugandan government, the MASP 2012-2015 stated that programme or project support was favoured as aid modality and budget support was dropped, because the latter is no longer considered appropriate due to major concerns about corruption and fiduciary risks (interview, Ministry of Foreign Affairs, 12 May 2014). Corruption scandals had already led the Netherlands to cut the Sector Budget Support for JLOS with EUR 3.2 million for the years 2010/2011 (Royal Netherlands Embassy Uganda 2011: 4). This was a follow-up to the decision of the Minister for Development Cooperation to stop general budget support for the Museveni government in 2008.

The area of decentralisation did not any longer receive attention in the MASP 2012-2015. With the change in focus away from the education sector, the focus on decentralisation issues appeared also to have been ended.

With its engagement in the Justice, Law and Order Sector – falling under the spearhead of security and rule of law – the Embassy aimed not only to promote security and rule of law (as an end itself) but also to contribute to the achievement of the MDGs and the improvement of the business climate. The main financial interventions the Embassy was undertaking under this spearhead related to the provision of support to JLOS and the Democratic Governance Facility (DGF) (Royal Netherlands Embassy Uganda 2011: 10).

Financial support to the JLOS had been channelled through a Sector Wide Approach fund, instead of through sector budget support. In addition, the embassy continued its dialogue activities in this sector. Based on previous experience it had, according to the MASP, proven to be more productive to engage in informal political dialogue that focuses on specific issues and is conducted in a non-confrontational setting rather than set up formalised dialogue. For this reason, the Embassy focused specifically on informal high level political dialogue. Moreover, past involvement in JLOS had also made clear that the opportunities for progress at the political level are far more limited than at the technical level. Therefore, the embassy focused on the JLOS Strategic Investment Plan III (SIP-III) and continued with strengthening the professionalism of JLOS personnel. In addition, support to civil society that is active in this sector was also continued to strengthen further their role in promoting good governance and demanding accountability (Royal Netherlands Embassy Uganda 2011: 15).

## 2.3 Activities of other Dutch agencies in Uganda (TOR question 3.2)

The fact that Uganda had been a ‘donor darling’ until the first decade of the 21<sup>st</sup> century was reflected in the involvement of many development agencies in activities in the country. This brief review identifies the major activities of other Dutch agencies and other donors in the area of good governance promotion. This section first discusses the main MFS partners working in Uganda (Hivos, ICCO, Cordaid and OxfamNovib), as well as their joint programme, the Uganda Governance Monitoring Programme (UGMP). Further, the Inter-Party Organisation for Dialogue, supported by NIMD, is discussed. The next section (2.4) discusses the activities of other donors alongside other centrally financed activities, most notably JLOS and the Democratic Governance Facility, where The Netherlands was part of international consortia.

### 2.3.1 MFS partners

Under MFS II (2011-2015) much coalition building took place on issues related to good governance. However, good governance has been dropped as a separate Dutch policy issue. Some elements of it (democratisation, promotion of rule of law and control of corruption) have become part of the ‘Peace and security for development’ objective (see ToR pp. 3,4). Good governance no longer being a policy priority for the Netherlands, means that in practice special programmes have been or are being ended and that the issue has been integrated into other programmes, e.g. as creating an enabling environment for private sector programmes.

#### A. *Hivos*<sup>9</sup>

Hivos has an East Africa office, based in Nairobi, Kenya. Between 2007 and 2012 Hivos supported some 50 organisations in Uganda annually. The most important organisations working on good governance (national and/or local) are:

- *ACODE*: Hivos has supported ACODE for its advocacy and lobby work on environmental issues, especially on genetic engineering, the Trade Innovations and Biotechnology Programme, until 2009. ACODE is included in the IOB study. Between 2003 and 2006, Hivos supported ACODE with € 300,000; the amount for 2007-2010 is unknown.
- *UGMP*: see sub-section E below.
- *UDN*: the Uganda Debt Network, which focuses on external debt and corruption issues, and is a watchdog on public expenditures. Hivos funding from 1998 to 2006 was € 355,000. EU funding through a consortium of Cordaid (65 per cent) and Hivos (35 per cent) amounted to € 1,400,000.
- *RWECO*: Rwenzori Consortium for Civic Competence, an organisation working on issues of election monitoring in Rwenzori region in partnership with Hivos, CEFORD, ACROD and promoting good governance, and civic empowerment.

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<sup>9</sup> Information about the work of Hivos in Uganda has been obtained from the office in The Hague. Hivos has shared major documents about the work of ACODE, FOWODE, KALI, UDN and UGMP, who have all been active in the field of budget tracking.

- *FHRI*: Foundation for Human Rights Initiative, which contributes to promoting and improving rule of law and democratic processes and has waged an anti-death penalty campaign.
- *FWODE*: Forum for Women in Democracy, an organisation for building capacity of women and men in analysing budgets from a gender perspective and for promoting gender inclusion in local and national governments' budgets. With improving the quality of accountability and transparency of local and national governments and public representatives the organisation aspires to contribute to good governance processes.
- *KRC*: Kabarole Research Centre, which played a central role in UGMP.
- *KALI*: an organisation aiming to build community skills to act as watchdogs over public expenditure for rural development, and contribute to combating corruption, increasing the participation of women, and stimulating citizens' participation in politics and elections. The Hivos contribution was € 100,000 from 2004 to 2007; its contribution for 2007-2009 is unknown.
- *GHFRD*: Good Hope Foundation for Rural Development, which promotes human rights in rural communities, with emphasis on girls and gender aspects, and works towards better government practice.

### ***B. ICCO<sup>10</sup>***

ICCO has an office in Kampala. During the inception mission, we did not have the time to visit the office. Of the six areas of ICCO's work in Uganda, one (conflict transformation and democratisation) is related to the topic of the evaluation.<sup>11</sup> ICCO is a partner in the UGMP.

### ***C. OxfamNovib<sup>12</sup>***

OxfamNovib has an office in Kampala. OxfamNovib has worked in Uganda since the 1980s, and now concentrates on three regions in the north: West Nile, Acholi, and Lango. OxfamNovib's work in Uganda is related to: the right to sustainable livelihoods, the right to basic social services, and the right to social and political participation. In supporting local partner organisations, OxfamNovib coordinates its work with other donors, for example through the Uganda Governance Monitoring Programme.

### ***D. SNV***

SNV has an office in Kampala, whose director is Jeanette de Regt. The activities of SNV are not specifically oriented towards governance. Governance issues are 'cross-cutting' in the areas of agriculture, renewable energy and water, sanitation and hygiene.

### ***E. The Uganda Governance Monitoring Programme (UGMP)<sup>13</sup>***

The UGMP consists of a Dutch and Ugandan based platform. The Dutch Uganda platform brings together five Dutch organisations: Cordaid, Hivos, ICCO, OxfamNovib, and CMC. The Ugandan based platform consists of 19 partner organisations in Uganda, such as

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<sup>10</sup> Information from the ICCO website: <http://www.iccokia.org/centraleastafrica/about-us/countries/uganda>.

<sup>11</sup> The other programmes are: food nutrition and security; fair climate; water, hygiene and sanitation; basic health and HIV; and education.

<sup>12</sup> Information from the OxfamNovib website, <http://www.oxfamnovib.nl/SPEF-uganda.html>.

<sup>13</sup> Based on information provided by Hilke Jansen, director BBO.

ACODE, ACCU, Caritas Uganda, Deniva, KRC, USDC, NGO Forum, UJCC, FHRI, FIDA, Isis-WICCE, UDN and UWONET among others.

UGMP was established in 2004. The Bureau Beleidsvorming Ontwikkelingssamenwerking (BBO) in The Hague was the coordinator on the Dutch side, the Dutch Uganda Platform (DUP). As a lobby organisation BBO secretariat provided support to the UGMP in conducting its research and in making its trend reports more analytic and forward looking. Annually, a round table dialogue was organized on the trend reports with the Netherlands embassy. The DUP and the role of BBO came to an end in 2011.

The overall objective of the UGMP initiative is to contribute to a substantial and critical political dialogue between the Dutch government and other donor countries on the one hand and the Ugandan government on the other on the themes of democratisation, human rights and peace-building. Over the years, UGMP has been publishing governance trends bulletins and it has lobbied the government to improve the governance situation in the country.

In 2010 Warner Strategy and Fundraising evaluated the relevance, effectiveness and efficiency of the DUP. Their report is critical about the Platform's effectiveness, stating that the 'direct effect ... in policy making appears to be limited'. The report further explains that 'The Dutch Embassy views the Dutch Uganda Platform to a large extent as a facilitator for the UGMP. The Embassy has not received any questions from the Ministry or Parliament as a result of the lobby of the Dutch Uganda Platform' (Warner Strategy and Fundraising 2010:4).

Whereas the Dutch branch of the Platform ended its work, in Uganda the Platform has continued its work. It is coordinated by the NGO Forum, since the Ugandan NGOs feel that the platform adds value to the work of the individual NGOs, who believe that a joint and constructive voice of citizen's and their organisations on governance issues can influence the government and can lead to transformation. The approach is three-pronged: creating demands for transparency and accountability from below, improving existing engagements with the state, and making linkages and networks at supra-national level.

UGMP generates annual monitoring reports, based on indicators related to the poverty reduction policy 'National Development Plan 2010-2015'. These are used for lobby and advocacy. It conducts civic education activities via public dialogues, press conferences, education material, etc. Amongst others UGMP has developed a Citizens' Manifesto, as a social contract between the leaders and the led and as a basis for citizens to hold their leaders accountable.

### **2.3.2 The Netherlands Institute for Multiparty Democracy**

NIMD established the Inter-Party Organisation for Dialogue (IPOD), based on a Memorandum of Understanding with the six political parties represented in the Ugandan parliament, in February 2010. IPOD, the goals of which have been defined 'in minimalist terms', has been conceived as a forum 'geared to preventing a 'worsening of the situation'' (Global Partners Governance 2013: 4), in the face of the increasing dominance by the NRM of the Ugandan political scene, as described in section 2.2. above. Funding is provided by the Dutch Ministry of Foreign Affairs and the Democratic Governance Facility. The IPOD budget was approximately €1,400,000 in 2015 (NIMD 2015).



IPOD's central objective was to 'help develop a well functioning democratic multiparty political system', with work in three broad areas (Global Partners Governance 2013: 3-4):

- Fostering interparty dialogue that addresses issues of national concern;
- Strengthening political parties to become legitimate, accountable and responsive actors, equipped with dialogue, policy development and communication and outreach skills;
- Supporting alliances (communities of change) between political and civil society to create a broad support base for the agenda that emerges out of the dialogue platform.

NIMD Uganda specified six outputs of the IPOD activities:

- Commit the six parliamentary parties to participate in an informal dialogue process.
- Develop consensus on the purpose and modalities for the platform;
- Secure consensus on a shared agenda of minimalistic reforms decided by the parties participating in the process;
- Enhance the trust between parliamentary party representatives;
- Establish a representative NIMD office in Uganda in order to facilitate the dialogue;
- Ensure that the NIMD programme is effectively managed through regular and adequate monitoring and evaluation procedures. (Global Partners Governance 2013: 4).

The mid-term review (Global Partners Governance 2013: 15-21) concludes that dialogue among the political parties has progressed only quite slowly. This is due to the role of the NRM in Ugandan politics, its attempt to increase its hold to power and limit the role of the opposition, but also due to the limited degree of institutionalisation of opposition parties.

## **2.4 Other donors and joint activities**

### **2.4.1 The international donor community in Uganda**

The data presented in table 1 indicate that aid commitments to Uganda between 2004 and 2012 amounted to almost US\$580 million for purposes of democratisation, rule of law and control of corruption. The Netherlands was in the top 5 of donors for two sub-fields: legal and judicial development and democratic participation and civil society. The Dutch position in the former sub-field is the result of the substantial sectoral budget support given to JLOS from 2007 to 2012; in the latter field this is related to the support provided to basket funding of the Deepening Democracy Programme (DDP) between 2007 and 2011 and the Democratic Governance Facility (DGF), primarily in 2011 and 2012 (OECD 2014).

In a similar vein, Ireland's and Austria's prominent position in the domain of legal and judicial development is the result of their support to JLOS and the rights, justice and peace component in DGF. Denmark's leading role in the field of democratic participation and civil society can, to a large extent, be explained by its role in the DGF (OECD 2014).

*Table 1: Overview of aid commitments in the field of democratisation, rule of law and control of corruption, 2004-2012 (US Dollars, in millions, current prices)*

	<i>Total aid</i>	<i>Top 5 donors</i>	<i>Allocation (per cent of total)</i>
Democratic participation and civil society	237.04	1. Denmark 2. Netherlands 3. Multilaterals 4. Ireland 5. Sweden	38.9 11.7 10.3 9.5 8.5
Legal and judicial development	177.50	1. Netherlands 2. Ireland 3. Austria 4. Norway 5. Multilaterals	31.5 25.3 15.2 8.7 4.9
Decentralisation and support to local government	98.98	1. Multilaterals 2. Belgium 3. United States 4. Ireland 5. Japan	86.5 5.2 3.9 3.0 0.7
Anti-corruption organisations and institutions	65.14	1. Multilaterals 2. United Kingdom 3. Denmark 4. United States 5. Ireland	83.0 10.2 3.4 1.7 1.7

*Source: OECD (2015)*

## **2.4.2 Denmark**

The data reported in table 1 indicate that Denmark has been playing a central role in financing activities aimed at good governance promotion, particularly in the field of democratic participation and civil society. The Danish Embassy in Uganda was a central player in the Deepening Democracy Programme and remains an important partner in DGF. For this reason this sub-section provides more information on the Danish policy of good governance promotion in Uganda.

The Danish government provided support to civil society in Uganda, as part of the Danish Civil Society Strategy, with the overarching objective of contributing to ‘the development of a strong, independent and diversified civil society in developing countries’.

Between 2006 and 2011 the DANIDA Human Rights and Good Governance Office (HUGGO) provided funding for Ugandan government line ministries, local and national CSOs. Total contribution to HUGGO was approximately DKK 100 million annually, out of which about 40 per cent was allocated to CSOs.

In March 2013 an *Evaluation of Danish Support to Civil Society* was published, containing a separate *Uganda Country Study*. The period covered by the evaluation was 2008-2012. This evaluation describes the context and the developments of civil society organisations in

Uganda. The NGO sector in Uganda is young, but has been growing fast, from 200 registered NGOs in 1986 to 9,500 at the end of 2011. The evaluation concluded amongst others that:

- Denmark has, with other development partners, contributed to a more vibrant and open debate through supporting CSOs in Uganda;
- The improvements in representation, legitimacy and locally based organisations in Uganda cannot specifically be attributed to Danish support;
- The ‘strategic partnership’ modality was singled out as being the best way of securing ownership, but also criticised for benefitting the big and traditional organisations, while the ‘calls for proposals’ were claimed to better ‘level the playing field’. While partnerships with Danish NGOs were generally assessed as positive, there were some concerns voiced by Ugandan CSOs of being part of a programme, which was mainly defined by the International and/or Danish NGO;
- The Danish contribution to advocacy work has been important and consistent, increasingly in ‘claimed’ spaces and exposing the governing elite’s misuse of power. This is accredited to the Danida Human Rights Good Governance Office (HUGGO) and the Democratic Governance Fund (DGF) and to some of the international and Danish NGOs.

### 2.4.3 JLOS

The overview of financial contributions provided to Uganda by The Netherlands between 2007 and 2012 (see table 1 in section 2.3) indicates that sector budget support (2007-2010) and contributions to a SWAp fund (2011) for the justice and law and order sector (JLOS) are the major elements of the Dutch involvement in Uganda. Total Dutch contributions amounted to approximately €21 million in this period, or almost two-thirds of all development assistance funds spent in Uganda. Support to JLOS was suspended in 2014 in response to the passing of the Anti-Homosexuality Act by the Ugandan Parliament and the ratification of the act by President Museveni. Despite the annulment of the act by the Constitutional Court, The Netherlands has been withholding all support funds for JLOS, because of the involvement of various government agencies in JLOS (communication, Royal Netherlands Embassy, Kampala).

JLOS is a network of 17 institutions working in the sector, which was founded in 2000. Partner institutions include the judiciary, the police, the public prosecutor, the prison system and the human rights commission. It started as a donor-driven initiative, but is assessed as having become a home-grown network (interview, Ministry of Foreign Affairs, 12 May 2014). External support for JLOS comes from, among others, Austria, Denmark, the European Union, Germany, Ireland, The Netherlands, Norway, Sweden, UNDP, the United Kingdom and the World Bank), which are brought together in the JLOS Development Partners Group (interviews, JLOS secretariat, 19 May 2014; World Bank 2009: 18). Together, the development partners contribute around 10 per cent toward the total budget of the JLOS institutions, which amounts to approximately UGX 600 billion (around €174 million) (interviews, Ministry of Foreign Affairs, 12 May 2014, JLOS secretariat, 19 May 2014).

Focal areas within JLOS are: criminal justice, civil justice (land, farming, and commercial justice), human rights and accountability, and transitional justice. Apart from operating at the national level, JLOS works through so-called District Chainlinked Committees, which bring

together representatives from the institutions at the level of the districts. Committees at the district level serve to communicate on problems existing at the local level, to reach out to communities with information on topical issues, and check on the functioning of the institutions at the local level (interviews, JLOS secretariat, 19 May 2014).

Improvement of service delivery and strengthening of procedures were felt to have been the main results of donor support for the JLOS institutions (interviews, JLOS secretariat, 19 May 2014).

#### **2.4.4 Democratic Governance Facility**

The Netherlands has been involved with the Democratic Governance Facility (DGF) and its predecessor Deepening Democracy Programme (DDP) since 2007. The Netherlands contributed €1,518,000 to a basket fund in support of the DDP between 2007 and 2011, and started to contribute to DGF in 2011 (€2,000,000 annually for the period between July 2011 and July 2016).

DDP was created as a post-election programme, set up after the 2006 general elections in Uganda, aiming at contributing to the process of democratisation in the country. DDP was a programme set up by six donors (Ireland, Norway, Denmark, Sweden, the UK and The Netherlands, who all contributed to a basket fund, administered by Danida's Human Rights Good Governance Office (HUGGO). The main components of the DDP were support of:

- The national electoral commission;
- Organisational development of political parties;
- Parliamentary processes;
- The national civic education programme;
- Civil society; and
- Media in democracy. (Royal Netherlands Embassy Uganda 2012: 4, 6)

DDP was subsumed into DGF upon the creation of the latter in 2012. DGF was established by Austria, Denmark, Ireland, The Netherlands, Norway, Sweden, the United Kingdom and the European Union in order to finance both civil society organisations and government institutions. It focuses on three key areas: 1) Deepening Democracy, 2) Rights, Justice and Peace, 3) Voice and Accountability.

### **2.5 The relevance of Dutch activities in the light of governance challenges and activities by other donors**

The overview of Dutch programmes in the justice and decentralisation sector, supplied by IOB, lists two broad sets of activities between 2007 and 2012 as given in table 2.

Given the nature of the activities, it is difficult to give a precise assessment of the extent to which the policies and funding decisions of The Netherlands in the justice sector and decentralisation address the main governance challenges in Uganda. Below, a tentative answer to this question is given along the following lines:

1. The extent to which Dutch activities have addressed the main governance challenges in the justice sector and decentralisation;
2. The extent to which those activities have taken account of the political feasibility to foster change;
3. The extent to which the activities have taken into account (a) the activities of other Dutch agencies and (b) the activities of other donors.

Table 2: Governance reform activities funded by The Netherlands, 2007-2012

A. Major financial contributions (rounded off to thousands of euros)

Years	Description	Counterpart	Sector	Intervention	Budget (€)
2007	Local Government Sector Investment Plan (LGSIP)	Ministry of Finance, Planning and Economic Development (FPED)	Decentralisation	Supply side	3,900,000
2007-11	Deepening Democracy Programme basket funding	DANIDA/HUGGO	Democratisation/ decentralisation	Supply and demand side	1,518,000
2008-10	Sectoral budget support JLOS	Ministry of FPED	Rule of law	Supply side	17,800,000
2008-12	Contribution to Independent Development Fund	Independent Development Fund	Rule of law/civil society	Supply and demand side	1,250,000
2011	Sector-wide Approach JLOS	Ministry of FPED	Rule of law	Supply side	3,215,000
2011	Democratic Governance Facility	Danish Embassy Kampala	Democratisation/ decentralisation/ rule of law	Supply and demand side	2,000,000
2007-12	Total				29,683,000

B. Project funding (rounded off to thousands of euros)

Years	Description	Counterpart	Sector	Intervention	Budget (€)
2007	ACODE, think tank role	ACODE	Democratisation/ decentralisation	Demand side	19,000
2007	Support fund for human rights	HURINET	Rule of law	Demand side	8,000
2007	Domestic violence project	CAAD Defilement	Rule of law	Demand side	5,000
2007	Design human rights fund	DANIDA Kampala	Rule of law	Demand side	48,000
2007	Private sector foundation human rights	Various	Rule of law	N/a	100,000
2007	Technical assistance in districts	SNV	Decentralisation	Supply side	191,000
2007-8	Anti-corruption	Kick corruption out of Kigezi	Rule of law	Demand side	86,000
2007-8	Preparation of document on constitution	Kituo Cha Katiba	Democratisation/ rule of law	Demand side	37,000
2007-8	Prisoner Magazine UPAF	Uganda Prison Services	Rule of law	Demand side	12,000
2007-10	Core funding	Human Rights Forum (HURIFO)	Rule of law	Demand side	135,000
2007-12	Police accountability project (2 phases)	HURINET	Rule of law	Demand and supply side	421,000
2008-11	Support Ugandan Human Rights Commission	Ministry of Finance	Rule of law	Supply side	300,000
2009-11	Police review	State University of New York	Rule of law	Supply side	415,000
2009-12	Budget tracking project (CBTIC)	ACODE	Decentralisation/ democratisation	Demand side	980,000
2010-11	Consultancy ORIO	Advance Consulting	Rule of law	N/a	25,000
2007-12	Total				2,782,00

Source: IOB

A comparison of activities with the main governance challenges that were identified in section 2.2, leads to an answer to the first question, related to the extent to which Dutch activities have addressed the main governance challenges in the justice sector and decentralisation. Section 2.2 argued that the major challenges in the justice sector are related to capacity constraints, corruption, executive interference and militarisation of the police

force. The main challenges in the area of decentralisation were argued to be: parallel centralisation, district proliferation and funding and capacity of local government institutions.

It is clear from the overview in table 2 that major programme funding from The Netherlands has tried to address several of the issues identified as major governance challenges in the justice sector and local government. In particular, the joint funding of the JLOS support programme was aimed at enhancing capacity of institutions in the Ugandan justice sector. Next to this, Dutch contributions to enhance capacity of local government were provided primarily to the Ugandan Local Government Sector Investment Plan.

Smaller contributions to projects of limited scale and duration seemed to have targeted specific issues related to justice, law and order and decentralisation, such as the activities aimed at the role of the police (e.g. the Police Accountability project implemented by HURINET and the Police Review undertaken by the State University of New York). Support for ACODE's budget tracking project can be seen as one of the ways to strengthen local government, as can the support provided to ACODE through DGF for the local government scorecard initiative.

In relation to the second question – focusing on the extent to which those activities have taken account of the political feasibility to foster change – we feel that a certain degree of caution is necessary. Some of the governance challenges that were identified in section 2.2 are major issues, related to fundamental characteristics of the political economy of Uganda, as well as the power bases of the incumbent regime. The data in table 2 indicate that the major governance challenges – such as grand-scale corruption, executive interference, militarisation of the police force, parallel centralisation and district proliferation – have not been addressed directly by The Netherlands. To a large extent, donor reticence in these areas seems to be informed by the recognition of the limits to external action. Donors are aware that they have limited capacity for bringing about change in institutions and practices that the incumbent regime considers vital to its such survival. The Dutch government has acted, though, in response to allegations of corruption, because it possessed the 'power of the purse'. Corruption issues have led to the periodic interruption and later cessation of budget support to the Government of Uganda. In general, the literature on issues of political conditionality suggests that the leverage of international donors over unwilling governments is rather small: the suitability of development assistance funds as a tool for pressurising governments seems quite restricted, and most donors tend to shy away from direct intervention in the internal affairs of recipient governments.

In addition to these two points, it is noteworthy that the Embassy was confident of its ability to promote governance challenges in Uganda, which were not directly part of the agenda of the Ugandan government. The MASP 2008-2011 mentioned the fostering of more democratic policing and increased civilian oversight as parts of the Netherlands agenda but falling outside the circle of interest of the Ugandan government. In a similar vein, the Embassy aimed to promote the independence of the judicial system, an objective not in line with the government's direct interests (see section 2.2.3 above). The MASP 2012-2015 reflects the Embassy's change in strategy: from formal political dialogue to more informal dialogues, which had proven to be more productive, and from cooperation at the political level to greater focus on the technical level. It was argued that past involvement with JLOS had demonstrated that opportunities to make progress are far more limited at the political level than at the technical level. Hence, the Embassy chose to give priority to strengthening the

professionalism of JLOS personnel and supporting civil society in their role in promoting good governance and demanding accountability.

Sections 2.3 and 2.4 have provided input for answering the third question, concerning the extent to which Dutch activities related to the justice sector and decentralisation have taken into account (a) the activities of other Dutch agencies and (b) the activities of other donors.

The inventory of the activities of other Dutch agencies in Uganda indicates that the activities in the justice sector and decentralisation supported by the Dutch government and the Netherlands Embassy in Kampala have been largely complementary to those of the MFS partners (section 2.3.1) and NIMD (section 2.3.2). The major financial contributions provided by The Netherlands (see part A in table 2) do not seem to show major overlap with the activities of the MFS partners, although specific projects supported from either the Deepening Democracy Programme (between 2007 and 2011) or the Democratic Governance Facility (since 2011) may have resembled the MFS-supported projects. Specific projects funded by the Netherlands Embassy (part B in table 2) seem to differ quite substantially from the MFS and NIMD projects described in section 2.3.1 and 2.3.2. Possible exceptions to this more general trend may be the support provided for NGOs working on transparency of the Ugandan budget process, such as ACODE (the Citizens' Budget Tracking and Information Centre), the Uganda Debt Network, which has been supported by Hivos, and the umbrella organisation Civil Society Budget Advocacy Group, which received financial support through DGF. Through the funding of various organisations working on budget transparency, the Dutch Embassy and MFS partners seem to have enhanced the capacity of Ugandan civil society to monitor budgetary policies of the Ugandan government. Next to this, collaboration of Dutch and Ugandan NGOs in the Uganda Governance Monitoring Platform (UGMP) between 2004 and 2011 seems to have been relevant for policy making on Uganda by the Dutch government, given that UGMP has been monitoring trends in governance in the country.

The overview of activities by the international donor community in Uganda, both in joint and bilateral frameworks (section 2.4), indicates that the approach to governance challenges has been characterised by coordination and collaboration among donors. The figures on aid commitments related to various aspects of governance (table 1) provide an indication of this coordination. The financial commitments point to a strong focus of aid in a small number of sub-sectors, such as democratic participation and civil society; legal and judicial development; decentralisation and support to local government; and anti-corruption organisations and institutions. The data show that The Netherlands has been an important contributor to activities in the first two of these sub-sectors: between 2004 and 2012 it provided 11.7 per cent of the funds for activities related to democratic participation and civil society and even 31.5 per cent of the funds in support of legal and judicial development. The activities of three main programmes focused on the strengthening of democracy and the legal system (DDP, DGF and JLOS) are the witness of the common endeavours of the international community in Uganda. Dutch support to these three main programmes, plus the Local Government Sector Investment Plan (LGSIP), account for 87.6 per cent of all Dutch spending on Uganda between 2007 and 2012 (see table 2).

## **3. Insights from evaluations on Dutch projects related to justice, rule of law and decentralisation**

### **3.1 Introduction**

What have available evaluations said about the effectiveness of the Dutch supported programmes and projects on justice and decentralisation? In question 3.19, the Terms of Reference for this country study request an investigation of previous evaluations. Specific points to be addressed are:

- the extent to which outputs, intermediate outcomes and outcomes have been achieved;
- the mechanisms contributing to the results, as well as other factors, positively and negatively;
- the unexpected or unintended results;
- the possible difference in results for men and women;
- the extent to which the intervention can be expected to have contributed to the ultimate governance objectives, given the influence of other factors.

### **3.2 Sample of evaluation studies**

The major programmes (co)-funded by The Netherlands between 2007-2014 in support of justice and decentralisation in Uganda have been the Local Government Sector Investment Plan (LGSIP), the Justice, Law and Order Sector Investment Plans (JLOS), the Deepening Democracy Programme (DDP) and its successor the Democratic Governance Facility (see also table 2 above). In addition, the Netherlands government funded some fifteen projects on these themes, while other Dutch agencies also supported a variety of activities (see paragraph 2.3 above).<sup>14</sup>

Searching for suitable evaluation studies, it became clear that the number of evaluations of programmes for justice and decentralisation in Uganda is limited. There are no external evaluations of the sector programme LGSIP: differences of opinion between the Government of Uganda and its development partners induced the latter to stop funding LGSIP in mid-2009. For JLOS one external mid-term evaluation study (2010) is available, and there is an end term evaluation for the Deepening Democracy Programme (DDP). Strictly speaking, the DDP does not fall under the categories of justice and of decentralisation, so that it would be out of the realm for ToR question 3.19. However, given its broad character as a programme fund, DDP has been selected in the current sample.

To further beef up the lean sample, the criteria for sample selection were stretched by looking at the period before 2007 and by including other documents than evaluations. For DDP, a draft Programme Completion Report was added. To compensate for the absence of an evaluation of LGSIP, an evaluation of the Local Governance Development Project 2000-2007 (the predecessor of LGSIP) was included, along with an official closure project document from the Netherlands Embassy. The one mid-term evaluation of the Justice, Law and Order

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<sup>14</sup> Only those projects have been included that started before the end of 2012, the start of the policy review.



Sector, was complemented with the Annual Performance Reports since 2011. Box 1 gives an overview of the studies consulted.

*Box 1: Studies consulted*

For DDP:

- IDP, *End-Term Evaluation Report Deepening Democracy Programme Uganda*, 2011
- Deepening Democracy Programme, *Deepening Democracy Completion Report*, draft version, 2012

For LGDP:

- World Bank, *Implementation and Completion Report LGDP II*, 2008
- Independent Evaluation Group (World Bank), *Project Performance Assessment Report, The Republic of Uganda, Second Local Government Development Project*, Report no 87597, 2014
- Royal Netherlands Embassy Uganda, *Slotdocument LGDP LGSIP*, 2010

For JLOS:

- World Bank, *Uganda Legal and Judicial Sector Study Report*, 2009
- The Consulting House, Office of the GLR (Nairobi) and Centre for Justice Studies and Innovations (Kampala), *Justice Law and Order Sector, Second Sector Strategic Investment Plan (SIP II), Independent Mid term Evaluation Report*, 2010
- JLOS, *Annual Performance Report 2011/12 (SIP II)*, 2012
- JLOS, *Annual Performance Report 2012/13 (SIP III)*, 2013
- JLOS, *Annual Performance Report 2013/14 (SIP III)*, 2014

### **3.3 Findings from previous evaluation studies**

#### **3.3.1 Deepening Democracy Programme**

The DDP grew out of development partner support around the 2006 elections in Uganda. The programme was designed to strengthen democracy as an ongoing process and with an eye on the next elections in 2011. DDP provided support for the election process, the multiparty political system, parliamentary autonomy, active civic engagement and free media. Around 30 partners have implemented projects, ranging from the electoral commission, parliament, political parties, media networks and civic organisations. Through them the entire population was targeted.

DDP was a basket fund of six donors (UK, Ireland, Sweden, Norway, Denmark and The Netherlands) who committed a total of \$ 21 million. The Netherlands signed up for \$ 2 million, and have in fact contributed € 1,518,000. In 2012, DDP was succeeded by the Democratic Governance Fund (DGF), with the same donors plus Austria (see also section 2.3.3). While DDP was to start in 2007, the programme did not take off until mid-2009.

The evaluation came two years after the start of the programme, too short a time to show clear outcomes and impacts, says the report. ‘The evaluation of results, therefore, centers to a large extent on outputs and seeks on this basis to draw conclusions on outcomes where it seems safe and justified to do so.’ (IDP 2011:5)

## ***A. Achievements***

The achievements of DDP include:

- Contribution to better voter registration and to credibility of election results through support to electronic election devices;
- Contribution to more competitive and structured political parties and to an increased dialogue between them;
- Better-informed discussions in parliament through availability of advisory services;
- More active civic engagement through civic education, the creation of platforms for debate and dialogue between duty bearers and citizens;
- Contribution to improved service delivery through monitoring of local level authorities;
- More reliable and impartial news, improved approaches to participatory broadcasting.

