

MAKING AID MORE EFFECTIVE THROUGH GENDER, RIGHTS AND INCLUSION: EVIDENCE FROM IMPLEMENTING THE PARIS DECLARATION

Uganda Case Study



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Preface and Acknowledgements

This is one of six country case studies (Bangladesh, Bolivia, Kenya, Sierra Leone, Uganda and Vietnam) undertaken as part of a study supported by the British, Dutch, Irish and Norwegian governments that aims to:

- Generate an evidence base on how human rights, gender and equity issues have been integrated into and benefit current approaches to aid effectiveness.
- Build support among Paris Declaration stakeholders.
- Provide practical recommendations for strengthening the focus on human rights, social exclusion and gender equality, and poverty outcomes, for the Third High Level Forum in Ghana (2008) and beyond.

A Synthesis Report has been prepared that draws on the country case studies (together with additional desk-based case studies) to provide overall findings and recommendations.

The study team was Anne Thomson (OPM), Karen Johnson (SDDirect) and Max Anyuru (CIP Consult). The study is based on information collected during field visits in December 2007.

Thanks are due to the large number of government, civil society and donor staff who made their time available to the team at an especially busy stage in the annual calendar.

This study represents the views of the consultants alone and conclusions or comments should not be attributed to the governments and donor agencies involved in supporting the study.

Executive Summary

This country case study contributes to an aid effectiveness evidence gathering project on gender equality, human rights and social exclusion focused on strengthening the poverty impact of the Paris Declaration. The aim of the overall study is:

- to generate an evidence base on how human rights, gender and equity issues have been integrated into and benefit current approaches to aid effectiveness
- to build support among Paris Declaration stakeholders
- to provide practical recommendations for strengthening the focus on the cross-cutting issues of human rights, social exclusion and gender equality, and poverty outcomes, for the Third High Level Forum in Ghana (2008) and beyond.

This is one of six country case studies, undertaken together with thematic desk-based case studies, providing evidence that will form the basis of conclusions and recommendations in a Synthesis Report to be produced.

The study involved a review of the aid effectiveness and social issue context and four detailed examples of particular initiatives where the PD principles (country ownership, alignment, harmonisation, managing for development results and mutual accountability) and cross cutting social issues (human rights, social exclusion, gender equality) interacted in Uganda. Findings and conclusions from the case study are presented.

Context

Uganda is heavily aid dependent but has demonstrated a high level of commitment to improving aid effectiveness, with action guided by PD principles from well before the Paris Declaration itself was formalised. Uganda has taken a lead in establishing Partnership Principles for the management of aid including alignment with the Poverty Eradication Action Plan (PEAP), Uganda Joint Assistance Strategy (UJAS) and Division of Labour (DoL) exercise. Uganda has relatively strong statistical systems and a results framework and annual monitoring process has been established for the PEAP. There is strong accountability between donors and government but accountability between government and citizens (including the role of civil society) is less clear.

Uganda has achieved significant success in poverty reduction and is likely to achieve the MDGs with the exception of those related to infant mortality and maternal health. Uganda has a strong and active civil society. The 2006 multiparty elections opened space for women's organisations. Uganda's constitution reflects international human rights commitments and Uganda has ratified international human rights conventions. Social exclusion is commonly given a specific regional context by government and civil society, in relation to the violence and population displacement in the North and Karamoja. The Ugandan constitution has a strong emphasis on affirmative action for the disabled and there has been increasing attention to exclusion as a dimension of poverty. Uganda has been seen as a model in establishing frameworks, policies and legislation to advance gender equality.

Case study evidence

Four detailed examples were identified by the consultants to illustrate interaction between the aid effectiveness agenda and cross cutting social issues. They also document both progress and opportunities not always seized. A detailed discussion of the examples is presented in Section 4. The four examples are:

- **The Justice, Law and Order Sector (JLOS).** Uganda was the first country to adopt a sectorwide approach for justice, law and order, and hence has especially deep experience of harmonisation and alignment in a sector of critical importance for human rights and social exclusion. One specific example, of bilateral donor funding to the police in northern Uganda, has a particular focus on social exclusion.
- **Gender and Equity Budgeting.** The budget process is central to the aid effectiveness approach, particularly in countries that are major recipients of budget support. The case study examines attempts to develop effective capacity to analyse and influence the budget process to further social goals.
- **Mainstreaming gender in the Plan for the Modernisation of Agriculture, the Poverty Eradication Action Plan and Uganda Joint Assistance Strategy-Division of Labour exercises.** The example of mainstreaming gender in the Plan for the Modernisation of Agriculture, PEAP, UJAS and DoL was selected as it provides an insight into the challenges of ensuring that experience gained at sector level is successfully transferred through high level national strategy documents to donor instruments that have a central place in the aid effectiveness agenda.
- **The National Assessment of Local Government.** The example of the National Assessment of Local Government (which predates the Paris Declaration) describes a practical mechanism that includes assessment of and reward for gender mainstreaming within the decentralisation process. It provides an example of the use of performance measurement and the provision of incentives (part of the management for results agenda) to further social goals.

Findings

The considerable progress made in both the aid effectiveness agenda and in attention to social issues (especially gender) in Uganda means that this country study provides a particularly rich set of examples that illustrate many facets of interaction between the aid effectiveness agenda and rights, social exclusion and gender equality.

The findings illustrate in particular the complexity of the issue of ownership:

- A strong sense of ownership and clear links between assessment and financial resources available for local government have been effective in promoting behaviour and performance change in local government – including performance in mainstreaming gender equality.
- The degree of ownership and accountability of government influences the effectiveness of technical support for gender equality initiatives.
- The ownership of gender equality results by different parts of government involves negotiation.
- Committed and well placed individuals are important for advancing gender equality in practice.

The JLOS SWAp particularly shows the potential effectiveness of harmonised and aligned approaches in this sector which is of central importance for social goals:

- The JLOS SWAp has provided the mechanism for ensuring the sector's scope includes gender equality and social inclusion.
- The JLOS SWAp has enabled social exclusion in northern Uganda to be addressed with “non-emergency” modalities.

Donors have however not always harmonised effectively around gender equality objectives:

- Lack of a harmonised approach to funding has led to missed opportunities for advancing gender and equity budgeting.

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- The effectiveness of a harmonised gender coordination group is reduced where real differences of approach to gender exist.

In addition, even within the generally positive context of policies towards gender equality that Uganda shows, there are important challenges in carrying this through into effective mainstreaming for instance in the definition and use of appropriate indicators:

- Gender equality indicators easily become lost between the sectoral and pillar based instruments that articulate country ownership and are a focus for alignment.
- A lack of sex disaggregated data means that gender equality concerns become excluded from key national documents that are lynchpins of country ownership and alignment.

Civil society also faces special challenges and opportunities:

- Civil society organisations' role in demanding mutual accountability has potential to influence progress towards gender equality and social inclusion objectives.

Conclusions

The conclusions arising from this country case study are presented as pointers from experience, rather than in the form of recommendations, given that the evidence base is restricted to only one country. Conclusions are grouped together under the principles of the Paris Declaration, although it is recognised that some conclusions touch upon a wider range of PD principles. Conclusions are presented in more detail in Section 6.

Country ownership and mutual accountability

- Ensuring broad based country ownership for gender equality, social inclusion and human rights requires long term and adaptive approaches by different actors. Maintaining commitment to implementation of specific measures in practice, such as gender and equity budgeting, has required various government and civil society actors to adopt a range of positions over time. Long term commitment to capacity building plays a key part.
- Linking initiatives that advance social objectives with national budget, financial penalties and rewards and public financial management reform provides entry points for country ownership and mutual accountability. CSO actors in Uganda have demanded accountability through analysis of national budgets. Local government has improved its performance on gender mainstreaming, in a system that includes an assessment mechanism that provides financial rewards for such change in performance. Opportunities for advancing ownership and accountability through linking gender and equity budgeting with general public financial management reforms have not been fully exploited.
- Interaction between committed gender experts and well placed gender champions has been a significant factor in Uganda in advancing a number of key measures that apply both Paris Declaration and gender lenses to the development agenda. Where these gender champions are not available, failure to ensure that gender experts are included has contributed to opportunities for capturing gender perspectives being lost in “generic” instruments, such as the UJAS or DoL, even when these perspectives are articulated in specific planning tools, such as PMA.

Harmonisation and alignment

- Gender equality and other social issues have, in many instances, been successfully mainstreamed in key sectors and articulated in SWAps. However, learning and experience from SWAps does not automatically pass into other aid instruments.

- The positioning and “weight” that different donors have within a sector varies. This may affect the extent to which they are willing to use harmonised and aligned approaches as routes to realising their commitments to rights, social exclusion or gender equality.
- In different countries, social objectives have been captured in different JAS and DoL instruments to different extents. Donors in Uganda have not fully used cross country sharing of expertise as an approach to advancing the treatment of rights, social exclusion and gender equality in these aid instruments.

Managing for development results

- Strategic planning instruments, such as the PEAP or the National Development Plan, provide the framework not only for sectoral plans, but also for new aid instruments, such as the UJAS or DoL. This means that it is extremely important to ensure that appropriate indicators focused on rights, social exclusion and gender equality are included at the highest strategic level, to ensure that they “transit” into new aid instruments.

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Abbreviations

AUPWAE	Association of Uganda Professional Women in Agriculture and Environment
AWEPON	African Women's Economic Policy Network
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CSO	Civil society organisation
DAC	Development Assistance Committee (of OECD)
DFID	Department for International Development
DoL	Division of Labour
EASSI	The East African Sub-regional Support Initiative for the Advancement of Women
FOWODE	Forum for Women in Democracy
GoU	Government of Uganda
HURINET	Human Rights Network
JLOS	Justice, law and order sector
MDG	Millennium Development Goal
M&E	Monitoring and Evaluation
MGLSD	Ministry of Gender, Labour and Social Development
MFPED	Ministry of Finance, Planning and Economic Development
MoLG	Ministry of Local Government
MTEF	Medium Term Expenditure Framework
NAADS	National Agricultural Advisory Services
NARS	National Agricultural Research System
NIMES	National Integrated Monitoring and Evaluation Strategy
OECD	Organisation for Economic Cooperation and Development
PEAP	Poverty Eradication Action Plan
PMA	Plan for the Modernisation of Agriculture
PRSP	Poverty Reduction Strategy Paper
SWAp	Sector Wide Approach

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SIP	Sector Investment Plan
UBOS	Uganda Bureau of Statistics
UDN	Uganda Debt Network
UWONET	Uganda Women's Network
UJAS	Uganda Joint Assistance Strategy
Ush	Uganda shilling

1 Introduction

This country case study assesses how gender, rights and exclusion are being addressed in Uganda in the “new aid environment” of the Paris Declaration and specifically through the aid instruments, partnerships, and dialogue and accountability processes that provide the mechanisms through which the Paris Declaration and its Principles are being operationalised.

Uganda provides an example of strong government leadership (despite a high level of aid dependency) both in taking forward the aid effectiveness agenda and in the commitment to gender mainstreaming within government programmes. This case study therefore provides a particularly rich set of initiatives and examples of the interaction between the aid effectiveness agenda and rights, social exclusion and gender equality.

The case study report is structured as follows. Section 2 summarises the main features of aid in Uganda and provides an overview of progress in application of the PD Principles. Section 3 provides an overview of the opportunities and challenges for gender equality, social exclusion and human rights in Uganda and the main policy initiatives to address these challenges. Section 4 focuses on specific examples of how gender, rights and exclusion are being addressed as part of the aid effectiveness agenda. The examples selected were:

- The Justice, Law and Order Sector Programme.
- Gender and Equity Budgeting.
- Mainstreaming gender in the Plan for the Modernisation of Agriculture, the Poverty Eradication Action Plan, and the Uganda Joint Assistance Strategy – Division of Labour.
- Gender mainstreaming in the National Assessment of Local Government.

Section 5 presents the findings of the case study for Uganda. The findings highlight the complexity of the issue of ownership, show the potential effectiveness of harmonised and aligned approaches in the Justice, Law and Order Sector (of critical importance for addressing human rights). However, donors have not always effectively harmonised around gender equality, and there remain important challenges in effective mainstreaming even in this generally positive context.

Section 6 provides conclusions and wider reflections from the experience reviewed in terms of the relationship between the Paris Declaration Principles and progress in addressing gender equality, rights and exclusion.

Additional material is included in Annexes. Annex A contains the study terms of reference. Annex B contains the gender and equity budgeting guidelines, Annex C information on the composition of the Programme for the Modernisation of Agriculture gender technical subcommittee, Annex D the gender mainstreaming measures for the National Assessment of Local Government, and Annex E a report on Uganda’s reporting status on international human rights declarations.

2 Context: Aid Effectiveness

2.1 Aid in Uganda

Uganda provides a country context where action by government, donors and other actors has long been guided by the PD principles – in fact from well before the Declaration itself was formalised. The country is aid dependent (In 2005, official development assistance was 14% of GNI and in 2003 it was 70% of government expenditure) but has demonstrated significant country ownership in advancing the poverty reduction agenda, through successive Poverty Eradication Action Plans (PEAPs).

The pattern of aid by donor has varied considerably over the period 2000 -2005. The UK was the highest bilateral donor in 2000, but by 2005 USAID was by far the biggest bilateral donor, with its official development assistance almost as large as that given by the World Bank. According to the 2006 Survey on Monitoring the Paris Declaration, over 35% of aid to Uganda was in the form of budget support, and an additional 15% was programme based (general and sectoral budget support and sector wide programmes).

2.2 Attitudes towards aid and progress with the Paris Declaration agenda

Country ownership

There has been good national ownership of the series of Poverty Eradication Action Plans (PEAPs), which since 1996 has provided the overall framework for national policy and budgeting. The 2003-2004 process of developing PEAP III was based on Sector Working Groups which included donors and CSOs, as well as a cross-cutting PEAP gender team. However, although the process was very participatory, it also took eighteen months. Concerns raised by CSOs over PEAP III are not about the policy, but about how this has been implemented. Government is replacing the PEAP with a National Development Plan. This change emphasises national ownership and moving away from the originally donor driven model of a Poverty Reduction Strategy Paper. The process is managed by three bodies, the National Planning Authority (NPA), the Ministry of Finance, Planning and Economic Development (MFPED) and the National Integrated Monitoring and Evaluation Strategy (NIMES), with the intention that NPA should play a stronger role than it did in PEAP preparation.

The preparation process for the forthcoming National Development Plan is to a very short timetable (it is due to be completed by June 2008) and CSOs say that they have had to struggle for involvement. The basis for inputs to the National Development Plan will be position papers submitted by each sector (due by end January 2008) and outputs from Joint Annual Reviews and other formal reviews and evaluations already available. Consultation with CSOs will be much more limited than for PEAP III, with a small number of CSOs invited by GoU to provide inputs. There are now CSOs as focal points for gender (EASSI) and social protection (DRT). Several commentators perceive the political space for consideration of social issues to have “closed down” considerably in the National Development Plan preparation process.

Mutual accountability

Accountability between donors and government in Uganda is well covered in the Partnership Principles and in the UJAS. Accountability of government to its citizens is rather less well-defined, particularly in terms of the role of civil society. There are examples of initiatives to produce key

national documents, such as the Poverty Eradication Action Plan (PEAP) or budget information in accessible, summarised formats and local languages. Civil society is given the opportunity to be involved in the PEAP assessments. They can sit on Sector Working Groups, and have also been involved in the development of PEAP III. However, for many CSOs, there are issues over whether these activities are part of their mandate and even if they are, whether they have the resources, in particular the time necessary to carry out these activities effectively. In many cases, for Sector Working Groups, meetings are held at least monthly and at times of budget preparation and policy development, this can increase to more than once a week. Action Aid released a staff member for a whole year in the run up to PEAP III to ensure a regular and informed input into the process. CSOs also sit on two of the NIMES working groups. There are however issues about CSO capacity to engage in these processes as discussed below.

One other important area for mutual accountability is the decentralisation process, in that this brings government closer to the grass roots, and potentially more accountable. This study has not had the time to examine decentralisation in Uganda in any detail, but there are two points that should be made. There has been an increase in the number of districts since 2005, which is widely seen as politically driven. This has increased the tension between centre and local government, with the majority of budget resources absorbed at the centre, central government seeing local government as incapable and local government challenging the lack of financial resources at local level. This environment complicates the movement towards greater accountability at local level.

Parliament has become increasingly active in recent years. Since liberalisation of the media in the early 1990s, print and other media have mushroomed and enjoy considerable independence.

Alignment

Uganda has developed its own approaches to poverty reduction in the PEAP, and has also been active in establishing rules for how the aid it receives is linked to this. In 1999, the Uganda government proposed a set of principles for the management of official development assistance and these were formally incorporated into the PEAP in 2001 (Riddell et al, 2007). An updated version of these is included in Annex B. Even before the Uganda Joint Assistance Strategy (UJAS) was finalised, donors had strong alignment with government policy, through the sector working groups. The UJAS itself has three basic principles: supporting implementation of the PEAP to achieve the Millennium Development Goals (MDGs); to collaborate more effectively among donors and with government, and; focusing on results and outcomes. The UJAS was developed by eight donors, but has now been signed by 12 in total; African Development Bank, Austria, Belgium, Denmark, European Commission, Germany, Ireland, the Netherlands, Norway, Sweden, UK DFID and the World Bank. However, there is an increasing amount of official development assistance coming from new donors and from donors outside the UJAS. USAID is now the largest bilateral donor to Uganda, it has not signed the UJAS, and all its non-emergency aid is in project form, and not disbursed through government ministries, though it does participate in Sector Working Groups. In total, Uganda has over 60 donors. The twelve UJAS signatories provide the greatest proportion of aid, but some 30% is provided outside the UJAS system. This includes support from the Global Fund and the GAVI Alliance, and newer donors, such as South Korea, who are not part of harmonised alignment processes.

Alignment to government management and financial processes is less advanced. Although about 50% of official development assistance is identified as going through budget support and programme based initiatives, there are still a considerable number of projects with their own project implementation units (54 at the latest count, with 14 of these in African Development Bank projects – OECD 2007). There is also a range of examples of donors pooling funding, in support of the PEAP; the legal aid basket fund and the Human Rights Commission basket fund are two examples. Three donors provide more than half their aid as general budget support.

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There is significant aid going through NGOs which is off budget, and even the aid which is on budget is often not disbursed in a timely manner. There are considerable inconsistencies between the amounts of official development assistance reported to OECD/DAC and that appearing in government statistics. Predictability of aid flows is still very poor. The UJAS does identify aid predictability as an issue, and identifies a base case, low case and high case scenario, linked to the achievement of various targets, which would ensure a certain minimum level of official development assistance, to enable greater and more effective planning.

Harmonisation

The UJAS, signed in 2005, has been seen as an important step forward for harmonisation. However, the next stage in harmonisation, the Division of Labour (DoL) exercise (Christiansen et al, 2007) has proved to be a slow and as yet unfinished process. It was not clear what the framework for the DoL should be. There are a number of processes which could form the basis for the exercise: 5 PEAP Pillars, 18 PEAP Objectives and 48 PEAP Areas, 14 Medium Term Expenditure Framework (MTEF) Sectors, 14 Sector Working Groups, 26 Donor Groups. A mapping exercise was carried out by consultants to link the different PEAP areas, MTEF sectors and donor groups. Of particular relevance to the focus of this current study, there are PEAP areas in human rights, gender, community development and social protection. Coordination groups for these areas include the Democracy, Gender Coordination and Social Development donor groups and the sector working groups for public administration and for gender, labour and social development. The DoL exercise has also stalled in part because of the time it has taken government to respond to the interim report. The process should then have moved to the Sector Working Groups, where the process of developing greater selectivity on the basis of the DoL exercise should have taken place, but again this process does not appear to have moved further. It was suggested to the case study team by one donor that in some sectors, government was concerned that the DoL exercise might result in a reduction of funding to particular areas. There are also issues on the donor side, about the extent to which donors at country level have the autonomy to move out of sectors without approval from their central office.

The DoL exercise shows the greatest donor congestion in the health sector. The most fragmented sectors (smallest disbursements per donor) were public administration, the Justice, Law and Order Sector (JLOS) and Security. The exercise also shows that JLOS had the highest proportion of basket plus sector budget sector support of any sector. By far and away the most common modality of earmarked sector support is project funding.

In the absence of any central or sectoral level decisions, some donors are already implementing what they indicated in the DoL survey. There are a number of silent partnerships, or delegated representation in place e.g. Germany represents the Netherlands in energy, the Netherlands represents DFID in JLOS and DFID represents the Netherlands in HIV/AIDS. In addition to the UJAS, budget support donors are developing a joint budget support operation with a joint assistance framework. Up until now, the Poverty Reduction Strategy Credit matrix has been used to assess budget support. One budget support donor expressed a desire that this framework should include high level commitment to human rights, a commitment to anti-corruption and sector level commitments that include gender and social exclusion.

There is very limited progress in joint analysis and evaluation. The UJAS adopts and adapts the PD targets for joint missions and analyses, but to achieve these the donors would have to more than double the amount of joint work undertaken by 2010.

Managing for results

Uganda scores well in the OECD/DAC baseline study under management for results. It has relatively strong statistical systems, with the Uganda Bureau of Statistics, a semiautonomous body linked to MFPED, NIMES (the National Integrated Monitoring and Evaluation Strategy) under the Office of the Prime Minister, and a planned Community Information System, in MFPED. NIMES is the main coordinating body for monitoring and evaluation in the country and aims to establish a single M&E system for both government and donors to assess impact and effectiveness.

The PEAP has a results matrix which comprises six strategic results and 76 outcome indicators. These are quite aggregate indicators, only the indicators for education being disaggregated by sex. This was the basis for the first Annual PEAP Implementation Review (APIR) held in 2006, which shifted the examination of performance away from a focus on outputs to an examination of how activities contributed to the achievement of pillar outcomes in the PEAP.

The UJAS partners have committed to using the government's own assessment of the success of the PEAP to judge the development effectiveness of UJAS. The first review of UJAS should take place soon, but it is not clear what the respective roles of donors and government will be.

3 Context: Human rights, social exclusion, gender equality

Uganda has its own set of targets in the PEAP, which are more challenging in some respects than the MDGs, in that the target date is earlier than 2015, the date of the MDGs. The PEAP income poverty headcount target is much more ambitious than the MDG, at 10% in 2017.

The latest MDG Progress report by UNDP, published in November 2007, gives the following summary:

1. MDG on poverty will probably be reached, though that on hunger will only potentially be reached.
2. The MDG on UPE will probably be met.
3. The MDG on Gender equality will probably be met.
4. The MDG on infant mortality is unlikely to be met.
5. The MDG on maternal health is unlikely to be met.
6. The MDG on HIV/AIDS has already been met, and on malaria and others will potentially be met.
7. The MDG on environment (degradation of natural resources) will potentially be met and on water will probably be met.
8. The MDG on global partnership will probably be met.

The income poverty headcount in Uganda was 56% in 1992/3 and fell to 34% in 1999/2000. It rose to 38% in 2002/3 but then fell to 31% in 2005/6.

Preparations for the February 2006 multi party elections were seen as key in opening up space for gender equality concerns in the years immediately preceding the elections. Commentators argued that the country's first experience of multi-party elections led to a greater interest amongst politicians to ensure they responded to voters' concerns. In particular, recognition of the electoral significance of women opened up space for women's organisations. UWONET analyse the period of change as being from the revision of the Constitution¹ to the 2006 elections. Women's organisations gained experience in accessing political space, women campaigned as politicians for the reserved seats that represented one third of available seats under affirmative action initiatives as well as occasionally campaigning for open seats (UWONET, 2006).

One of the key themes in interviews for this study was that Uganda made substantial advances at policy level for gender equality in the 2003 – 2005 period. This period also coincided with revision of the PEAP. However, it was also widely felt that the country was now losing ground (when compared with Rwanda) and not building on previous successes. The 2006 electoral process had, in practice become focused on the constitutional question of the third term for the incumbent president. Given that the elections did not produce a change in ruling party (in contrast with neighbouring Kenya), the effect of the country's shift to a multi-party electoral system was now seen, by some commentators, as bringing with it a focus on producing tangible, rapid results, such as infrastructure construction, that the ruling party will be able to present as successes and fulfilment of the election manifesto focused on "Prosperity for All". This, it is argued, makes more "complex" issues, such as gender equality and wider social change unappealing, as it is difficult to demonstrate results, especially in the short time between elections.

¹ Review of Uganda's 1995 Constitution took place in 2003, with a Constitutional Amendment Bill and referendum in 2005 resulting in a revised Constitution

Uganda clearly situates itself within a regional grouping of countries in Eastern Africa. This was evident in comments that compared perceptions of Uganda's performance with perceptions of its neighbours' performance, e.g. on implementing gender commitments. It was also illustrated by the number of regional CSOs with offices or headquarters in Kampala, producing research and carrying out advocacy across a network of countries in the region.

3.1 The role of civil society

CSOs are feeling under pressure from two sources at present. The NGO Amendment Act 2006 included tighter registration requirements (including annual re-registration) and introduced the principle that individuals are held personally liable for actions of an NGO. Also there is a perception amongst CSOs that the Paris agenda has made accessing funds harder for CSOs (although there are no data to confirm this perception). There has been the creation of several pooled funding mechanisms for CSOs e.g. Uganda AIDS Commission Civil Society Fund, Northern Uganda Social Action Fund, but these have long lead times and have as yet not contributed to reversing this perception.

There are also questions raised by donors and government about CSO capacity to engage effectively in policy processes, in particular budget appraisals. This is something that CS itself is aware of, and is taking steps to overcome. Previously budget analysis was carried out by a few specialised NGOs. However, a Civil Society Budget Advocacy Group has been formed, currently headed by the Uganda Debt network, which is carrying out capacity building activities. This includes women's groups and groups representing the disabled. EASSI has also carried out workshops on the Paris Declaration, to inform CSOs. There is still a capacity gap, but steps are being taken to enable CS to carry out a more effective monitoring and advocacy role.

3.2 Human rights

The Ugandan constitution reflects a number of the international conventions that Uganda has ratified, including the convention on economic, social and cultural rights. The constitution was adopted in 1995 and amended in 2006. The Equal Opportunities Commission is the last of the commissions included in the constitution to be established, but this is currently in the process of being set up with staff from the Ministry of Gender, Labour and Social Development (MGLSD) identified to take the process forward. It is planned to appoint commissioners in 2008. Part of its remit will be to provide a report on rights to Parliament on an annual basis.

Uganda has generally been fairly quick to ratify international conventions, but much slower to comply with reporting (see Annex E).

The Uganda Human Rights Commission is operational and is the only statutory body that promotes human rights. It should be funded 50% by government and 50% by donors, but the government does not provide its full share. Human Rights Commissioners are appointed by government and, in this sense, the Human Rights Commission is not independent. Negotiations are underway between four donors to form a mechanism to provide grants to CSOs for human rights, although the process is inevitably lengthy, in some part due to difficulty in agreeing on definitions. Much of the interest in human rights in recent years, particularly on the donor side, has been focussed on the conflict in the north, particularly on the donor side. A Legal Aid basket fund has been established.

There have been long delays in putting the Equal Opportunities Commission into place and this is the last of the Commissions envisaged in the Constitution to be realised. The formal process for identifying and appointing the required five Equal Opportunities Commissioners is expected to take

place in 2008, with the Chair of the Commissioner identified and currently based in offices in the Ministry of Gender, Labour and Social Development, with a small budget to identify independent premises

However, CSOs struggled to bring human rights into PEAP III, and this was rather fragmented. There is little experience in Uganda of making an economic case for a rights-based approach, although increasingly this may be necessary given the emphasis of the forthcoming National Development Plan. Although there is concern from civil society over insufficient attention by government to rights there are examples of official policies and strategies with a rights-based approach, for example the Community Mobilisation and Empowerment Strategy (CMES) which was launched in 2007.

3.3 Social exclusion

Problems of social exclusion are frequently given a very specific and regional context by both government and civil society. For many, the key social exclusion issue is the situation in the North, and to a lesser extent in Karamoja. Internally displaced people are addressed explicitly in PEAP III and the UJAS, with specific targets for the return and reintegration of internally displaced people. In 2005, the internally displaced population in camps was estimated at 1.8 million, though many have since returned to their home areas. The situation here has improved in the last year, with a cessation of hostilities and the prospect of a formal peace accord in 2008. President Museveni announced a Peace, Recovery and Development Plan in October 2006, at a cost of \$600 million over the next three years.

Apart from this, the approach to social exclusion is generally based on universality, in particular Universal Primary Education, and the extension of health posts to all subcounties. As the Equal Opportunities Commission becomes established, this could provide a framework for a more general rights-based approach to social exclusion.