The report concludes that overall programme performance has been good and that results have been achieved at a satisfactory level. It notes that DDP was only one instrument in promoting democracy in Uganda and that overall democratic developments are subject to influence from a large number of powerful actors and factors. Yet, ‘the programme ... was timely and highly relevant. Alignment with official national policy priorities, the inclusion of all major actors, the ability to respond to changes in the context, and the flexibility to meet unforeseen needs and demands all contribute to ensuring a high degree of relevance.’ (IDP 2011:52)

## ***B. Outcomes and impact***

Whereas the End term evaluation report is prudent about achievements beyond the output level, the draft DDP Programme Completion report 2012<sup>15</sup> does comment on outcomes and impact. It rates the results regarding the overall goal of improved democratic governance in Uganda as ‘less than satisfactory’, meaning ‘adjustments to plans and/or strategy necessary’. (Deepening Democracy Programme 2012:12) But, lack of improvement in democratic governance over the period under review does not imply that the DDP has failed, says the report. Such an argument would assume attribution, ‘namely that foreign assistance plays a key role affecting democratic practices and processes in Uganda. However, the provision of limited financial support supplemented by policy dialogue to improve the performance of formal institutions and processes does not, and cannot, touch on the fundamental determinants of how power is organized, allocated and exercised in Uganda. DDP, and all foreign aid, only has leverage in limited areas and ways.’ (Deepening Democracy Programme 2012:13) For the author it makes more sense to analyse sub-objectives such as the integrity of elections or the nature of civic engagement for which DDP interventions are relatively more significant. The ratings of these results are ‘satisfactory’ (Deepening Democracy Programme 2012 :14-33). The DDP’s programme completion report concluded that, overall, ‘DDP-supported interventions achieved high levels of awareness, but ... their impact in influencing changed attitudes or behaviour cannot be established’ (Deepening Democracy Programme 2012: 52). This conclusion is clearly more pessimistic than IDP’s assessment, which pointed at various achievements of behavioural change, including voter registration practices and more active civic engagement (see above under A.).

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<sup>15</sup> The author of this report is probably DDP’s programme manager at the time, Nicolas De Torrente. The final version of this report could not be traced.

### ***C. Mechanisms and factors responsible for (in)effectiveness***

The draft Programme Completion report is also open about the mechanisms and factors causing the lack of progress. It points to the political culture in Uganda, in particular the centralization and personalization of the executive power, the linkage of the ruling party with state organs, the affiliation of security agencies with the ruling party and patronage politics, which have persisted during the period of DDP implementation. Further reasons for the limited headway include: lack of timeliness in decision-making, lack of cooperation among stakeholders, lack of capacity for proper planning. (Deepening Democracy Programme 2012:56)

### ***D. Different effects for men and women***

The reports do not specify differences in impact for men and women. Gender equality projects included support to the Uganda Women's Parliamentary Association (UWOPA) for its work on legislation regarding domestic violence and female genital mutilation, to the Democracy Monitoring Group (DEMGROUP) for the monitoring of women's participation in the electoral process from voter registration to polling day, and support to the Women in Democracy Group (WDG) to prepare women candidates for the elections.

A concrete result was that the Domestic Violence and Female Genital Mutilation bills were passed into law. (IDP 2011:8, Deepening Democracy Programme 2012:55) The evaluation also reports that women leaders were elected partly as a result of the work of WDG; it suggests to further support the new leaders so that they can effectively represent their constituents. (IDP 2011:53)

### ***E. Lessons and recommendations***

However useful the 'supply' and 'demand' framework may be, the draft Programme Completion report argues that future programming should be oriented towards 'demand-side' interventions. First, because of the ambivalence of state actors towards democratic governance processes and institutions, and, second, because of the likelihood that civic education or governance accountability initiatives will be undertaken by partners more receptive to external assistance and capable to lead the democratic progress in Uganda's 'mixed picture' context. (Deepening Democracy Programme 2012:57)

The End term evaluation does not speak in favour of a particular form of interventions, but emphasizes that an alteration of the democratic practice, values and culture is a long-term process that is influenced by factors beyond the control of the programme. This requires the setting of realistic targets, which are to be reviewed regularly (IDP 2011:51). The evaluation also found that the choice to limit the Programme Management Unit's (PMU) role to 'technical support', as opposed to engaging directly in policy discussions, gave the DDP a sense of impartiality and thus contributed to credibility of the programme. With regard to civic education, the report recommends to go for more alliances and networks of CSOs, and to put more emphasis on their organizational development (IDP 2011:53).

### **3.3.2 Local Government Development Project II**

Between the year 2000 and mid-2007, there were two Local Government Development Projects. They supported local government reforms in Uganda, which started in 1992 with the decentralization policy pronouncement. In 1997, the reforms became part of the Poverty Eradication Action Plan (PEAP, see section 2.2.1), the framework for detailed sector and local governments planning. LGDP I ran from 2000 to 2003. To consolidate its achievements, a Second Local Government Development Project (LGDP II) was organised from mid-2003 to mid-2007.

Total costs of LGDP II were appraised at US\$ 165 million, financed by a World Bank credit of US\$ 50 million and a World Bank grant of US\$ 75 million. The Netherlands contributed US\$ 15 million and was the leading bilateral donor. Other external partners were the Republic of Ireland: US\$7.5m, DANIDA: US\$1.8m, Austria Development Corporation: US\$0.3m. The Government of Uganda contributed US\$14.8m.

The project development objective was to improve the institutional ability of local governments for sustainable and decentralized service delivery. There were five components: support for the Decentralization Process, Local Development Grant (LDG), Local Government Capacity Building, Local Government Revenue Enhancement and support to Project Implementation. The primary target groups of the project were the local governments and their institutions and constituencies, as well as private contractors for implementation of the substantial parts of the program.

#### ***A. Achievements***

In a closure document the Royal Netherlands Embassy (2010) notes that LGDP partly achieved its objective of improving local government institutional performance for decentralised service delivery. The functional capacity of local governments improved so that they can now prepare and submit annual accounts, and can plan and manage the delivery of services with increased participation by the people. A system of annual assessments on performance was developed, leading, amongst others, to an increase in the quantity and quality of infrastructure in the countryside.

Six years of support through Local Government Development Projects (LGDP I and II) paved the way for a sector wide approach to decentralization, the Local Government Sector Investment Programme (LGSIP). But since the Government of Uganda could not agree with the development partners on the character of LGSIP as a planning framework, the basis for support disappeared and funding was ended at the end of June 2009.

#### ***B. World Bank assessments***

The World Bank conducted two studies on the LGDP II, an Implementation and Completion Report (ICR) in 2008, and a Project Performance Assessment by the Independent Evaluation Group in 2014. While the first one was rather positive on the results of LGDP at the end of the project, the study conducted six years later showed that initial results had been undermined by various circumstances.

### ***C. Outputs and outcomes***

The ICR lists outputs by component, including the development of planning guides, regulations, training of staff, the conduct of audits, projects concerning roads and drainage, education, production, health, water and sanitation, administration, waste, the preparation of local government revenue enhancement plans with training of local officials, and project management support. The overall outcome rating on implementation was ‘satisfactory’ on all components. Some components were qualified ‘highly satisfactory’, like the capacity building grant; others were ‘moderately satisfactory’, e.g. the local government revenue enhancement. The report identifies three substantial challenges due to government policy shifts during the project period: the government established new local governments, it abolished the Graduated Tax, and exempted owner-occupied houses from paying rates (World Bank 2008: 4-5).

The Project Performance Assessment done by IEG (2014)<sup>16</sup> found that the project was initially successful in building administrative capacity of local governments; it supported over 30,000 sub-projects in several sectors. However, due to substantial policy reversals since 2005, the improved administrative capacity has been underutilized.

### ***D. Mechanisms and factors responsible for (in)effectiveness***

For the IEG, the mechanisms responsible for the shift in the project’s effectiveness are the following policy reversals: the near elimination of local revenue base, the reduction of transfers to local governments, increased percentage of conditional grants, and the creation of new districts, mostly for political patronage. These factors have been hindering service delivery and have led to a weakening of the discretionary powers of local governments, to a centralization of functions and resources, and a reduction of available financial and human resources at district level. Consequently, says IEG, the progress achieved under the project was not sustainable. Instead of an improvement of the institutional performance of local governments for sustainable, decentralized service delivery, IEG noted deterioration in the quality of service delivery. Lack of funds for operations and maintenance has subsequently led to the progressive erosion of the initial improvements in quality of management, and in infrastructure. For IEG it is clear that ‘the GOU policy reversals, during and after the life of the project, made such results unsustainable in the medium term’. (IEG 2014: x)

### ***E. Different effects for men and women***

None of the reports specifies differences in impact for men and women. The Appraisal document for LGDP II says ‘gender is included in objectives and assessment criteria’.

### ***F. Lessons and recommendations***

Key lessons from LGDP for the RNE are that: ‘Sustainable solutions require full political support’ and ‘Without sound political support there is no meaningful local revenue generation and without meaningful local revenue there can be no meaningful decentralisation’.

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<sup>16</sup> Project Performance Assessments are part of IEG’s standard procedures to annually assess 20-25% of the Bank’s lending operations through field work. They are carried out for interventions that are innovative, large, or complex, or interventions that are relevant to upcoming studies or country evaluations or likely to generate important lessons.

Likewise, IEG concludes that ‘Policy reversals can cause serious damage to otherwise significant project outcomes, and are difficult to counter.’ A further lesson for IEG is that ‘Decentralization is not a sector, while it was treated as such in Uganda with a Sector Working Group, a Sector Investment Plan and specific donor support. Decentralization of service delivery affects all sectors of the economy and should be supported in a harmonized way across sectors and donor programs.’ (IEG 2014: xi).

### **3.3.3 Justice, Law and Order Sector (JLOS)**

The JLOS was formed in 2000, when Justice, Law and Order institutions in Uganda got organized into a sector and set joint objectives in line with those of the Poverty Eradication Action Plan (PEAP). The initial number of institutions that joined JLOS was ten, including the Uganda Police Force, the Uganda Prison Service, the Ministry of Gender and the Ministry of Local Government for the Local Councils Courts. Over the years, JLOS grew to its current 17 member institutions. A special Secretariat was established in August 2000 and it developed its first Sector Investment Plan for the years 2001 to 2006. The mission of JLOS was to enable all people to live in a safe and just society.

The Royal Netherlands Embassy has been a key partner in the development of the Justice, Law and Order Sector in Uganda. RNE was instrumental in bringing the sector together around the year 2000, and it has been a major player in the International Development Partner Group, often as its Chair. The Embassy supported both the formal supply side of the sector (government and constitutional bodies) and the demand side (citizens and civil society organisations), gradually moving from one to the other over the years. Between 2007 and 2012, supply-side institutions received some € 22 million, almost two-thirds of all Dutch development assistance funds for Uganda. In the same period, demand side support was approximately € 2 million. The Netherlands suspended its support to JLOS in 2014 in response to the passing of the Anti-Homosexuality Act by the Ugandan Parliament and the ratification of the act by President Museveni. Despite the annulment of the act by the Constitutional Court, The Netherlands has been withholding all support funds for JLOS.

The main objectives of the first Strategic Investment Plan of JLOS (SIP I, 2001-2006) were to maintain law and order and to increase access to justice for all persons. SIP II (2006-2011) carried these goals forward, but added the aim to enhance the public’s capacity to demand improved service. For the realization of this intention, civic and local leaders were invited in the District Chain Linked Initiative and in the JLOS Coordination Committees. The goal of the current third Strategic Investment Plan (SIP III, 2012-2016/17) is to promote the rule of law. SIP III has set quantitative targets for 2016: to increase public satisfaction with JLOS services from 60% in 2011 to 70%; to increase public confidence in the justice system from 26% in 2012 to 44%; and to enhance the index of judicial independence from 3.8 to 4.

As a sector programme JLOS contains a multitude of activities, including the promotion of enacting laws, institution and capacity building for fighting corruption, improving prisons both its physical environment and the treatment of prisoners, improving police services, conducting legal education and the promotion of human rights. Beneficiaries are many, ranging from staff of prisons and police to prisoners and citizens, to judiciary and state attorneys.

The Netherlands' thematic focus in JLOS has been twofold: i) the police - promoting a change from regime policing to democratic policing and civilian oversight - and ii) the judiciary system - promoting its independence, including the improvement of legal aid and the prison system. Due attention was also given to gender equality issues, with the Embassy playing an active role in the gender working group of JLOS and supporting gender activities such as the fight against female genital mutilation, and the promotion of access to justice for victims of gender based violence. Decentralisation, another major theme of Dutch support to Uganda, figured in the JLOS as well. From the start of the sector, the Ministry of Local Government has been one of the participating institutions, its specific mandate in JLOS is to supervise the Local Council Courts throughout the country.

The Netherlands' ambitions for the JLOS were high. According to the MASP 2008-2011 the Embassy saw scope to promote part of The Netherlands' agenda that fell 'outside the circle of interest of the Government of Uganda' (see also section 2.4.2 if this report), notably the fostering of more democratic policing. RNE believed that it could convince the GoU of the long-term benefits thereof, through dialogues, 'show' projects and support to advocacy initiatives and civilian oversight. Another of the Embassy's priorities was the promotion of the independence of the judicial system, which was neither in line with the government's direct interest. The Embassy believed that its lead role in the JLOS and its good reputation would lead to success in this field. In the MASP 2012-15 the Embassy adapted its strategy: the dialogues in the JLOS sector were to continue, but in a more informal way instead of being formal political dialogues. Because of its experience that making progress at the political level was far more limited than at the technical level the Embassy switched its support to strengthening the professionalism of JLOS personnel and civil society actors. Both strategies were re-enforced in the MASP 2014-2017.

### ***A. Evaluations of JLOS***

In spite of the long duration of the JLOS programme, its size and the importance attached to it by the development partners, evaluations of the programme have been few.<sup>17</sup>

In 2009, the World Bank published a report on the legal and judicial sector, which was undertaken in 2005 and updated in 2007 and in 2008. The scope of this study was limited to i) the commercial courts and the establishment of the Centre for Arbitration and Dispute Resolution (CADER), ii) the adequacy of legal education, and iii) the provision of legal aid services to the poor. The study concludes that the commercial justice reform programme was a success, as was the CADER. More capacity and changed attitudes of lawyers trained by the centre were major results. In the report concern is raised about the priority in JLOS for commercial justice in a country where the majority of the population is engaged in agriculture, and where programs on family and land justice are urgently needed. This is particularly pertinent in view of the other findings of the study, notably that the system of legal education was inadequate, with an overlap of institutions wasting resources and turning out large number of lawyers that were unable to carry out tasks required within the sector. Similarly, access for the poor to justice is found to be weak and the delivery of justice in serious need of improvement.

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<sup>17</sup> In 2012, The Netherlands Court of Audit performed a study about sector budget support with Uganda as a case (Algemene Rekenkamer 2012). The study investigated how donor and partner countries account for budget support, but it has not looked at the effectiveness of the support itself. Hence, it is not useful for ToR question 3.19.

In 2010, an external evaluation team conducted a Mid-term evaluation of SIP II. It found the agenda for sector reforms on course so that the SIP II had good potential for impact – which would imply transformation of the sector. In particular, the work on law reforms was a success. Many laws were enacted, which facilitated the Judiciary to deal with case backlog (The Consulting House et al. 2010: 56). The commercial justice component was doing well, with achievements on the case disposal rate and capacity development of commercial lawyers. The areas of family justice and land justice, on the other hand, were slow in getting off the ground. The MTE is concerned about the so-called ‘brick and mortar reforms’: the construction of physical facilities. Since these were not always followed by services it looked as if JLOS institutions were brought closer to the poor, but in reality the distance between the poor and the law was not sufficiently reduced. A similar point concerns the institutional reforms through equipment and vehicles. While they prepared and facilitated the institutions for implementation, they were not always effective. Some of the investments resulted in ‘dead capital’: without recurrent budget to service them, they died (The Consulting House et al. 2010: 10). Investment in human capital, another critical implementation pre-requisite, was also found to be inadequate.

### ***B. Outputs and outcome***

Recent information about the results of JLOS can be found in the Annual Performance Reports published under the responsibility of the JLOS Leadership Committee. Thanks to sophisticated M&E arrangements developed for SIP III, the implementation of JLOS has been closely monitored since 2012. The result is an annual overview of activities and outputs; occasionally outcomes are mentioned.

The Annual Performance Report of 2011/12 highlights the achievements of SIP II and mentions results in the sphere of law enactment, capacity building to fight corruption and to use prosecution-led investigation, training in human rights skills for 1500 prison and police staff, and community awareness through barazas and media campaigns. The prison facilities and treatment in prison improved, resulting e.g. in a reduction of mortality rates in prisons from 10 in 1000 inmates at start SIP II to 2 in 1000 at end of SIP II. During SIP II, the carrying capacity of prisons increased by 54%. Yet, with a 72% increase in prison population the net result is that 35% of prison units have serious congestion levels. The police population ratio increased from 1:709 to 1:755, warden prisoner ratio deteriorated from 1:4.5 to 1:5, in some places 1:10, the functional presence of courts, police, prisons increased. There was a 22% reduction in case backlog, and a reduction of average stay on remand.

The next two Annual Performance Reports continue in the same vein, listing activities that lead to more improvements, with sometimes a backslide. In view of the additional aim for SIP II to enhance the public’s capacity to demand services, it is interesting to note an increase in number of districts with a complete chain of frontline JLOS services from 79 in 2013 to 84 in 2014. In the same period, complaints against prisons reduced by 24%, those against police by 0.5%. Yet, the report recognizes that the sector must ‘deepen public access to JLOS services, address public perception of corruption in JLOS institutions, enhance institutional productivity as well as welfare of staff across sector institutions’ (JLOS 2014: 6).

### ***C. Different effects for men and women***

A differentiation between men and women is made in various, sometimes special, ways. The APR 2011/12 specifies that the number of women committing crimes increased by 48%, from



2,395 in 2010 to 3,533 in 2011. ‘The common offenses committed by both men and women were assaults, thefts, threatening violence, economic crimes, homicides, breaking in, drug trafficking and domestic violence. The increase is attributed to poverty, family disputes, consumption of alcohol and drug use and unemployment.’ (JLOS 2012: 47).

The report also mentions a joint programme with UN Women, to enhance access to justice for women. (JLOS 2012: Chapter 6) The gender equality efforts in 2013 and 2014 resulted in the translation into 8 local languages of the Domestic Violence Act, and the simplification of the Female Genital Mutilation Act No 5. There was a pilot project to establish five safety centres, a new checklist to integrate gender principles and standards into draft legislation while the Judiciary adopted a gender policy.

#### ***D. Support suspended***

A special note concerns the suspension of support by The Netherlands, which is mentioned in the APR 2013/14. According to the report this causes a shortfall of over € 6.5 million for 2014/15, which is 50% of JLOS SWAP budget. Consequently various projects will be deferred or delayed: infrastructure and improvement, legal aid to poor, community policing, staff training, case backlog reduction, capacity building. ‘We are likely to experience rapidly growing case backlog, prison congestion, violation of rights, poor service delivery and breakdown in the rule of law’. (JLOS 2014: 137-138)

#### ***E. Lessons***

Available documentation suggests that JLOS has *contributed* to governance objectives, but this documentation is not sufficient to derive conclusions about *effectiveness* and *impact* of JLOS. However, some issues are pertinent in the World Bank study, the mid-term evaluation and the annual reports:

- commercial justice reform was addressed successfully, while family and land justice were neglected, although the latter need a lot of attention, particularly to guarantee access to justice for the poor ;
- much attention was paid to the construction of physical facilities, and the purchase of equipment and vehicles, while the actual delivery of services was underemphasised; and
- investment in human capital was inadequate.

### **3.4 Contribution to the ultimate governance objectives**

The final effectiveness question in the ToR is to what extent the project can be expected to have contributed to the ultimate governance objectives (question 3.18). An answer to that question requires, first of all, a definition of ‘ultimate governance objectives’. The intervention theory for this evaluation speaks of two ultimate governance objectives. Good governance as a means to an end, the end being poverty reduction and economic growth. Good governance as an end in itself, which includes: democratic participation, improved rule of law, more control of corruption, and a more transparent and accountable government. (ToR, p 9/10)

Looking at the evaluation studies from the latter perspective of good governance, as an end in itself, it can be said that they have indeed contributed to the governance objectives:

- DDP-supported interventions were found to be significant at the level of sub-objectives such as the integrity of elections or the nature of civic engagement, and they achieved high levels of awareness.
- The LGDP activities were successful and bore many fruits, ranging from infrastructure and services to enhanced capacity of local governments. The projects paved the way for a sector wide approach to decentralization.
- The JLOS programme has been able to improve the functioning of the sector in many ways: new laws enacted, better prisons, improvements in police facilities, capacity building to fight corruption, etc.

At the same time, it is not at all clear whether the results of the programmes are stable and robust. The outcomes in LGDP were not sustainable. The improved capacity to which LGDP contributed between 2000-2007 became underutilized in later years after, and the quality of service delivery deteriorated: ‘the GOU policy reversals, during and after the life of the project, made such results unsustainable in the medium term’. In DDP, the impact of the projects in terms of changed attitudes or behaviour could not be established. But perhaps that was too much to expect, suggests the Programme Completion Report, since foreign aid cannot touch on the fundamental determinants of how power is organized, allocated and exercised in Uganda. The comment links to the lesson expressed by the Embassy at the closure of LGDP/LGSIP in 2010: ‘Sustainable solutions require full political support’ (Royal Netherlands Embassy Uganda 2010), and to the conclusion of the IEG on the same project in 2014: ‘Policy reversals can cause serious damage to otherwise significant project outcomes, and are difficult to counter.’ (IEG 2014) The JLOS performance reports show gradual improvements in various areas, but also occasional backslides and persistent issues such as the limited public access to justice and services. The suspension of Dutch support in 2014 brought out the vulnerability of the results since various projects were said to face delay or deferral.

## **4. HURINET: Police Accountability and Reform Project (PARP)**

### **4.1 PARP's rationale and objectives**

The Police Accountability and Reform Project (PARP) was implemented by the civil society organisation Human Rights Network Uganda (HURINET-U) with financial support from the Royal Netherlands Embassy (a total of €260,355 was allocated for the 2010-2012 period, following on an allocation of €230,000 for the activities in an earlier project – see below). The overall objective of the project was to improve accountability and democratic governance within the Uganda Police services in close cooperation with civil society organisations. The project brought together the police and civil society to foster exchange and build a stronger civilian oversight over the police. In the final report about PARP, the following four objectives of the intervention are detailed:

1. Stronger civilian oversight of the police in Uganda;
2. Establishment of public safety and security networks based on the premise of a shared responsibility between the police and the public with regard to public safety and security
3. Contribution by civil society and the public to the police review process
4. Public order management that is conducted in an environment that promotes and protects the rights and freedoms of Ugandans to assembly.

The envisaged final outcomes of the PARP are (a) enhanced police accountability and (b) more effective public order management, which are supposed to contribute to improvements in the observance of human rights in Uganda.

The intervention logic of the PARP contains three intermediate outcomes:

1. more effective civilian oversight of the Ugandan police force (objective 1);
2. more public safety and security through the engagement between citizens and the police (objective 2); and
3. attainment of public order management with greater respect for human rights (objective 4).

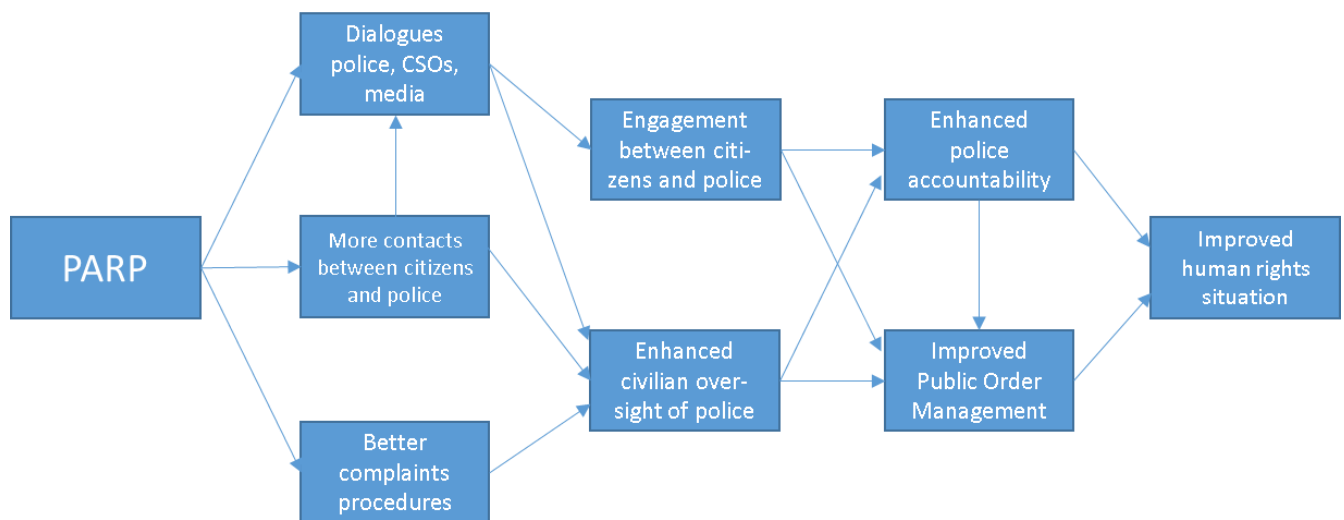
Key elements of PARP's intervention theory are that:

- More contacts between citizens and the police and more information about the role of the police will be beneficial for a better police force that will attend to societal needs;
- Contacts and exchange of information are expected to start a process that will reverse the role of the police force as an instrument in the hands of the regime towards a service for the people;
- More knowledge about the role of the police may bring back the trust of the community in the police and may enhance the police image among the people;
- Civilian oversight over the police is expected to make the police more accountable;
- Knowledge and understanding are supposed to be promoted by dialogues between the police on the one hand and civil society organisations and specific groups of civilians (journalists and students) on the other hand;

- The preferred model for the dialogue is the coalition: coalitions of civil society organisations, of journalists of students are to take the lead in the process of knowledge – and trust building;
- Tools for dealing with complaints about the police are expected to be useful in bringing malfunctioning in the open, as are various forms of research and publications.

On the basis of these key understandings, the theory of change that is underpinning the PARP interventions can be pictured in the following way:

Figure 1: PARP's theory of change



## 4.2 Implementation of PARP

The Police Accountability and Reform Project (PARP) was implemented by HURINET between 2010 and 2012 in the second phase of a broader project focusing on improving police accountability, which started in 2007. While the project was carried out by HURINET-U, the National Working Group on PARP was formed by seven local organisations, namely ACODE, FHRI, FIDA-U, UPAF, ACTV, HURICO, APCOF. PARP started in October 2010 and lasted until January 2013, and included a 3 months no-cost extension.

The project was implemented against the background of the perception that the police force in Uganda is a partisan force that rules in colonial mode. The main concerns are brutality, lack of respect for human rights, abuse of power and corruption. PARP aims at improving policing in Uganda by bringing together the police and the civil society. The implementing agency HURINET has a longstanding relationship with the police.

Study of the project documents and interviews during the inception mission to Uganda made it clear that the PARP consisted of a rather loose set of activities, which were held together more by the logic of activism driving HURINET than by a well-conceived logic of achieving impact on the population at large. Target groups of the various activities differed from police officers, to representatives of the media, students, members of parliament and leaders of civil society organisations. Most activities were workshops aiming to create rapport between the

police and a variety of social actors, and took the form of ‘dialogues’. Next to this, activities undertaken as part of the PARP were aimed at creating awareness about the impending changes in the Ugandan public order management regime.

The main activities of the project falling within the scope of this country study were as follows (HURINET-Uganda 2011a, 2011b):

- In relation to objective 1 (civilian oversight of the police)
  - Six one-day CSO-police dialogues covering nine districts, each attended by approximately 60 people
  - Two dialogue meetings of the reform coalition with police commanders;
  - Advocacy dialogues of the project team with the police;
  - The creation of a police reform website;
  - Field missions to document the role of the army and police during elections, leading to a pre-election statement, the distribution of 700 copies of the final report plus digital reports for HURINET members and CSOs, press releases;
  - The monitoring of Kampala’s mayoral elections;
  - Distribution of 700 copies of the police accountability newsletter ‘Police Watch’;
  - Police station visits in four places in Acholi, with 850 people attending;
- In relation to objective 2 (establishment of public safety and security networks)
  - The organisation three media-police dialogues, with approximately 150 participants in total;
  - Introduction of a module on the media at the Police Training Department;
- In relation to objective 4 (the establishment of a public order management regime that has more attention to human rights)
  - The analysis of the impact of the Public Order Management Bill/Act on human rights and freedoms (distribution of 300 copies and encounters with parliament);
  - The airing of nine radio talks shows;
  - The organisation of a dialogue workshop for media, civil society and police, 45 participants;
  - The distribution of 10,000 copies of the review of the police complaint form PF105; and
  - The distribution of 5,500 copies of the police complaints handling manual.

On the basis of the activities, HURINET organised police-civil-society trainings and dialogues at the local level by bringing together the two parties and facilitating discussions about good policing. These trainings were also used to provide information material describing how to achieve good policing that respects the basic human rights of the people.

HURINET mainly worked in 13 police districts, namely Arua, Bushenyi, Gulu, Kabale, Kabarole, Kampala, Lira, Masaka, Mbarara, Moroto and Soroti.

## 4.3 PARP's effectiveness

### 4.3.1 Research design and data

We carried out a survey among police officers to find out their attitudes on what constitutes proper behaviour as a member of the Ugandan Police Force. The underlying hypothesis was that police officers who have participated in the PARP activities are more critical of 'unacceptable' behaviour, such as corruption, violence against protesters, limits imposed on free media, et cetera. We were very much concerned with the possibility that police officers would give only socially desirable answers. For this reasons we resorted to the approach of submitting vignette cases that portray stereotypical but *not* own behaviour. This approach is now common in the social sciences, when researchers are concerned about biased answers to questions pertaining to self-reported behaviour.<sup>18</sup>

In consultation with HURINET, we randomly picked five districts in which HURINET carried out its activities (see section 4.2; the selected districts were Bushenyi, Kabale, Kabarole, Mbarara and Soroti) and purposively matched them with five other randomly chosen districts in which HURINET was not active (Iganga, Jinja, Luwero, Mityana and Tororo).<sup>19</sup> We never chose more than one district per region to ensure regional coverage.

In the ten selected districts a survey was carried out among a total of 600 police officers resulting in roughly 60 participants per district.<sup>20</sup> The survey was organised in groups and held in rented venues that were equipped with enough tables and chairs for 30 police officers. Our team of enumerators chose and prepared the venue and printed the questionnaires. At least two survey sessions took place in each district, one in the morning and one in the afternoon of the scheduled survey days. Per session 30 randomly selected police officers came together. In an introduction, the enumerators introduced the survey to them and allowed for questions. The actual survey was self-administered and every police officer could respond to the questions at her/his speed. Anonymity was ensured by providing enough personal space to every officer so that s/he could answer the survey questions without other participants looking at her/his questionnaire. Moreover, we did not ask the officers to provide their names or addresses to demonstrate that they could not be identified.

The survey was aimed at collecting socio-economic background information of the police officers together with information about their work experience and police station. The core of the survey was made up of twelve anchoring vignette cases that the police officers were asked to assess (see Appendix D, section D1 for the exact wording of the cases). The order in which the cases were presented to the police officers was determined at random to avoid order bias (which could have resulted when the cases had been presented in order of severity). In addition, the officers' perception of the police was registered. Thus, the survey aimed at capturing perceptions and attitudes of good policing and assessing to what extent these are applied to the police station of the respondents.

The main part of the survey consisted of hypothetical cases. Research done on police integrity in the US served as an inspiration for our research (see Klockars et al., 2000). The practice of this

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<sup>18</sup> More information about this approach can be found at King (2016).

<sup>19</sup> We did not include districts in Northern Uganda in the sample as this part of the country was affected by major conflicts until 2006, and this had great impact on the involvement of the Northern districts in a variety of justice, rule and law and decentralization programmes.

<sup>20</sup> Two districts had 59 participants and another two districts had 61 participants.

type of research is to ask police officers a set of standard questions about specific forms of behaviour. The questions tap the following dimensions of those forms of behaviour:

- how serious the police officers themselves consider the behaviour to be;
- how serious most police officers in their office would consider the behaviour to be;
- whether the behaviour is regarded as a violation of official policy;
- how they think an officer engaged in this behaviour should be disciplined;
- whether the officers themselves would report a fellow police officer for engaging in this behaviour; and
- whether they think most police officers in their agency would report a fellow officer.

In close collaboration with our local team member, we developed a set of simple and unambiguous cases that are relevant in the context of policing in Uganda. The cases show conflicts of different severity and relate to the normative inclination of the police to resist temptations of abusing the power that comes with their job. The cases covered the following aspects of policing practices:

***Group 1: Code of conduct among the police officers***

Case 1: Police mechanic repairing supervisor's car in exchange for holidays

Case 2: Police officer driving drunk and having an accident goes unreported by colleague

***Group 2: Situations of undue advantage, bribery and fraud***

Case 3: Acceptance of freely offered meals and small gifts while on duty

Case 4: Speeding not reported in exchange for a bribe

Case 5: Officer taking money of found wallet

Case 6: Police officer stealing goods when investigating a burglary

***Group 3: Refusal to register complaints***

Case 7: Refusal to register a complaint and humiliation of the complainant

Case 8: Refusal to register a complaint and a one-week detention for the complainant for false accusation

***Group 4: Reported severe crimes against individuals not followed up upon***

Case 9: Police officer refusing to register wife beating

Case 10: Reported murder not being followed up on

***Group 5: Undue force used by the police***

Case 11: Foot patrol torturing a thief

Case 12: Brutal strike down of a demonstration

As indicated above, the cases were presented in no particular sequence to rule out ordering effects. The original ordering of the cases was as follows: case 3, case 4, case 6, case 9, case 1, case 2, case 7, case 11, case 5, case 10, case 12, case 8. After each case, we asked seven questions<sup>21</sup>, two of which related to police officers' own perception and behaviour. The perception-related question attempted to assess how serious the interviewed police officer considers police behaviour depicted in the case to be. The behaviour-related question probed the likelihood that the interviewed police officer would report a policing practice if a fellow police officer was engaged in the behaviour described in the case. The answer scale for both questions ranged between 1 and 5, where 5 indicated that (i) the case was considered as a very serious incident of bad policing and that (ii) the interviewed police officer would definitely report this type of bad policing. The next step was to ask police officers whether the behaviour described in the cases was regarded as a violation of the official policy of their

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<sup>21</sup> While this seems a large number of questions, the survey was extensively tested before being implemented and respondent fatigue was minimized due to the strong recognition factor and familiarity effect of having the same set of questions after every case.

police station. By linking the response to the latter question with those on the perception- and behaviour-related questions, we aim to understand whether police officers have presented a credible narrative about their own intended behaviour and to position the individual officer within the broader context of her/his police station. Indirectly, this exercise informs us of the role of top-down versus bottom up initiatives to instil good policing practices. Basically, this helps to identify the role of interventions to change individual behaviour versus structural interventions at the level of the entire organization.

Upon completion of the twelve sets of questions the police officers were asked whether they gave an honest response, and whether they thought that their fellow police officers would have reported honestly on the hypothetical cases. In addition, we collected information about receiving gifts and bribes and officers' perception of corruption in the police force. We also asked the officers to judge their own work and that of the police in general, as well the treatment of handicapped people by the police.

Next to the survey among 600 police officers, our research included data collection on the police and the prevalence of crime in the ten districts selected for the purpose of this country study. Table 3 presents an overview of some key indicators per district.

The data presented in table 3 demonstrate quite substantial variation among the ten districts in terms of the average numbers of police stations, the average strength of the police force and the average number of riots in the 2005-2012 period. As can be seen in the last two columns of table 3, variation does not necessarily relate to the districts' population size. The district Mityana has disproportionally many police stations given that it is the smallest district in the sample in terms of actual population. Most riots are documented in Jinja although it is only a mid-sized district. All things considered, it is clear that the number of police officers per district is broadly in line with population size.

*Table 3: District-level police statistics for the period 2005-2012*

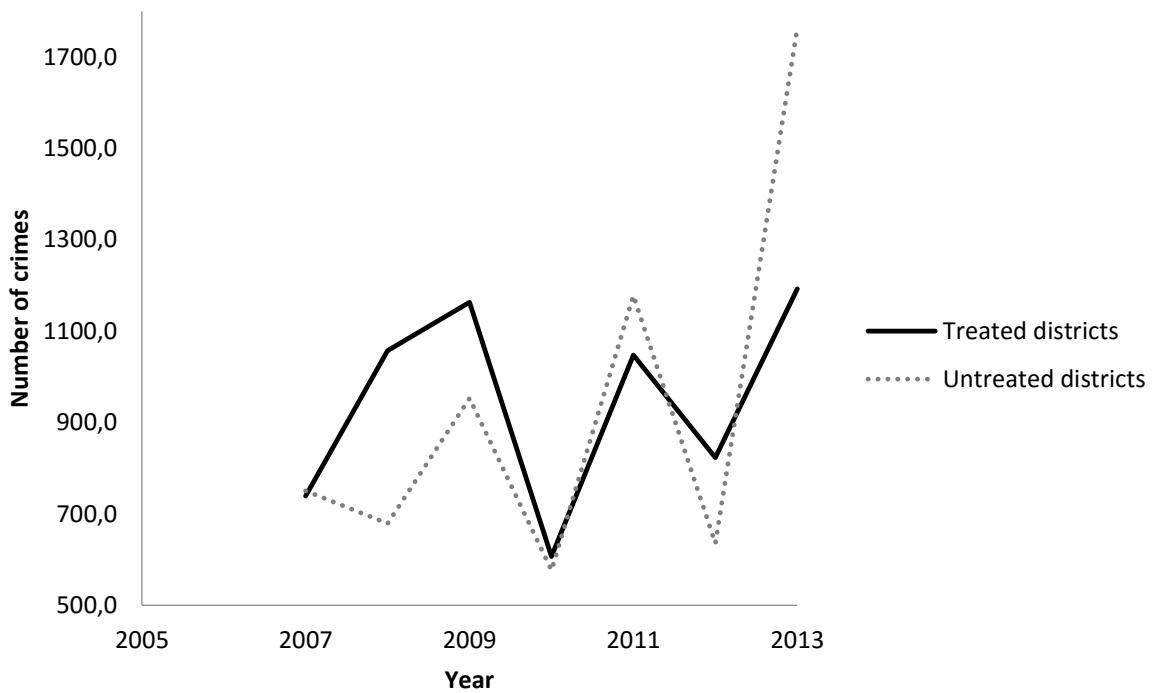
<i>District</i>	<i>Number of police stations in the district</i>	<i>Total number of police officers in the district</i>	<i>Average number of riots in the district per year</i>	<i>Number of protests in the district</i>	<i>Total population in the district</i>	<i>Population growth in the district</i>
<b>Bushenyi</b>	1	645	0.78	0	698255.56	1.20
Iganga	2	837	0.38	0	628855.56	3.14
Jinja	2.78	618	3.00	0	464255.56	1.68
<b>Kabale</b>	2	648	0.89	0	486222.22	1.36
<b>Kabarole</b>	1	529	1.67	0	397200.00	2.52
Luwero	–	543	0.38	0	408033.33	2.61
<b>Mbarara</b>	3.22	558	2.33	0	418822.22	2.41
Mityana	2.75	399	0.38	0	299325.00	1.94
<b>Soroti</b>	1	619	0.38	0	464477.78	3.82
Tororo	1	603	0.38	0	452644.44	2.91

*Notes:* Districts targeted by PARP are mentioned in bold. Figures are the average of all available data per district.

*Source:* Administrative data, Ugandan Police Force.

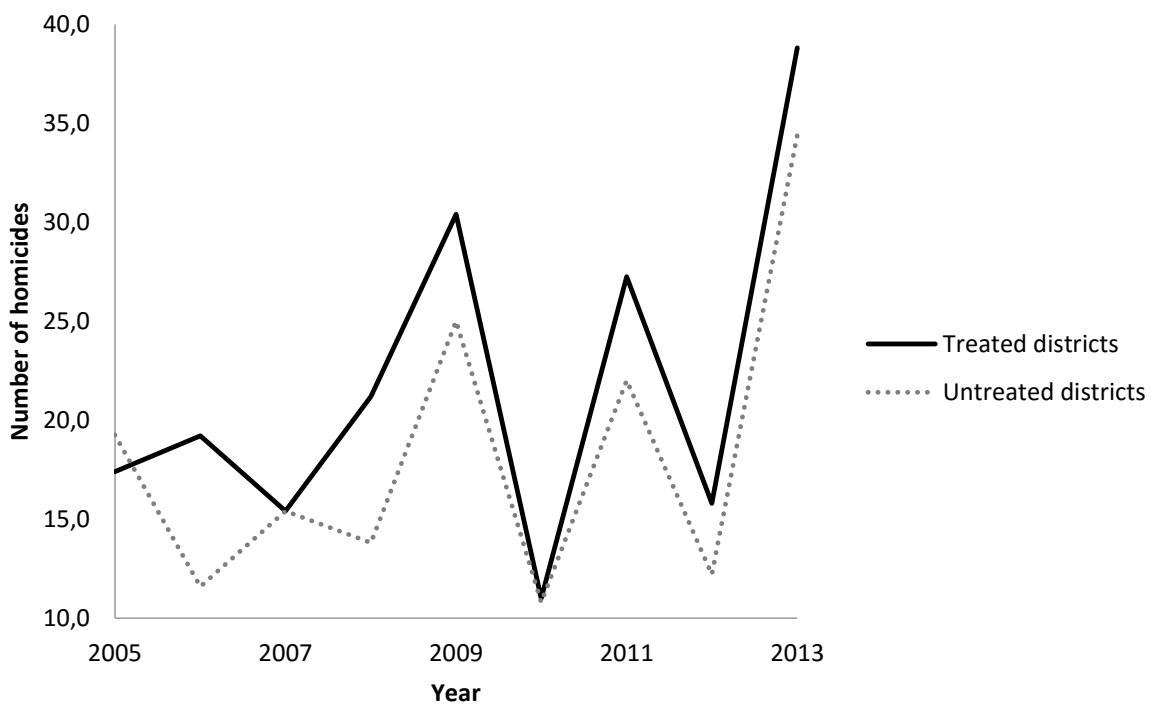


Figure 2: Average number of crimes across treated and untreated districts in the period 2007 to 2013



Source: Administrative data, Ugandan Police Force

Figure 3: Number of homicides across treated and untreated districts in the period 2005 to 2013



Source: Administrative data, Ugandan Police Force

Next to other differences, the ten districts appear to differ considerably in terms of their crime rates. Data on aggregate numbers of crimes between 2007 and 2013 in figure 2 indicate that the absolute annual crime rate per district shows a similar trend across treatment and control districts. The number of annual crimes has varied from a minimum of 167 in Mityana to a maximum of slightly over 3,000 in Jinja. In terms of reported homicide rates between 2005 and 2013 (see figure 3), there is again a substantial difference, ranging from a minimum of 0 (Luwero in 2006) to a maximum of 74 (Mbarara in 2013). There appears to be considerable fluctuation in the reported crime and homicide rates: the fact that many districts experience similar fluctuations suggests that the volatility may result from differences in reporting standards rather than actual crime rates. On the basis of available data on crime and homicide rates, it seems impossible to assess the quality of policing in Uganda and the impact of the PARP activities. The number of reported homicides fluctuates in similar ways.

#### **4.3.2 Descriptive statistics**

Before reporting on the results of the quantitative analysis in section 4.3.4, this section presents the overall characteristics of our sample of police officers. Descriptive statistics of the characteristics of police officers are presented in table 4. Overall, 592 respondents were included in the analyses, as eight respondents did not complete all required information. Of the 600 surveyed individuals, 250 (or 41.7 per cent of the sample) had participated in any HURINET activity, while 350 respondents (58.3 per cent) had not taken part in HURINET trainings. The circumstance that there is a slight over-representation of non-participants is a desired feature that is exploited in the data analysis presented in section 4.3.4.

The results in table 4 show that the average officer in the sample is almost 42 years old. Slightly over a fourth of the respondents are female. Most of the officers (84 per cent) are married, resulting in an average household size of almost 7 people. Moreover, 84 per cent of the interviewees are household heads. Almost half the officers have secondary education, while 27 per cent have advanced secondary education and 25 per cent have higher education. The remainder of surveyed officers (less than 3 per cent) have only primary education. To capture economic well-being we asked the respondents about the income bands they are in. The majority of the respondents, namely 60 per cent, earn between UGX 300,000 and 500,000 on a monthly basis taking into account their income from all possible sources. The group of top earners, who earn more than UGX 700,000 per month, contains 10 per cent of the respondents. Questions about mobile phone ownership and the number of habitable rooms in respondents' homes served as additional controls for the economic situation of the respondents. The average respondent owns 1.34 mobile phones and has almost 2 habitable rooms in her/his house. Questions about membership of clubs and community organisations and sports activities served as controls for respondents' activity level and readiness to participate in social activities. Membership of a community association was reported by almost half the respondents. Concerning sporting activities, slightly more than half of the respondents indicated that they had been doing some sports in the last year.

In addition to the average statistics of the full sample, table 4 presents statistics by groups (participants vs. non-participants in HURINET activities). When employing a simple difference-in-means test for these control variables we observe that most background variables are statistically equal across the two groups ( $p$ -values  $> 0.1$ ). HURINET participants are likely to earn on average slightly less compared to non-participants. This difference becomes apparent between the two low-income groups that are reported. At the

same time, HURINET participants report having on average 0.3 rooms more in their homes. The difference, while very small in economic terms, is statistically significant and has been controlled for in the multivariate analyses reported below. These differences among participants and non-participants that are apparent in simple comparisons highlight that it is important to control for observable characteristics in the analysis.

*Table 4: Descriptive statistics of control variables*

	Overall			HURINET participants			Non-participants			DiM ( <i>p</i> -value)
	N	Mean	Std.Dev.	N	Mean	Std.Dev.	N	Mean	Std.Dev.	
Age	600	41.81	9.39	250	42.31	9.34	350	41.46	9.43	0.28
Respondent is female	600	0.23	0.42	250	0.21	0.41	350	0.24	0.43	0.32
<i>Marital status (Excluded category: Not married)</i>										
Married	600	0.84	0.36	250	0.85	0.36	350	0.84	0.37	0.62
Household size	600	6.67	3.99	250	6.87	3.76	350	6.53	4.15	0.31
Respondent is household head	600	0.84	0.36	250	0.84	0.37	350	0.85	0.36	0.85
<i>Education levels (Excluded category: Primary education)</i>										
Secondary education	600	0.46	0.50	250	0.48	0.50	350	0.44	0.50	0.38
Advanced secondary education	600	0.27	0.44	250	0.25	0.43	350	0.28	0.45	0.34
Higher education	600	0.25	0.43	250	0.25	0.44	350	0.25	0.43	0.86
<i>Income level (Excluded category: Incomes below 200,000 UGX)</i>										
Income between 200,000 and 300,000 UGX	600	0.12	0.32	250	0.14	0.35	350	0.09	0.29	0.06*
Income between 300,000-500,000 UGX	600	0.60	0.49	250	0.54	0.50	350	0.65	0.48	0.01**
Income between 500,000-700,000 UGX	600	0.14	0.35	250	0.15	0.36	350	0.13	0.34	0.63
Income of more than 700,000 UGX	600	0.10	0.29	250	0.11	0.31	350	0.09	0.28	0.36
Number of mobile phones owned	600	1.34	0.58	250	1.29	0.59	350	1.37	0.57	0.11
Number of habitable rooms	600	1.76	1.10	250	1.93	1.21	350	1.63	0.99	0.00***
Member of a club/community organization	600	0.48	0.50	250	0.48	0.50	350	0.48	0.50	0.92
Does sport	600	0.53	0.50	250	0.52	0.50	350	0.53	0.50	0.84
<i>Police section (Excluded category: Other sections and duties)</i>										
Traffic	599	0.04	0.20	250	0.03	0.17	349	0.05	0.23	0.12
Investigation	599	0.26	0.44	250	0.22	0.41	349	0.30	0.46	0.03**
Intelligence	599	0.06	0.24	250	0.06	0.25	349	0.06	0.24	0.96
General duties	599	0.46	0.50	250	0.58	0.49	349	0.38	0.49	0.00***
Number of years spent as police officer	600	18.80	10.56	250	19.38	10.66	350	18.38	10.48	0.25
Number of police officers at station	600	569.90	116.49	250	543.96	114.08	350	588.42	114.79	0.00***
<i>District-level controls</i>										
District-level crime rate	10	338.23	143.51	5	296.80	131.77	5	379.66	157.11	0.39
District-level number of homicides	10	36.60	19.24	5	38.80	23.59	5	34.40	16.26	0.74
District-level population size	10	427,400	92,560	5	394,880	97,524	5	459,920	84,389	0.29
<i>Honesty of answering the questionnaire</i>										
Own honesty of answering the questions	600	0.95	0.22	250	0.94	0.23	350	0.95	0.22	0.90
Honesty of fellow police officers	600	0.70	0.46	250	0.74	0.44	350	0.66	0.47	0.03**
<i>Assessment of own work by the police officers</i>										
Treatment of men versus women	600	3.81	1.20	250	3.98	1.19	350	3.69	1.20	0.00***
Treatment of poor people by the police	600	3.57	1.30	250	3.70	1.28	350	3.47	1.30	0.03**
Treatment of handicapped people by police	600	4.22	1.01	250	4.35	0.96	350	4.12	1.03	0.01**
Offered a bribe in last year	600	0.10	0.30	250	0.06	0.23	350	0.14	0.34	0.00***
Receipt of gifts at work	600	0.29	0.45	250	0.24	0.43	350	0.32	0.47	0.04**
Statement: The police is corrupt	600	2.56	1.42	250	2.46	1.44	350	2.63	1.41	0.16
Confidence in own work	600	4.58	0.84	250	4.71	0.70	350	4.49	0.91	0.00***
Confidence in police in general	600	4.43	0.89	250	4.51	0.79	350	4.37	0.95	0.05*

Note: \* denotes  $p < 0.10$ ; \*\*  $p < 0.05$ ; and \*\*\*  $p < 0.01$ . DiM abbreviates difference in means, the corresponding *p*-value is presented.

Source: Authors' survey

The specific police work of the respondents is part of the third set of control variables. The bottom part of table 4 reports information on the section of the police force where respondents are situated, on the duration of their work as police officer and on the number of colleagues at their police station. The differences between participants and non-participants in HURINET activities indicate that police officers with general duties are overrepresented among the participants, while significantly fewer work in the investigation section. Participants and non-participants do not differ significantly with regard to their experience as police officers. Yet, HURINET participants tend to have fewer direct colleagues as compared to non-participants.

The final part of the report on descriptive statistics relates to district-level characteristics. The last three variables reported at the bottom of the table show the district-level crime rate, number of homicides and population size. As shown in figures 2 and 3, we do not find any statistically significant differences across crime rates, number of homicides and in addition the population size suggesting that treatment and control districts are comparable.

Table 5 compares the distribution of participants and non-participants in HURINET activities across districts. The subsamples of HURINET participants and non-participants show considerable differences across districts. As HURINET trainings took place in Bushenyi, Kabale, Kabarole, Mbarara, and Soroti, most of the participants are still located in these districts. In the other five districts we selected considerably fewer HURINET participants and more police officers who did not take part in the activities. Table 5 shows that the share of participants versus non-participants differs considerably across the 10 districts: this indicates that the difference in treatment status (whether an individual participated in HURINET activities or not) results predominantly from location and not from personal characteristics. We make use of this observation in our multivariate analyses and therefore control for district-level characteristics such as the crime rate, the number of homicides and the population size.

*Table 5: Distribution of HURINET participants and non-participants across districts*

	<i>HURINET participants</i>		<i>Non-participants</i>	
	N	Percentage of treatment sample	N	Percentage of control sample
<b>Bushenyi</b>	35	14.0	24	6.86
Iganga	17	6.8	43	12.29
Jinja	8	3.20	52	14.86
<b>Kabale</b>	38	15.20	23	6.57
<b>Kabarole</b>	48	19.20	12	3.43
Luwero	3	1.20	57	16.29
<b>Mbarara</b>	43	17.20	17	4.86
Mityana	2	0.80	57	16.29
<b>Soroti</b>	54	21.60	7	2.00
Tororo	2	0.80	58	16.57
Total	250	100	350	100

*Note:* Districts targeted by PARP are highlighted in bold.

*Source:* Authors' survey

It needs to be noted that police officers have some degree of mobility. At the time of the survey, almost 13 per cent of participating police officers resided in districts in which

HURINET had not carried out its activities. It is likely that these are officers who participated in HURINET activities when they were working in an intervention district (highlighted district) but in the meantime moved to other police stations outside the intervention area.

Next we present descriptive statistics related to our outcome variables. These statistics are shown in table 6. We decided to present the average response level of HURINET participants versus the average response of non-participants. This allows us to compare the differences in raw means across both groups. When just comparing the raw means of the answers concerning the own judgment of the severity of the cases and own reporting of a fellow police officer who engaged in a certain bad policing practice, we observe that HURINET participants tend to give a higher average score. This indicates that HURINET participants judge misconduct more critically. For the average non-participant it is okay to accept repair a supervisor's car in exchange for holidays as indicated by a score of 3.5. However, HURINET participants give a score of 4.0 on average, showing that on average they rate the behaviour half a point worse on the Likert scale. Not reporting a drunk driving colleague who had an accident receives lower scores in both groups but again HURINET participants rate the behaviour more critical.

We now turn to situations of undue advantage, bribery and fraud. Free meals are ranked least important across all vignette cases. Most notably, participants and non-participants are close to neutral (value of 3) when it comes to the reporting of a colleague. Again, HURINET participants are slightly more likely to report a colleague. The picture changes when we turn to the acceptance of bribes. Bribery receives a very critical judgment from both HURINET participants and non-participants as indicated by the respective scores of 4.58 and 4.22. However, again the police officers are not very likely to indicate that they would report a colleague who engaged in such behaviour as indicated by the scores of 3.64 for HURINET participants and 3.43 for non-participants. Misappropriating money from a found wallet and when investigating a burglary is again judged quite critically on average. However, when it comes to reporting, the police officers indicate a lower willingness to report their colleagues. Thus, these first six cases show that the police officers have an internal ranking of their severity with acceptance of bribes and misappropriation being ranked far more critically as compared to violations of the code of conduct among police officers. Moreover, we observe that the severity is generally judged more critically as compared to the indicated willingness to report a colleague who engages in the depicted type of behaviour. In addition, we find that HURINET participants judge the severity on average more critically than non-participants and they are more likely to indicate that they would report a fellow colleague who engages in misbehaviour.

Next we turn to two cases that depict situations in which police officers refuse to register complaints. While the refusal to register a complaint and the humiliation of the complainant is judged rather laxly, the refusal to register a complaint and a one-week detention for the complainant for false accusation are judged more critically, which is in line with our expectations and shows the internal coherence of the vignette cases. Very critical evaluations are given to reported cases of severe crimes against individuals that are not followed up by the police. The same applies for the use of undue force by the police. Across cases HURINET participants tend to give a more critical evaluation of such situations.

In the following discussion, we assess whether we can derive a causal link between HURINET activities and the evaluation of the vignette cases. The comparison of average response levels of HURINET participants and non-participants suggests that officers who

took part in the training apply a more careful judgement. Yet, this simple comparison of means does not account for the socio-economic characteristics of the police officers. Therefore, we now turn to the multivariate analysis.

*Table 6: Responses to the vignette cases by HURINET participants and non-participants*

	HURINET participants		Non-participants		DiM ( <i>p</i> -value)
	Mean	Std. Dev.	Mean	Std. Dev.	
<i>Group 1: Code of conduct among the police officers</i>					
<i>Case 1: Police mechanic repairing supervisor's car in exchange for holidays</i>					
Severity (own judgment)	4.01	1.42	3.51	1.63	0.00***
Own reporting of a fellow police officer engaged in bad policing	3.76	1.32	3.35	1.52	0.00***
<i>Case 2: Police officer driving drunk and having an accident goes unreported by colleague</i>					
Severity (own judgment)	3.97	1.48	3.53	1.63	0.00***
Own reporting of a fellow police officer engaged in bad policing	3.54	1.40	3.21	1.52	0.01**
<i>Group 2: Situations of undue advantage, bribery and fraud</i>					
<i>Case 3: Acceptance of freely offered meals and small gifts while on duty</i>					
Severity (own judgment)	3.79	1.46	3.35	1.56	0.00***
Own reporting of a fellow police officer engaged in bad policing	3.36	1.50	3.03	1.58	0.01**
<i>Case 4: Speeding not reported in exchange for a bribe</i>					
Severity (own judgment)	4.58	1.07	4.22	1.39	0.00***
Own reporting of a fellow police officer engaged in bad policing	3.64	1.38	3.43	1.46	0.07*
<i>Case 5: Officer taking money of found wallet</i>					
Severity (own judgment)	4.35	1.34	3.82	1.63	0.00***
Own reporting of a fellow police officer engaged in bad policing	3.73	1.37	3.43	1.49	0.01**
<i>Case 6: Police officer stealing goods when investigating a burglary</i>					
Severity (own judgment)	4.69	0.95	4.32	1.37	0.00***
Own reporting of a fellow police officer engaged in bad policing	4.20	1.09	3.77	1.41	0.00***
<i>Group 3: Refusal to register complaints</i>					
<i>Case 7: Refusal to register a complaint and humiliation of the complainant</i>					
Severity (own judgment)	3.99	1.51	3.36	1.72	0.00***
Own reporting of a fellow police officer engaged in bad policing	3.82	1.36	3.37	1.48	0.00***
<i>Case 8: Refusal to register a complaint and a one-week detention for the complainant for false accusation</i>					
Severity (own judgment)	4.33	1.41	3.78	1.68	0.00***
Own reporting of a fellow police officer engaged in bad policing	4.63	0.90	4.36	1.12	0.00***
<i>Group 4: Reported severe crimes against individuals not followed up upon</i>					
<i>Case 9: Police officer refusing to register wife beating</i>					
Severity (own judgment)	4.53	1.16	4.09	1.56	0.00***
Own reporting of a fellow police officer engaged in bad policing	4.05	1.16	3.88	1.35	0.12
<i>Case 10: Reported murder not being followed up on</i>					
Severity (own judgment)	4.19	1.50	3.73	1.69	0.00***
Own reporting of a fellow police officer engaged in bad policing	4.65	0.85	4.34	1.07	0.00***
<i>Group 5: Undue force used by the police</i>					
<i>Case 11: Foot patrol torturing a thief</i>					
Severity (own judgment)	4.23	1.38	3.66	1.65	0.00***
Own reporting of a fellow police officer engaged in bad policing	3.64	1.41	3.38	1.42	0.03**
<i>Case 12: Brutal strike down of a demonstration</i>					
Severity (own judgment)	4.44	1.32	3.89	1.71	0.00***
Own reporting of a fellow police officer engaged in bad policing	4.25	1.42	3.91	1.53	0.01**

Note: \* denotes  $p < 0.10$ ; \*\*  $p < 0.05$ ; and \*\*\*  $p < 0.01$ . DiM abbreviates difference in means, the corresponding *p*-value is presented.

Source: Authors' survey

### 4.3.3 Identification strategy

We now proceed with presenting the empirical strategy that is used in the analysis. In our identification strategy we use propensity score matching (PSM) for two reasons. First, treatment locations were purposively and not randomly chosen by HURINET. Therefore, a simple comparison of means is not valid. Second, we have only one round of available data collected after the training. Consequently, we cannot apply a difference-in-difference framework.

For the PSM method to be valid we need to impose the assumption about conditional independence, which holds that given a set of observable covariates  $X$  which are not affected by treatment – i.e., are exogenous to treatment – potential outcomes are independent of treatment assignment. It implies the strong assumption that selection into the training is solely based on observable characteristics that are observed by the researcher. As we have seen from the descriptive statistics, treatment allocation seems to be based mainly on location and not on the personal characteristics of police officers. We are therefore confident that we can properly capture allocation into treatment with the above-presented set of control variables. By employing a logistic regression of treatment status on the observable covariates  $X$ , we determine the probability of participation for each and every police officer based on her/his characteristics. By deriving the probability of participation based on the logistic regression, we ensure that persons with the same observables have a positive probability of being both participants and non-participants. The common support is hence an overlap condition ruling out the phenomenon of perfect predictability. The common support condition needs some randomness that guarantees that persons with identical characteristics can be observed in both states. It then allows us to form matches of individuals with similar characteristics observed for participants and non-participants. We set-up the PSM model in such a way to derive the best possible overlap, i.e., common support, based on the observable characteristics that we have identified. We derive the simple PSM estimator for the average treatment impact on the treated (ATT). The estimator is simply the mean difference in outcome variables over the common support, appropriately weighted by the propensity score distribution of participants. The average treatment effect is thus the difference in weighted outcomes. We match each individual from the treatment group with one individual from the control group. This is referred to as nearest neighbour matching. We apply the revised PSM procedure that has been proposed by Abadie and Imbens (2006, 2008). In addition, we compare our results to an estimator that makes use of the PSM weights in a regression framework, which is referred to as inverse probability weighting. We derive both estimators so that we are able to gauge the robustness of our results. We only consider differences as statistically significant if models lead to the same conclusion.

### 4.3.4 Results

#### *A. Determinants of treatment status*

The first set of results from the empirical analysis concerns the determinants of treatment status, i.e., participation in HURINET activities. Logistic regression results are presented in Table 7. It appears that, in line with the descriptive statistics reported in section 4.3.2, the majority of the observable characteristics of police officers do not determine the likelihood of participating in HURINET activities. Individual characteristics (age and gender), education, physical activities, and the number of mobile phones owned do not impact significantly on

treatment status. Similarly, marital status, education, and being the household head are statistically insignificant in determining whether a police officer participates in HURINET activities or not. While the comparisons of means suggested differences in the income distribution between HURINET participants and non-participants, these differences do not show up in the multivariate logistic regression. The number of habitable rooms in the house and household size, however, show to have an impact on treatment status. The coefficient estimates from the logistic regression emphasize that a comparison of raw means is not enough to find the determinants of participation in HURINET activities. Overall, they show that participation in HURINET activities is not driven by individual level characteristics thus mitigating issues of self-selection.

Characteristics associated with the work as police officer do, in turn, significantly impact whether individual police officers were trained by HURINET. Those officers working for the intelligence unit and those being assigned to general duties are significantly more likely to have participated in HURINET trainings. The time spent at the police and the number of officers in one's station do not predict the likelihood of participation in HURINET activities.

*Table 7: Logit regression of treatment status on matching characteristics*

	Logit coefficients	Standard errors
Age	-0.02	(0.46)
Respondent is female	0.05	(0.85)
<i>Marital status (Excluded category: Not married)</i>		
Married	-0.10	(0.73)
Household size	0.06**	(0.02)
Respondent is household head	-0.08	(0.80)
<i>Education levels (Excluded category: Primary education)</i>		
Secondary education	0.68	(0.23)
Advanced secondary education	0.58	(0.33)
Higher education	0.79	(0.19)
<i>Income level (Excluded category: Incomes below 200,000 UGX)</i>		
Income between 200,000 and 300,000 UGX	0.74	(0.15)
Income between 300,000-500,000 UGX	-0.03	(0.95)
Income between 500,000-700,000 UGX	0.21	(0.69)
Income of more than 700,000 UGX	0.48	(0.40)
Number of mobile phones owned	-0.22	(0.21)
Number of habitable rooms	0.18*	(0.05)
Member of a club/community organization	-0.08	(0.68)
Does sport	0.10	(0.62)
<i>Police section (Excluded category: Other sections and duties)</i>		
Traffic	-0.21	(0.70)
Investigation	0.36	(0.25)
Intelligence	0.72*	(0.09)
General duties	1.06***	(0.00)
Number of years spent as police officer	0.02	(0.37)
Number of police officers at station (log)	-0.01	(0.87)
Crime rate	-0.01***	(0.00)
Number of homicides (log)	1.14***	(0.00)
Population size (log)	-1.77***	(0.00)
Observations	592	

Notes: \* denotes  $p < 0.10$ ; \*\*  $p < 0.05$ ; \*\*\*  $p < 0.01$ .

Findings in table 7 further show that the characteristics of the districts where the officers work have most power in predicating participation in HURINET activities. Police officers



from those districts with more homicides are more likely to participate in the training. District size as measured by the population size reduces the likelihood of participation, as does the crime rate.

As already indicated in section 4.3.2, these are reassuring findings as there is little evidence that people with certain character traits are overrepresented among the participants. As HURINET has chosen the locations to intervene and we do not expect police officers moving out of these places in response to HURINET's choice, we can consider the activities as an exogenous event for the police officers concerned. As a consequence, self-selection bias resulting from unobservable characteristics is very unlikely. In assessing the knowledge, attitude and behavioural outcomes of the participation in HURINET's activities we will, consequently, rely on the observed differences between a matched sample of HURINET participants and non-participants.

From the logistic regression we can derive the probability for each and every police officer that he/she has participated in HURINET activities. The probability of participation in HURINET activities, conditional on the observed characteristics, lies between 0 and 1. The lowest participation probability for a HURINET participant is 12.0 per cent, the highest participation probability is 91.0 per cent. The lowest participation probability for a non-participant is 11.8 per cent, while the highest participation probability is 94.9 per cent. The two probability distributions overlap to a large extent.

### ***B. Results of the vignette cases***

Results for the comparisons of the outcome variables are presented in Table 8 and complemented by some additional results in Table 8a. The first pair of columns in Table 8 show the impact of participation in the HURINET training on own judgment of the severity of the cases with the first column presenting the PSM estimator for the average treatment impact on the treated, and the second column showing the estimator based on inverse-probability weighting. The second pair of columns show the same for own reporting of a colleague who engages in the misbehaviour depicted in the cases.

Below the coefficient estimates we report  $p$ -values. Whenever the coefficient estimates are statistically significant, we can establish the impact of the HURINET training based on our identification strategy of matching. For all 24 outcome variables in response to the twelve vignette cases, we observe that the HURINET participants score higher on average, which indicates that they assess the depicted behaviour more critically. At the same time, differences in the significantly estimated propensity-weighted scores tend to be small in absolute terms, ranging between 0.05 (see table 8a, 'Offered a bribe in last year') and 0.93 points (see table 8, case 7: 'Refusal to register a complaint') on a scale from 1 to 5 (see all outcomes in tables 8 and 8a). Among the vignette cases, nine out of twelve responses referring to severity show a difference bigger than half a point between HURINET participants and non-participants. Put differently, taking the average across all cases suggests that HURINET participants assess the severity of the cases more than half a point more critically compared to non-participants. Yet, HURINET participants are only 0.28 points more likely on average to indicate that they would report the misbehaviour depicted in the cases if they observed a colleague doing so. (Note that the 0.28 points represent the global average across all 12 cases for reporting.) Only in one case (see table 8, case 12: 'Brutal strike down of a demonstration') we find that HURINET participants are half a point more likely to report the misbehaviour.