The Uganda constitution is regarded as very pro-disability, and there has been affirmative action for those with disability: the Local Government Act which reserves places for the disabled, there are also four reserved places in the National Parliament for disabled people and the reserved post of Minister of State for the Elderly and Disabled. A Disability Act was passed in 2006. Available research with local stakeholders reports opinions that the aspirations of the constitution are not translated into practical reality (Lwanga-Natale, 2003). However, CSOs focussing on the disabled are quite active in Uganda, and beginning to build capacity to engage with budgetary processes, through active participation in the Civil Society Budget Advocacy Group, Social Development Sector Working Group and early stages of the National Development Plan process.

Exclusion was identified as an important new poverty dimension in the Second Participatory Poverty Report, Deepening our Understanding of Poverty (Government of Uganda, 2002). The analysis identifies the disabled, refugees and the elderly as particularly affected by social exclusion. International technical assistance contributed to inclusion of social protection in the 2005 PEAP, Pillar Five on Human Development. GoU has established a Social Protection Task Force, which has commissioned studies, carried out international study tours and is currently reviewing detailed technical comparisons of costs and benefits of a number of existing models of support to different socially disadvantaged groups, especially older people.

MGLSD and CSOs specifically focused on issues of social exclusion adopt a view based on identity, listing a number of social groups who face particular discrimination and disadvantage. There are some steps being taken towards implementing social transfer programmes to address the chronic poverty faced by older people, disabled people and poor households with children. A number of studies have been carried out, commissioned by MGLSD or CSOs to analyse the

pattern of chronic poverty in the country and propose programme design for universal or targeted categorical social transfer programmes. For example, DRT has carried out research commissioned by MGLSD on social protection. It has also conducted research itself as part of its membership of the Chronic Poverty Research Centre and developed its own position on social protection. MGLSD is currently considering five different options for cash transfer programmes and expects to make recommendations to Cabinet and Parliament by March 2008. The Minister of Gender, Labour and Social Development reports a political appetite for some form of cash transfer programme to support some proportion of the poorest people in the country.²

3.4 Gender equality

Uganda has been regarded as a role model in East Africa and beyond in establishing frameworks, policies and legislation to advance gender equality and the selection of examples in this case study reflects that experience. The constitution is regarded as good from a gender perspective, there is legislation guaranteeing “reserved places” for women, disabled people, certain minority ethnic groups (specifically Batwa people in certain geographic areas) in decision-making bodies from national to local level. Some positive discrimination targets, for example 30% women MPs in Parliament, have been achieved.

The constitutional court has been used successfully by NGOs, notably UWONET, to challenge legislation. In 2004 UWONET successfully brought a case challenging the constitutional validity of the 1947 Divorce Act and in 2007 successfully challenged the constitutionality of sections of the penal code on adultery. Uganda has signed CEDAW, but has not reported as yet.

There are continuing delays on key pieces of legislation, in particular the Domestic Relations Bill and amendment of the Land Act on women’s land rights

There is a national gender policy which was originally passed in 1997 and amended in 2007. This establishes a clear framework for identification, implementation and coordination of interventions designed to achieve gender equality and women’s empowerment in the country

There has been a push to mainstream gender in government ministries and government policies and strategies. This has worked to some degree. The development of PEAP III was supported by a gender team comprising staff in government, donors and CSOs. This effort resulted in a good inclusion of gender issues in the analysis, but rather less in terms of activities.

Many line ministries have gender focal points and district governments should have qualified gender officers, although this role is often covered by the more general Community Development Officer role. There are a number of influential co-ordinating bodies at national level, most notably, the PMA subcommittee on poverty and gender and PEAP Gender Team, which became the Social Development Sector subcommittee on Gender and Rights in 2007. However, financing for the activities of these groups is often lacking. The tools and instruments to advance gender mainstreaming are there, although there is usually no funding for their activities. The Ministry of Gender, Labour and Social Development (MGLSD) is one of the least well funded ministries in government and is regarded as weak by some donors.

We discuss the issues of gender and equity budgeting in more detail below. This is one area where the activities of a few well placed and committed individuals have succeeded in starting the process of mainstreaming gender budgeting as part of the budget process. However, it remains to be seen what impact it will have on the coming budget.

² The challenge of developing a national social protection system: The Ugandan experience, ODI Event 30 January 2008

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There are mixed views on how effective gender mainstreaming is as a strategy in Uganda, as opposed to regarding gender as a sector. Although in theory, mainstreaming should be more sustainable as an approach, certain informants felt that the absence of a gender sector in the MTEF was key to the under-resourcing of gender mainstreaming. The Division of Labour (DoL) exercise highlights that different approaches taken by different donors mean that it is difficult to identify resources going to gender issues and activities from donors.

However, there are also examples of successful mainstreaming. An analysis by Danida (2007) cites the Road Sector as an example of good practice, where good gender analysis at the beginning of the programme has resulted in gender sensitive planning.

Over the past decade, a number of strong women's organisations have developed in Kampala. There is considerable gender research capacity in Makerere University's Women and Gender Studies Department, Makerere University has also succeeded in putting into place a University gender mainstreaming policy.

The availability of sex disaggregated data has been a constraint to including gender responsive targets in results matrices. However, that too is improving. The National Integrated Monitoring and Evaluation Strategy (NIMES) has sex disaggregated data on internally displaced people and the Uganda Bureau of Statistics (UBOS) is currently reanalysing the 2004 National Service Delivery Survey, at the request of the Poverty Monitoring and Analysis Unit in the Ministry of Finance, to give sex disaggregated information on health, education and agriculture. NIMES is also in the process of commissioning a survey on gender and productivity.

There are indications that the environment may be changing for work on gender, with the focus in the National Development Plan being wealth creation. Although a Subcommittee on Gender and Human Rights forms part of the structure for preparation of the National Development Plan, gender was not originally included in the outline of National Development Plan. The change in emphasis away from poverty reduction means that social sector actors will need to reposition themselves. However a number of informants told us that the peak of interest and opportunity for gender issues has passed and that there has been a change in levels of commitment at the top.

4 Case Study Evidence

This report focuses on presentation and analysis of four specific examples that were considered in detail by the case study team. The four specific examples described below have been selected to illustrate interaction between the aid effectiveness agenda and rights, social exclusion and gender equality. These examples are:

- **The Justice, Law and Order Sector (JLOS).** Uganda was the first country to adopt a sectorwide approach for justice, law and order, and hence has especially deep experience of harmonisation and alignment in a sector of critical importance for human rights and social exclusion. One specific example, of bilateral donor funding to the police in northern Uganda, has a particular focus on social exclusion.
- **Gender and Equity Budgeting.** The budget process is central to the aid effectiveness approach, particularly in countries that are major recipients of budget support. The case study examines attempts to develop effective capacity to analyse and influence the budget process to further social goals.
- **Mainstreaming gender in the PMA, PEAP and UJAS-DoL.** The example of mainstreaming gender in the Plan for the Modernisation of Agriculture, PEAP, UJAS and DoL was selected as it provides an insight into the challenges of ensuring that experience gained at sector level is successfully transferred through high level national strategy documents to donor instruments that have a central place in the aid effectiveness agenda.
- **The National Assessment of Local Government.** The example of the National Assessment of Local Government (which predates the Paris Declaration) describes a practical mechanism that includes assessment of and reward for gender mainstreaming within the decentralisation process. It provides an example of the use of performance measurement and the provision of incentives (part of the management for results agenda) to further social goals.

4.1 Justice, law and order sector programme

A sectoral approach and the PD agenda: Uganda lays claim to being the country that started earliest in moving to a sector wide approach for the justice, law and order sector (1999/2000), with a first sector investment plan adopted in 2001. During this period, the importance of addressing human rights, gender equality and social exclusion in the sector has gradually assumed more importance and is now seen as an integral part of reducing crime and contributing to economic development. The specific context of the northern Ugandan conflict has led to interesting innovation in applying approaches from a coordinated sector to a setting where “emergency” and “post-conflict” modalities are predominant.

Adopting a sectoral perspective has meant establishing instruments, forums and working practices that facilitate coordination between the ten different parts of government which comprise JLOS.³ All actors in the sector are guided by the sector investment plans and the Joint Annual Review mechanism is regarded as an effective forum for reviewing and planning, contributing to promoting policy alignment. Key forums have been the Development Partners’ Group and JLOS Secretariat and informants from both groups report that interaction between the two groups is constructive. Donors have harmonised around instruments for providing funding to the institutions within JLOS, for example through the JLOS Development Fund and Legal Aid Basket Fund. Commentators

³ Ministry of Justice and Constitutional Affairs, Ministry of Internal Affairs, Judiciary, Uganda Prison Service, Uganda Police Force, Directorate of Public Prosecutions, Judicial Services Commission, Uganda Law Reform Commission, Ministry of Gender, Labour and Social Development (probation services), Ministry of Local Government (Local Council Courts)

noted that the good progress in aid effectiveness across the sector may in part be attributed to the fact that the sector remains centralised, unlike the social sectors.

Developing a human rights culture in the second Sector Investment Plan: The second Sector Investment Plan (SIP II) covers the period from 2006/07 to 2010/11. The keynote speaker in the 2007 Joint Annual Review said that “The second Sector Investment Plan has enabled government to take the justice reforms into its own hands and ensure that all justice agencies operate in a coordinated manner with common approaches towards a common goal.” The second Sector Investment Plan identifies five key results areas. The second key results area in the second Sector Investment Plan is focused on bringing a human rights culture to all JLOS institutions. Given that the JLOS institutions are key to ensuring that Uganda’s commitments in international human rights conventions are articulated and applied through the constitutional, legal and regulatory framework of the country, this key results area should impact positively on the degree of focus on human rights, and ensure that there is a clear focal plan, with a substantial profile for human rights, around which donor efforts align.

JLOS, the PD dimensions and aligning with international human rights commitments: Actors within the sector have adopted a range of practices and institutional arrangements that conform with PD Principles. These include harmonisation and alignment through Working Groups for each Key Results Area of the second Sector Investment Plan, with GoU and CSO members, Memoranda of Understanding between GoU and donors, a JLOS Development Plan and Development Fund (which represents about 10% of the sector’s funds) and routine harmonisation when developing terms of reference for studies (e.g. the proposed study on land and family justice). Following recommendations in the mid term review of the first Sector Investment Plan, the sector developed a human rights checklist, which examined whether national laws, procedures, practices, programmes, budgets and systems were achieving in practice the human rights standards and commitments Uganda had adopted through signing and ratifying international human rights conventions. Interviewees in the JLOS Secretariat argue that applying a human rights framework to actions guided by PD principles in the sector serves to remind both GoU and donors that “a ‘recipient-donor’ relationship (in terms of partnership and monitoring) is less important than a broader set of internationally agreed standards and legal commitments that binds everyone collectively, from which national systems and processes can derive and have an inherent legitimacy and credibility” (Edroma and Cronin, 2007).

Widening the scope of the sector to encompass gender equality and social exclusion. The second Sector Investment Plan widened the scope of the sector, from civil and commercial law, to include family law. For most citizens, contact with JLOS institutions or instruments is likely to be in the area of family law. Many issues in this area are strongly gendered, for example inheritance, sexual and gender based violence and marriage and are highly contentious. Women’s organisations, such as UWONET, focus a substantial amount of their portfolio on family law, in particular the Domestic Relations Bill. The second Sector Investment Plan proposes that gender equality should be used as a criterion for selecting priority activities and that programme design should explicitly take gender perspectives into account. This makes questions of gender equality central in shaping alignment and harmonisation.

In the second Sector Investment Plan, a number of socially excluded groups are identified. Juvenile delinquency is argued to be related to poverty. Lack of remand homes results in juveniles being incarcerated with adults. People with physical or mental disabilities are seen to face particular obstacles in accessing information, with the latter group also being seen as vulnerable to abuse of their rights or to being used by others to commit crimes. Ethnic minorities are also identified as facing discrimination and of having limited awareness of their rights. Specific issues of land rights for Batwa and Karamajong are cited.

From the perspective of MGLSD, the JLOS sector is regarded as “very supportive and collaborative” on gender mainstreaming,⁴ including aligned and harmonised donor partners. However, in practice, the sector has struggled to develop the gender strategy proposed in the second Sector Investment Plan. The draft prepared by UNECA in 2006 has been presented to the appropriate sector forums but has still not been finalised. Procedural problems were compounded by the dissolving of the Gender Working Group. An analysis of the challenges that the Gender Working Group had faced included that members did not have specific remits or technical skills in gender equality, membership changed frequently, members did not receive financial recognition of the extra duties inherent in participation in the Working Group and there was no recognition of gender analysis as a specific technical area that requires investment of time and capacity.⁵ A Discussion Paper has been drafted for the Development Partners’ Group on mainstreaming cross-cutting issues, with UNDP as the Development Partners’ Group focal point for gender, Irish Aid for HIV/AIDS, USAID for governance/accountability. It is hoped that this will provide the basis for a harmonised approach to addressing these challenges and advancing mutual accountability for cross-cutting issues. The sector is also planning to develop a JLOS wide HIV/AIDS strategy.

Addressing social exclusion through aligned support to the police in Northern Uganda: The Royal Netherlands Embassy (RNE) has addressed social exclusion by providing support directly to the police, but included a number of features that illustrate its commitment to PD principles, especially by aligning to key national plans and requiring reporting on funds only through national reporting mechanisms.

Many interviewees identified a key example of social exclusion as being the isolation and disadvantage faced by the population of northern Uganda. Several districts in the area have faced two decades of conflict, with the Lord’s Resistance Army (LRA) causing large scale displacement and human suffering. The key national plans are the Emergency Humanitarian Action Plan (June 2006) and the Peace, Recovery and Development Plan (2007–10). The Emergency Humanitarian Action Plan identified that replacing army personnel with a strengthened civilian police force was key to creating an environment in which peace accords could be agreed. The Peace, Recovery and Development Plan (2007-10) identifies fourteen priority programmes, one of which is the Police Enhancement Programme.

The Dutch government is the lead donor within JLOS and through the Division of Labour process, decided to focus its support to GoU on only two sectors – JLOS and education. For 2007, RNE decided to provide eight million euros to support the Peace, Recovery and Development Plan Police Enhancement programme. Given its role within the sector, RNE sought modalities for providing this financial support that respected, as far as possible, the principles of the Paris Declaration. RNE identified that this funding would need to be in addition to MTEF sector ceilings (i.e. “off-budget”) and be provided directly to the police, not through pooled sector funding. RNE negotiated with MFPEd that the funds could be paid directly to a police bank account. However, RNE discussed its intention to provide this support with the JLOS Secretariat and informed all JLOS partners. This entire discussion, decision and negotiation process took place quickly, over a period of about one month. Although the funding modalities were earmarked and direct to the police, reporting requirements to RNE were aligned with the sector, i.e. through Auditor General’s report and Joint Sector Review reports, with no additional reporting or auditing requirements.

Implications for accountability between sector institutions: The JLOS Secretariat expressed some misgivings about providing funding to just one institution within the sector, while other

⁴ Comment made in presentation on Mainstreaming Gender and Rights at Social Development Sector Review 13/14 December 2007

⁵ Information drawn from paper presented to the JLOS Development Partners’ Group in November 2007

institutions did not gain additional funding. The pragmatic response made to the demands of a specific situation, which has in many ways tried to work within an aid effectiveness context, may have reduced the accountability of a key institution, the police. The GoU progress report presented to the 12th Joint Annual Review noted that there had been an increase in financial support for implementation of the Emergency Humanitarian Action Plan and “We have this year registered low Police participation in the sector meetings which is partly attributed to this” (page 32). As a result, the other institutions within the sector have been less able to peer review performance of the police. Following discussions, RNE will provide two million Euros to each of the institutions in JLOS in 2008, as well as continuing to provide financial support to the police in the north and Karamoja in line with the Peace, Recovery and Development Plan.

4.2 Gender and equity budgeting

Gender and equity budgeting, meaning analysis of government budgets once announced, has been promoted by civil society organisations in Uganda since the late 1990s. Guidance on gender budgeting for budget preparation was formally introduced by MFPED in late 2002. Monitoring of the process identified the need for capacity building and appropriate training materials. Gender and equity budget analysis is now being used both by government ministries and district authorities. In advancing mutual accountability between different levels and areas of government and citizens, CSOs have played different and evolving roles, in providing technical support to government and in challenging budgetary allocations.

Civil society origins of gender and equity budgeting in Uganda: The move to introduce gender and equity budgeting in Uganda began in civil society, with FOWODE (Forum for Women in Democracy) clearly identified as the lead CSO. FOWODE focused on examining questions of resource allocation through gender budgeting from the late 1990s, as it felt that progress in realising the gender sensitive provisions of the 1995 Constitution was slow. FOWODE carried out awareness raising workshops and ensuring that retrospective gender analyses were made of GoU budgets as well as commissioning additional research, dissemination, and training. Other CSOs became involved in gender budgeting, e.g. AUPWAE (Association of Uganda Professional Women in Agriculture and Environment) taking forward studies of resource allocation at local levels.

Central government engagement with gender and equity budgeting: The Poverty Monitoring and Analysis Unit, situated in the Ministry of Finance, Planning and Economic Development (MFPED) became interested in moving the focus from retrospective analysis of budgets through a gender lens, to influencing how budgets were put together. MFPED also widened the scope from gender equality to include other social inclusion concerns, especially to capture regional exclusion. MGLSD included gender and equity budgeting in the Social Development Sector Investment Plan 2003 – 2008. The close technical links between FOWODE, MGLSD and other social development sector partners in developing the Social Development Sector Investment Plan, FOWODE illustrates the principle of mutual accountability in practice.

Institutionalising gender and equity budgeting in the Budget Call Circular: A key step in taking forward the focus on influencing the gender and equity focus of budgets as they are compiled was that the Poverty Monitoring and Analysis Unit gained the support of the Director of Budget. As a result, a paragraph on gender and equity budgeting was included with the Budget Call Circular for sectors and local government for financial year 2003/04 (issued November 2002). More extensive gender and equity budgeting guidelines continue to be an annex of each Budget Call Circular (see Annex C).

Supporting sectors to implement gender and equity budgeting: Following the initial inclusion of gender and equity budgeting guidance with the 2003/04 Budget Call Circular, the Poverty Monitoring and Analysis Unit noted a lack of impact of the inclusion of guidance in the Budget Call

Circular. A concern that the concepts were abstract and difficult to apply was raised, and guidance requested in the form of a gender and equity budgeting manual. MFPED contracted FOWODE to produce the required manuals. The PEAP Gender Team continued to observe that the extent to which gender equality and social inclusion concerns were evident in sectoral and local government budget submissions generally remained very limited. Facilitators were identified and the PEAP Gender Team developed a manual, issued in 2007 as an official GoU document “Budgeting for Gender and Equity: a manual for facilitators.”

Supporting local government to implement gender and equity budgeting: For local level government, the second District Development Programme (UNCDF, piloted in 10 districts from 2002 to 2007) supported MGLSD in the production of gender and equity budgeting guidelines and training manuals for district/municipality government and lower local government, developed by staff of Makerere University. These manuals cover aspects such as the gender situation analysis, gender analysis of the budget policy/plan and the tools for gender budgeting. In 2006, UNCDF reported that Uganda was its “showcase example” on gender mainstreaming, citing the gender budgeting manuals as evidence. In addition, gender and equity budgeting has been included as an action in successive Poverty Reduction Support Credits since 2004, with a small number of districts set as the target for implementing gender and equity budgeting.

Widening CS engagement with gender and equity budgeting: In 2004, the Civil Society Budget Advocacy Group (CS BAG) was formed as a civil society coalition focused on budget analysis. CS BAG comprises about 35 CSOs, including FOWODE, Uganda Debt Network, environmental NGOs, international NGOs and research organisations. The regional network EASSI (Eastern Africa Sub-regional Support Initiative for the Advancement of Women) implemented gender and equity budgeting training for local government staff, particularly in the newly formed districts of the east of the country.

Influence on other PD dimensions - managing for results: In the second half of 2007, the Poverty Monitoring and Analysis Unit focused on commissioning a gender re-analysis of data from national surveys (the 2004 Uganda National Household Survey and National Service Delivery Survey). Booklets have been produced with sex disaggregated data for education, health, agriculture, water and sanitation, roads, and justice, law and order sectors. The issue of gender-responsive survey questions is being discussed with UBOS. Progress in this area will increase the potential of results-based management to incorporate sex-disaggregated targets and thus give greater weight to the implementation of gender focussed activities.

4.3 Gender mainstreaming in the PMA, PEAP and UJAS/DoL

The Plan for the Modernisation of Agriculture (PMA) in Uganda represents a serious effort to build on analysis of gender equality issues in the agricultural sector, and operationalise them within a cross-cutting policy framework. The PMA has been an important framework around which donor activities have been aligned and, to some extent, harmonised. However, challenges in finalising a results framework have not been overcome.

The same key actors were also involved in gender mainstreaming in the PEAP, which in turn provided the policy framework for the Uganda Joint Assistance Strategy/Division of Labour exercise, aid instruments that the donors developed with government. This can be seen as an example of alignment and harmonisation at national level drawing on experience of actors from sectoral level. However, opportunities to include gender equality issues in these various instruments were not taken up and gender equality issues are not captured in the results frameworks.

Gender equality and the Plan for the Modernisation of Agriculture in Uganda: The PMA was developed in 2000 as a strategic cross-sectoral framework for addressing poverty eradication. The PMA has seven priority pillars⁶ and was set out with a number of core principles for how to address rural poverty, one of which was the integration of gender and other cross-cutting issues into PMA activities. PMA has been strongly supported by many of the key donors in the agriculture sector, who have seen it as a key instrument for alignment. A major element of the PMA, the National Agricultural Advisory Services (NAADS) has been funded through a basket mechanism, which has helped donor harmonisation, as has the functioning of the donor PMA support group.⁷

The PMA Sub-committee on Gender: Donor alignment with PMA has been facilitated through the functioning of a number of different groups. The PMA Steering Committee, chaired by the Permanent Secretary of MFPED, includes the Permanent Secretaries of all the line Ministries involved in the PMA, donor representatives and CSOs. Much of the work of the PMA is done by technical Sub-committees, with members from various ministries, donors and CSOs. The Sub-committee on Gender, renamed the Poverty and Gender Subgroup in 2005, has been one of the most active (see Annex D for a list of members).

Gender mainstreaming guidance for PMA practitioners: The Gender Sub-committee initially drew up its own workplan and budget and undertook a gender analysis. Based on this, the Sub-committee developed PMA gender mainstreaming guidelines and a set of Gender Policy Briefs, addressing gender equality issues in each of the seven PMA pillars, identifying indicators to monitor progress and the specific agencies responsible for taking action. This provides a good illustration of successful alignment. In practice, however, the use of the gender mainstreaming guidelines and Policy Briefs has been limited because of a lack of resources within the PMA to undertake capacity development support activities, particularly at district level.

Monitoring gender mainstreaming in the PMA: The PMA was designed without specific targets and the process of developing an ex-post M&E framework has been lengthy and difficult to manage. The Gender Sub-committee provided a briefing paper on indicators to the M&E Sub-committee and several sex disaggregated indicators were included in the draft M&E framework.

The PMA Secretariat, which has a small staff, oversees the implementation of agreed annual plans. The PMA Secretariat includes a post for a social development analyst, with the remit for gender mainstreaming. This post has been filled almost continuously (apart from a small gap (February 2007 to September 2007) when the initial post-holder moved on).

However, despite the capacity available through PMA Sub-committees and the PMA Secretariat, the PMA M&E framework has not been finalised. This has been due partly to unresolved discussions over numbers of indicators and the availability or feasibility of collecting different data, including gender responsive data.

The PMA is monitored through the Joint Annual Reviews (JAR) at which a set of annual undertakings is agreed and reported on. The Gender Sub-committee negotiated a guaranteed space on the JAR agenda and has learned from experience how to use that space effectively, by focussing on a few key issues, with most of its proposed undertakings now accepted.

⁶ The pillars are (1)research and technology development (NARS) (2)National agricultural advisory services (NAADS), (3)agricultural education (4)improving access to rural finance (5)agro-processing and marketing (6)sustainable natural resource utilisation and management (7)physical infrastructure

⁷ This is not true for all donors. USAID has continued to provide substantial resources to the private sector in agriculture and has had little engagement with the PMA donor support group. Similarly IFAD and AfDB have, at times, provided loan finance for major projects with the Ministry of Agriculture which have not been discussed by the PMA donor support group, and have been felt by some donors to have crowded out grant assistance.

Interaction between the PMA Gender Sub-Committee and PEAP Gender Team: There has been close inter-action between the PEAP Gender Team and the PMA Gender Sub-committee, providing a practical example of alignment moving between sector and national level processes. The PEAP Gender Team was formed in the late 1990s and several individuals later became members of the PMA Gender Sub-committee. The experience gained through the PMA Gender Sub-committee contributed to the PEAP Gender Team developing a set of gender guidelines, which were attached to the revision guide for PEAP III. PEAP Gender Team members divided their time and resources across the different Sector Working Groups to ensure that gender issues were addressed in all the sector submissions for PEAP III. Staff from the PMA Secretariat, including the Social Development Analyst, were key in drafting PEAP III Pillar 2, “Enhancing production, competitiveness and incomes”. Members of the PEAP Gender Team/PMA Gender Sub-committee, including the PMA Social Development Analyst also contributed to the contextual analysis sections of the revised PEAP, which has a stronger analysis of gender issues and poverty than its predecessors.

Gender indicators in national and sectoral instruments: NIMES is charged with oversight of the PEAP and the PMA M&E mechanism. The head of the NIMES Secretariat argues that, of the strategic and outcome indicators for PEAP III, only the outcome level indicators can feasibly be gender responsive. These should be defined at sector level, by the relevant ministries. From this perspective, the failure to finalise the draft PMA M&E framework, which already included gender disaggregated indicators, has far-reaching implications for managing for results and for the extent to which gender equality is assessed and fed into national assessments of progress.

Gender indicators in harmonisation and alignment instruments - UJAS: Applying the dimension of alignment, the UJAS adopted the four strategic indicators of the PEAP. The UJAS then identified intermediate (second level) results. There is discussion in the text of the UJAS of Uganda’s record on addressing gender issues. There are gender related indicators in the UJAS matrix, from PEAP, Pillar 4 Governance, and Pillar 5 Human Resource Development. However, despite the availability of analysis on the centrality of gender perspectives for the agriculture sector, the work done by the PMA Gender Sub-committee on addressing gender related issues in agriculture was not picked up in the UJAS. There are no gender related indicators in the UJAS. Some of the later signatories to the UJAS joined with a commitment from the outset to ensuring that, in the mid term review, gender is addressed in a more satisfactory way.

Gender indicators in harmonisation and alignment instruments - the DoL exercise: Several donors interviewed expressed the view that the Division of Labour (DoL) exercise had “superseded” the UJAS, in terms of being the operational instrument which was more often referred to in discussions on harmonisation. The process for developing the DoL was initiated by donors, with a consultancy commissioned from the Overseas Development Institute (ODI) and a draft DoL was provided to GoU for comment. After some months when it appeared to lie dormant, MFPED called together planning staff from sectors for a workshop to brief them on the exercise in order to facilitate comments (September 2007). In late January 2008 MFPED restarted the process, providing donors with clear outlines for the process and structure of the aid information and asking them to update their aid information in accordance with the Sector Working Groups, local Ugandan institutions and the new sector classifications in the MTEF, for the next financial year. The updated Aid Information Map will then provide a management tool for GoU. However, no informants could provide information on how the sectorally-focused DoL addresses cross-cutting issues, including gender.

4.4 National assessment of local government

The assessment mechanism for the Local Development Grant provides incentives for local government performance in the form of financial rewards and penalties related to ratings in the

assessment process. The assessment process is key for country ownership as local government is an essential layer of government, bearing the responsibility for implementation of government programmes at local level. Gender equality is an assessment parameter, with a subsidiary set of indicators. This provides a clear incentive for both district/ municipality and lower local government to address gender mainstreaming. As service provision is increasingly under the control of the local authorities, a transparent assessment process is also important for development partners, in understanding results and trends in the capacity of local authorities to use resources effectively.

Funding modalities for local government: Transfers from the centre for funding local government activities are made through three different modalities, i.e. conditional grants, unconditional grants and equalisation grants. Local government also receives resources from bilateral donor programmes. These resources are supplemented by locally raised revenue.

Local Government Development Programme modalities: The Local Government Development Programme comprises three inter-related elements (a) Local Development Grants, (b) Capacity Building Grants and (c) an incentive system which rewards improvement and penalises poor performance. The Local Government Development Plan modality for disbursing funds to local governments is based on the existing legal framework. It places responsibility for programme implementation in the hands of local government who must also make a contribution. It builds the functional capacity of recipient local governments and is process and practice oriented. It promotes performance improvement, participatory planning and allocation of investments. It subjects local officials to accountability from below. For those reasons, GoU decided to use Local Government Development Plan as the main modality for decentralising the development budget to all local governments in the country i.e. conditional, unconditional and equalisation grants are disbursed using the Local Government Development Plan modality exactly – a clear example of country ownership.