*Table 8: Main Results*

	Severity (own judgment)		Own reporting of a fellow police officer engaged in bad policing	
	(1) PSM	(2) IPW	(3) PSM	(4) IPW
<u>Group 1: Code of conduct among the police officers</u>				
Case 1: Police mechanic repairing supervisor's car in exchange for holidays	0.84*** (0.00)	0.72*** (0.00)	0.41** (0.02)	0.40** (0.01)
Case 2: Police officer driving drunk and having an accident goes unreported by colleague	0.52** (0.01)	0.60*** (0.00)	0.23 (0.24)	0.22 (0.15)
<u>Group 2: Situations of undue advantage, bribery and fraud</u>				
Case 3: Acceptance of freely offered meals and small gifts while on duty	0.48** (0.02)	0.40** (0.02)	0.25 (0.20)	0.08 (0.59)
Case 4: Speeding not reported in exchange for a bribe	0.54*** (0.00)	0.28** (0.02)	0.05 (0.82)	0.03 (0.86)
Case 5: Officer taking money of found wallet	0.84*** (0.00)	0.78*** (0.00)	0.31 (0.13)	0.32** (0.03)
Case 6: Police officer stealing goods when investigating a burglary	0.47*** (0.00)	0.45*** (0.00)	0.37** (0.04)	0.41*** (0.00)
<u>Group 3: Refusal to register complaints</u>				
Case 7: Refusal to register a complaint and humiliation of the complainant	0.93*** (0.00)	0.79*** (0.00)	0.41** (0.04)	0.47*** (0.00)
Case 8: Refusal to register a complaint and a one-week detention for the complainant for false accusation	0.80*** (0.00)	0.68*** (0.00)	0.36* (0.05)	0.32* (0.01)
<u>Group 4: Reported severe crimes against individuals not followed up upon</u>				
Case 9: Police officer refusing to register wife beating	0.38** (0.04)	0.62*** (0.00)	0.18 (0.32)	0.17 (0.21)
Case 10: Reported murder not being followed up on	0.86*** (0.00)	0.72*** (0.00)	0.26* (0.08)	0.30*** (0.00)
<u>Group 5: Undue force used by the police</u>				
Case 11: Foot patrol torturing a thief	0.84*** (0.00)	0.75*** (0.00)	0.29 (0.11)	0.24* (0.09)
Case 12: Brutal strike down of a demonstration	0.77*** (0.00)	0.77*** (0.00)	0.54*** (0.00)	0.40** (0.01)
Average coefficient size across cases	0.69	0.63	0.30	0.28

Notes: The propensity score based average treatment on the treated is labelled PSM and presented in columns 1 and 3. The inverse-probability weighted results are labelled IPW and presented in columns 2 and 4. P-values are presented in parentheses.

\* denotes  $p < 0.10$ ; \*\*  $p < 0.05$ ; \*\*\*  $p < 0.01$ .

The first two cases reported in table 8 relate to the code of conduct among the police officers. The police mechanic, who repairs a supervisor's car in exchange for holidays, is judged very critically by the HURINET participants. This shows up in high coefficient estimates close to 1 for both empirical models and in the high level of statistical significance. While the coefficient associated with reporting is only half as big it is still highly statistically significant and suggests that HURINET participants are not only more aware of inappropriate behaviour at the level of the police but also more likely to report it. However, this seems to work only if a colleague manages to obtain an advantage from his/her superior. Case 2, depicting the situation of a police officer who was driving drunk and had an accident, and goes unreported by the colleague who found him, shows a different result. While HURINET participants are more likely to indicate that coverage of misbehaviour is not acceptable, they are equally less likely to report the fellow police officer. Both empirical specifications associated with reporting show no impact of the HURINET training.

Next we turn to four cases that depict situations of undue advantage, bribery and fraud. Case 3 presents the acceptance of freely offered meals and small gifts while on duty. On average

the officers judge this a small problem as is indicated by the score of 3.79 for HURINET participants and 3.35 for non-participants (see table 6), which do not deviate much from the neutral stance (the middle score of 3). According to our analysis, HURINET participants are almost half a point more likely to consider this behaviour unacceptable (see table 8, PSM coefficient=0.40), which is very much in line with the raw differences between the participants and the non-participants. However, the respondents are all equally neutral when it comes to the reporting of freely offered meals and small gifts while on duty. The HURINET training did not appear to have impacted on reporting, as shown by the small coefficient estimates and the lack of statistical significance.

The fourth case presents the issue of not reporting speeding in exchange for a bribe (table 8, case 4). This behaviour is judged to be far more serious compared to the acceptance of free meals and small gifts, as demonstrated by the higher *average* score (see table 6). The impact assessment shows that participants in HURINET activities assess the acceptance of bribes more critically compared to non-participants. Moreover, when only considering the PSM estimates, we find some indications that the acceptance of bribes is evaluated more critically by HURINET participants compared to the acceptance of freely offered meals and small gifts. Yet again, HURINET participants are not any more likely to report a colleague who accepts bribes. Officers cover each other when trespassing the rules of proper policing. Thus, for the first four cases we observe that the HURINET trainings seem to have had an impact on perceptions but that this does not necessarily translate into changed behaviour. It only seems to translate into changed behaviour if police officers have the impression that they personally lose out in front of their supervisors.

We now turn to the other two cases that depict situations of undue advantage, bribery and fraud. These cases depict more severe situations, as the amount of money involved is considerably higher. In case 5 ('Officer taking money of found wallet') the value of the misappropriated money is worth a day's pay and in case 6 ('Police officer stealing goods at a crime scene') the value of the misappropriated goods is worth a month's pay. In table 8 we see that these two cases are judged more critically by HURINET participants than non-participants. Again we see that the training has been successful in instilling an increased perception of what is right and wrong. The tacit police code that fellow officers are covered even when they misbehave seems to be disrupted by the HURINET activities. Moreover, it seems that if wrongdoings reach a certain threshold – in these cases expressed in monetary terms – HURINET participants are more likely to report them. While the coefficients associated with reporting are again smaller as compared to those associated with own judgment of the severity of the situation, they are statistically significant for cases 5 and 6. Thus, reporting is encouraged for types of misbehaviour where individual officers seem to get considerable gains.

The third group of cases describes two situations in which police officers refuse to register complaints (cases 7 and 8). These cases relate to the complaint registry that HURINET seriously lobbied for as a new tool for police accountability. HURINET's activities appear to be reflected in the responses given by those police officers that worked with the human rights NGO. The situations depicted in cases 7 and 8 deal with the treatment of former arrestees and suspects. Here we observe clear differences between officers who participated in HURINET activities and those who did not. The refusal to register a complaint of a former arrestee is considered a minor problem by non-participating officers in comparison to participants. On average, HURINET participants tend to rate this behaviour almost 1 point more critically on the Likert scale. Again, the coefficient estimate with reporting is only half the size of the

coefficient estimate associated with own judgment. Yet, all coefficient estimates are highly statistically significant. It is important to know here that HURINET has been placing particular emphasis on human rights and on the introduction and use of the complaint forms. It seems that along this dimension HURINET was rather successful in sensitising police officers since the coefficients related to cases 7 and 8 are among the highest coefficient estimates of own judgment.

Group 4 collects two cases of reported severe crimes against individuals that are not followed up upon by the police. Case 9 depicts the situation of a police officer refusing to register wife beating. This behaviour by the police officer is more critically assessed by the HURINET participants compared to non-participants. This indicates that the trained police officers appear sensitised about domestic violence. Yet, again we observe that HURINET participants are not more likely to report colleagues who refuse to register wife beating. This is in contrast to case 10, which depicts a reported murder that is not being followed up. Again, the HURINET participants assess this behaviour very critically. Moreover, HURINET participants are slightly more inclined compared to non-participants to report such behaviour.

The last group of cases shows situations of undue force used by the police. These two cases (cases 11 and 12) are judged equally severely as the cases that depict the refusal to register a complaint. Thus, HURINET seems to have achieved its human rights agenda in terms of sensitising police officers. In the case of a foot patrol torturing a thief (table 8, case 11) participating officers give an average rating of the behaviour that is 0.84 points higher, i.e., more critical. This difference is statistically significant, which indicates that participating officers have become more sensitised to the severity of the offence. Moreover, participating officers judge the likelihood of reporting such behaviour 0.29 points higher than non-participating colleagues. However, the latter result is only marginally significant at 11 per cent. The brutal strike down of a demonstration (table 8, case 12) is almost as severely condemned as case 9 ('Refusal to register a complaint and a one-week detention for the complainant for false accusation') by the HURINET participants. Thus, the officers judge the severity of the case in line with its damage as the presented case depicts a peaceful demonstration that is met with teargas and firing of live ammunitions, killing 20 of the demonstrators including the area leader. Independent of the training the police officers rank the average severity of the event higher than 4 (see table 4). Furthermore, participating officers would report this behaviour, which shows again that the human rights agenda of the NGO was transmitted.

### ***C. Reporting on officers' own behaviour***

Taken by themselves, the cases do not necessarily tell us whether the police officers behave as indicated. In order to learn about probable behavioural responses in an indirect way, we asked the police officers, after they had completed answering questions on the vignette cases, whether their answers were honest. Almost 95 per cent of the respondents indicated that their answers were honest (see table 4). One might be concerned that this response is a socially desirable response. Research among the police using vignette cases is limited to one other study (Klockars et al., 2000). However, from the use of vignette cases in the medical literature it is known that responses to the paper cases reflect actual behaviour by doctors and patients very well (Peabody et al., 2000; Van der Meer and Mackenbach, 1998). The reassuring outcome that the police officers took the survey seriously may have resulted from the research design, which involved the hierarchy of the police. The survey had been approved by the Directorate of Research, Planning and Development of the Uganda Police

Force, and their involvement was communicated to the officers. The two groups of HURINET participants and non-participants are equally likely to indicate that they answered the cases honestly. The difference is statistically insignificant. While respondents consider their own responses by and large to be honest, the honesty of colleagues is assessed less favourably. This shows up particularly for non-participating individuals, who rate only 66 per cent of the responses of their colleague as honest (see table 4). HURINET participants have higher confidence in their colleagues: they suggest that 74 per cent of their colleagues give honest responses (see table 4). Here, the difference between HURINET participants and non-participants is statistically significant, which suggests that the trainings increased the confidence in the work of fellow police officers.

In relation to the responses to the vignette cases, we have also assessed the questions pertaining to honesty in a PSM framework. Results are reported in table 8a. We do not find any significant differences between HURINET participants and non-participants for personal honesty, which confirms the descriptive statistics and suggests that both groups are equally honest. Moreover, applying the PSM weighting we do not find any statistically significant differences for the perceived honesty of the fellow police officers, either. The inverse-probability weighted results reinforce these findings.

Next we augment the results found for the vignette cases by turning to the treatment of vulnerable groups by the police as reported by our respondents (table 8a). There is a slight indication that HURINET participants are more likely to indicate that men and women are treated identically by the police. However, this result only shows up when employing inverse-probability weighting. The treatment of rich and poor is rated equally across the two groups. However, there is again some indication that participating officers report more careful treatment of handicapped people (table 8a). This is only found when applying inverse probability weighting and the difference is very small. While these questions were also assessed on a five point Likert scale, the coefficient estimates found in table 8a tend to be considerably smaller than the ones we found for the cases.

The survey also asked about the actual receipt of bribes and gifts (table 8a). We find a small, yet statistically significant difference in the treatment of bribes. HURINET participants report that they have received slightly fewer bribes. Having participated in the training reduces the likelihood of accepting bribes by 5 to 7 percentage points. Yet, all officers are equally likely to receive gifts. There is no difference between HURINET participants and non-participants. Gifts seem to be judged more acceptable.

At the same time, the statement 'The police is corrupt' gets the lowest average score of all the response variables. The average score is 2.46 for the group of HURINET participants and 2.63 for non-participants (see table 4), indicating that police officers generally have a positive self-image of their work. This positive self-image is statistically identical for participants and non-participants of HURINET activities as we cannot identify a significant difference between the two groups.

The last two variables we assessed relate to the confidence that police officers have in their own work and the police in general. Here again, we find interesting differences. First, participating police officers tend to have more confidence in their own work as compared to the work of the police in general (see table 4). The actual difference is small but reflects a typical behavioural observation, namely that individuals tend to be more positive about their own work as compared to the work of a group or organisation. Secondly, HURINET

activities appear to have impacted only the confidence in police officers' own work. Participating officers tend to be 0.38 points more confident than non-participants, with the difference being statistically significant. This finding indicates that the provision of knowledge and training may have an important impact on confidence and thus ultimately on work performance. This may be a strong argument in favour of police accountability activities, as only a confident police force can solve difficult cases competently. Despite this finding, overall confidence in the work of the police does not appear to have been affected by HURINET's activities. The fact that overall confidence in the work of the police force is not affected by the activities suggests that the police officers, no matter whether they participated or not in HURINET's programme, are aware of the lacunae in the operation of the police as an organisation.

*Table 8a: Main results (continued)*

	(1) PSM	(2) IWP
Own honesty of answering the questions	-0.03 (0.27)	-0.01 (0.46)
Honesty of fellow police officers	0.05 (0.44)	0.06 (0.19)
Treatment of men versus women by the police	0.24 (0.15)	0.23* (0.05)
Treatment of poor people by the police	0.27 (0.12)	0.22 (0.10)
Treatment of handicapped people by police	0.11 (0.31)	0.21** (0.03)
Offered a bribe in last year	-0.07* (0.05)	-0.05* (0.07)
Receipt of gifts at work	-0.04 (0.45)	0.01 (0.85)
Statement: The police is corrupt	-0.01 (0.97)	0.00 (1.00)
Confidence in own work	0.38** (0.01)	0.38*** (0.00)
Confidence in police in general	0.14 (0.33)	0.16 (0.14)

*Notes:* The propensity score based average treatment on the treated is labelled PSM and presented in column 1. The inverse-probability weighted results are labelled IPW and presented in column 2. P-values are presented in parentheses.

\* denotes  $p < 0.10$ ; \*\*  $p < 0.05$ ; \*\*\*  $p < 0.01$ .

#### ***D. Caveats of the quantitative study***

PARP aimed at strengthening the capacity of civil society organisations to work with communities and police in order to provide more information about roles and responsibilities and strengthen interaction and relations between citizens and the police. Therefore, the original ToR of this study suggested assessing the impact of PARP at the citizen level.

The discussions with HURINET during the inception mission as well as those with IOB after the mission made clear that the nature of implementation of the PARP would render an evaluation at the level of citizens difficult if not outright impossible. For this reason, the exchange with IOB centred most on what would be the primary target group(s) of the intervention where impact could be established. The conclusion from the discussion was that impact would be observable possibly at two levels: that of the Ugandan police officers and that of people who had contact with the Ugandan Police Force. The evaluation question in both cases could be whether there is a change in attitude and/or behaviour among police

officers (or their fellow officers working at their police stations) who had been involved in the PARP versus those who had not been involved.

Since the identification and tracking of people with prior contact with the police would be very tiresome and expensive – if not outright impossible – the decision was made to focus the impact evaluation on the police, the results of which were summarised in the previous sections.

#### **4.3.5 Qualitative analysis: Interviews with police officers**

Next to the quantitative research on attitudes of Ugandan police officers in relation to acceptable and non-acceptable police behaviour, we conducted in-depth (qualitative) interviews with 23 police officers, drawn from districts that had been and districts that had not been included in PARP (see Appendix B, section B6).<sup>22</sup> The police officers were drawn from the higher ranks and included Regional Police Commanders (RPCs), District Police Commanders (DPCs) and Officers in Charge of the Criminal Investigation Department (OC-CIDs). The interviews were held in four PARP districts (Bushenyi, Kabale, Kabarole and Mbarara) and four non-PARP districts (Iganga, Jinja, Luwero and Tororo). The interviews consisted of a set of open questions related to the functioning of the police, the main challenges encountered in day-to-day work, the handling of complaints about the police, as well as questions regarding the observed impacts of the roll-out of PARP (see Appendix D, section D2). The latter set included questions on the positive and negative impacts generated by PARP, the overall relevance of projects such as PARP and the officers' assessment of the sustainability of the results achieved by PARP.

Overall, the assessments of the situation of the Ugandan Police Force and the problems encountered by the police in their daily work did not show important differences across districts targeted by PARP and districts that were not included in HURINET's project. The problems mentioned by senior police officers related mainly to three issues:

- Logistical problems, such as insufficient means of transport and insufficient petrol to use cars and motor cycles where these are available;
- Office problems, related to insufficient quality of police stations, limited availability of stationery, and sub-standard prison complexes;
- Personnel problems, as a consequence of qualitative or quantitative understaffing of the police stations, as well as of inadequate housing for police officers.

In addition, some of the senior police officers reported political issues, such as interference by the central government or local and regional government officials with the work of the police.

With regard to citizens' complaints about the police, a variety of issues were mentioned, which do not seem to differentiate PARP from non-PARP districts. These were issues such

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<sup>22</sup> The interviews of police officers were included in the field work instead of interviews with representatives of civil society organisations, which had been envisaged at the time of the inception report. Shortly before the envisaged start of the round of interviews, it became clear to the research team that participation of 600 police officers in the survey could be secured only when those officers would obtain an allowance for travel and lunch. Budgetary constraints necessitated cancellation of the interviews with civil society organisations, as these would have involved more extended travel of the research assistants and additional facilitation costs (allowances for transport and lunch, and the renting of venues). The interviews with police officers could be held on the same day as the surveys took place, and thus did not result in additional costs.

as, importantly, corrupt practices maintained by the police (such as the asking for a contribution before cases are investigated, or the demand of payment before releasing arrested people on bond), a general impression of ineffectiveness of police activity leading to delays in investigations, the mismanagement of case files by police officers, and police officers getting compromised by collaborating with criminals.

In terms of the police officers' assessment of the activities undertaken within the context of PARP and the impacts deriving from these, there seemed to be a marked difference in assessment between officers working in districts that had been targeted by PARP and those that had not been targeted. All twelve police officers stationed in non-PARP districts were unable to comment on the activities undertaken in the context of PARP, and were equally unable to point at any positive or negative impact resulting from the project. Several of those police officers indicated explicitly they had not heard about the project before.

Police officers who were stationed in PARP districts gave very different responses compared to their colleagues in the non-PARP districts. The comments provided by the officers from the PARP districts were generally at a rather abstract level, but it can be argued that those remarks showed a certain level of knowledge about, and possibly a shift in attitude towards, police behaviour, particularly when compared to officers working in districts that had not been included in PARP. Thus, at least some of the difference in knowledge and attitude between the two groups of police officers of equivalent rank could possibly be attributed to the impacts of PARP.

The responses provided by nine (out the total of eleven interviewed)<sup>23</sup> police officers in PARP districts typically related to a limited set of issues, connected to desirable police behaviour in terms of respect for human rights, the treatment of arrested people and interactions with the community in general. Although it is difficult to generalise on the basis of a limited number of police officers from PARP districts, the convergence in the answers provided to the interview questions (see Appendix D, section D2) is striking. This convergence could possibly be ascribed partially to the norm-setting effect produced by the involvement of police officers in PARP. Obviously, nothing can be said about the concrete impact of the acceptance of particular norms on behaviour, but it is probably safe to surmise that people who demonstrate adherence to particular norms will reflect some of that in their behaviour in daily practice. Box 2 contains examples of what interviewed police officers themselves raised as positive impacts of PARP.

Possibly, answers to the questions what police officers saw as 'ideal practices' in daily police operations, as well as suggestions made by police officers on how the quality of policing can be improved may be seen, to some extent, as a reflection of their normative conviction about proper police behaviour. In a way, these can be seen as validation of what PARP was claimed to have brought about. In this respect, the comment of one of the interviewees, who was stationed in the PARP district Mbarara, is also relevant: 'I did not go for those trainings but on the side of respecting human rights, I have seen a change in people who went for those courses. They now know what human rights means; there is now less violation of human rights' (interview with District Police Commander, Mbarara). Some typical examples of such best policing practices and suggestions for improving the quality of policing, given by police officers in PARP districts are presented in box 3.

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<sup>23</sup> Two police officers indicated they had been posted to PARP districts only recently, and were not able to comment on the possible impacts of the project.



*Box 2: Quotes from interviews with police officers on perceived impacts of PARP*

‘Well, there are a number of positive changes I have rated as a result of the PARP project with HURINET. For instance as a result of the PARP project with HURINET impunity is no longer there and service delivery has improved especially in the areas of detention of suspects for long hours, torture of suspects, and corruption.’ (Regional Police Commander, Bushenyi district)

‘Cases of torture of suspects have reduced. Police officers now respect the law, have customer care and handle suspects better.’ (Acting District Police Commander, Kabale district)

‘More citizens know their rights and entitlements and can engage police officers on this. For example, it is common knowledge that police bond is free. More still, the intervention has bridged the gap between police and the citizens, and today, more private citizens can demand accountability from the police. More still civil society can better engage with police as stakeholders to enforce the implementation of the desired human rights standards.’ (Officer in Charge of the Criminal Investigation Department, Kabarole district)

‘Police are more inclined to their mandate of protecting people and their property than ever before. This has been enhanced with public sensitisation through the print and electronic media on citizen awareness campaigns.’ (Regional Police Commander, Kabarole district)

‘The project taught me to be accountable, to improve on service delivery, to improve on democratic governance; that whatever you do, you should do it democratically. Even while talking, we need to talk to people like we do to our masters, we should not shout at them. If public officers know that people are our masters, then we would never abuse them.’ (Officer in Charge of the Criminal Investigation Department, Mbarara district)

In contrast to police officers stationed in PARP districts, officers from other stations tended to answer the questions about best practices and improving the quality of policing more in terms of technical solutions to the concrete problems experienced by the police, as well as the need to train police officers through refresher courses and similar activities.

*Box 3: Quotes from interviews with police officers on best practices and quality improvement*

‘The procedure of handling crimes begins with a report about a crime from members of the public, or media, or police officer. The complaint is then registered and investigations begin within a few hours and a response is made within a short time. The maximum time it should take is two days.’ (Comment about best practice, Officer in Charge of the Criminal Investigation Department, Kabale district)

‘There are a number of areas of improvement within the police force. And such areas basically include the following: human rights; training the different officers in the area of forensic investigation; crime management and investigation; public relations.’ (Comment about improvements to the quality of policing, Acting District Police Commander/Officer in Charge of the Criminal Investigations Department, Bushenyi)

‘When I go for radio talk shows as well as meeting villagers where crimes are committed, I observe we need crime preventers within the villages. We also need to bridge the gap between community and police by having enough community liaison officers.’ (Comment about improvements to the quality of policing, District Police Commander, Mbarara)

The interviews addressed, more in particular, also the role of civil-society organisations such as HURINET and the perception of such organisations by police officers. Some officers commented that PARP had taught the police about civil-society organisations, and particularly about the fact that the latter should not be seen as adversaries but also as partners,

the activities of which could actually benefit the work of the police. Comments related to civil-society organisations were mainly addressing the following aspects of the role of those organisations:

- Enhancing transparency of police activities;
- Contributing to the learning capacity and improvement in the functioning of police officers;
- Sensitising citizens about their entitlements and the mandate of the police;
- Enhancing oversight over the behaviour of police officers;
- Establishing a better relationship between citizens and the police.

#### 4.3.6 Conclusions

In conclusion, we observe that HURINET's police-oriented activities were scattered, one-time interventions but nevertheless seem to have impacted on the *attitudes* of the participating police officers. This conclusion is substantiated by the findings in the surveys conducted among 600 police officers, as well as by the results of the in-depth interviews among 23 police officers.

The survey results indicate that propensity-score matched impacts (PSM) of HURINET activities on proper policing are small, ranging from a significant difference of 0.26 to almost an entire point, namely 0.93. The PSM results are confirmed by the findings from the model applying inverse-probability weighting. The results are most pronounced for the judgements of the officers; they are reduced in half when it comes to reporting of misbehaviour. Thus, HURINET activities have affected the perception of police officers but only encouraged them slightly to speak out against bad practices. The findings seem to indicate that more systematic and regular activities could have had an even greater impact a behavioural change.

At the same time, HURINET was successful in diffusing knowledge about proper policing, which is demonstrated by the finding that more severe cases tend to be judged more rigorously and these are the ones where the differences between participants and non-participants are most pronounced. Cases where the most pronounced differences were found tend to deal with treatment of 'clients' (former arrestees and suspects, thieves, persons complaining) indicating that the human rights agenda of HURINET is reflected in the activities and has translated into better knowledge of the trained police officers.

However, we cannot be sure that these different attitudes translate into improved practices since our survey tool does not allow us to observe behavioural outcomes. At most we can infer whether the attitudes are likely to translate into better policing practices. We do so by relating the responses to the question 'Would this behaviour be regarded as a violation of official policy in your agency?' to our outcome variables. When taking the difference between the average score for this question and the average score associated with officers' own judgment of the severity of the situation, we observe that the attitudes displayed by the police officers still do not fully conform to the official code of conduct at the police agencies. Across all twelve cases and both for participating and non-participating police officers we find that their own assessment of the severity of the cases is less critical as compared to what the officers judge official treatment of the presented violations at their station. This suggests that while the rules about good policing are known and are officially in place, police officers do not fully comply with these rules. The self-assessment of the police officers' behaviour indicates that the individual officers do not fully live up to the official standards of good

policing. We infer that individual behaviour is not necessarily fully aligned with reported attitudes. This in turn suggests that the official standards are not fully enforced, leaving room for individual officers to interpret the rules to their own advantage. On the basis of the survey, we conclude that activities on good and accountable policing are not very likely to assume their full potential when used as stand-alone instruments. It seems that they need to be combined with credible internal enforcement mechanisms.

The results of the in-depth qualitative interviews largely confirmed the findings of the survey in the sense that the knowledge and attitudes of police officers in districts targeted by PARP were in conformity with the intended changes of the police project. Although the interviews also did not allow for a check on behaviour, police officers' answers to certain open questions (in particular, concerning best policing practices and suggestions for improving the quality of policing) suggest that the normative beliefs about proper police behaviour may have been adjusted. Replies to questions about the involvement of civil-society organisations in police-oriented activities suggest furthermore that attitudes among police officers about those organisations may have been impacted favourably by PARP activities.

## **5. ACODE: Local Government Councils' Score Card Initiative (LGCSCI)**

### **5.1 Rationale and objectives of LGCSCI**

The Local Government Councils' Score Card Initiative (LGCSCI) was set up in 2009 with support from the Deepening Democracy Programme (DDP), a basket fund for supporting initiatives for improved democratic governance in Uganda, established by Denmark, Ireland, The Netherlands, Norway, Sweden and the UK in 2008. The DDP is currently subsumed under the Democratic Governance Facility (DGF),<sup>24</sup> which was established by Austria, Denmark, The Netherlands, Norway, Sweden, the United Kingdom and the European Union and encompasses, apart from the DDP, a component on rights, justice and peace, and one on voice and accountability. DGF does not provide core funding for the LGCSCI; the initiative obtains funding from IDRC's Think Tank Initiative.

The LGCSCI is a 10-year initiative to strengthen citizens' demand for effective public service delivery and accountability. More specifically, it aims to 'strengthen the weak political accountability mechanisms between citizens and elected leaders that prevent citizens from receiving adequate public services, mainly by overcoming information-related barriers and boosting Councillor professionalisation and performance' (VNG International 2014: 1). In their 2014 evaluation of the LGCSCI, VNG International reconstructed the following outcomes of the scorecard:

1. A citizenry that increasingly demands for better accountability from political leaders and public officers;
2. A citizenry that increasingly demands for better performance and efficient service delivery; and,
3. Enhanced demand for improved accountability and services at the local level, which moves in a vertical trajectory and translates into improved governance, accountability and efficiency at national and sub-national levels (VNG International 2014: 7-8).

The LGCSCI is to result in these outcomes by a) addressing weak accountability mechanisms between citizens and elected leaders, b) overcoming information related barriers, and c) boosting the professionalism and performance of councillors (VNG International 2014: 5).

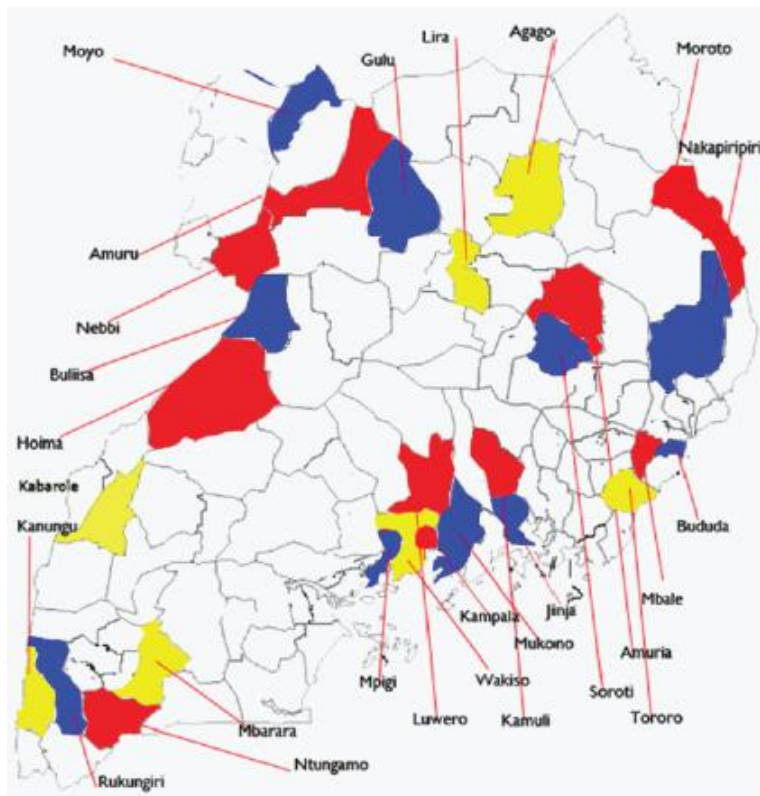
The LGCSCI's three main activities are: 1) an annual assessment of district councils' and councillors' performance based on a scorecard; 2) feedback reports on assessments, covering the included districts and a synthesis report providing a comparative analysis; and 3) capacity building activities aimed at increasing the effectiveness of councils and councillors on the one hand and citizens' demand for accountability on the other hand. Increased capacity of the local councillors is expected to result in better oversight of local service providers and thus in better service delivery.

The 2012/2013 version of the scorecard was conducted in 26 districts across Uganda, as shown in the map in figure 4.

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<sup>24</sup> Among other activities, DDP funded also a similar project (the Parliamentary Scorecard project), which was implemented by the African Leadership Institute (AFLI) and which aimed to monitor the performance of Members of Parliament to make them accountable to their voters.

Figure 5: Districts participating in the LGCSCI



Source: Tumushabe et al. 2013: 5

The idea underlying the scorecard initiative is that ‘there is widespread recognition that the delivery of public services is less than desirable at best or has malfunctioned at worst. Improvements in key service delivery indicators in the areas of health, education, agriculture and roads are not considered proportionate with the levels of public investment in these areas’ (Tumushabe et al. 2013: 17). One of the major problems with existing monitoring instruments for the quality of service delivery is that they are oriented to the ‘supply side’, assuming that public service delivery can be improved by strengthening the monitoring functions of the local government institutions themselves (Tumushabe et al. 2010a: 5).

Instead, improvements in governance should be found by locating monitoring at the ‘demand side’, implying with the citizens and their organisations, who should be ‘empowered to demand for better performance from governmental and other institutions and leaders’ (Tumushabe et al. 2010a: 8). This is important for ACODE, as ‘[c]itizens’ demand for performance and accountability through engagement is the epitome of a democratic society’ (Tumushabe et al. 2010a: 11).

In the demand-side approach, existing mechanisms for horizontal accountability (i.e., between different government institutions) are supplemented by vertical accountability mechanisms, which give more power to citizens, both for exercising their rights formally as voters, and informally through citizens’ organisations. Local governments and their leaders occupy a dual role in this approach, as they perform both supply-side and demand-side functions. The latter function is performed vis-à-vis the central government, where they act as ‘pressure points’ for greater accountability (Tumushabe et al. 2010a: 10).

The analysis of the causes of insufficient service delivery focuses on two interrelated factors. In the first place, the lack of capacity of the state is felt to impact on the quality of public policy and the implementation of public policy programmes, leading to poor service delivery (Tumushabe et al. 2013: 18). Next to this, the incentives of those responsible for public policy are seen to lead to the misuse of resources for political purposes (for instance, to serve patronage arrangements, one of the examples of which is the creation of new districts). A stark expression of these two factors can be found in the authority of local government relating to budgetary issues. Local governments have, on the one hand, very little room for collecting taxes and allocating resources, since taxation and budget allocation are dominated by the central government (see sections 2.6 and 5.3.3). On the other hand, many people working at the level of local government are linked to the national government through clientelistic relations (Tumushabe et al. 2010a: 10; 2013: 23-31, 67).

According to LGCSCI, the key factors for bringing about change are: better adherence to the *rule of law*, which limits the discretionary powers of state functionaries; stronger *democratic institutions*, which provide more accountability mechanisms for government institutions; and stronger *citizens' voice*, which leads to more pressure on service providers, policy makers and elected representatives (Tumushabe et al. 2013: 18).

The role of the scorecard instrument in this logic is that it provides 'a combination of regular assessments of performance of elected leaders and provision of performance information to citizens' (Tumushabe et al. 2013: 2). An underlying assumption of the scorecard is that its use should lead to better awareness of political leaders of their roles, as well as more awareness among citizens about the responsibilities of those political leaders (Tumushabe et al. 2013: 68). This should, in its turn, lead to a strengthening of accountability of local councillors and thereby would have a positive impact on the quality of service delivery and the use of development budgets at the local level.