The performance incentive assessment mechanism in the Local Government Development Plan: The performance incentive assessment mechanism in the Local Government Development Plan has two components: (i) the minimum requirements and (ii) the performance measures. These are each derived from the GoU laws and guidelines. The assessment mechanism identifies a set of minimum conditions for district / municipality and a smaller sub-set of conditions for lower local government (sub-county, town council). Local government units must meet all the minimum conditions in order to be eligible for a Local Development Grant.

For performance measures, local government units are scored out of 10. Scores of 7 and above make the local government unit eligible for a “reward”, scores of 5 or 6 are categorised as “static” and scores of below 5 incur a “penalty”. Local government units categorised for “reward” receive a 20% increase on the amount of their previous year’s Local Development Grant, those categorised as “static” receive the same amount of Local Development Grant as in the previous year and those with a “penalty” suffer a 20% cut in the amount of their Local Development Grant. This is a practical way of providing the necessary incentives to improve management for results in local government, provided the parameters used are appropriate.

There are currently nineteen assessment parameters for performance measures for district/municipality and eleven parameters for lower local government. The Assessment Manual provides details of each performance measure, the indicators associated with that assessment parameter and information sources and other guidance to facilitate the scoring procedure.

Including gender mainstreaming as an assessment parameter: The LDGP staff member in charge of the assessment mechanism from 1998 to 2005 (now Deputy Coordinator, Programme Coordination Unit) reported that initially gender was treated as an indicator, rather than as an assessment parameter, with a subsidiary set of indicators. The process for developing gender

mainstreaming as a performance measure took a substantial step forward in 2002, spurred on by comment from DFID's Governance Adviser, who identified that a gender indicator could not capture the totality of gender issues. Twenty two people from the Ministry of Local Government, local government, donors, Makerere University debated gender indicators, until an assessment parameter and accompanying batch of indicators were agreed. Armed with this input, the staff member in charge of the assessment mechanism won a persistent and hard fought technical battle. Gender mainstreaming has been included as a performance measure for assessment of both district/municipality and lower local government since the 2003/04 assessment. There are ten indicators informing assessment of the parameter (see Annex E).

Implementing the assessment mechanism. The assessment is carried out in two tiers. District/municipality assess lower local government within its remit. This is referred to as the "internal assessment". Subsequently, national assessment teams carry out the "national assessment" of district/ municipality performance. A quality assurance mechanism is run by independent consultants, contracted through MoLG, who carry out sampling of assessments made by the national assessment teams. Feedback is given to each district/municipality and results are publicised in an annual report, which is available on the Ministry of Local Government website. This transparency reinforces the degree of country ownership of the assessment mechanism at each different level of government, promoting engagement of local government and interaction between local and national government. MoLG staff reported that the annual cost of the assessment mechanism is approximately USH 0.9billion (USD 529,000), of which 50% is spent on costs associated with the assessment teams, almost 25% on the quality assurance mechanism and the remainder spent on the feedback process and other general costs.

Linking results to changing performance on gender mainstreaming: The system for managing for results is also designed to encourage changes in performance. National assessors commented that districts varied quite noticeably in how they progress beyond low performance (which can readily be tracked through successive annual assessments). A combination of potential capability at a technical level and leadership open to learning from experience was needed to produce positive changes in performance on the gender mainstreaming assessment parameter. Some local government units see the penalty as a stimulus for learning. MoLG provide capacity building support to local government units that are penalised, with costs of the capacity building borne by MoLG centrally and costs of implementing corrective action borne at local level. MoLG "sub-contracted" MGLSD to develop training modules for gender mainstreaming for local councillors. The Department of Women and Gender Studies at Makerere University also receive requests for gender mainstreaming training from district officials and have delivered training programmes, especially in the eastern region. These different initiatives to support capacity development illustrate a high degree of country ownership of the mechanism.

Links to national level results frameworks: Although the reporting frameworks in the PEAP and in the UJAS do not directly include indicators of activity at lower levels of government, in practice many of the higher level indicators included, such as health and education indicators are dependent on effective management not only within line ministries, but also in local government. The inclusion of gender mainstreaming in this management system increases the chance of government as a whole being able to deliver on its commitments, not just in sex disaggregated targets, but also on poverty targets as a whole.

5 Key Findings

The considerable progress made in both the aid effectiveness agenda and in attention to social issues (especially gender) in Uganda means that this country study provides a particularly rich set of examples that illustrate many facets of interaction between the aid effectiveness and rights, social exclusion and gender equality.

The findings illustrate in particular the complexity of the issue of ownership:

- **A strong sense of ownership and clear links between assessment and financial resources available for local government have been effective in promoting behaviour and performance change in local government** – including performance in mainstreaming gender equality. The mechanism was reported by those interviewed as being clear and straightforward to implement. Annual reporting provides a firm evidence base that allows change to be monitored and improvements in performance on specific parameters – including gender equality – to be tracked over time. Although the National Assessment of Local Government is focused on a specific programme funded through the World Bank, interviewees in MoLG and MGLSD gave an impression of high degrees of ownership of the approach.
- **The degree of ownership and accountability of government influences the effectiveness of technical support for gender equality initiatives.** Despite long term, concerted efforts, focused largely on capacity development for gender and equity budgeting, there are still a number of districts that do not succeed in including gender equality and social inclusion issues in the preparation of their annual budget submissions. Without specific incentives for district governments to produce budget submissions that clearly respond to gender and equity guidelines, they may not take up available capacity development opportunities. The example of the National Assessment of Local Government illustrates that attitudes of those in leadership, as well as technical resources, are key in influencing how successful capacity building is likely to be.
- **The ownership of gender equality results by different parts of government involves negotiation.** The relationship between MFPED and MGLSD in their respective technical support to gender and equity budgeting is not straightforward. Whilst collaboration between social development sector and financial arena staff has undoubtedly been effective, in the Social Development Sector Joint Annual Review (December 2007) the question of attribution of results on gender and equity budgeting was raised as an issue by MGLSD staff. MGLSD saw its responsibilities for gender mainstreaming producing results in other areas of government, but that the Ministry was not credited with achievements in which it had played a part. The issue was also raised of the constraints resulting from levels of technical expertise in complex financial matters amongst social development sector actors.
- **Committed and well placed individuals are important for advancing gender equality in practice.** The examples of the National Assessment of Local Government, gender and equity budgeting and gender mainstreaming in PMA demonstrate the influence of committed and capable individuals. Key informants interviewed for this study could identify a small core of key actors (numbering approximately ten individuals) who had played a central role in shaping gender outcomes in a series of important national processes and had continued to be influential over a substantial number of years. They could, furthermore, name a further set of individuals who had played key parts at particular moments, before moving on to other jobs or other countries. These individuals were well placed within different government institutions, within donor offices and within CSOs. In government, this included individuals in the relevant “technical” ministry of Finance, Planning or Local Government, plus the ministry remitted to advance gender mainstreaming (MGLSD). In donor offices, the committed individuals carried social remits and understood or were engaged in national level processes. CSOs had a

commitment to social goals and individual staff recognised that they could apply opportunities arising from the new aid architecture to achieving these ends. Many of the individuals involved in the technical development of the gender mainstreaming parameter (who referred informally to the group as the “Big 22”) became members of the subsequent “Big 16” which evolved into the PEAP Gender Team and had significant influence in a number of successful gender mainstreaming initiatives developed and introduced over the period of development of PEAP III. The good working relationships and technical interaction between these different players, engaging as peers, using their voluntary time and having common objectives was identified in many different interviews as a decisive factor in the progress Uganda is internationally judged to have made in mainstreaming gender. As the Budgeting for Gender and Equity Guidelines Manual for Facilitators illustrates, key actors in Uganda are very aware of the influence of highly committed individuals, with continuity amongst the actors, “Never doubt that a small committed group of people can change the world. Indeed that is all that ever has.”⁸

The JLOS SWAp particularly shows the potential effectiveness of harmonised and aligned approaches in this sector which is of central importance for social goals:

- **The JLOS SWAp has provided the mechanism for ensuring the sector’s scope includes gender equality and social inclusion.** As the second sector investment plan (SIP II) was developed, the debate on the scope of the sector – which was widened to include family law – was carried forward with the participation of representatives of all actors, present at the national level. There have been delays in adopting a JLOS gender strategy. Nonetheless, the strong stance taken in JLOS on discrimination and social exclusion should result, over time, in a greater access to justice and ultimately economic empowerment for vulnerable groups of the population.
- **The JLOS SWAp has enabled social exclusion in northern Uganda to be addressed with “non-emergency” modalities.** There are and have been many actors providing humanitarian relief in northern Uganda. Most interventions are funded and delivered in “emergency mode” i.e. through project modalities, with separate funding and reporting mechanisms and formats, not necessarily aligned with sector policies or priorities for geographic coverage within the conflict affected region. The example of RNE funding to the police provides an illustration of what is possible in terms of action in the spirit of the Paris Declaration, to advance social inclusion objectives (as defined in the Ugandan context of the long term regional exclusion of the conflicted northern region), even in the urgent decision making environment of post-conflict recovery.

Donors have however not always harmonised effectively around gender equality objectives:

- **Lack of a harmonised approach to funding has led to missed opportunities for advancing gender and equity budgeting.** NORAD has been approached by GoU to finance the next stages of gender and equity budgeting and some members of the Donor Coordination Group on Gender are promoting the idea of a basket fund, to move beyond the short term, project mode funding that has characterized gender and equity budgeting initiatives to date. Funding for gender and equity budgeting has been sourced from a range of different donors over the years. In the early stages, an international review of gender and equity budget initiatives⁹ notes that, in Uganda in the late 1990s, “Surprisingly, given the strength of the initiative and the receptive environment, FOWODE experienced some difficulty in obtaining

⁸Quote attributed to Margaret Mead and quoted on the back cover and frontispiece of the Budgeting for Gender and Equity Guidelines Manual for Facilitators, PMAU/MFPED 2007

⁹ Review of Gender Budget Initiatives Debbie Budlender for Community Agency for Social Inquiry to inform Commonwealth Secretariat, UNIFEM and the International Development Research Centre, 2001

funds." At some stages different donors, multilateral agencies and NGOs have funded production of training manuals aimed at similar target users. The challenge of ensuring that donor staff focused on economic areas also engage with questions of gender equality and social inclusion was referred to in interviews, with an example given of reluctance amongst economists to engage with the government's experience in gender and equity budgeting. Gender and equity budgeting initiatives have also missed opportunities to integrate with the wider reforms in public financial management.

- **The effectiveness of a harmonised gender coordination group is reduced where real differences of approach to gender exist.** In Uganda, there is a gender donor coordination group, which at present is primarily an information sharing body. There are clear differences among donors about how they address gender issues. Some donors fund MGLSD in ways that do not focus on the Ministry's cross-cutting role. GoU also tends to see gender as principally a policy and technical advice role, with low inherent costs. This constrains the capacity of MGLSD to carry out some of its cross-cutting functions. In this context, the gender coordination group struggles to push through action for harmonisation around gender issues.

In addition, even within the generally positive context of policies towards gender equality that Uganda shows, there are important challenges in carrying this through into effective mainstreaming for instance in the definition and use of appropriate indicators:

- **Gender equality indicators easily become lost between the sectoral and pillar based instruments that articulate country ownership and are a focus for alignment.** The example of the dilution of gender in agriculture, tracked from the PMA across PEAP III to the recent instruments of harmonisation and alignment (i.e. UJAS and DoL) reveal the complexity of moving between sectoral and pillar based processes, when different actors are the key drivers. Cross-cutting issues can slip out of sight in aid instruments with a sectoral perspective, even when technical analysis and information is available in relevant national sector plans, when filtered through pillar based instruments. The example of the PMA demonstrates that, at intermediate level, sex disaggregated indicators are already available, for example in the way the intermediate results for NAADS are framed. In part, the failure to capture gender equality issues in the UJAS/DoL arose because high level indicators in the PEAP do not include gender dimensions. Different commentators have different opinions about whether it is possible to capture gender questions only at the level of sector level indicators. For the Division of Labour exercise, no interviewees could provide insight into how the methodological challenges of combining cross-cutting issues and sectorally focused processes were being addressed.
- **A lack of sex disaggregated data means that gender equality concerns become excluded from key national documents that are lynchpins of country ownership and alignment.** One informant who worked on the UJAS points out that it is not good practice to select indicators that cannot be tracked through regular national surveys.¹⁰ MFPED has commissioned UBOS to reanalyse 2004 national survey data to develop a baseline of sex disaggregated data. This is being undertaken in four areas: health, education, agriculture and water and sanitation. The Poverty Monitoring and Analysis Unit is also working with UBOS on national survey questionnaire question design. Uganda has been innovative in integrating gender equality into the PMA framework. There has been some impact in terms of the inclusion in the PEAP of issues such as food security, which are seen to be more relevant to women. However, the process has been weakened by the lack of sex disaggregated data at both sectoral and national level.

¹⁰ The Paris Declaration in paragraph 45 states that donors should "...rely, as far as possible, on partner countries' results-oriented reporting and monitoring framework."

Civil society also faces special challenges and opportunities:

- **Civil society organisations' role in demanding mutual accountability has potential to influence progress towards gender equality and social inclusion objectives.** In Uganda's efforts on gender and equity budgeting, one key civil society commentator offered the view that CSOs should move away from the technical support role they have played to date and adopt a challenge function, holding government more clearly to account for achievements against commitments on gender and equity budgeting. CSOs reported plans to set up a network of "budget trackers" at local government level, supported and empowered to analyse local government spending decisions. As another example, Uganda's progress in reporting on international declarations and conventions is poor. CSOs attribute this to a combination of lack of political will, capacity and poor coordination, but also note that CSOs need to be more active in demanding better performance from government on human rights.

6 Conclusions

The following conclusions arise from overall reflection on the context and specific examples analysed in Uganda. Conclusions are presented as pointers from experience, rather than in the form of recommendations, given that the evidence base is restricted to only one country. Conclusions are grouped according to categories of the Paris Declaration principles. Inevitably, some reflections touch upon a number of these principles and the categorisation below is intended to be indicative, rather than definitive.

Country ownership and mutual accountability

- Ensuring broad based country ownership for gender equality, social inclusion and human rights requires long term and adaptive approaches by different actors. In Uganda, commitment to gender equality at policy level has been high across a range of different actors. Nevertheless, even in this context, maintaining commitment to implementation of specific measures in practice, such as gender and equity budgeting, has required various government and civil society actors to adopt a range of positions over time. Political context, including the influence of elections or the style and approach to national planning (articulated in PRSPs or the National Development Plan), provide a changing backdrop against which these different actors adapt in terms of entry points and opportunities for leverage in advancing human rights, and policies to address social exclusion and promote gender equality. Long term commitment to capacity building plays a key part in enabling different actors to develop ownership or demand accountability.
- Linking initiatives on rights, social exclusion and gender equality with national budget, financial penalties and rewards and public financial management reform provides entry points for country ownership and mutual accountability. CSO actors in Uganda have engaged in different ways to advance gender and equity budgeting, including demanding accountability through analysis of national budgets. Local government has improved its performance on gender mainstreaming, in a system that includes an assessment mechanism that provides financial rewards for such change in performance. Opportunities to link gender and equity budgeting with general public financial management reforms have not been fully exploited, arguably missing opportunities to promote ownership for issues of gender equality in relevant parts of government.
- Interaction between committed gender experts and well placed gender champions has been a significant factor in Uganda in advancing a number of key measures that apply both Paris Declaration and gender lenses to the development agenda. Progress in initiatives, such as the National Assessment of Local Government or gender and equity budgeting, has been achieved by a combination of individuals whose roles explicitly include gender equality and individuals whose roles encompass the financial arena or decentralised government performance. Several individuals interviewed for this study stated that they did not regard themselves as gender experts, although they had clearly been highly influential in advancing aspects of the gender agenda in Uganda. They were well placed within different Ministries, for example, and had come to see gender as an aspect of their work that helped “make sense” of what they did and why they did it. Their motivation to battle for gender perspectives within their spheres appeared, in many cases, to come from a personal drive. Where these gender champions are not available, failure to ensure that gender experts are included has contributed to opportunities for capturing gender perspectives being lost in “generic” instruments, such as the UJAS or DoL, even when these perspectives are articulated in specific planning tools, such as PMA.

Harmonisation and alignment

- Gender equality and other social issues have, in many instances, been successfully mainstreamed in key sectors and articulated in SWAps. The evolution in JLOS between the first and second sector investment plan provides an illustration. However, learning and experience from SWAps does not automatically pass into other aid instruments, as illustrated by the DoL exercise in Uganda. There are important lessons for institutional arrangements and institutional capacity within donor missions. The choice of donor staff that are engaged - heads of office, technical staff with social sector expertise and technical staff without such expertise – shapes outcomes. Technical staff who do not carry social sector remits need to have a personal commitment to objectives such as gender equality if these perspectives are not to be lost.
- The positioning and “weight” that different donors have within a sector varies. This may affect the extent to which they are willing to use harmonised and aligned approaches as routes to realising their commitments to rights, social inclusion or gender equality. The example of RNE funding to the police in northern Uganda illustrates how a donor with a key position in a sector can effectively adopt harmonised and aligned approaches to address social exclusion, even in non-typical areas, such as emergency and post conflict settings. This raises interesting questions of whether donors who play a less central role in a sector would be willing to provide substantial funding through sector based, rather than project, mechanisms. This question has implications as donors move to implement DoL, with silent partnerships and more donors occupying “non-lead” roles in the smaller number of sectors in which they engage.
- Joint Assistance Strategies and, to a lesser extent Division of Labour exercises, are being developed in a number of countries as key aid instruments for advancing harmonisation and alignment. Rights, social exclusion and gender equality have been captured in different JAS and DoL instruments to different extents. Donors in Uganda have not fully used cross-country sharing of expertise.

Managing for development results

- There is a genuine difficulty in narrowing down to anything like a manageable set of strategic indicators in national planning instruments, such as PEAP or the National Development Plan and the bodies carrying the remit for monitoring these national planning instruments in Uganda have expressed the view that important aspects of rights, social exclusion and gender cannot be captured in indicators at this highest strategic level. However, these strategic planning instruments provide the framework not only for sectoral plans, but also for new aid instruments. This means that it is extremely important to ensure that relevant indicators are included at the highest strategic level, to ensure that they “transit” into new aid instruments, such as the UJAS or DoL.

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List of people met

Government of Uganda

Name	Title	Organisation
Godfrey Bahigwa	Director, Secretariat	Plan for the Modernisation of Agriculture
George Kacwa Bekunda	Commissioner, Equal Opportunities Commission	Ministry of Gender, Labour and Social Development
Evelyn Edroma	Senior Technical Advisor, JLOS Secretariat	Ministry of Justice and Constitutional Affairs
Margaret Kakande	Poverty Analyst, Poverty Monitoring and Analysis Unit	Ministry of Finance, Planning and Economic Development
Andrew Kizza	Principal Inspection Officer, Local Government Administration and Inspection	Ministry of Local Government
Margeret Mabwejano	Assistant Commissioner, Department of Gender, Culture and Community Development	Ministry of Gender, Labour and Social Development
Tom Matte	Director, Local Government Administration and Inspection	Ministry of Local Government
Fred Muhumuza	Economic Advisor to the Minister	Ministry of Finance, Planning and Economic Development
Benard-Makuba Mujuni	Coordinator, Equal Opportunities Commission	Ministry of Gender, Labour and Social Development
Leo Nampogo	Senior Policy Analyst	Ministry of Gender, Labour and Social Development
Agnes Namwase Wegulo	Social Development Specialist, Secretariat	Plan for the Modernisation of Agriculture
Peter Ssentongo	Assistant Commissioner National Integrated Monitoring and Evaluation System (NIMES)	Office of the Prime Minister
Assumpta Tibamwenda	Deputy Coordinator, Programme Coordination Unit, Local Government Development Programme	Ministry of Local Government

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Donors (bilateral and multilateral agencies)

Name	Title	Organisation
Joanne Bosworth	Social Development Adviser	Department for International Development
Robert Burtscher	Programme Officer, Water and Sanitation	Austrian Embassy, Development Cooperation
Walter Ehmeir	Counsellor, Head of Office	Austrian Embassy, Development Cooperation
Fintan Farrelly	Head of Development	Embassy of Ireland / Irish Aid
Moses Isooba	Programme Coordinator, Democratization, Civil and Political Rights	Danida Human Rights and Good Governance Programmes
Caroline Kego Laker	Social Development Adviser	Embassy of Ireland / Irish Aid
Esther Loeffen	Legal Sector Advisor First Secretary	Embassy of the Kingdom of the Netherlands
Charles Magala	Programme Officer	Royal Danish Embassy / Danida
Birgitte Markussen	Head of Development Cooperation	Royal Danish Embassy / Danida
Michel Rentenaar	Head of Development Cooperation	Royal Netherlands Embassy
Young Chul Kim	Senior Country Economist	World Bank

Civil society organisations and academic institutions

Name	Title	Organisation
Marren Akatsa -Bukachi	Executive Director	The East African Sub-regional Support Initiative for the Advancement of Women (EASSI)
Caroline Buunga	Policy Advocacy Officer	Uganda Women's Network (UWONET)
Elizabeth Nakiboneka Ddungu	HIV/AIDS Coordinator	Actionaid International Uganda
Elizabeth Eilor	Coordinator	African Women's Economic Policy Network (AWEAPON)
Betty Kasiko Ikanza	Programme Officer	Development Research and Training (DRT)
Jane Ocaya Irama	Programme Manager	The East African Sub-regional Support Initiative for the Advancement of Women (EASSI)
Consolata Kabonesa	Gender and Human Development Specialist	Department of Women and Gender Studies, Makerere University
Sophie Kyagulanyi	Research and Policy Analyst - Governance	ActionAid International Uganda
Daniel Lukwago	Senior Policy Officer	Uganda Debt Network
Julius Mukunda Mugisha	Programme Director, Gender Budget Programme	Forum for Women in Democracy (FOWODE)
Esther Nabwire	Programme Officer	Forum for Women in Democracy (FOWODE)
Charles Lwanga Ntale	Executive Director	Development Research and Training (DRT)
Beverly Namboyo Sengiyunva	Program Officer – Communication and Networking	The East African Sub-regional Support Initiative for the Advancement of Women (EASSI)
Warren Nyamugasira	Executive Director	Uganda National NGO Forum
Mukotani Ruyendo	Publications Officer	Uganda Debt Network
Josephine Watuulo	Program Officer – Monitoring and Evaluation	The East African Sub-regional Support Initiative for the Advancement of Women (EASSI)

Annex A Terms of reference

Strengthening the poverty impact of the Paris Declaration:

Aid effectiveness evidence gathering project on gender equality, human rights and social exclusion:

Terms of reference for Phase Two, July 2007

Background and rationale

1. In March 2005 over one hundred official agency donors and developing countries established global commitments to support more effective aid in the context of significant scaling up of aid. The result, the *Paris Declaration on Aid Effectiveness (PD)*, marks an unprecedented level of consensus and resolve to reform aid. These reforms are intended *'to increase the impact of aid...in reducing poverty and inequality, increasing growth, building capacity and accelerating the achievement of the MDGs'* (Paris Declaration para 2).

2. The PD framework agreed five overarching principles or partnership commitments – ownership, alignment, harmonization, managing for development results and mutual accountability. It goes beyond previous agreements and lays down a practical, action-oriented roadmap to improve the quality of aid and its impact on development. Donor and partner countries agreed a set of indicators, targets, timetables and processes to monitor the implementation of the PD up to 2010. This includes the **Third High Level Forum to take place in Ghana in September 2008**.

3. To date attention by donors and partner governments has primarily focused on aid and agency effectiveness, in particular improvements in aid delivery to increase the efficiency of financial and administrative arrangements; harmonisation of donor procedures and activities, and strengthening partner government leadership and ownership with alignment behind national development plans. The Paris Declaration itself and the indicators for monitoring focus on mechanisms and processes, and does not monitor substantive issues such as the development of content and outcomes. The focus on aid delivery mechanisms is much needed. However, on their own, they will not lead to the envisaged development effectiveness or sustainable benefits for poor women and men unless issues of substance such as gender equality, rights and inclusion are addressed in parallel.

4. However, a more complete reading of the PD locates the commitments more clearly within the ultimate goal of reducing poverty and inequality and requires an assessment of wider outcomes and impacts on poor and excluded women and men. The partnership commitments are major reference points for strengthening broad based ownership, guiding policy dialogue, shaping the contents of development co-operation programmes and bringing about institutional and budgetary changes required to improve poverty outcomes and empower poor and excluded groups. More attention needs to be paid to ends as well as means of channelling aid, and to processes necessary for poverty reduction, particularly those concerned with human rights, social exclusion and gender if the aims of the PD and the MDGs are to be realised. These reforms provide an opportunity to improve current practice of donor agencies, recipient governments and civil society in pursuit of gender, rights and inclusion to the betterment of women, men, girls and boys (Gaynor 2007).

5. In September 2008 the **Third High Level Forum on AE**, in Accra Ghana, will review progress in implementing the PD and set a pathway to 2010 and beyond. This is likely to be a high profile event, attracting far greater scrutiny from the media, civil society and partner governments than in Paris 2005. It is an opportunity to reaffirm, accelerate and deepen the Paris Agenda and to mark

its transformation into a country-led framework for aid relationships and aid effectiveness. It also is an opportunity to strengthen the focus on poverty outcomes in the implementation of the PD, including through greater integration of cross cutting issues.

6. To ensure the HLF recognises the relevance of cross cutting issues in operationalising the Aid Effectiveness agenda, more systematic evidence is required on how, and to what extent, cross-cutting issues of gender equality, human rights and social exclusion are analysed, captured and monitored in the evolving new approaches to aid delivery and partnerships. In discussion with the Gendernet, Govnet, the Working Party on Aid Effectiveness (WP-EFF) and Nordic + colleagues, DFID proposed an evidence gathering exercise on aid effectiveness and gender, rights and exclusion to fill this identified gap.

7. In the spirit of the Paris principles, this work is jointly funded by a number of Nordic + partners including the Irish, DFID and the possibly the Dutch. It builds on the momentum created by the Dublin Workshop in April 2007 which brought together the WP-EFF, Gendernet, Govnet and Environet.¹¹ It seeks to complement on ongoing cross-cutting work to strengthen the evidence base such as the Unifem project on Building Capacity and Improving Accountability for Gender Equality in Development, Peace and Security, and also Irish Aid's desk study on Gender and Joint Assistance Strategies. It should also complement other efforts in monitoring progress such as the Baseline Survey and the DAC joint evaluation on Aid Effectiveness. Overall this work should contribute to the development of shared messages and agreed outcomes for the HLF3 for a strengthened focus on social outcomes especially gender outcomes beyond Ghana.

8. A scoping study (phase 1) funded by DFID was undertaken as a first step towards developing this evidence base. This produced a synthesis of relevant literature on aid effectiveness and cross cutting approaches; a synthesis of civil society perspectives; an initial analytical framework and approach for evidence gathering; and a partnership and influencing strategy which maps key opportunities, partners and processes leading up to Ghana 2008. Building partnerships and influencing is an important component of the work.

9. The initial **analytical framework** is described in the main body of the Phase 1 report¹². It builds on the synergies between the cross-cutting issues of gender equality, human rights and social exclusion, and that of the PD. It maps change processes in both onto key areas of the policy cycle and enables a matching of opportunities and risks as well as good practice in both the aid effectiveness and cross-cutting agendas.

10. The **partnership and influencing strategy** is set out in the main body of the Phase 1 report¹³. It is integral to the selection and implementation of the case studies and the dissemination of findings. The aim is for the project to be carried out in such a way as to maximise opportunities for joint work among a range of partners, and to influence key stakeholders in the lead-up to the Ghana HLF and beyond.

Goal

¹¹ The Dublin workshop looked at environmental issues. We recognise that HIV/Aids is seen as a cross cutting issue. This work will however, focus on gender, rights and exclusion only.

¹² Aid effectiveness and cross cutting issues – gender equality, human rights and social exclusion: Strengthening the poverty impact of the Paris Declaration. By S. Fleming, M. Cox, Kasturi Sen, Katie Wright-Revollo. 31 March 2007.

¹³ Ibid

Uganda Case Study

11. Cross-cutting issues of gender equality, rights and exclusion firmly on the Ghana HLF agenda and analysed and captured in the implementation and review of the Paris Declaration on Aid Effectiveness, in order to strengthen the focus and impact on poor women and men.