The positive impact of the introduction of the scorecard may be impeded by various factors, some of which operate internally to local governments, and others that are external and operate at the national level. Internal factors are: conflicts deriving from the existence of multiple leadership positions at the local level; the low level of revenue collection and lack of financial autonomy; and failed multi-party politics at the local government level (Tumushabe et al. 2013: 68-70). Factors related to the embedding of local governments are: distortions inherent to Uganda's decentralisation policy; and centralised control of the national budget resources (Tumushabe et al. 2013: 70-71).<sup>25</sup>

The reconstructed theory of change that is captured in figure 5, indicates that the use of the scorecard is assumed to have a positive impact on public service delivery through various

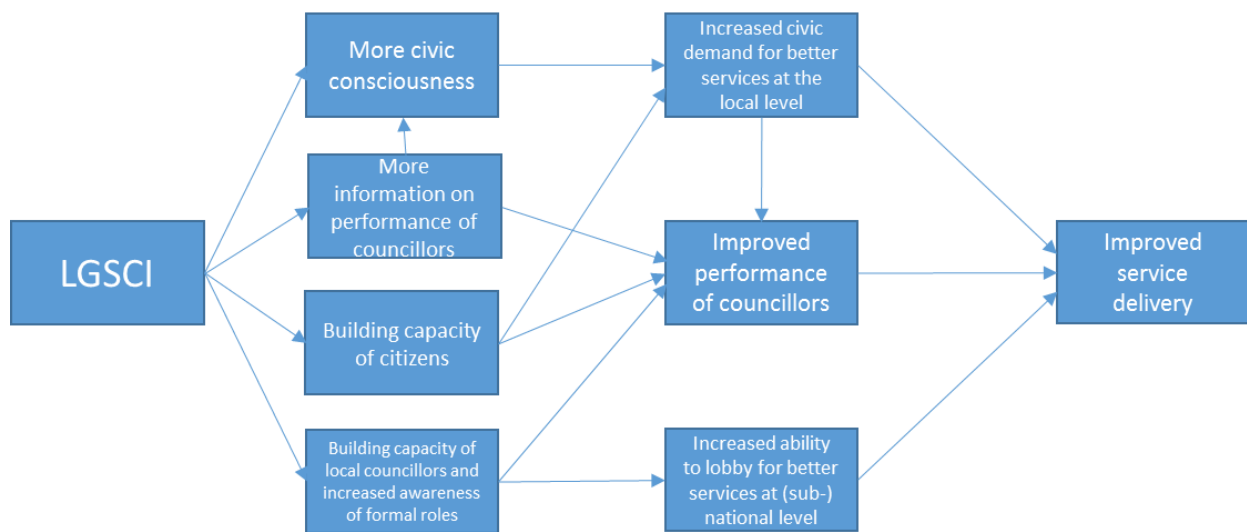
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<sup>25</sup> ACODE have performed an initial assessment of the impact of the introduction of the scorecard on service delivery. Data reported in Tumushabe et al. (2013: 33-39) relate to trends in the coverage of public services (access to clean water, education and health), as well as cross-sectional analysis of performance in service delivery (exam scores in primary education, allocations to the development budget for roads, and allocations to the development budget for education). The analyses reported in Tumushabe et al. (2013) are limited to scorecard districts and do not compare results in those districts with districts that are not included in the LGCSCI. Results show mixed results in terms of performance over time: while some districts have experienced upward trends in coverage of public services, other districts demonstrate stagnating coverage or downward trends. Cross-sectional analysis for 2011/12 and 2012/13 indicate that, overall, higher scoring councils show better results in terms of exam scores in primary education, allocations to the development budget for roads, and allocations to the development budget for education.

result chains. First of all, the production, publication and dissemination of the scorecard is to increase the available information on the performance of councillors. This is, together with the capacity building activities focused on increasing citizens' demand for accountability, to result into strengthened civic consciousness about the role and performance of councillors and, in turn, to increased demand for better services. Three key underlying assumptions need to hold for these mechanisms to function:

1. citizens are aware of the findings of the local governance scorecard;
2. citizens understand the findings of the local governance scorecard; and
3. citizens are able to voice their demand.

Figure 5: LGCSCI's reconstructed theory of change<sup>26</sup>



Secondly, through building the capacity of local councillors, which includes raising their awareness of their formal roles and responsibilities, in combination with producing and disseminating information on councillors' performance and strengthening civic demand for better services, the performance of councillors is to be improved. Key underlying assumptions are that:

1. Councillors are willing to improve their performance, in line with their formal roles and responsibilities;

<sup>26</sup> ACODE did not develop a comprehensive Theory of Change. According to the VNG final project evaluation (2014:42) a Theory of Change was only partly elaborated and it failed to adequately describe or illustrate the proposed change. The evaluators, therefore, reconstructed a Theory of Change based on the information collected during the interviews with ACODE staff and other key stakeholders and relevant documentation about the LGCSCI (Tumushabe et al. 2010a, 2010b, 2011, 2013; VNG International 2014). The reconstructed Theory of Change presented in the final report differs from the reconstructed Theory of Change presented in the inception report. The Theory of Change that was reconstructed after the fieldwork phase does no longer include the assumed effect of LGCSCI on trust in local government. The latter impact was included at an earlier stage on the basis of interviews with staff at the ACODE headquarters. More in-depth discussions and interviews during fieldwork demonstrated that the enhancement of trust may have been expected by some of the LGCSCI staff, but it was not an integral part of the project objectives, nor of the activities undertaken by ACODE during the implementation of LGCSCI. Furthermore, the revised version now also includes the activity 'building the capacity of citizens'. This because capacity building activities focused on increasing citizens' demand for accountability were an integral part of the project logic – albeit that these activities have received (too) little attention in practice – and clearly linked to the envisaged outcome of increased civic demand for improved service delivery.

2. Councillors have the necessary minimum skills and knowledge to perform their formal roles; and
3. Councillors have access to the required financial resources to perform their formal duties.

Thirdly, the LGCSCI is to result in the strengthened ability of key stakeholders to lobby for better services at the sub-national and national level. These key stakeholders include local councillors, civil society organisations, ULGA, MoLG, and the MoFPED. It is based on the assumption that the findings of the National Synthesis Report and the individual district reports can support the key actors in effectively voicing their demands to the relevant actors at sub-national and national level.

Finally, the improved performance of councillors according to their formal roles and responsibilities and the strengthened ability of key stakeholders to demand for improved service delivery at the local, sub-national and national level are in turn to result in improved service delivery. The key factors that influence this results chain are:

1. Local councils' ability to influence the size, allocation and release of the district budget; and
2. Local government administrations' capacity (both in terms of quantity and quality) at district and sub-county level.

## 5.2 Implementation of LGCSCI

ACODE, in coalition with a variety of local civil-society organisations, employs between 70 and 80 researchers to fill in the scorecard in consultation with local councillors. The scorecard is to assess how elected political leaders (district councillors, chairpersons, speakers) and the district council as institution perform in view of their tasks and responsibilities specified in the Constitution, the Local Governments Act and other legal provisions.<sup>27</sup> Councillors are seen as the main focal point of the scorecard, as these are elected to represent a geographically defined area and a special constituency of citizens. ACODE takes care of the training of the researchers, as well as involves the local leaders in discussions about the instrument of the scorecard (this involved 1,922 people in the 2012/2013 assessment; Tumushabe et al. 2013: 12).

The scorecard methodology involves five steps:

1. Review of documents and literature on the district;
2. Filling of the scorecard on the basis of interviews with councillors and collected written evidence on councillors' performance;
3. Verification of the data in field visits to service-delivery units and interviews with service consumers;
4. Focus-group discussions with community groups on councillors' performance (with participation of over 7,622 people in 684 focus-group discussions in all 342 sub-counties in the 2012/2013 assessment; Tumushabe et al. 2013: 12);
5. Analysis of the data and writing of the district scorecard report.

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<sup>27</sup> The scorecard supplements the Annual Assessment of Minimum Conditions and Performance Measures for Local Governments, which is conducted by the Ministry of Local Government and relates to the more technical part of local governments (Tumushabe et al. 2010a: 17; 2013: 1).



ACODE's synthesis report on the 2012/2013 scorecard highlights the following five features since the start of the LGCSCI:

- Improvement in the performance of elected political leaders;
- A lack of improvement in the national political environment in which local politicians function;
- Increased awareness about accountability of the elected functionaries among citizens;
- A lack of citizen action regarding the demand for accountability.
- Service delivery in all districts regarding education, health, water and sanitation, agriculture, environment and natural resources, and roads lags behind expectations. (Tumushabe et al. 2013: 3-4).

## 5.3 LGCSCI's effectiveness

### 5.3.1 Research design and data

#### *A. Methods*

Research on the LGCSCI involved a quantitative and a qualitative part. The quantitative assessment of LGCSCI effectiveness, involving the analysis of administrative data at the district level and data on citizens' perceptions of the quality of local democracy and governance from the Afrobarometer, is presented in section 5.3.2. Findings from interviews and discussions with local government councillors, LGCSCI researchers and citizens, are presented in section 5.3.3. Results from interviews on demand-side instruments more generally – with a focus on two main projects implemented by ACODE, LGCSCI and the Citizens' Budget Tracking and Information Centre (CBTIC) – are presented in section 5.3.4.

#### *B. Quantitative analysis of LGCSCI effectiveness*

We collected district-level administrative data for the period 2005 to 2013 to assess the impact of the LGCSCI on accountability and budgeting behaviour. In order to assess the scorecard's potential impact, we focused on data related to budgetary decisions and audit outcomes. Our dataset contains information on the amount of budget spent, per capita spending, and the amount of the budget returned to the central government.

Next to this, our analyses focus on the Ugandan citizens perceived the quality of democracy and governance at the local or regional level by making use of six rounds of data collected by Afrobarometer.<sup>28</sup> We have used Afrobarometer data since these promised to provide reliable statistical information on citizen attitudes on democracy and governance, the economy, and civil society. The quality and representativeness of the data are maximised by using national probability samples for a representative cross-section of all citizens of voting age in the survey countries.<sup>29</sup>

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<sup>28</sup> Afrobarometer is a survey research project that started in 1999 and carries out surveys in 36 different countries. See: <http://www.afrobarometer.org>.

<sup>29</sup> The surveys apply random sampling at every stage, so that more populated geographical units have a proportionally greater probability of being chosen into the sample, i.e., the probability of being sampled is proportionate to population size.

For the present study, we used six waves of survey data. Three surveys were carried out before the scorecard initiative was in place (2002, 2005 and 2008). Three rounds of surveys were held during the existence of the scorecard initiative, in 2010, 2011 and 2012. Data in the Afrobarometer surveys relate to the following indicators:

- An assessment of the perceived share of local government councillors who are involved in corruption;
- An assessment of the effort that local government councillors make to listen to what citizens have to say.

While not all rounds of the survey contain identical questions, nor cover exactly the same topics, the data show sufficient overlap to enable a difference-in-difference analysis of citizens' assessments of local council performance. The dataset thus extracted from the Afrobarometer contains comprehensive information from more than 9,000 individual citizens. An advantage of using Afrobarometer data is that survey information is available that was not collected in the context of the scorecard intervention but represents independent data on the perceptions of Ugandan citizens about politics. Thus, the risk of survey effects distorting the outcomes is negligible.

### *C. Qualitative analysis of LGCSCI effectiveness*

Together with ACODE, three districts that had been targeted by LGCSCI were identified for field work. The selection was based on the desire to achieve geographical spread and differentiation according to the performance of local councils. The latter was determined on the basis of ACODE's research on council performance (Tumushabe et al. 2013: 48). On the basis of the two criteria, field research focused on Mbale (Eastern Uganda, performance in upper tier), Kabarole (Western Uganda, performance in middle tier) and Amuru (Northern Uganda, performance in lower tier). ACODE liaised with their local resource persons about the district-level research and these resource persons selected, with our team, the target groups for interviews and focus-group discussions.

### *D. Qualitative analysis of the demand-side approach to governance*

For the analysis of the strengths and weaknesses of the demand-side approach to governance, as well as the main challenges involved, a series of interviews were conducted with central players on governance reform. On the donor side, interviews were held at the Royal Netherlands Embassy in Kampala and the multi-donor Democratic Governance Facility (DGF), as well as with former staff at the Dutch Embassy. From the side of the Ugandan authorities, representatives from the Ministry of Local Government and the Uganda Local Governments Association (ULGA) were interviewed. Finally, a range of representatives from Ugandan civil-society organisations were interviewed.

## **5.3.2 Impact analysis of the scorecard initiative on the perceived quality of local democracy and governance**

### *A. Summary statistics*

Table 9 presents descriptive statistics for the budgetary outcome variables. We observe that the average district spends UGX 14.017 billion of public budget. This corresponds roughly to

€4 million and is an indicator of how financially limited local councils are in Uganda.<sup>30</sup> The average percentage of the budget returned to the central level is roughly 3.9 per cent of the annual budget of the local councils. Local revenues contribute on average as little as UGX 631.583 million (or less than €200,000) to the district budget.

The performance of local councils is assessed annually by the Ministry of Local Government. The indicators in table 9 reflect this assessment. The annual assessment of minimum conditions indicates that in most cases, namely 85 per cent, these are met.

*Table 9: Descriptive statistics for district level administrative information*

	N	Mean	Std.Dev.	Number of districts	Available years
Overall public spending in UGX (log)	763	23.22	0.54	111	2005-2013
Overall public spending in UGX	763	14.02 billion	7.66 billion	111	2005-2013
Per capita public spending in UGX (log)	763	10.64	0.34	111	2005-2013
Per capita public spending in UGX	763	44,291.52	17,066.68	111	2005-2013
Percentage of budget returned	763	3.90	8.42	111	2005-2013
Contribution of local revenue to district budget in UGX (log)	580	19.70	1.03	110	2005-2013
Contribution of local revenue to district budget in UGX	580	631.58 million	827.88 million	110	2005-2013
Performance assessment	378	0.17	0.85	109	2005-2007, 2009, 2012
Annual assessment of minimum conditions (met=1)	564	0.85	0.36	109	2005-2007, 2009-2012
<u>Control variables</u>					
Population size (log)	763	12.57	0.62	111	2005-2013
Population size	763	341,478.20	201,271.90	111	2005-2013
Population growth	763	3.24	1.26	111	2005-2013
District of was split (dummy)	763	0.02	0.15	111	2005-2013

*Note:* The number of observations differs per outcome variable as not all information was collected on a yearly basis.

*Source:* Authors' own calculations based on administrative data.

As control variables we included the population size and population growth per district. The average number of people living in a district is 341,478. It is important to note that the district level dataset contains information for all Ugandan districts that have been in place since 2009. This results in an unbalanced panel as some districts were only created in 2006 and 2009. Therefore, we also constructed dummy variable that indicates that an existing district was split at a particular moment in time. To capture the full universe of activities in Uganda, we kept all districts in the sample and worked with that unbalanced panel as any sub-sample selection would be artificial.

Table 10 shows the distribution of the budget-related observations over time. Given the expansion of districts since 2005, we have fewer observations for earlier periods. The maximum number of district-year observations is 111 indicating that we exclude one district. This is the district of Kampala. We have excluded Kampala for two reasons. First, it is the district of the capital and we expect that the dynamics related to public spending may be different from those in other districts. Secondly, Kampala was part of the scorecard districts in 2009 but the intervention in Kampala stopped in 2012.

<sup>30</sup> We employed the UGX-EUR exchange rate of 0.0003 that was observed in June 2015

*Table 10: Distribution of district level observations for administrative data across the years*

Year	Number of observations	Percentage of the sample
2005	55	7.21
2006	67	8.78
2007	77	10.09
2008	77	10.09
2009	77	10.09
2010	77	10.09
2011	111	14.55
2012	111	14.55
2013	111	14.55

*Source:* Authors' own calculations based on administrative data

Table 11 presents descriptive statistics for Afrobarometer data on citizens' perceptions of local democracy and governance for the six rounds indicated in section 5.3.1.<sup>31</sup> The data are representative for Uganda as a whole. While we do not have the same number of observations and not the same yearly coverage for all variables, there are at least two pre-treatment observations for each variable. The size of the sample allows us to identify relatively small changes in the perception of local democratic processes.

The ordinal variables presented in table 11 express citizens' perceptions of local councillors. Corruption is assessed on a scale ranging from 1 to 3, where 1 stands for the judgement that some councillors are corrupt, 2 indicates that most are corrupt, and 3 expresses that all are corrupt. Perceived performance is rated on a four-point scale, where 1 corresponds to being very unsatisfied, 2 indicates being somewhat unsatisfied, 3 stands for being somewhat satisfied and 4 represents a great deal of satisfaction with the work of the local councillors. The extent to which citizens feel that councillors listen to them is coded between 0 and 3, with answer categories are never (0), sometimes (1), often (2), always (3). The data express that citizens, on average, have the impression that more than just some local councillors are corrupt, but do not consider most councillors to be corrupt. Further, citizens indicate that they are, on average, close to 'somewhat satisfied' with councillors. Finally, the average respondent has the impression that local councillors listen only sometimes to their constituency.

Table 11 also reports on a variety of control variables. Average age of the respondents appears to be 34.4 years. The sample is gender-balanced as 49.2 per cent of the respondents are women. Further, 77 per cent of the survey population belongs to one of the 10 major language groups with the Luganda language constituting the biggest one (16.9 per cent). Regarding respondents' education level, it appears that the majority (42.4 per cent) have at least some primary education. Yet, 11.8 per cent of the respondents report not having any education at all.

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<sup>31</sup> Analysis of the observations indicates that they are fairly evenly spread over the six rounds of the Afrobarometer. The number of observations was lowest in the 2010 and 2011 rounds (1,715 and 1,747 respondents) and highest in the 2002 and 2008 rounds (2,155 and 2,116 respondents). In case data for 2002 were not available for all outcome variables, for those variables there are still data on two pre-intervention periods.

Table 11: Descriptive statistics for the Afrobarometer perception outcomes

	N	Mean	Std.Dev.	Available years
<u>Ordinal variables</u>				
Councillors are perceived as being corrupt	9,220	1.35	0.76	2005, 2008, 2010-2012
Perceived performance of local government councillors	11,694	2.78	0.83	2002, 2005, 2008, 2010-2012
Councillors listen to what people have to say	6238	1.29	0.92	2005, 2008, 2012
<u>Control variables</u>				
Age of the respondent	11,847	34.36	12.61	2002, 2005, 2008, 2010-2012
Respondent is female	11,847	0.49	0.50	2002, 2005, 2008, 2010-2012
<i>Home language (Excluded category: Other small languages)</i>				
Acholi	11,847	0.08	0.27	2002, 2005, 2008, 2010-2012
Ateso	11,847	0.07	0.26	2002, 2005, 2008, 2010-2012
Langi	11,847	0.05	0.21	2002, 2005, 2008, 2010-2012
Luganda	11,847	0.17	0.37	2002, 2005, 2008, 2010-2012
Lugbara	11,847	0.04	0.20	2002, 2005, 2008, 2010-2012
Lumasaba	11,847	0.05	0.21	2002, 2005, 2008, 2010-2012
Lusoga	11,847	0.10	0.30	2002, 2005, 2008, 2010-2012
Rukiga	11,847	0.06	0.24	2002, 2005, 2008, 2010-2012
Runyankole	11,847	0.12	0.32	2002, 2005, 2008, 2010-2012
Runyolo	11,847	0.04	0.19	2002, 2005, 2008, 2010-2012
<i>Education levels (Excluded category: No education)</i>				
Primary education	11,847	0.42	0.49	2002, 2005, 2008, 2010-2012
Secondary education	11,847	0.35	0.48	2002, 2005, 2008, 2010-2012
Higher education	11,847	0.11	0.31	2002, 2005, 2008, 2010-2012
<i>Religion (Excluded category: None, traditional or other religion)</i>				
Christian	11,847	0.88	0.33	2002, 2005, 2008, 2010-2012
Muslim	11,847	0.11	0.31	2002, 2005, 2008, 2010-2012
<i>Living conditions (Excluded category: Living conditions are unchanged)</i>				
(Very) bad living conditions	11,847	0.51	0.50	2002, 2005, 2008, 2010-2012
(Very) good living conditions	11,847	0.27	0.44	2002, 2005, 2008, 2010-2012
<i>Consumption needs: Number of times gone without enough food in past 12 months (Excluded category: At most once or twice)</i>				
Several times gone without food	11,847	0.20	0.40	2002, 2005, 2008, 2010-2012
Many times gone without food	11,847	0.09	0.29	2002, 2005, 2008, 2010-2012
Always gone without food	11,847	0.03	0.18	2002, 2005, 2008, 2010-2012
<i>Watching TV (Excluded category: Never watches TV)</i>				
Watches TV at most once a month	11,847	0.06	0.24	2002, 2005, 2008, 2010-2012
Watches TV once a week	11,847	0.05	0.21	2002, 2005, 2008, 2010-2012
Watches TV several times a week	11,847	0.07	0.25	2002, 2005, 2008, 2010-2012
Watches TV every day	11,847	0.07	0.25	2002, 2005, 2008, 2010-2012
<i>Listening to the radio (Excluded category: Never listens to the radio)</i>				
Listens to the radio at most once a month	11,847	0.02	0.14	2002, 2005, 2008, 2010-2012
Listens to the radio once a week	11,847	0.04	0.20	2002, 2005, 2008, 2010-2012
Listens to the radio several times a week	11,847	0.19	0.40	2002, 2005, 2008, 2010-2012
Listens to the radio every day	11,847	0.66	0.47	2002, 2005, 2008, 2010-2012
<i>Reading of newspapers (Excluded category: Never reads the newspaper)</i>				
Reads newspaper at most once a month	11,847	0.10	0.30	2002, 2005, 2008, 2010-2012
Reads newspaper once a week	11,847	0.11	0.32	2002, 2005, 2008, 2010-2012
Reads newspaper several times a week	11,847	0.14	0.35	2002, 2005, 2008, 2010-2012
Reads newspaper every day	11,847	0.06	0.23	2002, 2005, 2008, 2010-2012
Respondent is very interested in politics	11,847	0.36	0.48	2002, 2005, 2008, 2010-2012
<i>Attendance of public meetings</i>				
Attended public meetings now and then	11,847	0.25	0.43	2002, 2005, 2008, 2010-2012
Attended public meetings several times	11,847	0.38	0.49	2002, 2005, 2008, 2010-2012
Attended public meetings often	11,847	0.17	0.38	2002, 2005, 2008, 2010-2012

Note: The number of observations differs per outcome variable as not all information was collected in each survey.

Source: Authors' own calculations based on Afrobarometer data.

As to religion, the majority of Ugandans are Christians (87.7 per cent). Socioeconomic conditions are measured by self-reporting on living conditions and consumption needs. More than half of the respondents report that their living conditions are worse compared to those of

other Ugandans: this is something that indicates general discontent with living conditions. In terms of consumption needs, the majority of the respondents does not report any hardship concerning food security, but almost one fifth of the sample report that they had gone without food several times and almost 10 per cent say that they had gone without food many times.

Afrobarometer information about household demographics is limited. The bottom part of table 11 reports on media usage and participation. The descriptive statistics reveal that TVs are not a common form of information. The majority of the sample, namely 76.1 per cent, does not watch TV at all. Radio is a more important source of information with 65.8 per cent of the respondents indicating that they listen to the radio every day. Lastly, newspapers are read at least once a week by almost one third of the population but daily readers are rarely found: only 5.6 per cent of the respondents read the newspaper on a daily basis.

Dummy variables are used to measure respondents' interest in politics. Of all respondents, 36.1 per cent indicate to be very interested in politics. Moreover, participation in community meetings is common: one quarter of the respondents indicate that they attend such meetings now and then, while 38 per cent report attending several public meetings.

### ***B. Identification strategy***

The analyses implemented a difference-in-difference model: the model compares the change in outcomes in the scorecard districts (treatment group) before and after the scorecard initiative to the change in outcomes in the control group where the scorecard was not implemented. By comparing *changes* we have controlled for observed and unobserved time-invariant characteristics that might be correlated with treatment status as well as the outcome.

We estimate a first model where the unit of observation is district-level spending and a second model where the unit of observation is the individual citizen's assessment of the performance of local councils. In the first model we control for population size (in logs) and population growth. In addition, we include a dummy variable indicating whether a district was split to account for the creation of new districts, which is equivalent to a structural change. The impact of treatment (the LGCSCI intervention), determined at the district level, is our outcome of interest. We further control for district-specific fixed effect and a time effect: we have included eight year dummies in the analysis to account for the yearly trends. We have accounted for cluster-robust standard errors at the level of the 119 districts.

In the second model, related to citizens' perceptions of local democracy and governance, we have included more control variables. Individual control variables include age, gender, religion, primary language spoken, education, living conditions, and consumption needs. Our outcome of interest again is the treatment effect (i.e., being included in the scorecard initiative), which is determined at the district level. Again we control for district-specific fixed effects and a time effect, as well as cluster-robust standard errors.

Importantly, in the second model, the unit of observation is the individual citizen. We measure changes in the perceived political and economic atmosphere and in public attitudes in Uganda. By comparing citizens residing in treated and control districts over time we can assess the impact of the scorecard initiative on political perceptions.

## **C. Results**

### ***Results of the district-level difference-in-difference analysis of budgetary outcomes***

Results of the difference-in-difference estimation for the six budgetary and audit outcome variables are presented in table 12. We find that districts that are part of the scorecard initiative spend on average 7.5 per cent less in comparison to districts that are not part of the initiative (column 3). Next to being economically highly relevant, the coefficient's p value of 0.013 indicates that the result is also statistically significant. This result is in stark contrast to a naïve comparison of districts that does not account for the development over time, structural changes and population dynamics (column 2). Clearly, over time districts received larger budgets. The time dummies for the years 2009 to 2013 all show positive and statistically significant coefficient estimates that are at least twice as large as the impact of the scorecard initiative. Unsurprisingly, district level spending is also positively associated with population size.

The finding that districts participating in the scorecard initiative spend on average 7.5 per cent less suggests that the accountability aspect of the scorecard initiative results in less waste of public money and less ad hoc spending. It further suggests an accountability-investment trade-off indicating that increasing the number of rules and regulations embedded in accountability mechanisms might result in under-spending. It appears that the scorecards act as an additional layer of rules and regulations that are placed upon the councillors leading to reduced spending.

The question is whether the reduction in public spending is actually an intended outcome of the scorecard initiative or rather an unintended by-product of the increased oversight of civil society over the work of the local councillors. This question cannot be answered on the basis of available data but it is possible to address a related question: is a reduction in public spending good or bad for the district population? Coefficients reported in columns 4 and 5 indicate that reduction of public spending in scorecard districts does not have a bearing on per capita public spending. The introduction of the scorecard does not seem to have impacted on per capita public spending once the control variables are taken into consideration: the coefficient associated with the scorecard is negative but not statistically significant, indicating that per capita public spending is identical across all Ugandan districts no matter whether they participate in the scorecard initiative or not.

When focusing on the percentage of the budget returned to the central government, we find the mirror image of reduced public spending (columns 6 and 7). The analysis indicates that 3.27 per cent of total local budgets in scorecard districts remains unused and is returned to the central government. Again the finding is economically and statistically relevant ( $p=0.013$ ). Coefficients in columns 8 and 9 indicate that districts participating in the scorecard initiative were not more successful in raising local revenue than non-scorecard districts. It is probably not surprising that the scorecard districts did not experience an increase in local revenues, as that would have involved an increase of personnel at the level of the local administration and this is costly. An assessment of the distribution of the local budget over roads, education and health showed that the scorecard initiative did not seem to have made a difference along these dimensions.<sup>32</sup> Local councils depend to a large extent on the central government and have limited scope for moving funds across budget lines and deciding upon large-scale investments.

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<sup>32</sup> Detailed results are not presented for the sake of brevity but can be made available by the authors upon request.

Table 12: Main results of district-level difference-in-difference analysis

	Overall public spending (log)		Per capita public spending (log)		Percentage of budget returned		Contribution of local revenue to district budget (log)		Performance assessment		Annual assessment of minimum conditions	
Scorecard intervention	0.26***	-0.08**	0.20***	-0.03	1.99	3.27**	-0.07	-0.01	0.58***	0.18	0.33***	0.00
	(0.04)	(0.03)	(0.02)	(0.03)	(1.23)	(1.30)	(0.10)	(0.12)	(0.15)	(0.18)	(0.05)	(0.06)
District was split (dummy)		0.14***		0.12***		-2.67*		-0.20**		0.21		0.06
		(0.05)		(0.04)		(1.54)		(0.08)		(0.21)		(0.09)
Population size (log)		0.50***		-0.45***		0.99		0.33**		-0.06		-0.04
		(0.05)		(0.04)		(2.29)		(0.15)		(0.34)		(0.05)
Population growth		0.12		0.10		-4.59		1.07*		-0.45		-0.35
		(0.13)		(0.14)		(4.15)		(0.58)		(0.88)		(0.42)
Year 2006		-0.07*		-0.06*		0.52		0.30***		-0.13		0.13
		(0.04)		(0.03)		(1.44)		(0.09)		(0.15)		(0.08)
Year 2007		-0.01		-0.03		-1.86*		0.28***		-0.73***		-0.34***
		(0.04)		(0.03)		(1.04)		(0.09)		(0.13)		(0.09)
Year 2008		-0.05		-0.08**		-1.80		0.69***				
		(0.04)		(0.03)		(1.11)		(0.10)				
Year 2009		0.17***		0.11***		0.69		0.67***		-0.07		0.25***
		(0.06)		(0.04)		(1.74)		(0.12)		(0.17)		(0.09)
Year 2010		0.29***		0.23***		-4.74***		0.46***				0.26**
		(0.04)		(0.05)		(1.31)		(0.17)				(0.11)
Year 2011		0.29***		0.23***		-1.45		0.55***				0.25**
		(0.06)		(0.06)		(1.56)		(0.18)				(0.12)
Year 2012		0.39***		0.34***		-3.78**		0.46**		0.05		0.23*
		(0.05)		(0.06)		(1.45)		(0.19)		(0.29)		(0.14)
Year 2013		0.45***		0.27***		-3.81**		0.77***				
		(0.06)		(0.06)		(1.64)		(0.21)				
Observations	763	763	763	763	763	763	580	580	378	378	564	564
Districts	111	111	111	111	111	111	110	110	109	109	109	109
R <sup>2</sup> (within)	0.06	0.49	0.07	0.53	0.00	0.04	0.00	0.16	0.04	0.22	0.06	0.45

Notes: Linear fixed effects regression for overall public spending, per capita public spending, percentage of the budget returned, contribution of local revenues to district budget, overall performance, and the annual assessment of minimum conditions. District fixed effects are included; standard errors are clustered at the district level. The within R<sup>2</sup> is reported since we report the results of fixed effects regressions.

\* denotes p<0.10; \*\* p<0.05; \*\*\* p<0.01.



To assess the identifying assumption of our empirical model – i.e., the parallel trends assumption – we have compared the above outcomes in scorecard and control districts prior to treatment. Between 2005 and 2008 there do not seem to be differences in the outcome variables, which is reassuring us that the districts were following similar patterns in budget allocation and performance (see table 13). We find, however, that districts that were included in the LGCSCI in 2009 and later had experienced considerably higher contributions to the public budget in the years prior to the initiative. Thus, for the outcome variable ‘local contribution to public revenues’ the identifying assumption underlying the difference-in-difference approach is not valid. For the other variables it holds.

*Table 13: Parallel trend regressions for district-level administrative data*

	Overall public spending	Per capita public spending	Percentage of budget returned	Contribution of local revenue to district budget	Performance assessment	Annual assessment of minimum conditions
Pre-intervention assignment	0.08 (0.06)	0.06 (0.06)	-0.94 (0.85)	0.61*** (0.17)	-0.03 (0.15)	0.01 (0.07)
District was split (dummy)	0.34*** (0.09)	0.34*** (0.09)	0.15 (3.10)	-0.23 (0.20)	-0.17 (0.34)	0.03 (0.15)
Population size (log)	0.76*** (0.05)	-0.25*** (0.05)	-0.23 (0.86)	0.74*** (0.20)	0.20 (0.12)	0.07 (0.06)
Population growth	-0.05** (0.02)	-0.05* (0.02)	-0.10 (0.35)	-0.01 (0.09)	-0.02 (0.07)	-0.00 (0.03)
Year 2006	-0.13*** (0.05)	-0.11*** (0.04)	0.39 (1.49)	0.30*** (0.10)	-0.01 (0.15)	0.15* (0.09)
Year 2007	-0.05 (0.04)	-0.05 (0.04)	-1.52 (1.04)	0.23*** (0.09)	-0.66*** (0.13)	-0.31*** (0.09)
Year 2008	-0.10** (0.04)	-0.11*** (0.03)	-1.29 (1.02)	0.48*** (0.10)		
Observations	276	276	276	208	194	196
Districts	78	78	78	73	75	75
R <sup>2</sup>	0.74	0.26	0.02	0.46	0.15	0.18

*Notes:* Parallel trend regressions comparing the pre-intervention trend between 2005 and 2008 for those districts that will eventually participate in the scorecard initiative and the districts that do not participating in the scorecard initiative. Results are presented for the budget and performance outcome variables. Standard errors are clustered at the district level.

\* denotes  $p < 0.10$ ; \*\*  $p < 0.05$ ; \*\*\*  $p < 0.01$ .

In addition, we estimated a model where we wrongly assume that scorecard initiative had started only in 2008 (table 14).<sup>33</sup> The wrongly assigned starting date of the initiative does not appear to have any impact either, except for the outcome variable local contribution to public revenue. Again, we did not find any impact of the placebo treatment. The parallel trends test and the placebo treatment indicate that the underlying assumptions for the employed identification strategy hold: this implies that our difference-in-difference analysis can be considered a valid approach.

On the basis of district-level administrative data we could show that the scorecard initiative has produced budgetary accountability. In this instance, it is important to realise that the local council can only take limited budgetary decisions, and is dependent on the local administration. While the councillors are assessed by the LGCSCI, the bureaucrats and civil servants are not. Yet, the councillors’ work is very much tied to the proper functioning of the local administration. Moreover, as most of the local funds come from the central government

<sup>33</sup> We had to wrongly assign the start of the intervention to 2007 for the outcome variables performance assessment and audit as for these we do not have 2008 data.

and these funds are limited, neither the local legislative nor the local executive bodies have much room to implement their own ideas and invest in large projects.