Purpose

12. To generate an evidence base, build support among Paris Declaration stakeholders and provide practical recommendations for strengthening the focus on the cross-cutting issues of human rights, social exclusion and gender equality, and poverty outcomes, for the Third High Level Forum in Ghana (2008) and beyond.

13. Specifically the research should be able to answer how effectively the policy areas of gender, rights and social exclusion are addressed in:-

- Budget support processes, structures and mechanisms; Sector Wide Approaches
- New aid effectiveness mechanisms for operationalising the Paris Declaration at country level e.g. Performance Assessment frameworks, Joint Assistance Strategies, Aid Policy frameworks; national planning processes and plans, PRS monitoring frameworks
- The country level dialogue, relationships and decision making related to the new aid environment. Including the relationships and dialogue between donors, partner governments and civil society, and the spaces and processes for dialogue and decision making e.g. harmonisation groups, results and resources groups/ consultative groups, mutual accountability mechanisms.

Outputs and timing

14. The outputs for the project will include:

i) An inception report detailing methodology, locations and partners, with rationale; a work plan with timetable; and a partnership and influencing plan: by end of month 1, to be discussed and agreed and updated as required

ii) A series of approximately 6 in-depth case studies of 10-15 pages each: finalised by December 2007

iii) A document summarising the other, approximately, 18 relevant examples and experience from the literature and other on-going research (36-50 pages): finalised by December 2007

iv) A synthesis report (maximum 50 pages including annexes) which presents the main lessons from the case studies, rapid assessments, and additional contemporary research and literature: finalised by January 2008. The synthesis report will include:

- (a) Evidence on how cross-cutting social issues have been integrated into and benefit current approaches to aid effectiveness; as well as where they have been omitted
- (b) How the PD applies to donor and partner country efforts to promote cross-cutting social issues;
- (c) Recommendations for integrating cross cutting issues into PD implementation, monitoring and evaluation.
- (d) Recommendation for 2 – 3 high level strategic key messages and concrete outcomes for the HLF

v) An influencing strategy with identification of alliances and influencing opportunities supported by a short presentation paper (4-6 pages) to present the results of the study and its principal recommendations to senior policy makers and other stakeholders at the Accra HLF: finalised by March 2008

vi) A series of briefs and/or presentations on emerging findings. These outputs should be tailored to specific events and audiences outlined in the partnership and influencing strategy: on-going and responsive

vii) Series of workshops and presentation materials for final events in the in-depth case study countries and for the project as a whole: on-going and responsive

viii) Quarterly progress reports

Tasks

15. The tasks are outlined below:

i) Finalise a work plan and a partnership and influencing plan, detailing roles of collaborating donors and country government, civil society and research partners. Outline types and timetable of products for DAC, donor, country government and civil society audiences, including proposals for feedback at country level, and final presentation and discussion. Some flexibility will be needed to respond to changing priorities and opportunities for building partnerships and exercising influence as they arise. Guidance for the plan is in the method section of these TORs.

ii) Develop a methodology to assess how gender, rights and exclusion in relation to the Paris Declaration are addressed in budget support processes, structures and mechanisms; new aid effectiveness mechanisms for operationalising the Paris Declaration and country level dialogue, relationships and decision making in the new aid environment. A suggested list of study questions and an overall conceptual framework for these studies are included in the phase 1 scoping report¹⁴ as a guide

iii) Carry out approximately 6 in-depth country case studies and 18 rapid assessments. Criteria for choice of case studies are in the method section of these TORs.

iii) Monitor and brief joint donor steering group on key processes, events and developments in preparation for Accra, amongst the DAC WP-EFF, the donor community and key civil society actors.

iv) Organise feed back of results in the case study countries, and a series of workshops to present the findings and recommendations to a diverse group of key stakeholders e.g. donors, civil society, WP-EFF, North and South.

Method and principles

16. Study principles and design:

- The PD principles and commitments and their relationship with the cross-cutting issues of

¹⁴ Ibid

gender, human rights and social exclusion, are the central focus of the study;

- Aid instruments (e.g. Poverty Reduction Budget Support, Sector Wide Approaches), modalities (e.g. gender and participatory budget / monitoring and evaluation initiatives, PRS processes) and management frameworks (e.g. Joint Assistance Strategies, Performance Assessment Frameworks, harmonisation groups, national planning cycles) and systems for dialogue and decision making (donor working groups etc.) should provide concrete examples of the PD commitments and issues;
- The case studies will focus on practical lessons and experience, particularly of emerging good practice, that could act as a guide for policy makers and practitioners (both aid effectiveness generalists as well as cross cutting specialists);
- The study design and implementation should adhere as far as possible to the spirit of the PD principles of i) broad-based country ownership (the issue could be of importance to either sector ministries, regional and local government, parliaments and assemblies, or civil society organisations), ii) alignment with research strategies of in-country actors (through consultation and possible direct participation with southern researchers), iii) harmonisation with other donor efforts on cross-cutting issues, iv) consultation with both government and civil society in country-specific design, open and transparent with study results, ensuring accessibility, enabling feedback to the range of in-country partners;
- The two levels of research are a) in-depth studies, using secondary data, individual and focus group interviews with stakeholders and where appropriate use of the relevant research in the area and b) rapid assessments using secondary data, telephone interviews as needed, as well as findings from other research and studies;
- Involve government and civil society in the preparation of individual case studies, work with southern researchers and/or research institutions, and in-country partners, as far as possible.

17. Suggested criteria for selection of case study countries and rapid assessment examples. These are to be chosen to provide a range of different country contexts :

- regional spread across e.g. Asia, Africa, Middle East and South America
- country capacity/ context (good performer, fragile and non-fragile, post conflict)
- degree of dependency (HIPC/MICS/LICS)
- Mixture of budget support and non-budget support countries
- presence of best practice examples and/or risks and opportunities (across the principles)
- where implementation of the Paris principles is making a clear difference (for the better or otherwise)
- relevant issue, owned by partner country governments (central and local) and/or civil society
- preferably non duplication with Unifem country case studies¹⁵ but possible complementarity with some country case studies from the AE evaluation
- Countries where DFID offices are keen to engage and can provide a strong country case study e.g. Cambodia

¹⁵ Unifem country case studies include Ghana, Ethiopia, Honduras, Cameroon, Ukraine, Kyrgyzstan, Papua New Guinea – possibly Nepal and DRC; AE evaluation include Bangladesh, Bolivia, Mali, Philippines, Senegal, South Africa, Sri Lanka, Uganda, Vietnam, and Zambia.

18. Partnership and influencing strategy

- The project will be carried out in such a way so as to maximise opportunities for joint work among a range of partners, and to influence key stakeholders in the lead-up to the Accra HLF.
- Briefing and dissemination may need to tailor different messages to different audiences, described in the partnership and influencing strategy.
- Briefing and dissemination of evidence will be carried out throughout the life of the project, in order to build awareness of and receptivity to project evidence and recommendations.
- The project will use a range of events and processes as opportunities for disseminating its findings, including international fora and Northern and Southern civil society networks, in the lead up to Ghana.

Reporting

19. The project will be led by the CLEAR and Equity and Rights teams in DFID with reporting to Katja Jobes (CLEAR team) and Clare Castillejo (Equity and Rights Team), who will chair a joint donor management group with Irish aid. The exact composition and roles will be determined at the time of awarding contracts. The consultants will submit quarterly progress reports.

Competencies

20. The team will have skills and experience in the following areas:

- Multidisciplinary team covering the technical areas of mainstreaming cross cutting approaches – gender, human rights, social exclusion *and* aid effectiveness; current knowledge and experience of both areas
- Policy aptitude and experience in multi-donor fora, and with policy engagement on cross cutting issues and aid effectiveness
- Understanding and experience of the Paris Agenda, the process and the OECD/DAC machinery for effective influencing
- Research/communication skills and experience, experience of managing different research sites, working in partnership with a range of government, civil society and southern research partners
- Qualitative and participatory research skills
- Wide geographic experience, with country coverage in the team across Asia, Africa, Middle East and Latin America

Department for International Development

Annex B Partnership Principles

Box 1 Donor and Government of Uganda (aid) partnership principles

Shared Commitment: donor and government priorities based on the PEAP

Government

- Continues to focus on poverty eradication
- Assumes full leadership in the donor co-ordination process
- Discourages any stand-alone donor projects
- Strengthens monitoring and accountability
- Develops comprehensive, costed and prioritized sector wide programmes eventually covering the whole budget
- Further develops participation and co-ordination of all stakeholders
- Strengthens capacity to coordinate across government

Donors will

- Jointly undertake all analytical work, appraisals and reviews
- Jointly set output/outcome indicators
- Develop uniform disbursement rules
- Develop uniform and stronger fiduciary assurance and accountability rules
- Ensure integration of support in sector wide programs
- Continue to increase the level of untied sector budget support
- Increasingly delegate responsibilities to country offices
- Abolish topping up of individual project staff salaries
- End individual, parallel country programmes and stand-alone projects
- Progressively reduce tying of procurement

Source: African Development Bank *et. al.* 2005: vii.

Annex C Budget Call Circular Financial year 2008/09 Gender and Equity Budgeting Guidelines

The Guidelines are developed along the same lines as the general Terms as laid out in the Budget Call Circular.

First and far most, the sector-working group must identify the gender and equity issues that are of concern in that sector.

How to identify gender and equity issues?

A good way of starting gender and equity budgeting is to identify the problem/issue. It is essential that users of the manual clearly understand what the gender and equity issues are, as these form the basis for using the manual. This section is therefore intended to provide guidance on how to identify gender and equity issues in any given context.

Information generated from this section will be required for examination of the sector objectives (Section 1 of the BFP).

Steps in identifying a gender and equity issue:

- a) Review and analyse existing data (e.g from joint sector reviews, household surveys, demographic and health surveys sector management information systems) to find out if women or men and socio-economic groups (e.g. youths, children, PWDs, ethnic minorities) as well as poorer regions are discriminated against in access, use, participation in and benefits from existing sector policy/programme/budget(s). For example despite universal primary education (UPE), primary education suffers very high drop out rates especially for girls in the northern region. This is both an equity and gender inequality.
- b) Identify the causes of the problems/gaps/inequalities emerging from a) above. From the above example, the causes may include inadequate sanitation facilities at schools for girls; and early pregnancies due to rampant child sexual abuse in conflict areas. These are the gender and equity issues to be addressed.
- c) To acknowledge the importance of addressing the gender and equity issues identified, describe the *consequences* of the issues for the sector outcomes. For example the high drop out rates in UPE will affect the sector's attainment of national targets as stipulated in the PEAP and Education Sector Investment Plan.
- d) Suggest possible *solutions/interventions* to the problem, and determine who is responsible for implementing the solutions. Ideally solutions should address the causes identified in b) above. For example the possible interventions might include,

Construction of more sanitation facilities for girls in schools prioritising northern Uganda. This is an issue that can be addressed by the education sector.

Sensitize pupils (both boys and girls)/teachers about reproductive health, sexual rights and life skills especially in northern Uganda.

Section 1. Overview of sector policies

To address gender and equity issues identified above, users should do the following:

Step 1: List your key sector policies and objectives for the period.

Step 2: Highlight the gender and equity issues that are identified in the sector objectives

Step 3: Review the extent to which the existing sector objectives address the identified gender and equity issues

Step 4: Identify policy gaps in addressing gender and equity issues by the sector

Section 2. Review of FY 05/06 performance

This section comprises of two parts: Budget Performance and Physical Performance. In outlining the physical outputs and outcomes, this section must assess how well the sector has addressed the needs and interests of different groups over the previous financial year. Ideally sectoral agencies should have disaggregated statistics on past performance/delivery in respect of different groups and regions.

Step 1: Under review of budget performance, disaggregate information to reflect expenditure on gender and equity issues- for instance, where applicable provide average cost of service delivery by district [for beneficiary population] and area of intervention e.g. training by sex of participants

Step 2: Under physical performance, indicate outputs attained, for example achievements by sex, socio-economic group (e.g. youths, PWDs, children), and region/location for ongoing interventions

Step 3: Review outcomes (where feasible) by sex, and socio-economic group linking these to those spelt out in the PEAP matrices.

Step 4: Compare planned activities/targets against achievements with regard to addressing gender and equity issues in the sector and highlight performance gaps

Section 3. Overview of FY 06/07 budget allocations and objectives

This section examines the budget allocations for the period and assesses both the budget and physical performance for the first quarter of the financial year. In addition, an attempt is made to determine expected outcomes during the financial year as a whole. Ideally sectoral agencies should have disaggregated statistics on the quarter's performance/delivery in respect of different groups and regions.

Step 1: Under review of budget performance, disaggregate information to reflect expenditure on gender and equity issues- for instance, where applicable provide average cost of service delivery by district [for beneficiary population] and area of intervention e.g. training by sex of participants

Step 2: Under physical performance, indicate outputs attained, for example achievements by sex, socio-economic group (e.g. youths, PWDs, children), and region/location for ongoing interventions

Step 3: Compare planned activities/targets against achievements with regard to addressing gender and equity issues in the sector during the first quarter of the financial year and highlight performance gaps.

Step 4: Determine expected outcomes by sex, socio-economic group during the financial year.

Section 4: Sector priorities for the medium term

Step 1: From the gender and equity concerns that were identified ensure that some are included in the sector priorities. These should be spread out in the medium term depending on either urgency of the issue or importance in influencing the achievement of the sector objectives.

Step 2: Given the gaps identified in Sections 1 (review of sector policies) and; 2 and 3 (performance reviews), specify programmes/interventions that need to be budgeted for.

Step 3: Prioritise the specified budget interventions to address gender and equity issues by your sector.

Step 4: Identify complementary actions and responsible actors (including areas for inter-sectoral linkages); e.g. land issues have a strong influence on agricultural outcomes but are largely under the mandate of the lands sector

Section 5: Expected outputs, performance indicators and planned activities for the medium term.

For the selected priority gender and equity issues to be addressed in the medium term

Step 1: Spell out the expected quantitative and qualitative outputs.

Step 2: Identify the indicators that will be used to assess progress in addressing those inequality issues

Step 3: Identify the specific activities that shall be implemented to achieve the outputs noted in step 1 above.

Section 6. Proposed budget allocations for FYs 2007/08 -2009/10

This section describes what resources are required to implement programmes in the coming years and the outputs that are expected to be achieved. If additional resources are needed, the section needs to explain where these resources will be obtained from, for example by reallocating within sector ceilings.