*Table 14: Placebo regressions for district-level administrative data*

	Overall public spending	Per capita public spending	Percentage of budget returned	Contribution of local revenue to total district budget	Performance assessment	Annual assessment of minimum conditions
Placebo intervention in 2008	-0.03 (0.04)	-0.02 (0.03)	0.12 (1.56)	0.22* (0.13)		
Placebo intervention in 2007					-0.13 (0.23)	-0.06 (0.15)
District was split (dummy)	0.15*** (0.05)	0.18*** (0.04)	1.55 (3.20)	-0.09 (0.09)	0.24 (0.39)	0.22 (0.16)
Population size (log)	-0.14 (0.82)	-1.33* (0.80)	-17.90 (20.38)	-1.11 (2.07)	2.29 (3.77)	-0.22 (2.66)
Population growth	0.03 (0.09)	-0.01 (0.09)	-5.66 (4.10)	0.29 (3.13)	-2.67** (1.07)	-1.77** (0.69)
Year 2006	-0.04 (0.05)	-0.02 (0.04)	0.56 (1.69)	0.31*** (0.10)	-0.24 (0.20)	0.08 (0.13)
Year 2007	0.06 (0.06)	0.06 (0.06)	-0.75 (1.81)	0.35** (0.16)	-0.96*** (0.33)	-0.38 (0.23)
Year 2008	0.05 (0.08)	0.04 (0.07)	-0.16 (2.81)	0.69*** (0.24)		
Observations	276	276	276	208	194	196
Districts	78	78	78	73	75	75
R <sup>2</sup> (within)	0.06	0.16	0.03	0.39	0.27	0.28

*Notes:* Placebo regressions allowing the scorecard intervention to already start in 2008, if no 2008 data is available the placebo intervention starts in 2007. Results are presented for the budget and performance outcome variables. District fixed effects included; standard errors are clustered at the district level. The within R<sup>2</sup> is reported since we report the results of fixed effects regressions.

\* denotes p<0.10; \*\* p<0.05; \*\*\* p<0.01.

### ***Results of the Afrobarometer difference-in-difference analysis of perceived quality of local democracy and governance***

The above does not imply that the scorecard initiative is in vain and should not have been implemented. The initiative also aims at raising awareness among elected councillors and the public of local democratic processes and at increasing oversight by civil society organisations. We address whether the scorecards have achieved this objective by assessing data obtained from Afrobarometer. Results are presented in tables 15 and 16, which are comparable to table 12. Table 12 was based district-level administrative data, while tables 15 and 16 are using Afrobarometer data.

At the level of civil society the scorecard initiative seems to have fulfilled its mission with respect to transparency, as the councillors in scorecard districts are perceived to have been less corrupt since the intervention was put in place. The coefficient associated with the scorecard intervention is -0.12. This coefficient explains 16.1 ( $=-0.12^2/0.76$ ) per cent of the standard deviation of perceived corruption (see table 11), which implies that the average respondent in intervention districts is likely to judge that only some of the councillors are corrupt whereas respondents in non-intervention districts perceive a larger share of councillors as corrupt. The results from the ordered probit model suggest an even larger reduction of perceived corruption among councillors, since the coefficient is -0.18. However, this coefficient cannot be interpreted at face value as it involves rescaling relative to the Likert cut-off points. We refrain from a tedious discussion of the rescaling procedure. In what follows we interpret the coefficient estimates from the ordered probit results correctly relative

to the cut-off points. The likelihood that most of the councillors are perceived as corrupt is reduced by 4 percentage points in scorecard districts if all the control variables are at their mean value. The share of individuals considering all councillors to be corrupt is reduced by 2.5 percentage points in scorecard districts. This implies, in turn, that citizens in scorecard districts are more likely to consider only some of their councillors to be corrupt. Turning to the other control variables included in the model, we make the following observations: the individuals with higher levels of education are more likely to perceive the local councillors as corrupt whereas those people who read the newspaper several times a week and are thus relatively well informed are less likely to consider the local councillors to be corrupt. The observation is similar for those respondents who indicate that they often attend community meetings. These individuals are less likely to perceive their local councillors as corrupt. This last finding emphasizes the importance to control for individuals' participation when assessing their judgment of elected leaders.

We now turn to the perceived performance of local government councillors (table 15, columns 6-9). The scorecard initiative appears not to have had an effect on the perceived performance of the elected local leaders. The simple correlation suggests even a negative impact (table 15, column 6). But when we include the control variables, the effect disappears. This holds consistently for both the linear and the ordered probit model. Although there are no complaints about the work performance of the local councillors, the citizens in scorecard districts are more likely to say that councillors do not listen to what people have to say (table 15, Columns 10-13). The coefficient associated with the intervention dummy is coherently negative and statistically significant in three out of four cases. Most importantly the statistically negative effect is displayed no matter whether we employ the linear or the ordered probit model. The coefficient associated with the scorecard is -0.16 (table 15, column 12) indicating that 16.9 per cent in the variation of the perceived attentiveness of the local councillors is explained by the scorecard initiative. Putting this in terms of the probit model, we find that local councillors are 4.3 percentage points less likely to be perceived as listening often to their constituency (all the remaining control variables are at their mean value) and 3.2 percentage points less likely to be perceived as always listening to their constituency.

The coefficients associated with the control variables inform us further about the types of citizens that are concerned about the attentiveness of their councillors. The moderately informed individuals, who say that they read the newspaper either once a month or once a week, have the impression that local councillors listen to what ordinary people have to say. Moreover, respondents who indicate that they are very interested in politics and those who attended at least several community meetings in the twelve months preceding the survey are more likely to perceive their councillors as attentive to their concerns.

Thus, results at the level of the citizens indicate that the scorecard initiative increased transparency resulting in lower levels of perceived corruption. Concomitantly, the higher level of transparency seems to have raised expectations. The local constituency does not indicate that they are unsatisfied with the performance of their councillors. They wish, however, that councillors would listen more to their needs.

Table 15: Main results of Afrobarometer perception difference-in-difference analysis

	Councillors are perceived as being corrupt				Perceived performance of local government councillors				Councillors listen to what people have to say			
	Basic FE	FE with controls	FE with additional controls	Ordered probit	Basic FE	FE with controls	FE with additional controls	Ordered probit	Basic FE	FE with controls	FE with additional controls	Ordered probit
Scorecard intervention	-0.14** (0.07)	-0.13* (0.07)	-0.12* (0.07)	-0.18* (0.11)	-0.16*** (0.06)	-0.03 (0.07)	-0.04 (0.07)	-0.05 (0.10)	-0.40*** (0.06)	-0.15 (0.09)	-0.16* (0.09)	-0.21* (0.12)
Age of the respondent		-0.00* (0.00)	-0.00 (0.00)	-0.00 (0.00)		0.00*** (0.00)	0.00** (0.00)	0.00*** (0.00)		0.00** (0.01)	0.00 (0.00)	0.00 (0.00)
Respondent is female		-0.01 (0.02)	-0.01 (0.02)	-0.01 (0.03)		0.06*** (0.02)	0.07*** (0.02)	0.09*** (0.02)		-0.03* (0.02)	-0.00 (0.02)	-0.00 (0.03)
Primary education		0.00 (0.04)	0.01 (0.04)	0.01 (0.05)		-0.03 (0.03)	-0.03 (0.03)	-0.05 (0.04)		-0.03 (0.05)	-0.04 (0.05)	-0.05 (0.06)
Secondary education		0.07 (0.04)	0.07* (0.04)	0.11* (0.06)		-0.06** (0.03)	-0.07*** (0.03)	-0.10*** (0.04)		-0.02 (0.04)	-0.04 (0.05)	-0.05 (0.06)
Higher education		0.14*** (0.04)	0.14*** (0.04)	0.21*** (0.06)		-0.13*** (0.03)	-0.14*** (0.03)	-0.21*** (0.04)		-0.00 (0.06)	-0.03 (0.06)	-0.03 (0.08)
Reads newspaper at most once a month		-0.07** (0.03)	-0.07** (0.03)	-0.09** (0.04)		0.04 (0.03)	0.04 (0.03)	0.05 (0.04)		0.08** (0.04)	0.08** (0.04)	0.10** (0.05)
Reads newspaper once a week		-0.05** (0.02)	-0.05** (0.02)	-0.07** (0.04)		0.01 (0.02)	0.01 (0.02)	-0.00 (0.03)		0.15*** (0.04)	0.13*** (0.04)	0.16*** (0.05)
Reads newspaper several times a week		-0.12*** (0.02)	-0.12*** (0.02)	-0.16*** (0.04)		-0.01 (0.03)	-0.02 (0.03)	-0.03 (0.04)		0.07 (0.04)	0.05 (0.04)	0.07 (0.06)
Reads newspaper every day		-0.04 (0.04)	-0.04 (0.04)	-0.05 (0.06)		-0.02 (0.04)	-0.03 (0.04)	-0.04 (0.05)		0.11 (0.07)	0.06 (0.07)	0.08 (0.09)
Respondent is very interested in politics			0.00 (0.02)	-0.01 (0.04)			0.07*** (0.02)	0.11*** (0.02)			0.15*** (0.03)	0.19*** (0.04)
Attended public meetings now and then			-0.04 (0.03)	-0.05 (0.04)			0.02 (0.02)	0.02 (0.03)			0.02 (0.04)	0.03 (0.05)
Attended public meetings several times			-0.03 (0.02)	-0.05 (0.04)			0.04* (0.02)	0.05* (0.03)			0.13*** (0.03)	0.16*** (0.04)
Attended public meetings often			-0.05* (0.03)	-0.08** (0.04)			0.11*** (0.03)	0.15*** (0.04)			0.23*** (0.05)	0.29*** (0.06)
Observations	9,220	9,220	9,220	9,220	11,694	11,694	11,694	11,694	6,238	6,238	6,238	6,238
Districts	65	65	65	65	65	65	65	65	65	65	65	65
R <sup>2</sup> (within for FE, pseudo for Ordered probit)	0.00	0.02	0.02	0.03	0.00	0.03	0.04	0.03	0.02	0.05	0.06	0.06

Notes: Linear fixed effects regression for the variables (i) Councillors are perceived as being corrupt, (ii) Perceived performance of local government councillors, (iii) Councillors listen to what people have to say. The number of observations differs per outcome variable as not all information was collected in each survey. Coefficients associated with the language dummies, religion, the use of radio and TV, living conditions, consumption needs and the year dummies are not presented for the sake of brevity. The excluded category for education is no education. District fixed effects included; standard errors are clustered at the district level.

\* denotes  $p < 0.10$ ; \*\*  $p < 0.05$ ; \*\*\*  $p < 0.01$ .

As for the district-level data on budgetary decisions and audit results we also tested the identifying assumptions underlying our empirical model for the citizens' perceptions. The parallel trends regressions are presented in Table 16. The parallel trend holds for all except one variable as can be seen from the lack of statistical significance of the coefficient associated with the pre-intervention assignment. For the variable 'Councillors listen to what people have to say' we find a significant pre-treatment effect in scorecard districts. However, the direction of the effect is contrary to the expectations of the scorecard initiative: in comparison with citizens of non-scorecard districts, citizens of districts where the LGCSCI was implemented experienced a greater drop in the attentiveness of their local councillors.

In addition, we also performed the placebo test, implying that we assumed wrongly that the scorecard intervention had started in 2008. None of the outcome variables respond to the wrongly assigned starting date. This further strengthens our findings with respect to the citizens' perception of local democratic processes, as it indicates that the findings associated with the scorecard can credibly be related to the intervention.

*Table 16: Parallel trend regressions for Afrobarometer perception outcomes*

	Perception about:		
	Corruption	Performance	Listening
Pre-intervention assignment	-0.01 (0.04)	0.06 (0.04)	0.10* (0.06)
Age of the respondent	-0.00 (0.00)	0.00** (0.00)	0.00 (0.00)
Respondent is female	0.01 (0.02)	0.06*** (0.02)	0.01 (0.03)
Primary education	0.05 (0.06)	-0.08** (0.04)	-0.05 (0.06)
Secondary education	0.11 (0.06)	-0.12*** (0.04)	0.02 (0.06)
Higher education	0.20*** (0.07)	-0.14*** (0.05)	0.05 (0.09)
Reads newspaper at most once a month	-0.04 (0.04)	0.05 (0.03)	0.15** (0.06)
Reads newspaper once a week	-0.06 (0.04)	0.08*** (0.03)	0.14*** (0.05)
Reads newspaper several times a week	-0.14*** (0.04)	0.04 (0.03)	0.07 (0.05)
Reads newspaper every day	-0.07 (0.08)	0.10* (0.06)	0.12 (0.09)
Respondent is very interested in politics	0.02 (0.03)	0.06*** (0.02)	0.18*** (0.04)
Attended public meetings now and then	-0.03 (0.04)	-0.01 (0.03)	0.03 (0.04)
Attended public meetings several times	-0.02 (0.04)	0.06** (0.03)	0.14*** (0.05)
Attended public meetings often	0.02 (0.04)	0.13*** (0.04)	0.27*** (0.05)
Observations	3,865	6,179	4,154
R <sup>2</sup>	0.06	0.05	0.10

Note: Parallel trend regressions comparing the pre-intervention trend between 2005 and 2008 for those districts that will eventually participate in the scorecard initiative and the districts that do not participating in the scorecard initiative. Results are presented for the five perception outcomes. Coefficients associated with the language dummies, religion, the use of radio and TV, living conditions, consumption needs and the year dummies are not presented for the sake of brevity. The excluded category for education is no education. Standard errors are clustered at the district level.

\* denotes  $p < 0.10$ ; \*\*  $p < 0.05$ ; \*\*\*  $p < 0.01$ .

### 5.3.3 Local council performance

#### A. Practical context

On a practical level there are a number of factors which limit the abilities of local governments in Uganda to perform better and engage effectively in participatory policy-making. The frequent late delivery of central government funds, for example, was highlighted by political and technical teams in all three districts visited – all noted that planned (and budgeted) projects were often delayed, and sometimes abandoned, owing to late transfers of funds from central government. This was argued to be a particularly acute and fundamental roadblock improved performance given the dependence of LCs' finances on central governments (interviews with councillors and district and sub-county technical staff and CSO personnel, Amuru, Kabarole and Mbale, 15-21 April 2015; see further above). Many councillors in all three districts also suggested that the issue significantly undermined popular trust in them and in local government itself with many citizens interpreting delayed or cancelled projects as the consequence of allocated funds being 'eaten' (stolen) or diverted to other causes by district or sub-county councillors or officials (Manyak and Katono 2010). The fact that unspent central funds at local level are often required to be remitted back to Kampala at the end of a financial year has exacerbated these delivery and trust gaps (focus group discussions and interviews with LCV councillors, Amuru, Mbale and Kabarole, 15-21 April 2015).

Limited resources also constrain the capacities of district and sub-county administrations to monitor and implement programmes – as well as the capacities of councillors to engage regularly and meaningfully with constituents (and vice versa), especially those who live in remote parts of districts. Contractions in funds for local government overall, coupled with the proliferation of districts, has meant a perennial shortfall in competent administrative staff in many districts – as well as absenteeism by office-holders who must supplement their state salary with employment elsewhere (Green 2013). Councillors themselves are paid only 100,000 Ugandan Shillings (c.US\$30) – 70,000 (c.US\$23) after tax – per month and receive allowances for attending a small number of council sessions per year (interviews with LCV councillors, Amuru, Mbale and Kabarole, 15-21 April 2015).

Most councillors interviewed in the three districts emphasised the significant costs accrued in regularly travelling to meet with constituents (particularly for district women and disabled people councillors, whose geographical remit is the whole district rather than a sub-county) as well as the cost of providing refreshments when facilitating such meetings (a common-place expectation). They argued that their salaries and allowances did not stretch far enough to cover even these expenses and felt that this prevented them from more regularly reaching out to constituents outside of formal settings (e.g. events at sub-county or district headquarters).<sup>34</sup>

The fact that the construction of new district headquarters and hiring of district staff (usually over 200) takes significant time also means that districts are often without functioning offices and bureaucracies – sometimes for years (Lewis 2014). This is a particular problem for regions of the country where district proliferation has been most acute, primarily northern and eastern Uganda (where electoral support for the regime has been less consistent or

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<sup>34</sup> There was some ambiguity in discussions with councillors whether the issue concerned *late* payment of facilitation fees or the fact that no such payments existed.

widespread). During fieldwork in Amuru District, for example, it became apparent that key political and administrative staff still based themselves out of Gulu, the district which formerly included Amuru, over one hour's drive away. As a consequence, the district offices in Amuru are often deserted and it is a real challenge in practice to simply find key staff (interviews with local researchers and councillors, and observation, Amuru, 20-21 April 2015). This is in spite of the fact that Amuru District was created nearly a decade previously – in 2006.

For Ugandan citizens themselves – most of whom are usually even less able to cover the costs of travel to sub-county or district headquarters, particularly those located *de facto* in a neighbouring district (focus group discussions with local residents, Mbale Town, 17 April 2015, Busoro, Kabarole and Mugusu, Kabarole, 21 April 2015) – these issues naturally constrain *their* ability to participate in local governance. Limited local opportunities to engage councillors and administrators (the latter on monitoring visits, for example) mean that citizens must take more initiative themselves in reaching out to these actors directly, often requiring the making of trips to headquarters. Even then, as those at a community focus group in Mugusu sub-county, Kabarole district complained, administrators are often absent (owing, in part, to the issues discussed above). Green captures this phenomenon and the frustration of such missed encounters aptly in referring to the title of Ian Clarke's 1998 book *The Man with the Key has Gone* (Green 2013: 12).

Annual budget conferences represent the primary statutory opportunity for citizens to participate in decision-making regarding budgetary allocations and project planning at the local level. Though theoretically open to all, respondents in all three districts presented the openness and format of these conferences (primarily occurring at district and sub-county level) very differently. For while most LC councillors and administrators tended to portray these events as widely accessible and entailing genuine open debate between state and non-state actors, NGO, CSO and citizen focus groups more often presented them as a 'show' where decisions already made were recounted 'lecture-style' and attendees largely restricted to government officials and 'development partners' (interviews and discussions with councillors and technical staff, NGO and CSO representatives and focus group discussions with local residents in Amuru, Kabarole and Mbale Districts, 15-21 April 2015). Though the transparency and vibrancy of debate clearly differs across budget conferences our analysis largely fits with that of Blore et al who observed that 'in most local governments participation is quite limited, and the process tends to be dominated by councillors and officials' (Blore et al 2004: 105).

Indeed, a number of civil society activists in Mbale claimed that they had been refused entry to a district budget conference in the past as they were not considered a key 'stakeholder' (focus group discussion with ACODE budget champions, Mbale Town, 17 April 2015). And in Amuru, various interviewees (including administrators) stated that in reality the budget is prepared by the technical staff and hardly any community involvement takes place (interviews with local CSO activists and technical staff, Amuru, April 2015). The failure to cover travel or refreshment costs for attendees was argued to be a further impediment to genuine citizen participation in these conferences.

### ***B. Local-centre links***

Given the very significant constraints under which local governments operate, and their almost total dependence upon central government transfers to function, considering the

relationship between LCs and Kampala is clearly crucial for any analysis of demand-driven governance. Councillors and district chairs in the three fieldwork sites, however, argued that there is little capacity at district level to influence national players and limited knowledge about how such engagement might best take place.

Lobbying of MPs, for example, appears to take place occasionally in an *ad hoc* fashion but is largely considered to be ineffective. Indeed, enthusiasm among councillors for lobbying and challenging the centre on behalf of constituents is tempered by a widespread pessimism that – in the words of one LC official in Busoro sub-county, Kabarole district – ‘complaints to the government are never effective’ (interview, Busoro sub-county headquarters, Kabarole, 21 April 2015). The re-centralisation of senior local administrator posts since 2005 and prominent local role of RDCs (see above and 2.1.4) has naturally further confused the division between centre and local to some extent and ensures against a united ‘local’ approach to lobbying Kampala.

Councillors and technical staff at the local level nevertheless view one organisation – the Uganda Local Governments Association (ULGA) – as their main ‘voice’ and representative vis-à-vis Kampala. ULGA describes its mandate as ‘to unite Local Governments, and provide them with Association member services, and a forum through which to come together and give each other support and guidance to make common positions on key issues that affect Local Governance. ULGA carries out this mandate through lobbying, advocacy and representation of Local Governments at local, National and International fora’ (ULGA 2015).

ULGA serves as an instrument of local governments vis-à-vis the Ugandan Ministry of Local Government. ULGA representatives claim that the association, which is owned by Ugandan local governments, wishes to drive agendas in support of the local institutions even if the MOLG does not support these. In particular, ULGA’s ability of ‘scaling up’ discussions, away from the purely local level, is seen as a major strength of the association. Despite this self-image at ULGA, the association has not been able to prevent the continuous creation of new districts. Particularly the lack of resource-generating capacity at the local level is perceived as a threat to the functioning of local government (interviews at ULGA, 17 April 2015).

### ***C. The political economy of local government***

Ugandan local governments – and councillors in particular – are significantly restricted in their ability to respond effectively to demand for improved service delivery and other demands from constituents, a situation which has worsened over the last decade. Massive dependence upon mainly conditional central government grants – many of which are often transferred from Kampala late – substantially limit LCs’ discretion over what can be budgeted for and implemented while recentralisation of administrative positions since 2005 has removed a further layer of local accountability from the local government bureaucracy.

Limited funds also impact upon councillors’ and administrators’ ability – and willingness – to travel widely and regularly within their constituencies, forcing constituents to take on travel costs themselves (sometimes to empty or locked offices) to raise issues or lobby for improved services. Moreover, local government units’ voices in Kampala – either directly or through ULGA – are weak and there is limited evidence that the centre will take account of local perspectives in policy-making; not least with regard to the small size of local government allocations in the national budget.



This is not, of course, to say that councillors lack any room to represent and respond to citizen demands. It is crucial to acknowledge in this review, however, that this room is very significantly circumscribed – an issue which many of their constituents do not necessarily appreciate or understand.

### **5.3.4 Civic consciousness and citizens' demand for better public service delivery**

#### ***A. Civic consciousness***

The main objective of LGCSCI was to strengthen civic consciousness and increased demand for better services. From the case-study research it became clear that the LGCSCI had only very limited impact in terms of strengthening civic consciousness. Dissemination of the scorecard results turned out to be fairly limited. In the three districts visited, only approximately 40 per cent of the citizens interviewed were aware of the scorecard. Indeed, in one Mbale focus group with parish and village level citizens and LCs this figure was closer to 90 per cent (Focus group discussion, 16 April 2015). This percentage is relatively low if one takes into account the fact that the citizens the evaluators have spoken to were mobilised by ACODE, thus one can assume a selection bias. Moreover, focus groups in Mbale and Kabarole took place in sub-counties, villages and parishes geographically close to District Headquarters – thus participants could be expected to have more frequent, everyday contact with councillors than their counterparts in sub-counties further afield.

Furthermore, citizens' understanding of the information contained in the scorecard was even more limited. Of the citizens that claimed to be aware of the scorecard, most knew only about the final scores and ranking, but not about what the scores mean in terms of the performance of individual councillors and how these link with local government performance. Not only is citizens' insight into the actual performance of councillors limited, but based on the field research it became also clear that citizens, moreover, have still limited awareness of what the formal roles and responsibilities are of the councillors. These findings are in line with the evaluation done by VNG International (2014), which found that only a small – but, according to the evaluation, significant – number of citizens understood the scorecard results and that while an increased understanding of the formal roles and responsibilities of councillors was noted, it was still very limited and citizens continued to still mainly demand for informal services (e.g. contribution to weddings and burials, education fees etc.) (VNG International 2014: 31,41).

Limited results have also been achieved in terms of strengthening citizens' demand for better services. During the interviews and focus group discussions only a few examples could be provided of how citizens had demanded better service delivery. Councillors in all three districts also often emphasised the substantial 'expectations' of communities vis-à-vis a variety of issues which included, but were not limited to, service delivery (particularly the repair of water holes and latrines and the building of roads). The 2014 evaluation lists more examples of citizens' demand for service delivery but fails to link these to the LGCSCI and concludes that 'citizenry demand remains a weakness' (VNG International 2014: 17). The examples quoted by the interviewees and during the focus group discussions appeared, furthermore, not to be directly related to the LGCSCI. This is not surprising as citizens' awareness of the meaning of the scores was low.

Another key constraint that in practice has impeded citizens to effectively express their demands to local councillors is the lack of constructive engagement opportunities between citizens and councillors. Engagement between councillors and communities is, in general, very limited. While a few of the district councillors interviewed showed limited interest to engage with their constituencies, most district councillors expressed their discontent with this situation. The councillors explained that they face difficulties when organising meetings with the communities as these seem often not to have been incentivised to attend meetings with councillors by the demand for better services, but more by sitting allowances or other personalised material enticements (e.g. sodas). The citizens interviewed during the field research confirmed this situation. The LGCSCI hardly contributed to any increase in opportunities for constructive engagement between community and councillors.

A number of councillors and civil society activists interviewed nevertheless emphasised the important role of appearing on ‘phone-in’ and ‘talk-show’ programmes on local radio stations for councillors as a means to engage with a wider audience of constituents. A councillor in Mbale, for example, noted that he appears regularly on a phone-in show on local radio as a means to reach-out to constituents and noted how he was able on a recent programme to clarify to callers that ‘burial attendance is not part of [the councillor’s] role’. While radio listenership overall is very high in Uganda (BBC World Service 2006) the popularity of these particular programmes seemed to be somewhat limited. In a FGD among citizens in Busoga sub-county, Kabarole only six out of sixteen participants claimed to have ever listened to a radio programme featuring a councillor.

*Box 4: Quotes from interviews and focus group discussions*

‘ACODE needs to sensitise the community more to understand the role of the district councillor, so that the community understands that if a leader calls for a meeting it is not about paying sitting allowances, her role is not to pay school fees etc.’ (District councillor II, Amuru)

‘The community has limited insight into the role of district councillors, they focus on informal roles’ (One of the district councillors in Mbale during a FGD)

‘We have heard about it [LGCSCI] but are not sure about the meaning of it.’ (Ugandan citizen, Mbale District during a FGD)

‘On the ground, [attending and officiating in] weddings and burials remain the most important part of our role for communities.’ (District councillor I, Kabarole)

‘There is a need for greater sensitisation of the electorate [about councillor roles] – they think that politicians are all about money and gifts.’ (District councillor II, Kabarole)

‘Communities do not understand the roles of councillors, chairpersons and MPs – they mix all leaders together.’ (Sub-county councillor I, Mugusu, Kabarole)

‘Because of the level of education, communities look mainly at scores – this is the bottom line.’ (Sub-county councillor I, Bungokho, Mbale)

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During a debriefing session with ACODE, ACODE confirmed the main findings presented above. It acknowledged that the LGCSCI has failed to pay sufficient attention to the ‘demand-side’. Instead, the project has mostly focused on building the capacity of local councillors and producing the local governance scorecard. Thus, while the LGCSCI is based on the idea that citizens should be ‘empowered to demand for better performance from governmental and other institutions and leaders’ (Tumushabe et al. 2010a: 8), as improvements in governance should be found by locating monitoring at the ‘demand side’ (see section 5.1), the LGCSCI has not yet sufficiently focused on strengthening citizens’ capacity to demand for accountability and improved service delivery in practice. ACODE is, however, currently piloting the use of Civic Engagement Action Plans to address this weakness and strengthen the ‘demand side’.<sup>35</sup>

#### *Box 5: Quotes from interviews*

‘It is a challenge to organise a meeting with the community. They are used to getting everything for free, as was the case in the IDP camps. They want soda or sitting allowances and if you don’t give something the turnout will be low.’ (District councillor I, Amuru)

‘When you visit communities they always ask “how have you left us?” – it is a monetisation of politics, we must pay for the attendance of the community...it makes members scared to go back to the communities.’ (District councillor I, Mbale)

‘When members organise community meetings they have to say that “we are not here to give you money but to give services”.’ (District Clerk, Mbale)

‘At official meetings [i.e., not burials or weddings], only 7-10 people will come and they will expect sodas. If you do not provide sodas they will tell people who ask that “we have never seen that councillor”.’ (District councillor I, Kabarole)

### ***B. Councillors’ performance***

Next to strengthening civic consciousness and increasing citizens’ demand for better services, the LGCSCI is to raise councillors’ awareness of their formal roles and responsibilities and to strengthen their performance. Based on both the case-study research and VNG International’s evaluation it is clear that the LGCSCI capacity building activities and the councillors’ participation in the scorecard has contributed to an increased understanding amongst councillors of their formal roles and responsibilities. In addition, there is convincing evidence

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<sup>35</sup> Aware of the fact that more attention needs to be paid to the demand side, ACODE introduced Civic Engagement Action Plans (CEAPs) in March 2015. CEAPs are action plans generated by the community, based on which they can engage with their local government councillors around specific service delivery concerns. CEAPs are a) to foster citizens’ understanding of the results of the scorecard b) to support citizens with using the scorecard to demand accountability from the local councillors, and c) to increase citizens’ capacity to demand for improved public service delivery. So far, CEAPs have been piloted in five districts (ACODE 2015: 1-2).

of councillors' improved performance. During the case-study research interviewees stated that due to the peer-pressure invoked by the scorecard, and the capacity building activities under the LGCSCI, councillors have improved their performance in terms of e.g. monitoring public service delivery units and participating in council meetings. It was also noted by district councillors (both male and female) in Mbale and Kabarole that the scorecard had strengthened the confidence of female councillors to participate in debates – an indirect but nonetheless positive outcome of the LGCSCI initiative.

VNG International's evaluation concludes that there is 'a clear improvement in the scorecard performance of LCs, Chairperson and Speakers' (VNG International 2014: 21) and the synthesis report on the 2012/2013 scorecard also claims that the performance of elected political leaders has improved since the introduction of the scorecard (Tumushabe et al. 2013: 3-4).

*Box 6: Quotes from interviews*

'At first, the councillors didn't want the scorecard, they didn't want to be assessed. But later on around 70 per cent became interested, mainly because of the trainings ... Before the scorecard project many councillors just went to the council to collect money, but now they understand what kind of role they should play ... There is a big change in debating, councillors present more relevant issues now and follow the rules of procedure so they no longer sit for two days. Councillors also come with more evidence, like examples from the community.' (District clerk I)

'In the beginning of the project, I was the second-to-last person, now I've become the second best. The scorecard and trainings helped me to understand my role and so my performance has improved.' (District councillor III, Amuru)

"Previously [to the LGCSCI], councillors took things for granted – they signed-in for council meetings and would then leave. Now they are attentive and participate, now they keep records of meetings [with communities and technical staff]." (District councillor I, Kabarole)

'As a result of the scorecard the level of debate [in District Council sessions] has greatly improved. Now there are heated debates, better motions and clearer justifications for motions... Attendance has increased and the number of times going to the field has increased... Record-keeping and reporting has also increased...the scorecard focuses on evidence-based things [respondent then showed the interviewer photos captured on his iPad from monitoring visits undertaken in the previous few months].' (District councillor III, Kabarole)

'The scorecard has led to a very big change in councillors' behaviour – they want to be evaluated well and this forces them to be active in Council...Each councillor struggles in budgeting debates to get funds and services for their community....There is an increase in people talking in Council where they didn't before....people take issues seriously now.' (District councillor II, Mbale)

Nevertheless, from the case-study research it also became clear that various factors still negatively affect councillors' performance. Limited access to financial resources was, for example, very often quoted by interviewed councillors' as a main reason why they cannot fully perform their main duties. Many of the councillors interviewed stated that they, for example, face difficulties with monitoring public service delivery units as they have insufficient means to finance the transportation costs. Another key constraint is the fact that not all councillors possess the necessary minimum skills and knowledge to perform their formal roles. For example, various interviewees indicated that not all councillors can speak English, which limits their ability to participate in council meetings. Also, interviewees

pointed to the fact that some of the councillors are simply not interested to perform their formal roles and responsibilities.

### *C. Quality of service delivery*

According to the LGCSCI's Theory of Change, improvements in the performance of district councillors and the greater ability of key stakeholders to demand for improved service delivery at the local, sub-national and national level, should ultimately result in improved service delivery. VNG International's evaluation presents various examples of improved service delivery but fails to convincingly attribute these examples to the LGCSCI. The evaluation does also not arrive at a conclusion concerning the overall impact of the LGCSCI (VNG International 2014: 32-33, 51-55).

The interviews found some evidence of improvements in public service delivery, which could be attributed to the improved performance of councillors. For example, interviewees gave examples of how the performance of health units had improved due to councillors' strengthened monitoring activities, which contributed to better staff attendance and drug supplies.

#### *Box 7: Examples of improved public service delivery*

In Amuru, the functioning of a health centre was improved after several monitoring visits of the district councillor had revealed that the health staff were not properly managed and absenteeism was high. The district councillor raised this issue at the district level, which led to the replacement of the old manager and a significant improvement of the functioning of the centre. (Interviews with a District Councillor and two local researchers involved in the LGCSCI)

In Mbale, the quality of material in new roads was improved after several monitoring visits by a sub-county councillor revealed inadequate procurement and supervision procedures. (Interview with a Sub-County Councillor, Bungokho, Mbale)

#### *Box 8: Quotes from interviews*

'The local government faces the problem of late releases of resources by the centre, and then they cannot spend it in time so that the money needs to return back to the centre. Communities don't know this and blame councillors.' (District councillor I, Mbale)

'Priorities at the district level should be in line with national priorities. We have limited scope for manoeuvre, budget allocations are tied to specific sectors. ... Subsistence agriculture is the least funded while most people depend on it. The national government does not pay enough attention to this sector, but is focused on infrastructure ... Another challenge is the unrealistic budget, we get indicative budget figures from the planning ministry, but the centre releases less than that. The public doesn't understand that, as we had promised to do more, but we simply don't get the money from the centre' (District councillor II, Mbale)

'The main constraint to improved public service delivery we face is the mass poverty in Amuru that does not allow the local government to raise local revenue, which is needed to implement public services. Other obstacles, are land conflicts and the low capacity of technical staff and councillors.' (Administrative officer I, Amuru)

'Things are placed in the budget and works are done but then funds run down from the centre and projects remain unfinished.' (Parish councillor I, Busoro, Kabarole)

In the three districts where the research team conducted the interviews, all examples of improved service delivery related, however, solely to an improved implementation of public service policy and management of public service units, but not to any changes in budgetary allocations. Overall, no strong evidence was found suggesting that the LGCSCI resulted in a noticeable change in public service delivery.

In practice, the local councillors' ability to significantly strengthen public service delivery is significantly constrained by the facts that a) local councils' have limited ability to effectively influence the size, allocation and release of the district budget and b) local government faces serious capacity constraints at both district and sub-county level. This reflects the broader structural constraints under which district councillors operate in Uganda – as outlined above in sections 2.6 and 5.3.3. The fact that similar challenges were reported by respondents in all three districts, and that these challenges correspond to those identified and discussed in the wider literature on the political economy of local government in Uganda, suggests that these are embedded, nationwide issues which are not limited to just one region or locality.

#### **5.4 ACODE and the demand-side of good governance promotion**

Most interviewed persons indicated that they understand the move away from supply-side and towards demand-side good governance promotion, in particular given the observed tendency of the Ugandan President to consolidate the regime and use the state's resources increasingly for purposes of 'regime maintenance'. Interviewees emphasised that, as a consequence of such trends, support of governance programmes through the state had lost its logic in the case of Uganda.

Despite the general understanding of the logic behind demand-side governance projects, interviewees commented on some of the perceived problems with the implementation of the LGCSCI and CBTIC<sup>36</sup> projects, as well as more general weaknesses of and threats to demand-side approaches. Comments focused, in particular, on four themes: the nature of the two demand-side projects, the position of ACODE in relation to the Ugandan government, the nature of the state in Uganda and the role of civil society organisations in the country.

Many observers argued that, in general, demand-side governance projects such as LGCSCI and CBTIC are welcome in the Ugandan context. Interestingly, the potential contribution of demand-side activities to governance in Uganda was underscored by representatives of civil-society organisations, state institutions such as the Ministry of Local Government and the Uganda Local Governments Association, as well as the donor community. The reasoning behind such support differs from organisation to organisation. Civil society organisations emphasise the potential contribution of demand-side governance instruments as tools for supporting advocacy work and legitimising NGO activities by providing citizen inputs (interviews, CSBAG and NGO Forum, 16 and 17 April 2015). Government representatives stress that the scorecard for local councillors serves to 'keep district leadership on their toes' with regard to the quality of their work and may be a useful instrument for organising

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<sup>36</sup> CBTIC (Citizens' Budget Tracking and Information Centre) is a project implemented by ACODE, focusing on enhancement of government accountability and transparency in the allocation and utilisation of government revenues and donor funds. The objective of the project was that the collection of data on government income and expenditure and subsequent distribution of this information throughout the country would create possibilities for the population to hold the government accountable for its financial policies.

‘downward accountability’ of representatives to the electorate (interviews, Ministry of Local Government and Uganda Local Governments Association, 15 and 17 April 2015). Observers in the donor community showed altogether to be more sceptical about the potential of demand-side governance instruments because of limited receptivity on the part of government. Yet, those observers still indicated the potential of civil-society organisations to use the tools to influence legislative processes through their contacts with Members of Parliament, as well as to impress the need for greater accountability (interviews, DGF, 14 April 2015).

Despite their general appreciation for demand-side governance projects such as LGCSCI and CBTIC, observers also emphasised certain weaknesses. One of the main critical issues related to demand-side projects appeared to be the relatively technical nature of the approaches and the difficulty of NGOs to transfer the results to broader audiences. The scorecard initiative as implemented by ACODE requires the collection and analysis of a large quantity of data. As a consequence, the organisation needs to focus much of its attention to the research process of the scorecard and the validity and reliability of the data. It is for this reason that observers comment that ACODE has paid little attention, until quite recently, to the dissemination of the results of the scorecard outside the local councils targeted by the instrument (interviews, DGF, 14 April 2015). In relation to the budget-tracking instruments, the causes of limited outreach to larger audiences seem to be mainly technical in nature. ACODE attempted to set up an SMS network for the quick dissemination of information to citizens, but found out that few citizens signed up because of the costs involved in receiving and sending text messages (interview, ACODE, 21 May 2014). To the extent that the media could be used – for instance for transferring information in radio talk shows – it appears that technical problems were surmountable (interviews, DGF, 14 April 2015 and CSBAG, 17 April 2015).

A second weakness of demand-side approaches appeared to be the gap between the project outputs and the desired impacts that the projects were supposed to have. The targets of both LGCSCI and CBTIC were to enhance accountability of decision makers: in the case of LGCSCI such greater accountability should lead to improved service delivery, while the result of CBTIC would be the allocation of state resources to priority areas determined by citizens. Observers noted that the attempts by the President and the ruling NPM to enhance their grip on state resources – in the case of local government by increasing the number of districts and in the case of budget allocation by increasing the percentage that is spent through so-called supplementary budgets that are not subject to parliamentary oversight – place serious limits on the effectiveness of demand-side governance programmes (interviews, CSBAG, 17 April 2015 and Ministry of Foreign Affairs, 1 July 2015).

Apart from the implementation of the demand-side projects, interviewees also addressed the role and position of organisations such as ACODE. It was observed that ACODE, by its very nature, is very dependent on the funds that are supplied by donor organisations, either bilaterally (such as by The Netherlands) or multilaterally (such as through DGF). ACODE is an organisation populated by professionals, who are committed to doing credible research. More than other NGOs, ACODE was characterised as a ‘mission-driven’ organisation, committed to political change in Uganda. It is its institutional interest to retain its respectability and credibility, for instance by partnering with international research institutes for implementing policy-oriented research. One example of such partnerships is with the US-based organisation Innovations for Poverty Action (IPA), for the evaluation of the scorecard initiative and a budget information intervention similar to CBTIC, using randomised controlled trials in 28 districts across the country (IPA n.d). The political economy of

ACODE is such that its existence is very much linked to the implementation of projects such as the scorecard initiative. The project is therefore described by some observers as one of the main life lines of the organisation (interviews, DGF, 14 April 2015).

The implementation of demand-driven governance initiatives cannot be seen separately from the political environment of Uganda and the interests that are being served by the Ugandan state. As mentioned above, observed tendencies such as the increase in the number of districts or the increased claim by the executive on the financial resources of the state are perceived to have a negative impact on political accountability. The creation of new districts enhances opportunities for patronage, as more supporters of the President can be supported by allocating them with attractive positions. Moreover, the use of financial resources for security forces (army and police) restricts, on the one hand, the possibility to deliver specific services, while, on the other hand, it places limits on the mobilisation of people in public spaces (interviews, NGO Forum, 16 April 2015, Ministry of Foreign Affairs, 1 July 2015).

Finally, the response of the Ugandan regime to the activities of civil-society organisations was addressed by the interviewees. Various developments, such as the adoption of the Public Order Management Act and the proposal of an NGO bill, are seen as serious impediments to the functioning of civil-society organisations. Next to this, various interviewees reported on the restrictions placed on NGO activities by Resident District Commissioners at the district level (interviews, NGO Forum, 16 April 2015, CSBAG, 17 April 2015). Overall, the impression conveyed in the interviews was that the space for civil society in Uganda has been shrinking and that their advocacy role, which is felt to be politically sensitive by those in power, has been made more difficult. In general, the tendencies described here are circumscribing the autonomous role that civil-society organisations have been claiming.

One of the observations of interviewees on the role of civil-society organisations was that the time horizon of support for organisations involved in demand-side governance activities is typically too short. Given the nature of the project objectives of such demand-side activities, which are usually not achievable in a normal planning cycle of three to five years, NGOs are therefore seen to be overly focused on the delivery of project outputs, and sometimes lose sight of the bigger picture. In response to the argument that civil-society organisations should adopt a longer time horizon, a good number of the interviewees argued that donors need to demonstrate longer-term commitment to NGOs – suggestions of ten-year periods with intermediate assessment were made in this regard. Other interviewees commented that donors should adopt a ‘hybrid’ strategy with regard to NGOs operating on the demand side: next to the main objective, focused on the project’s results, support should take capacity building of these NGOs as an important objective on the side. For some interviewees, project results should not even be the central consideration for supporting civil society in Uganda. For them, it seemed more important to guarantee maintenance of an autonomous sphere, outside the grip of the Ugandan government, in order to bring about longer-term, gradual change to the political system in the country (interviews, Royal Netherlands Embassy, 14 April 2015, NGO Forum, 16 April 2015, Ministry of Foreign Affairs, 1 July 2015).

## **5.5 Conclusions**

The Local Government Councils’ Score Card Initiative (LGCSCI) was set up by ACODE in 2009 and expanded to 26 districts across Uganda as per the 2012/2013 round. The analysis of



LGCSCI with the help of quantitative and qualitative data has produced a mixed set of findings concerning the instrument's effectiveness.

Analysis of district-level administrative data for the period from 2005 to 2013, obtained from the annual assessment of local governments by the Ugandan Ministry of Local Government, indicated that districts participating in the scorecard initiative tend to spend, on average, less of their budgets than districts that are not part of LGCSCI. Also, the LGCSCI districts appear to return a larger share of their budget to the central government. A possible explanation of this finding may be that the LGCSCI has resulted in a stronger sense of accountability among local government councils.

Data collected in six waves of the Afrobarometer survey, involving over 9,000 individual Ugandan citizens, indicated that the scorecard initiative does not seem to have had an effect on the perceived performance of local councillors, although citizens of scorecard districts see their councillors as less corrupt than councillors working in non-scorecard parts of the country are perceived by their constituencies.

Data obtained from interviews and focus group discussions with a range of participants and observers of the implementation of LGCSCI have provided additional insights into a range of aspects related to LGCSCI, such as the broader political economy of local government in Uganda; the impact of the scorecard on civic consciousness and councillor performance; and the weaknesses of demand-side good governance promotion. The political economy of local government appears to exert a major influence on the functioning of local councils, particularly since the great dependence of local governments on central government funds reduces the effectiveness of activities undertaken at the local level. Coupled with the limited remuneration of local councillors, the creation of new districts for political reasons, and the tendencies to re-centralise decision making and strengthen the role of Resident District Commissioners, who are appointed by the President, the overall position of local government in Uganda is rather weak.

The scorecard initiative appears to have had very limited influence on citizens' consciousness of public affairs in their district. Overall, few citizens are aware of the scorecard's philosophy and seem to know only about the ranking of local councillors. This may be due, in part, to the lack of opportunities for citizens to engage with their councillors. Finally, the scorecard does not seem to have resulted in greater demand by citizens for better services. Examples of improved service delivery seem to have resulted not so much from budgetary changes, but rather from improved policy implementation and better management of public service units.

Interviews and focus group discussions provided indications that an important implication of the introduction of the scorecard was that local councillors get a better understanding of their roles and responsibilities. Also, citizens and councillors report overall better performance of councillors, in part as a result of the peer pressure built up by the scorecard. Factors impeding the performance of councillors include limited financial resources to do their work, as well as the low level of skills and knowledge of certain groups of councillors.

Data obtained from interviews and focus group discussions indicate that the demand-side approach to good governance is fraught with some inherent weaknesses. First, the technical nature of the ACODE projects that are analysed in this study makes it difficult to convey the results to broader audiences. Further, the fact that project outputs such as the scoring of local councillors' performance are quite distinct from the aspired impact of the projects – notably,

enhanced accountability of political leaders – make realisation of project objectives quite difficult. Finally, the response by the incumbent political class to mobilisation of citizens and advocacy by civil society is often a factor that seriously limits the effectiveness of demand-side governance interventions.

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## Appendix A: Evaluation questions and country-specific Terms of Reference

### A1. Evaluation questions

From: IOB Policy Review Good Governance: Democratization, promotion of rule of law and control of corruption, Terms of Reference, December 2013, pp. 16-17.

For each selected country, the evaluation questions are:

- 3.1. What were the main governance challenges in the country in the areas of justice sector/rule of law, and decentralization? To what extent was the leadership in the country willing to address these challenges?
- 3.2. To what extent and in which ways were these governance challenges addressed by other Dutch agencies active in the country (MFS, NIMD, other centrally financed activities) and by other donors?
- 3.3. What were motivations and objectives for Dutch governance policies and funding decisions, including choice of channel/implementing agency in the justice sector and in decentralization? What was the role of SGACA and of similar studies of other donors?
- 3.4. To what extent did policies and funding decisions in justice sector and decentralization of the Netherlands address the main governance challenges in these areas and did they take into account the political feasibilities for change? Did they take into account what other donors were doing and what other Dutch agencies were doing?

And for the selected projects:

*Rationale and objectives:*

- 3.5. Does the project document include a description of the expected outputs? If not, can these expected outputs be reconstructed on the basis of the project activities?
- 3.6. Does the project document describe the expected intermediate outcomes, and final outcomes? If not, can these outcomes be reconstructed on the basis of the project activities?
- 3.7. Was the final objective of the project a governance related objective, or was it at impact level, that is, was it related to poverty reduction or economic growth?
- 3.8. Does the project document describe how outputs, intermediate outcomes and final objectives were expected to be achieved? If not, how can this be reconstructed?
- 3.9. What were the motivations and objectives for the project and how do they relate to governance challenges and opportunities in the country, activities of other Dutch agencies and of other donors in the country and/or in the area concerned?
- 3.10. Did the project sufficiently take into account possible differential impact on men and women?

*Implementation:*

- 3.11. How did the Netherlands implement, monitor and evaluate the project?
- 3.12. Did project implementation, monitoring and evaluation sufficiently take into account governance challenges and opportunities in the country, the activities of other Dutch agencies and other donors?
- 3.13. How did project implementation relate to other Dutch bilateral or EU policies and instruments to promote this governance objective?



*Effectiveness:*

3.14. To what extent have outputs been achieved? What was the mechanism, and which other factors contributed to the results, positively or negatively?

3.15. To what extent have intermediate outcomes and outcomes been achieved? What was the mechanism, and which other factors contributed to the results, positively or negatively?

3.16. Were there any unexpected or unintended results of the project?

3.17. Are the project (intermediate) outcomes or other results different for men and women?

3.18. To what extent can the project be expected to have contributed to the ultimate governance objectives, given the influence of other factors?

For all Dutch projects in justice sector and decentralization in the three countries:

3.19 What do available evaluations say about effectiveness (in particular questions 3.14-3.18 above) of these projects?

The evaluation will not attempt to assess the efficiency of the selected projects. It will probably be impossible to assess whether such outputs and outcomes could have been achieved with fewer inputs or could more have been achieved with the same inputs (level 1 efficiency analysis), let alone whether other projects or activities could have achieved the same outputs and outcomes at lower costs (level 2 efficiency analysis). Nonetheless, if there is clear evidence of excessive inputs as compared to the achieved outputs and outcomes (level 1 analysis), this will be reported.

## **A2: Country-specific Terms of Reference**

### *Contents of the study*

The field study Uganda is one of the three country studies within component 3 of the overall policy review. It contains a study of the motivations and objectives of Dutch policies and activities in the areas of decentralization and justice sector, the context and relevance for these policies and activities, a desk study of all available evaluations of Dutch projects in these two areas, and an impact study of the two selected projects. This implies measuring the impact of the projects at the level of individual citizens by means of a survey. The evaluation team is expected to answer all evaluation questions of this component, listed on pages 16-17 of the Terms of Reference of the overall Policy Review. The methodological requirements are outlined on pages 17-18. More information on the two projects can be found on pages 18-20 and in Appendix 4.

The work will be carried out in two phases, the inception phase and the actual evaluation. During the inception phase the research design for the impact study of the two projects will be elaborated, and a beginning will be made with answering the questions on objectives, motivations and context (questions 3.1-3.4). During this phase a field visit is foreseen of 1-2 weeks.

This phase will result in an inception report, which will at least contain:

- Preliminary answers to the questions 3.1-3.4 and a description of the methodology for verifying and finalizing the answers to these questions.
- For the selected projects: an intervention logic, an evaluation matrix (questions, indicators, data collection methods), developed questionnaires, and a detailed sampling strategy.
- An outline of the final report.

The inception report will be discussed with IOB and with the Reference group. It will need to be approved (go/no go decision) before the evaluation team can proceed.

IOB has carried out a first search of available evaluations of the Dutch projects in decentralization and justice sector in Uganda, and these evaluations will be supplied to the evaluation team upon contract signing. The evaluation team is recommended to do a further search.

The draft final report will also be discussed with IOB and the Reference group.

### *Products*

The following reports will be produced:

- Inception report
- Final country report

### *Planning*

Early February 2014 Signing contract

February - March 2014 Inception field work

Writing of draft inception report

April 2014 Approval Inception report

May - September 2014 Field work and writing draft country report

October 2014 Discussion and approval country report

*Maximum budget* € 130.000 (excluding VAT)

### *Evaluation team requirements*

The candidate is asked to propose a team consisting of least one international team leader, overall responsible for the evaluation and contact person for the Ministry, and at least one local counterpart in Uganda.

The team as a whole needs to meet the following requirements:

- Knowledge of political processes in developing countries, in particular in Sub-Saharan Africa.
  - Knowledge of the Uganda political system, processes, and NGO climate is an advantage.
- Experience in evaluation of good governance projects in developing countries.
  - Experience with evaluation of decentralization and justice sector projects is an advantage.
- Experience with evaluation using mixed (qualitative and quantitative) methods.
- Experience in quantitative analysis of survey data and the application of counterfactual analysis.
- Previous collaboration between the international evaluator and the local counterpart is an advantage.

The international team leader needs to meet the following requirements:

- Experience in managing a team of evaluators.
- Broad experience in conducting evaluations.
- Extensive reporting skills.
- Good communication in English.

The local counterpart needs to meet the following requirements:

- Experience in conducting evaluations.
- Experience in managing a team of enumerators for a survey.
- Good communication in English.

The above competencies will be supported and verified by:

- CVs
- Two reports of relevant evaluations undertaken by the international team leader.
- An interview with the international team; an interview with the local counterpart is optional.

## Appendix B: Interviewees<sup>37</sup>

<b>B1. Representatives of the government of The Netherlands</b>		
12 May 2014	Ministry of Foreign Affairs	<ul style="list-style-type: none"> <li>- Judith Maas, Coordinator West Africa, Department of Sub-Saharan Africa (formerly at RNE Uganda)</li> <li>- Jos Weijland, Coordinating Policy Officer, Department of Sub-Saharan Africa</li> <li>- Eva van Woersem, Country Expert Uganda, Department of Sub-Saharan Africa</li> </ul>
19 May 2014	Royal Netherlands Embassy in Uganda	<ul style="list-style-type: none"> <li>- Joyce Kokuteta Ngaiza, Senior Governance and Human Rights Advisor</li> <li>- Hans-Peter van der Woude, Deputy Head of Mission, Head of Cooperation</li> </ul>
15 April 2015	Royal Netherlands Embassy in Uganda	<ul style="list-style-type: none"> <li>- Joyce Kokuteta Ngaiza, Senior Governance and Human Rights Advisor</li> <li>- Theo Oltheten, First Secretary, Political Affairs, Human Rights and Rule of Law</li> </ul>
1 July 2015	Ministry of Foreign Affairs	Jeroen Verheul, Ambassador for Foreign Trade and Development Cooperation (Dutch Ambassador to Uganda, 2007-2012)
<b>B2. Uganda fieldwork: Justice and law and order</b>		
19 May 2014	Ministry of Justice and Constitutional Affairs	S.K.J. Byakusaaga-Bisobye, Head Policy Analysis and Planning
19 May 2014	JLOS secretariat	<ul style="list-style-type: none"> <li>- Rachel Odoi Musoka, Deputy Senior Technical Advisor, Advisor on Access to Justice, Civil</li> <li>- Sam Wairagala, Technical Advisor Monitoring and Evaluation</li> <li>- Lucy Ladira, Advisor on Access to Justice, Criminal</li> </ul>
20 May 2014	HURINET-U	<ul style="list-style-type: none"> <li>- Mohammed Ndifuna, Chief Executive Officer</li> <li>- Caroline Kanyago, Project Officer, Police Accountability and Security Sector Reform</li> <li>- Patrick Tumwine, Advocacy Research and Information Officer</li> <li>- Cina Banhard, Technical Advisor Monitoring and Evaluation</li> </ul>
23 May 2014	HURINET-U	see above

<sup>37</sup> Details of interviewees are given as completely as possible. Some interviewees, who wished to remain anonymous, are not named (N.N.), while others were introduced by position only.

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**B3. Uganda fieldwork: Decentralisation and local governance**

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21 May 2014	ACODE	<ul style="list-style-type: none"><li>- Arthur Bainomugisha, Executive Director</li><li>- George Bogere, Research Fellow CBTIC</li><li>- Godber Tumushabe, Programme Advisor</li><li>- Lilian Muyomba Tamale, Research Fellow LGCSCI</li><li>- Irene Achola, Research Assistant</li><li>- Sophie Nampewo Kakembo, Research Officer CBTIC</li></ul>
22 May 2014	Uganda Governance Monitoring Platform	Arthur Larok, Country Director Action Aid
22 May 2014	Uganda Debt Network	Jude Odaro, Programme Officer, Capacity Building and Empowerment
23 May 2014	ACODE	see above
15 April 2015	Ministry of Local Government	Patrick K. Mutabwire, Director, Local Government – Administration
15 April 2015	Ministry of Local Government	Paul Bogere, Commissioner for Local Council Development
16 April 2015	Uganda National NGO Forum	Job Kijja, Coordinator, Citizen Mobilisation
17 April 2015	Uganda Local Governments Association (ULGA)	<ul style="list-style-type: none"><li>- Damalie Namuyija Mbega, Director Human Resources and Administration</li><li>- Godwin Ainomujuni, Procurement Officer</li><li>- Irene Zawedde, Acting Legal Officer</li><li>- Jamidah Namujanja, Acting Director Communication and Public Relations</li></ul>
17 April 2015	Civil Society Budget Advocacy Group (CSBAG)	Julius Mukunda, Programme Coordinator
24 April 2015	ACODE	<ul style="list-style-type: none"><li>- George Bogere, Research Fellow</li><li>- Kiran Cunningham, Research Fellow and Professor of Anthropology, Kalamazoo College</li><li>- Lillian Muyomba Tamale, Research Fellow</li><li>- Onesmus Mugenyi, Deputy Executive Director</li></ul>

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**B4. Uganda fieldwork: Donor organisations**

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22 May 2014	DANIDA	Charles Magara, Senior Programme Advisor Governance
22 May 2014	Democratic Governance Facility	<ul style="list-style-type: none"><li>- Fergal Ryan, Component Manager, Voice and Accountability</li><li>- Sophie Racine, Component Manager, Rights, Justice and Peace</li></ul>
14 April 2015	Democratic Governance Facility	<ul style="list-style-type: none"><li>- Nicolas de Torrente, Component Manager, Deepening Democracy</li><li>- Martin Muwereza, Deputy Component Manager, Voice and Accountability</li></ul>

16 April 2015 Kimbuta Rural Development Programme Samuel Watulatsu, KRDP UK Representative

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**B5. Uganda fieldwork: District-level interviews on LGCSCI and CBTIC**

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15 April 2015	Mbale district HQ	- Muhammad Mafabi, District Speaker - Absolom Nabende, LCV Councillor - Deputy CAO - Bernard Mujasi, District Chairman and LCV Councillor
16 April 2015	Bungokho sub-county HQ, Mbale	- Ahmed Washaki, Sub-County Chairman and LCIII Councillor - Sub-county CAO - Group of citizens (focus group discussion)
16 April 2015	Bungokho Rural Development Centre	N.N.
16 April 2015	Mbale District HQ	Group of LCV councillors (focus group discussion)
17 April 2015	Mbale district HQ	- Sub-County Chairman and LCIII Councillor (and ACODE Budget Champion) - District Assembly Clerk
17 April 2015	Mbale Town	Group of ACODE Budget Champions (focus group discussion)
20 April 2015	Kabarole district HQ	- Richard Rwabuhinga, District Chairman and LCV Councillor - Mosese Ikagobya, Deputy District Chairman and LCV Councillor - Four LCV councillors (focus group discussion) - Deputy CAO
20 April 2015	Kabarole Research and Resource Centre (KRRC)	- David Mugara - Samuel Kazooba (also ACODE Budget Champion)
20 April 2015	Gulu Town	- Akena Walter, LGCSCI researcher
20 April 2015	Lamogi sub-county HQ, Amuru district	- Atkinson Ojarea, LC III (also ACODE Budget Champion) - Senior assistant secretary office - Eleven community members/Budget Champions (focus group discussion)
20 April 2015	Pabo sub-county HQ, Amuru district	- Akena Moses, Parish chief - Mr. Labala, Parish chief (also ACODE Budget Champion) - Five community members/Budget Champions (focus group discussion)
21 April 2015	Mugusu sub-county HQ, Kabarole district	- Group of LCIII, II and I councillors (focus group discussion) - Group of residents (focus group discussion) - Sub-County Chairman and LCIII Councillor

		- Four members of Sub-County senior administrative team
21 April 2015	Busoro sub-county HQ, Kabarole district	- Sub-County Chairman and LCIII Councillor - Group of residents (focus group discussion) - Group of Sub-County senior administrative team
21 April 2015	Amuru district HQ	- District Assembly Clerk (also ACODE Budget Champion) - Deputy CAO - District Speaker - District Councillor Pabo sub-county - Deputy District Chairman and District Councillor
21 April 2015	Amuru district	Staff of the NGO Ahaco

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**B6. Uganda fieldwork: Interviews among police officers**

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16 April 2015	Bushenyi district	- Regional Police Commander - Acting District Police Commander/Officer in Charge of the Criminal Investigations Department
16 April 2015	Iganga district	- Acting Regional Police Commander - District Police Commander - Officer in Charge of the Criminal Investigations Department
N/d	Jinja district	- Officer in Charge of the Criminal Investigations Department - Deputy Regional Police Commander
N/d	Kabale district	- District Police Commander - Officer in Charge of the Criminal Investigations Department - Acting District Police Commander
14-16 April 2015	Kabarole district	- Regional Police Commander - Officer in Charge of the Criminal Investigations Department - Regional Police Commander - Office Commander
14 April 2015	Luwero district	- Deputy Regional Police Commander - Deputy Officer in Charge of the Criminal Investigations Department - District Police Commander
N/d	Mbarara district	- Officer in Charge of the Criminal Investigations Department - District Police Commander - Regional Police Commander
15 April 2015	Tororo district	- Regional Police Commander - District Police Commander - Officer in Charge of the Criminal Investigations Department

## Appendix C: Assessment of governance interventions

### C1. JLOS

<b>Name activity</b>	<b>Justice Law and Order Sector SIP I (2001-2006), SIP II (2006-2011), SIP III (2012-2016/17)</b>
<b>Activity number:</b>	
<b>Country:</b>	Uganda
<b>Implementing organization:</b>	JLOS GoU
<b>Thematic area:</b>	justice law and order
<b>Focus:</b>	
<b>Demand/supply:</b>	supply and demand
<b>Period:</b>	2001-2016/17
<b>Budget:</b>	NL support (2007-12): € 22 million supply side, € 2 million demand side
<b>Modality:</b>	

#### 1. Project description and relevance

##### *Overview:*

- Project background/context (short):

The Justice, Law and Order Sector in Uganda was formed in 2000. It linked to the development and implementation of Uganda's first Poverty Eradication Action Plan (PEAP, Uganda's version of a Poverty Reduction Strategy Paper). The PEAP process formed an incentive for the establishment of 'sectors', which enabled co-ordinated planning in support of national poverty eradication goals and which were favoured by international donors to channel and align development aid. By organising themselves into a sector, JLOS institutions set joint objectives in line with those of the PEAP. Ten institutions joined JLOS, including the Uganda Police Force, the Uganda Prison Service, the Ministry of Gender and the Ministry of Local Government, with a link to Local Councils Courts. Over the years, JLOS grew to its current 17 member institutions. A special Secretariat was established in August 2000 and it developed its first Sector Investment Plan for the years 2001 to 2006. The mission of JLOS was formulated as 'to enable all people to live in a safe and just society' (World Bank 2009). Since 2000, the Netherlands Embassy has been a key partner in the development of the Justice, Law and Order Sector (JLOS) in Uganda. It was instrumental in bringing the sector together around the year 2000, and it has been a major player in the International Development Partner Group. The Embassy supported both the formal supply side of the sector (government and constitutional bodies) and the demand side (citizens and civil society organisations), gradually moving from one to the other over the years. In terms of funding, supply side support amounted to some € 22 million, while demand side support was approximately € 2 million in the period between 2007-2012 (ToR, December 2013). Sector budget support (2007-2010) and contributions to a SWAp fund (2011) for the justice and law and order sector (JLOS) are the major elements of the Dutch involvement in Uganda. Total Dutch contributions amounted to approximately € 22 million in this period, or almost two-thirds of all development assistance funds for Uganda. Support to JLOS was suspended in 2014 in response to the passing of the Anti-Homosexuality Act by the Ugandan Parliament and the ratification of the act by President Museveni. Despite the annulment of the act by the Constitutional Court, The Netherlands has been withholding all support funds for JLOS, because of the involvement of various government agencies in JLOS (communication, Royal Netherlands Embassy, Kampala).

- Project objectives:

During the period of the first Strategic Investment Plan (SIP I), the main objectives of JLOS were to maintain law and order and increase access to justice for all persons.

SIP II, for the years 2006-2011, carried forward the purposes of SIP I, and aimed in addition to enhance the public's capacity to demand improved service. One expression of this objective was the



inclusion of civic and local leaders in the District Chain Linked Initiative (World Bank 2009: 18) and in the JLOS Coordination Committees (Saferworld 2009).

The goal of the third Strategic Investment Plan (SIP III) for the 2012-2016/17 period is to promote the rule of law. It aims to increase public satisfaction with JLOS services from 60% in 2011 to 70% by 2016. It also strives to increase public confidence in the justice system from 26% in 2012 to 44% in 2016, and to enhance the index of judicial independence from 3.8 to 4 in 2016.

- Project activities/input:

Being a sector programme JLOS has a multitude of activities. These include the promotion of enacting laws, institution and capacity building for fighting corruption, improving prisons both its physical environment and the treatment of prisoners, improving police services, conducting legal education and the promotion of human rights.

- Primary beneficiaries:

Beneficiaries are many, ranging from staff of prisons and police to prisoners and citizens, to judiciary and state attorneys.

- Secondary beneficiaries:

N/a

- Identified stakeholders:

N/a

*Dutch good governance strategy:*

- Correspondence with Dutch efforts in the area of good governance?

Yes.

- If yes, in what way?

The high interest in the sector on the Dutch side is shown in the key role performed by the Embassy in the JLOS Development Partners Group, often as the Chair of the group. High ambitions on the part of the Embassy characterized the Dutch support.

Thematically, The Netherlands' focus within JLOS has been on the police, supporting a change from regime policing to democratic policing and civilian oversight, and on the judiciary system, promoting its independence, including improvement of legal aid and the prison system (Royal Netherlands Embassy Uganda 2005).

Due attention has also been given to gender equality issues, with the Embassy playing an active role in the gender working group of JLOS (Royal Netherlands Embassy Uganda 2005) and supporting gender activities such as the fight against Female Genital Mutilation (Royal Netherlands Embassy Uganda 2008), and increased access to justice for victims of gender based violence (Royal Netherlands Embassy Uganda 2014).

Decentralisation, another major theme of Dutch support to Uganda, also figured in the JLOS, e.g. as support to the Local Government Development Programme II (Royal Netherlands Embassy Uganda 2005). The Ministry of Local Government has been one of the participating institutions from the start of the Sector. The JLOS specific mandate is to supervise the Local Council Courts throughout the country

*Coherence:*

- Correspondence with governance challenges and opportunities in the country?

Not always. According to the MASP 2008-2011 the Embassy saw scope to promote part of The Netherlands' agenda that fell outside the circle of interest of the Government of Uganda, notably the fostering of more democratic policing. It believed that it could convince the GoU of the long-term benefits thereof, through dialogues, 'show' projects and support to advocacy initiatives and civilian oversight. Another of the Embassy's priorities was the promotion of the independence of the judicial system, which was neither in line with the government's direct interest. The Embassy believed that its lead role in the JLOS and its good reputation would lead to success in this field (Royal Netherlands Embassy Uganda 2008).

In the MASP 2012-15 the Embassy adapted its strategy. The dialogues in the JLOS sector were to continue, but, based on past experience, they were to have a more informal character instead of being formalised political dialogues. Another lesson was that the opportunities to make progress at the

political level were far more limited than those at the technical level. So, the focus chosen was on strengthening professionalism of JLOS personnel and civil society actors. Both strategies were re-enforced further in the MASP 2014-2017.

- Correspondence with MFS (co-financing program) supported governance interventions?

Yes

- Correspondence with governance interventions financed by other donors?

Yes. External support for JLOS comes from Austria, Denmark, the European Union, Germany, Ireland, The Netherlands, Norway, Sweden, UNDP/UNCD, the United Kingdom and the World Bank, which are brought together in the JLOS Development Partners Group.

## 2. Results

*Construction matrix of results:*

**Table 1. Intervention logic**

<b>Input</b>	... EUR		
<b>Through-put</b>			
<b>Outputs</b>			
<b>Outcomes</b>			
<b>Impact</b>			

*Source:* constructed on the basis of project appraisal document [BEMO]/ project documentation

### Legend:

	Result as defined in the project appraisal document [BEMO]
	Result reconstructed based on project appraisal document [BEMO]/ project documentation

*Description realization of results:*

- Description realization of output:

In 2009, the World Bank published a report (*World Bank 2009, Uganda Legal and Judicial Sector Study Report*) of a study undertaken in 2005 and updated in 2007 and in 2008. The scope of this study was limited to i) the commercial courts and the establishment of the Centre for Arbitration and Dispute Resolution (CADER), ii) the adequacy of legal education, and iii) the provision of legal aid services to the poor.

The report concluded that the commercial justice reform programme was a success, as was the CADER. A higher capacity and changed attitudes of lawyers trained by the centre were major results. Concern was raised about the priority in JLOS for commercial justice in a country where the majority of the population is engaged in agriculture, and where programs on family and land justice are urgently needed. This was particularly pertinent in view of the other findings of the study, notably that the system of legal education was inadequate, with legal education institutions overlapping, wasting resources and turning out large number of lawyers that were unable to carry out tasks required within the sector. Similarly, access for the poor to justice was found to be weak and the delivery of justice in serious need of improvement.

In 2012, The Netherlands Court of Audit performed a study about sector budget support with Uganda as a case (*Algemene Rekenkamer 2012, Accounting for Bilateral development Aid: Sector Budget Support, Uganda Case Study*). The study investigates how donor and partner countries account for budget support, but it has not looked at the effectiveness of the support itself.

### SIP II (JLOS APR 2011/12):

- 77% of priority laws under SIP II enacted
- capacity building to fight corruption and to use prosecution led investigation
- 1500 staff trained in human rights skills
- community awareness through barazas, media campaigns, etc.

- mortality rates in prisons reduced from 10 in 1000 inmates at start SIP II to 2 in 1000 at end of SIP II
- 88% of prison units have human rights committees
- 54% increase of prison carrying capacity – vs. 72% increase in prison population growth,
  - as a result: 35% of prison units have serious congestion levels, police population ratio increased from 1:709 to 1:755, warden prisoner ratio deteriorated from 1:4.5 to 1:5, in some places 1:10
- bucket system eliminated in 70 prison units
- staff housing in police stations and prisons enhanced
- functional presence of courts, police, prisons increased
- 22% reduction in case backlog, reduction of average stay on remand
- increase in recruitment and training of staff
- 56% increase in access to legal aid
- 11 fire centres established
- improvement of regulatory environment for doing business, 76% of priority commercial laws enacted
  - yet, low disposal rate of tax disputes – country dropped 3 places in the Ease of Doing Business Index

### SIP III:

- Law and rule making continued
- Local court system development continued
- Infrastructure development for courts and police force continued
- Training for police force continued
- Information campaigns and outreach programmes continued
- 10% reduction juveniles involved in crimes
  - overall increase in crimes involving children of 12% (child neglect)
  - decrease in child abuse and torture
- 46 new firefighting trucks
- courts having functional district community service committees up from 90 to 103
- sensitization programmes in conflict prevention and capacity building of criminal justice sector
- legal aid provisions enhanced
- disposal rate of registered human rights complaints went up from 22% in 2011 to 30%.
- Reduction of 31% in new complaints UHRC as a result of training and enactment of Prohibition and Prevention of Torture Act
- Functional human rights committees in 95% of prison units
- Remand-convict ratio: 54% - 45%
  - Challenge is limited number of judges to handle huge number of inmates
- Continuation of gradual improvement in housing and sanitation in prisons
- Life skills training to inmates
- 2013/14: coverage of districts with complete chain of frontline JLOS services up to 47% as compared to 34% in 2012/13, that is increase in number of districts from 79 to 84
- 2013/14: 10.5% increase in number of cases disposed as compared to 2012/13
- 2013/14: average length of stay on remand for capital offenders reduced from 11.4 to 10.5 months, for non-capital offenders from 3 to 2 months
- 2013/14: complaints against prisons reduced by 24%, those against police by .05%
- 2013/14: **suspension of support by The Netherlands** causes a shortfall of over € 6.5 million for 2014/15, which is 50% of JLOS SWAP budget. Consequently, various projects will be deferred or delayed: infrastructure and improvement, legal aid to poor, community policing, staff training, case backlog reduction, capacity building.

- Description realization of (intermediate) outcome:

SIP II (JLOS APR 2011/12):

- Reduction in human rights violations by JLOS institutions
- 43% reduction in incidence of crime over SIP II period
- increase in conviction rates from 49% to 53%
- reduction of re-offending rate from 45% to 27%
- 0.3% reduction road traffic accidents

SIP III

- Police to population ratio 1:754
- 7 places up in Doing Business Index 2014, from 129 to 122
- 2013/14: 0.5 reduction in volume of crime incidence; from 305:100.000 persons in 2012 to 273:100.000 persons in 2013

- Description realization of final outcome:

N/a

*Differential impact on men and women:*

- Possible differential impact taken into account?
- If yes, in what way?

Number of women committing crimes increased by 48% (2011/12)!

SIP II:

joint programme with UN Women to enhance justice for women, through gender policy, strategy, improvement women's representation in JLOS, etc. (Chapter 6 APR 2011/12)

SIP III:

- Domestic Violence Act translated into 8 local languages
- Pilot to establish 5 safety centre
- Female Genital Mutilation Act No 5 of 2012 simplified
- Development of gender mainstreaming checklist to integrate gender principles and standards into draft legislation
- Gender policy introduced in Judiciary

*Description unexpected/unintended results:*

N/a

**3. Main findings and conclusion**

*Relevance (ex ante):*

*Effectiveness:*

The only available reporting on results comes from the GoU. It is mainly at the output level, occasionally some outcomes are mentioned. Without any proper evaluation study, conclusions about effectiveness and impact cannot be given.

*Reasons for (in)effectiveness:*

- Influence of other factors:
- Contribution to ultimate governance objectives:

#### 4. Sources

*Documents:*

For background information about JLOS:

- Saferworld (2009) *Monitoring and evaluation arrangements for the Justice Law and Order Sector in Uganda: a case study*
- (Algemene Rekenkamer 2012, *Accounting for Bilateral development Aid: Sector Budget Support, Uganda Case Study*
- RNE, MASP 2005-2008, 2008-2011, 2012-2015

For reporting on results:

- The World Bank (2009) *Uganda Legal and Judicial Sector Study Report*, 49701
- JLOS Annual Performance Report 2011/12 (SIP II)
- JLOS Annual Performance Report 2012/13 (SIP III)
- JLOS Annual Performance Report 2013/14 (SIP III)

## C2. Deepening Democracy Programme (DDP)

<b>Name activity</b>	<b>Deepening Democracy Programme DDP</b>
<b>Activity number:</b>	16653
<b>Country:</b>	Uganda
<b>Implementing organization:</b>	The DDP Basket Fund will be managed by a Programme Management Unit (PMU) within the Danida-HUGGO-office while Danida-HUGGO will be acting as the Programme Financial Management Agent (FMA). The overall (strategic) responsibility for the implementation of the DDP will lie with the Programme Steering Committee (PSC).
<b>Thematic area:</b>	Democratisation
<b>Focus:</b>	Strengthening democratic processes in Uganda
<b>Demand/supply:</b>	Combination support to country-led processes for deepening democracy and increasing public participation in decision making and building the capacity of those institutions that have the mandate to promote and safeguard such public participation.
<b>Period:</b>	2007-2011
<b>Budget:</b>	There is a basket fund, administered by Danida-HUGGO. The division between donors is as follows: UK \$10 million (over five years) Ireland \$1 million (over three years) Denmark \$4 million (over three years) Norway \$2 million (over three years) Sweden \$2 million (over three years) Netherlands \$2 million (over three years) Total \$21 million
<b>Modality:</b>	

### 1. Project description and relevance

#### *Overview:*

- Project background/context (short):

In 2006, Uganda moved towards a democratic system by introducing multi-party elections for the first time in over two and a half decades. The process faces a number of challenges such as weak and under-funded state institutions (especially those responsible for democratisation, e.g. the Electoral Commission and Parliament), corruption and governance problem at central and local level (lack of strong political will to fight corruption), weak political parties, civil society and media (to effectively hold government accountable), the existence and results of conflict in a number of areas (especially in the North and Karamoja).

Development partners recognize the importance of supporting democratisation processes. These are complex and require multiple interventions to deepen the democracy trend in Uganda. Through the adoption of the DDP, development partners jointly developed a strategy for such interventions; these are aimed at exactly addressing the challenges faced by the key agents of democracy and focus on identified (possible) drivers of change within the Ugandan society.

- Project objectives:

The programme aims to support the democratisation process in a coherent, well-coordinated and effectively targeted way.

The DDP has the dual strategy of supporting country-led processes aimed at increasing public participation in decision making and building the capacity of those institutions that have the mandate to promote and safeguard such public participation.

The Deepening Democracy Programme has five strategic objectives or components:

- (1) Enhancing the integrity of elections
- (2) Institutionalizing an effective multi-party political system
- (3) Strengthening parliamentary autonomy and oversight
- (4) Encouraging more active and participatory civic engagement
- (5) Strengthening a free media to promote accountability

- Project activities/input:

Around 30 partners have implemented projects under these components.

- Support to the Electoral Commission,
  - Electoral Commission,
  - DEMGroup (Uganda Joint Christian Council
  - Transparency International- Uganda
  - ACFODE
  - Centre for Democratic Governance
  - JLOS
  - Uganda Law Society
- The organisational development of political parties,
  - Political parties (FDC, DP, UPC, PPP, JEEMA, CP, PDP, SDP)
  - NIMD and participating IPOD parties (NRM, FDC, DP, UPC, CP, JEEMA)
  - Women in Democracy Group (UWONET, FOWODE, NAWOU, CEWIGO, ACFODE)
- Support to parliamentary processes
  - Parliament
  - Association of West European Parliamentarians for Africa
- Civil society
  - Uganda Human Rights Commission
  - Kabarole Research Centre
  - ActionAid (MS Uganda)
  - Inter-Religious Council of Uganda
  - Uganda Governance Monitoring Platform
  - National NGO Forum
  - Citizens' Coalition for Electoral Democracy in Uganda
  - African Leadership Institute
  - ACODE
  - Uganda Youth Network
  - Legal Action for People with Disabilities
  - International Alert-UNCCI
- Media in democracy
  - Uganda Radio Network
  - PANOS East Africa
  - MEMONET
  - Makerere University, Department of Mass Communication
  - Art 29 Coalition
  - National Association of Broadcasters
  - African Centre for Media Excellence
  - Africa Freedom of Information Centre
  - Uganda Journalists Association

- Primary beneficiaries:

Different programme components aim at different target groups (political parties, media, electoral commission, parliamentarians, rural community development groups, etc.). Through working with them the entire population of Uganda is targeted.

- Secondary beneficiaries:  
see above

- Identified stakeholders:  
see above

*Dutch good governance strategy:*

- Correspondence with Dutch efforts in the area of good governance?
- If yes, in what way?

Yes. The Netherlands has been an active donor in support of the democratisation process, resulting in the introduction of a multi-party system in Uganda. Now that democracy needs to be deepened in Uganda, The Netherlands keeps on playing an active role, again by joining hands with a number of other donors (Ireland, Norway, Denmark, Sweden, DFID), by way of contributing to the implementation of the DDP.

*Coherence:*

- Correspondence with governance challenges and opportunities in the country?
- Correspondence with MFS (co-financing program) supported governance interventions?
- Correspondence with governance interventions financed by other donors?

Yes, see above

## 2. Results

*Construction matrix of results:*

**Table 1. Intervention logic**

<b>Input</b>	2 million EUR		
<b>Through-put</b>			
<b>Outputs</b>			
<b>Outcomes</b>			
<b>Impact</b>			

*Source:* constructed on the basis of project appraisal document [BEMO]/ project documentation

**Legend:**

	Result as defined in the project appraisal document [BEMO]
	Result reconstructed based on project appraisal document [BEMO]/ project documentation

*Description realization of results:*

- Description realization of output:
- Description realization of (intermediate) outcome:
- Description realization of final outcome:
- Realisation of results

From the End-term evaluation report 2011, Deepening Democracy programme Uganda, by IDP “The programme only took off by mid-2009 and was implemented over a period of 2-2½ years, which is a very short time to show clear outcomes and impacts of a program of this character. Available review reports on some of the interventions provide some relevant information but little about outcomes. In other cases highly relevant information on the context is provided but it is not possible to establish effectiveness links between the data provided and the interventions supported by DDP. In addition, some studies and evaluations had not been completed at the time of this end-term evaluation. The evaluation of results, therefore, centres to a large extent on **outputs** and seeks on this basis to draw conclusions on outcomes where it seems safe and justified to do so.” (p 5)



#### Enhancing integrity of elections:

- Contribution to increased voter registration through support to the development of new guidelines and materials for the Registration Appeals Tribunals and training of trainers, the publication of new Registration Appeals Tribunals manuals and 'Top up' allowances for display and tribunal officials.
- Contribution towards credibility of election results by supporting the purchase of the Electronic Results Transmission and Dissemination System (ERTDS), which ensured that results were tallied and relayed in a transparent manner.
- The Electoral Committee made efforts to engage all the political parties in planning and other processes.
- CSO engagement in monitoring the electoral process through the DEMGROUP

#### Institutionalizing an effective multi-party political system

- Contribution towards the parties being more competitive.
- Contribution towards the parties being more structured
- Contribution to increased dialogue between the political parties and in particular making the NRM party part of this dialogue.

#### Strengthening parliamentary autonomy and oversight

- Providing the Shadow cabinet, parliamentary committees and associations with the resources needed to make informed analysis and oversight of government policies and legislation
- Training of staff of Parliament

#### Encouraging more active and participatory civic engagement

- The Citizens' Manifesto involving a large number of rights holders and reaching a very wide audience.
- A comprehensive but not so well coordinated voter education-cum-civic education program was delivered by a multitude of CSOs
- Monitoring of local level duty bearers contributed to improve service delivery
- CSO capacity to engage in policy advocacy has been enhanced One of the CSO outputs is the local government scorecard to assess performance and help hold local government accountable (ACODE)

#### Strengthening a free media to promote accountability

- URN has been enabled to provide more citizens with reliable and impartial news
- Improved approaches to participatory broadcasting in development communication

Under all components challenges remained, such as lack of cooperation among stakeholders, internal wrangles, lack of capacity for planning and budgeting.

#### *Differential impact on men and women:*

As part of the strengthening of parliamentary autonomy and oversight, the Uganda Women's Parliamentary Association (UWOPA) succeeded in having the Domestic Violence and Female Genital Mutilation (FGM) bills eventually being passed into law.

- Possible differential impact taken into account?
- If yes, in what way?
- Description of possible differential impact:

#### *Description unexpected/unintended results:*

N/a

### 3. Main findings and conclusion

*Relevance (ex ante):*

N/a

*Effectiveness:*

- **IDP End-term evaluation report 2011:**

Overall Conclusions (p 52/53)

“The Evaluation Team does not hesitate to conclude that overall programme performance has been good and results have been achieved at a satisfactory level.

The programme (-) was timely and highly relevant. Alignment with official national policy priorities, the inclusion of all major actors, the ability to respond to changes in the context, and the flexibility to meet unforeseen needs and demands all contribute to ensuring a high degree of relevance.”

Programme support to the Election Commission was justified irrespective of prevailing scepticism about the EC’s integrity and impartiality. DDP support cannot – and has not – eliminated this scepticism but it has contributed to improving the overall performance of the EC.

DDP support to political parties (-) has struck the necessary balance and has gradually contributed to producing the planned outputs and thereby provided a strong foundation for future organisational development of the political parties. Overall, progress was good and the results satisfactory.

DDP support to Parliament provided the Shadow cabinet, parliamentary committees and associations with the resources needed for them to make informed analysis and oversight of government policies and legislation. The training of staff of Parliament enhanced their capacity to provide more effective support to MPs. Overall, progress and results were satisfactory.

Support under the Civic Engagement component included a large number of actors and a multitude of interventions. (-) but most of the planned outputs have been produced to a satisfactory extent and, in some cases, to a very satisfactory extent. However, progress towards improved internal CSO governance has been limited and there is still a great need to improve the coordination of civic education programmes and projects. Voter turnout was lower than targeted but the target of ‘Increased and broad participation of CSOs in engaging leaders, representing citizen concerns and demanding accountability’ was met. The Evaluation Team ventures the opinion that achievements have been good overall and that platforms have been established to enhance the democratic development along the lines presented in the component objectives.

Results in the media component have been mixed. There are few results to show in relation to freedom of expression and only a little in respect of capacity building for selected media and training in investigative journalism. In contrast, there has been good progress on the quality of news and programming on independent radio stations, and research on media coverage of the election process progressed reasonably well after a reconfiguration of approach and focus. ‘Guidelines for Media Coverage of Elections in Uganda’ were produced as planned but little is known about their actual use. Thus, overall component results have been fair.”

- **Draft programme completion report 2012:** (author and status unknown)

The rating for the overall goal of improved democratic governance in Uganda is “less than satisfactory”.

“DDP contributed to some of the noted positive aspects in Uganda’s governance and electoral processes in recent years. Without DDP involvement and support, it is highly unlikely that the EC’s electronic results transmission system would have been implemented, that the ‘Honour Your Vote’ multi-media campaign on electoral participation would have taken place, that Presidential candidates would have faced questions from a citizens’ audience on national TV or even that the nascent dialogue between political parties in IPOD would have gotten off the ground. However, DDP cannot claim to be the sole cause of these achievements. DDP rather helped transform some incipient ideas into reality, added to some existing plans and/or enhanced the quality of some existing ambitions, acting as a ‘catalyst’ or ‘accelerator’ for such projects. (p 52)

A significant portion of DDP-supported interventions were directed at citizens’ themselves: improving their level of information, their knowledge of political processes, their ability to take action as a result. Results show that DDP-supported interventions achieved high levels of awareness, but that

their impact in influencing changed attitudes or behaviour cannot be established, possibly due to their short-term nature. (p 52)

*Reasons for (in)effectiveness:*

(Draft programme completion report 2012:56)

The political culture in Uganda: The centralization and personalization of executive power, the linkage of the ruling party with state organs, the affiliation of security agencies with the ruling party and patronage politics have persisted during the period of DDP implementation. Lack of timeliness in decision making, lack of cooperation among stakeholders, lack of capacity for proper planning.

“The main assumption driving the DDP is that Uganda remains fundamentally committed to the democratic path and that foreign aid can make a difference in moving the country forward. It would have probably been more accurate and realistic to assume that Ugandan citizens remain committed to democracy (as evidenced in Afrobarometer surveys) and that certain individuals / institutions / organizations are actively promoting improvements in democratic governance, even if they are countered by regime survival interests that can lead to anti-democratic measures. In such an environment, foreign support like the DDP’s can make a difference, if it is well targeted and supportive of existing intentions by ‘agents of change’, whether in the state or non-state sector. It cannot however fundamentally affect the direction and nature of the political process.”

- Influence of other factors:

Multitude of political culture related factors + novelty of need to work together

- Contribution to ultimate governance objectives:

Hopefully forthcoming but fragile and limited

*Lesson:*

IDP evaluation (2011:51)

Influencing democratic practice, values and culture is a long-term process that is influenced by a number of factors, many of which are beyond the control of the programme and its partners. It is therefore important to set realistic targets, and to review them regularly.

Consciously limiting the PMU’s role to “technical support”, as opposed to engaging directly in policy discussions contributes to credibility of the programme and a sense of impartiality. This does not rule out timely sparring and coaching.

(Draft programme completion report 2012:57)

The ‘supply’ and ‘demand’ framework has proven useful, future programming should be more oriented towards ‘demand-side’ interventions for two main reasons. “The first is that the current ambivalent status of democratic governance processes and institutions makes supply-side interventions, particularly targeting state actors, more difficult. The second reason, which follows from the first, is that ‘demand’ side interventions such as access to quality information, civic education or governance accountability initiatives not only respond to people’s expressed wishes (cf. Afrobarometer and other surveys), but also will likely be undertaken by partners more receptive to external assistance and are more likely to lead to democratic progress in Uganda’s ‘mixed picture’ context.

#### **4. Sources**

*Documents:* DDP file in IOB file 0.3. Democratization – 01. Project information:

16653 DDP Basket, Logical Framework Civic engagement component, Multiparty system logframe, Parliament Logframe, DDP Logframe,

Draft Programme Completion report, version July 6 2012 (author and status unknown)

Final DDP Evaluation report 2011 (IDP 2011, *End Term Evaluation Report, Deepening Democracy Programme Uganda*)

### C3. Local Government Development Programme II (LGDP II)

#### Activity description

Name activity	Local Government Development Programme (LGDP II)
<b>Activity number:</b>	1585
<b>Country:</b>	Uganda
<b>Implementing organization:</b>	GoU
<b>Thematic area:</b>	decentralisation
<b>Focus:</b>	support to local government institutions
<b>Demand/supply:</b>	supply
<b>Period:</b>	05-29-2003 until 06-30-2007
<b>Budget:</b>	total costs at appraisal: US\$165 million World Bank credit – US\$ 50 million World Bank grant – US\$ 75 million Netherlands – US\$ 15 million  World Bank disbursed XDR 91.7mn, Co-financing and Other External Partners: Government of Netherlands - US\$15mn; Republic of Ireland - US\$7.5mn; DANIDA - US\$1.8mn; Austria Development Corporation - US\$0.3mn; GoU/LGs - US\$14.8mn.
<b>Modality:</b>	

#### 1. Project description and relevance

##### Overview:

- Project background/context (short):

The Second Local Government Development Project (LGDP II) was designed and implemented within the broader context of the PEAP and UJAS. LG reforms in Uganda started in 1992 with the decentralization policy pronouncement. Poverty Eradication Action Plan (PEAP), a medium-term development plan that guides government policy and provides a framework for detailed sector and Local Governments (LGs) planning. The PEAP was first drafted in 1997, revised in March/April 2000 and the summary presented to the Boards of the Bank and the International Monetary Fund in May 2000 as Uganda's Poverty Reduction Strategy Paper (PRSP). The third PEAP (2004-2007) focused on four key pillars: (i) creating an enabling environment for economic growth and structural transformation; (ii) ensuring good governance and security; including *improvement in public service delivery and decentralization*; (iii) directly increasing the ability of the poor to raise their incomes; and (iv) improving the quality of life of the poor.

- Project objectives:

The project development objective was to improve local government's institutional performance for sustainable and decentralized service delivery.

The Key Indicators were: (i) 75 percent of Local Governments (LGs) with a three year rolling development plan; (ii) 75 percent of Higher Local Governments (HLGs) submitted final accounts on time to the Office of the Auditor General; and (iii) 35 percent of LGs registering 20 percent increase in their own revenue (taxes, user charges and fees) from the baseline year 2002/03.

- Project activities/input:

The project had five components:

- 1 - Support for the Decentralization Process
- 2 - Local Development Grant (LDG)
- 3 - Local Government Capacity Building
- 4 - Local Government Revenue Enhancement
- 5 - Support to Project Implementation

- Primary beneficiaries:

The primary target groups of the project were the local governments and their institutions and constituencies, as well as private contractors for implementation of the substantial parts of the local government program.

- Secondary beneficiaries:

N/a

- Identified stakeholders:

N/a

*Dutch good governance strategy:*

- Correspondence with Dutch efforts in the area of good governance?
- If yes, in what way?

*Coherence:*

- Correspondence with governance challenges and opportunities in the country?
- Correspondence with MFS (co-financing program) supported governance interventions?
- Correspondence with governance interventions financed by other donors?

## 2. Results

*Construction matrix of results:*

**Table 1. Intervention logic**

<b>Input</b>	... EUR		
<b>Through-put</b>			
<b>Outputs</b>			
<b>Outcomes</b>			
<b>Impact</b>			

*Source:* constructed on the basis of project appraisal document [BEMO]/ project documentation

### Legend:

	Result as defined in the project appraisal document [BEMO]
	Result reconstructed based on project appraisal document [BEMO]/ project documentation

*Description realization of results:*

- Description realization of output:
- Description realization of (intermediate) outcome:
- Description realization of final outcome:

We have three documents describing the results of the LGDP II:

- *Slotdocument LGDP LGSIP.pdf (March 2010)*

In the Slotdocument LGDP LGSIP.pdf the RNE looks back at both LGSIP and its predecessor LGDP, recognizing that LGSIP quickly ran into serious problems but that there were achievements for LGDP. (It is similar to slotdocument 1585.pfd in Dossier van map LGPD ii\_1585)

- LGDP was able to partly achieve its objective of improving local government institutional performance for decentralised service delivery.
- The functional capacity of local governments has improved: they are now able to prepare and submit annual final accounts.

- A system of annual assessments on good and poor performance was developed, with multiple ripple effects, e.g. the quantity and quality of infrastructure in the countryside has significantly increased.
- Local governments can now plan and manage the delivery of services to the population, with increased participation by the people.
- The LGDP was instrumental in developing the Local Government Sector Investment Plan.

The LGDP was unable to resolve the lack of sustainability of the decentralisation system as a whole, arising from inadequate financing of local governments and a weak finance and revenue base. Dependence on central and donor resources continued to exist. The creation of 24 additional districts during LGDP II further complicated the situation.

One of the key lessons from LGDP for the RNE is:

“Without sound political support there is no meaningful local revenue generation and without meaningful local revenue there can be no meaningful decentralisation”.

- ***World Bank Implementation and Completion Report LGDP II 2008***

The ICR Outcome rating for LGDP II was satisfactory. Project implementation was facilitated by a project implementation unit, which was fairly well integrated with the MoLG. However, government policy shifts during the project period offered three substantial challenges:

- Government established new local governments
- Graduated Tax (G Tax) was abolished
- Owner-occupied houses were exempted from paying Rates

- ***World Bank IEG 2014 Project performance assessment report:*** (ex-post evaluation exercise) pp ix-x

“The project was initially successful in building administrative capacity of Local Governments and supported over 30,000 sub-projects in several sectors. However, such improved administrative capacity has been underutilized due to substantial policy reversals since 2005. Institutional performance of Local Government started to deteriorate from 2007, as shown by the results of annual national assessments carried out by the Ministry of Local Government. The 2008 National Assessment, carried out immediately after project closing, showed that only 84 local governments out of the national total 1105 at the time earned rewards, while 931 were penalized, due to declining quality of record keeping, meagre revenue collection, weak budgeting and planning, widespread use of force accounts against procurement regulations, and a more general lack of interest in the national assessment itself.

The policy reversals started in 2005 have included near elimination of local revenue base, reduction of transfers to Local Governments, increased percentage of conditional grants, and creation of new districts, mostly for political patronage as shown by several studies on this topic. These reversals have been hindering service delivery and value for money, as noted in the latest Bank’s Country Assistance Strategy, leading to a weakening of Local Governments’ discretionary powers, a centralization of functions and resources, and a reduction of available financial and human resources at district level. Each new district increases the administrative costs, takes away staff of existing ones and reduces resources available for service delivery, creating a high administrative burden at the district level, with wages consuming a large and increasing share of total expenditures, leaving insufficient funding for non-wage needs.

The combination of these factors has made the progress achieved under the project not sustainable, and affected the quality of service delivery. As the project’s development objective was to improve the Local Government institutional performance for sustainable, decentralized service delivery, this Review concludes that the achievement of objectives was Modest. The initial improvements in the institutional performance of Local Governments were not sustainable and are currently at a high risk of being reversed due to the new Government of Uganda’s attitude towards decentralization, although there have been some positive developments recently like the moratorium on the creation of new districts decided by Cabinet in March 2013. Lack of funds for operations and maintenance has subsequently led to the progressive erosion of the initial improvements in quality of management, and infrastructure.”

*Differential impact on men and women:*

- Possible differential impact taken into account?

No, it is said that “gender is included in objectives and assessment criteria” (Appraisal doc LGDP II)

- If yes, in what way?
- Description of possible differential impact:

*Description unexpected/unintended results:*

### **3. Main findings and conclusion**

See above

*Relevance (ex ante):*

*Effectiveness:*

*Reasons for (in)effectiveness:*

- Influence of other factors:
- Contribution to ultimate governance objectives:

### **4. Sources**

*Documents:* the three reports mentioned above, plus appraisal documents in IOB files LGDP and LGSIP

## **Appendix D: PARP survey vignettes and interview questions**

### **D1. PARP survey vignettes**

#### **Case 1**

A police officer routinely accepts free meals, cigarettes, and other items of small value from merchants on his duty. She does not solicit these gifts and is careful not to abuse the generosity of those who give gifts to her.

#### **Case 2**

The police officer Godfrey stops a motorist for speeding. The officer agrees to accept a personal gift of half of the amount of the fine in exchange for not taking the offending motorist to court to answer to charges for the traffic offence.

#### **Case 3**

The police officer Glory discovers a burglary of a general merchandise shop. The display cases are smashed, and it is obvious that many items have been taken. While searching the shop, she takes 10 jerricans of cooking oil and 1 sack of posho of 100 kilograms worth about a month's pay for that officer. She reports that the items had been stolen during the burglary.

#### **Case 4**

Mary goes to the police station to report a case where her husband has been beating her for the last one year. She lost one of her teeth and has a damaged eye due to the beating. The police officer on duty thinks this is a mere family dispute and not a crime for the police to handle. He refuses to register the case.

#### **Case 5**

A police officer, who happens to be a very good auto mechanic, is scheduled to work during coming holidays. The supervisor Catherine offers to give him these days off, if he agrees to repair her personal car. Evaluate the supervisor's behaviour.

#### **Case 6**

At 2:00 a.m., a police officer, who is on duty, is driving his patrol car on a deserted road. He sees a vehicle that has been driven off the road and is stuck in a ditch. He approaches the vehicle and observes that the driver is not hurt but is obviously drunk. He also finds that the driver is a police officer. He transports the driver to her home. Evaluate the behaviour of the police officer on duty.

#### **Case 7**

A formerly arrested man comes to the police station and wants to fill in a complaint form. He claims that he was not treated properly during his arrest. The police officer Sarah who is in charge laughs at him and sends him away.

#### **Case 8**

Two police officers on foot patrol surprise a man who is attempting to break into a shop. The man flees. They chase him for about ½ a kilometre before apprehending him by tackling him and wrestling him to the ground. After he is under control, both officers punch him a couple of times in the stomach and step on his back several times as punishment for fleeing and resisting.



### **Case 9**

A police officer finds a wallet in a parking lot. It contains an amount of money equivalent to a full day's pay for that officer. She reports the wallet as lost property but keeps the money for herself.

### **Case 10**

A police officer on duty receives a woman who wants to register a case of murder of her child by a neighbour. The officer registers the case and promises to follow up and arrest the suspect in a few hours' time. Two days down the road, the suspect has not been arrested and was sending messages threatening to harm the complainant. The woman went back to the same police station to report the scenario and the suspect was arrested and detained at the police station. However, the suspect was released immediately on account that there was not enough evidence to convict him. Evaluate the behaviour of the police officer who first received the woman.

### **Case 11**

A subdistrict has a challenge of water shortage for a period of four months. The area leader together with residents decide to petition national water for the poor services and failure to deliver. However, the situation continues for two more months. The area leader and the residents opt to stage a peaceful demonstration as a way of showing their dissatisfaction. No sooner had the demonstration started than the District Police Commander deployed a team of officers with teargas and firing of live ammunitions killing 20 of the demonstrators including the area leader. Evaluate the District Police Commander's behaviour.

### **Case 12**

Samwel goes to a police station to register a complaint over one of their officers who had beaten and tortured him. At the station he finds a friend of the officer who tortured him. The friend refuses to register his complaint and instead decides to detain him for a week over giving false information to the police. Evaluate the behaviour of the friend.

## **D2. PARP interview questions**

1. What are the current challenges of policing?
2. Could you describe a normal work day?
3. In your daily work do you encounter complaints about the police? Which types of complaints do you find?
4. How then do you deal with the complaints?
5. In this region, how do you go about charging individuals for crime?
6. What do you consider an ideal procedure?
7. Where do you see room for improving the quality of policing? How could this be achieved?
8. Is there any particular professional situation that you remember where you were particularly proud of your reaction or behaviour? Explain
9. Is there any particular professional situation that you remember where you were particularly disappointed/embarrassed of your reaction or behaviour? Explain
10. In your opinion, what worked well during implementation of the PARP project with HURINET in terms of strategies, interaction, coordination, etc.?

11. If you were to implement this or a similar project with HURINET, what would you wish to be improved in implementation?
12. What kind of positive changes to the Ugandan Police Force do you see as a result of implementing the PARP project with HURINET?
13. What kind of negative changes to the Ugandan Police Force do you see as a result of implementing the PARP project with HURINET?
14. Are there unintended consequence you see that came as a result of this project?
15. Do you think the police achieved its objectives of enhancing accountability? What concrete achievements in the project would you somehow tag to the improvement in accountability?
16. What did you appreciate most as Ugandan Police Force about the PARP? How can its relevance be increased?
17. Going forward, what do you think CSOs should focus on in working with the police on accountability issues?
18. Of the results achieved in the last five years, which ones are likely to be sustained? What do you see as sustainability challenges?