Step 1: Drawing from the prioritised interventions in Section 4, step 3, what is the cost of implementing the prioritised activities which address gender and equity issues?

Step 2: State activities that will be funded within existing resources

Step 3: Drawing from costed priorities in Section 4, integrate the proposed expenditures on gender and equity issues into the sector MTEF

Step 4: Provide explanatory notes for the gender and equity activities reflected in the MTEF resource envelope.

Section 7: Challenges in the medium term

This section helps users to develop interventions for addressing the gender and equity-related issues that have been identified in the examination of policies and past performance.

Step 1: Given the gender and equity gaps identified in Sections 1 (review of sector policies) and; 2 and 3 (performance reviews), what policy measures need to be taken/introduced by the sector?

Step 2: Given the gaps identified in Sections 1 (review of sector policies) and; 2 and 3 (performance reviews), specify programmes/interventions that need to be budgeted for.

Step 3: Prioritise the specified budget interventions to address gender and equity issues by your sector.

Section 9: Summary matrix

This matrix provides an opportunity to link objectives, activities, expenditures and measurable indicators in a matrix. To ensure that gender and equity issues are not relegated, it is important to have specific activities and expenditures (where necessary) reflected, as well as indicators that will assess achievements in redressing gender and equity concerns.

Step 1: Ensure that specific activities and expenditures to address gender and equity issues are captured in the matrix

Step 2: Include performance indicators that will show achievements in reducing gender and equity differences.

Annex D Composition of the PMA Gender Technical Subcommittee

1. Ms Maggie Mabwejano (Chairperson) MGLSD (Ministry of Gender, Labour and Social Development)
2. Mr Mabuyo Mubarak MGLSD
3. Dr Peter Ogwang DANIDA
4. Mr Arthur van Diesen DFID
5. Mr Richard Ssewakiryanga UPPAP (Uganda Participatory Poverty Assessment Process)
6. Ms Elizabeth Lukonyi AUPWAE (Association of Uganda Professional Women in Agriculture and Environment)
7. Ms Assumpta Tibamwenda MoLG (ministry of Local Government)
8. Mr Francis Muhanguzi NAADS
9. Ms Peninah Kyarimpa CEEWA (Council for Economic Empowerment of Women in Africa)
10. Ms Margaret Kakande Poverty Monitoring and Assessment Unit, MFPED
11. Ms Consolata Kabonesa Makere University
12. Ms Helen Nviri Uganda Bureau of Statistics (UBOS)
13. Ms Margaret Kasiko Agriculture Sector Programme Support (ASPS) Danida
14. Ms Elizabeth Eilor AWEPON (African Women's Economic Policy Network)
15. Mr Cyprian Okello MHWC (Ministry of Housing, Works and Consrtuction)
16. Dr Fina Opio NARO (National Agriculture Research Organisation)
17. Ms Caroline Kego Laker PMA Secretariat

Annex E National Assessment of Local Government - Gender mainstreaming performance measure

Guidelines for assessing district/municipal performance measures

Performance Measures	Indicators of Performance Measures	Information Source, Assessment and Scoring Procedure
<p>G) Gender Mainstreaming Performance</p> <p>Maximum possible score is 10</p> <p>Must score at least 7 to be eligible for a reward</p> <p>Must score at least 5 to remain static</p> <p>Any score below 5 deserve a penalty.</p>	<p>1. District Development Plan reflect sound gender analysis including disaggregated data, gender impact analysis etc</p> <p>2. District Development Plan reflects strategies to address the gender issues identified in the analysis</p> <p>3. Annual budget reflects budgetary allocations to address gender strategies that were raised in district plans</p> <p>4. Evidence that the district/municipality has financed the gender issues identified by DDP during planning, monitoring and mentoring activities</p> <p>5. Evidence that gender specific needs were identified and analyzed during the capacity building needs assessment</p> <p>6. Specific capacity enhancement strategies and activities for Community Services Department and Gender Focal Point Person in the current FY linked to addressing inequalities between men and women</p> <p>7. Skills enhancement training for women, youth and PWD councillors undertaken during the previous FY aimed at reducing the inequalities between men and women</p> <p>8. Gender awareness training (addressing inequalities between men and women) planned for and</p>	<p>Obtain and review the District Development Plan to find out whether</p> <p>1. It reflects sound gender analysis including disaggregated data, gender impact analysis etc..</p> <p>2. It reflects strategies to address the gender issues identified in the analysis From the CFO</p> <p>3. Obtain and review the annual budget of the current FY to establish whether it reflects budgetary allocations to address gender strategies that were raised in district plans</p> <p>4. Obtain and review the vouchers to establish evidence that the District / municipality has financed the gender issues identified by the Gender Focal Point Person during planning, monitoring and mentoring activities in the previous FY.</p> <p>From the HRD and or Gender Focal Point Officer</p> <p>5. Obtain and review the capacity building needs assessment to establish evidence that gender specific needs were identified and analyzed during the capacity building needs assessment</p> <p>6. Obtain and review the capacity building reports to identify specific capacity enhancement strategies and activities for Community Services Department and Gender Focal Point Person in the current FY linked to addressing inequalities between men and women</p> <p>7. Obtain and review the capacity building reports to identify specific capacity enhancement strategies and activities for Women, Youth and PWD.</p> <p>8. Obtain and review the capacity building</p>

- undertaken during the previous FY.
9. Evidence that Gender Focal Point person identified gender issues, designed strategies and mentored other staff on how to deal with inequalities between men and women
10. Evidence that the Gender Focal Person has disseminated gender information (either received from the centre or developed within the LG) to technical as well as political leaders in the LG
- reports to identify specific capacity enhancement strategies and activities addressing inequalities between men and women.
9. Obtain and review documents such as circulars, DDP, Project Proposals and profiles, CBP, training reports, Gender officers submissions to Council and TPC with information on inequalities between men and women.
10. Obtain and review documents such as circulars, training reports, Gender officers submissions to sectoral committee, Council and TPC with information on inequalities between men and women

Performance measures and assessment procedures for lower local governments

Performance Measures	Indicators of Performance Measures	Information Source, Assessment and Scoring Procedure
G) Gender Mainstreaming Performance	<p>1. Sub-county/Town Council/Division Investment Plan reflect sound gender analysis including disaggregated data, gender impact analysis etc..</p> <p>2. Sub-county/Town council/Division Investment Plan reflects strategies to address the gender issues identified in the analysis</p> <p>3. Annual budget reflects budgetary allocations to address gender strategies that were raised in district plans</p> <p>4. Evidence that the sub-county/town council/division has financed the gender issues identified by the DDP during planning, monitoring and mentoring activities</p> <p>5. Evidence that gender specific needs were identified and analyzed during the capacity building needs assessment</p> <p>6. Specific capacity enhancement strategies and activities for Gender Focal Point Person in the current FY linked to addressing inequalities</p>	<p>Obtain and review the Sub-county/Town Council/Division Investment Plan to find out whether</p> <p>1. It reflects sound gender analysis including disaggregated data, gender impact analysis etc.</p> <p>2. It reflects strategies to address the gender issues identified in the analysis</p> <p>From the Sub-accountant/Treasurer</p> <p>3. Obtain and review the annual budget of current FY to establish whether it reflects budgetary allocations to address gender strategies that were raised in district plans</p> <p>4. Obtain and review the vouchers to establish evidence that the subcounty/ division/town council has financed the gender issues identified by the Gender Focal Point Person during planning, monitoring and mentoring activities in the previous FY.</p> <p>From the Sub-county Chief/Town Clerk</p> <p>5. Obtain and review the capacity building needs assessment to establish evidence that gender specific needs were identified and analyzed during the capacity building needs assessment</p> <p>6. Obtain and review the capacity building</p>
Maximum possible score is 10		
Must score at least 7 to be eligible for a reward		
Must score at least 5 to remain static		
Any score below 5 deserve a penalty.		

between men and women

7. Skills enhancement training for women, youth and PWD councilors undertaken during the previous FY aimed at reducing the inequalities between men and women

8. Gender awareness training (addressing inequalities between men and women) planned for and undertaken during the previous FY.

9. Evidence that Gender Focal Point person identified gender issues, designed strategies and mentored other staff on how to deal with inequalities between men and women

10. Evidence that the Gender Focal Person has disseminated gender information (either received from the centre or developed within the LG) to technical as well as political leaders in the LG.

reports to identify specific capacity enhancement strategies and activities for Gender Focal Point Person in the current

FY linked to addressing inequalities between men and women

7. Obtain and review the capacity building reports to identify specific capacity enhancement strategies and activities for Women, Youth and PWD.

8. Obtain and review the capacity building reports to identify specific capacity enhancement strategies and activities addressing inequalities between men and women.

9. Obtain and review documents such as circulars, DDP, Project Proposals and profiles, CBP, training reports, Gender officers submissions to Council and TPC with information on inequalities between men and women.

10. Obtain and review documents such as circulars, training reports, Gender officers submissions to sectoral committee, Council and TPC with information on inequalities between men and women.

If there is evidence of indicators 1–10 score 1 for each or else score 0

Annex F Uganda's reporting status on international human rights declarations

The following paper was produced by HURINET for an advocacy workshop on economics, social and cultural rights in September 2007.

Introduction

The reporting obligation, enshrined in many regional and international human rights treaties, is premised on the basic belief that the process of reporting obligates governments to be more accountable, both to their citizens and the international community, in the field of human rights promotion and protection. This chapter traces Uganda's implementation of her reporting obligations under the United Nations treaty system since 1980.

The chapter identifies and analyses several vital issues, including the country's ratification history. Furthermore, the country's reporting status is examined with respect to the timeliness and periodicity of state reports, the issues raised by the various United Nations treaty monitoring committees and some the measures that government could operationalise to improve the country's reporting obligations.

Uganda's ratification status under UN treaties

The Government of Uganda has over the last forty years, made commendable effort to ratify¹⁶ many United Nations human rights treaties. On 21 Nov. 1980 the government ratified the Convention on the Elimination of Racial Discrimination (CERD) and the treaty came into force for the country one month later, on 21 Dec. 1980. This was followed, chronologically, by the CEDAW on 22 July 1985, CAT on 3 Nov. 1986, CESCRC on 21 Jan. 1987, CRC on 17 Aug. 1990, CCPR on 21 June 1995 and CMW on 14 Nov. 1995.

The Government of Uganda has also ratified several protocols to the above main treaties, including the First Optional Protocol to the CCPR (recognizing the competence of the Human Rights Committee to receive and consider complaints from individuals and groups alleging violation of their rights) on 14 Nov. 1995. However, the government has not yet signed the Second Optional Protocol to the CCPR (aiming at the abolition of the death penalty). The government ratified the two Optional Protocols to the CRC (on children in prostitution/pornography and armed conflicts) on 30 Nov. 2001 and 6 May 2002 respectively.

The government has not yet ratified the Optional Protocol to the CEDAW (recognizing individual/group complaint procedure) as well as the Optional Protocol to the CAT (establishing non-judicial, regular visits by independent international and national bodies to places of detention as a preventive measure against torture). Furthermore, the Government of Uganda has not yet ratified the two newest treaties in the United Nations arsenal, the Convention on the Rights of Persons with Disabilities – with its Optional Protocol on individual/ group complaints procedure - (opened for signatures on 30 March 2007) - and the Convention against Enforced Disappearance.¹⁷

¹⁶ Ratification is here used broadly to include ratification, accession or succession.

¹⁷ The Government of Uganda became a signatory to the Convention on Enforced Disappearance on 6 Feb. 2007 but has not yet ratified it.

Uganda's reporting status under the CDESCR

If the Government of Uganda's reporting history is used as a yardstick to measure the country's implementation of the economic and social rights, then it is crystal clear that Uganda's performance has been very poor indeed. Since the ratification of the treaty in January 1987, the government has not submitted a single report to the Committee on Economic, Social and Cultural Rights. The country has six (6) overdue reports, including two that were to be written according to the pre-1990 reporting guidelines.¹⁸

Table 1: Uganda's reporting status under the ICESCR

CDESCR	Due	Received	Examined
Pre-1990			
Initial (Arts.13-15)	01 Sept. 87	Not submitted	
Initial (Arts.6-7)	01 Sept. 89	Not submitted	
Post-1990			
Initial	30 June 90	Not submitted	
Second Periodic	30 June 95	Not submitted	
Third Periodic	30 June 00	Not submitted	
Fourth Periodic	30 June 05	Not submitted	

Source: adapted from: [http://www.bayefsky.com/bycategory.php/state/179\(As](http://www.bayefsky.com/bycategory.php/state/179(As) at Feb.2007)

In Table 1 above, it is clearly indicated that the Government of Uganda has completely not fulfilled her reporting obligations under the ESCR. The government has a backlog of six (6) overdue reports.

Uganda's reporting status under other UN treaties

The Government of Uganda's reporting pedigree with respect to other U.N treaties indicates a fair attempt at compliance, though more concerted political commitment will be required if government is to meet all its reporting obligations.

¹⁸ At its 4th session, from 15 January to 2 February 1990, the Committee adopted a new reporting schedule, as approved by ECOSOC in its Resolution 1988/4 of 24 May 1988, to take effect from 30 June 1990. The new reporting schedule had the result of consolidating the procedure of reporting so that three reports for three different sets of articles in the Convention was no longer required. In the case of those states which had submitted initial or periodic reports on only one or two of the three distinct sets of articles, consolidation of the reporting procedure did not eliminate responsibility to submit a further initial or periodic report which would cover the articles missing in previous reports. Hence, the post 1990 reporting schedule might require a further "initial" or similar numbered periodic report.

Table 2: Uganda's reporting status under other UN treaties¹⁹

CAT	Due	Received	Examined
Initial	25 June 88	19 May 04	11 May 2005
Second Periodic	25 June 92	Not submitted	
Third Periodic	25 June 96	Not submitted	
Fourth Periodic	25 June 00	Not submitted	
Fifth Periodic	25 June 04	Not submitted	
CCPR			
Initial	20 Sept. 96	14 Feb. 2003	
Additional Info.	01 Apr 05	25 May 2004 ²⁰	
Second Periodic ²¹	01 Apr 08	Not yet due	
CEDAW			
Initial	21 Aug. 86	1 June 92	23 Jan. 95
Second Periodic ²²	21 Aug. 90	1 June 92	23 Jan. 95
Third Periodic	21 Aug. 94	22 May 00	09 Aug. 02
Fourth Periodic	21 Aug. 98	Not submitted	
Fifth Periodic	21 Aug. 02	Not submitted	
Sixth Periodic	21 Aug. 06	Not submitted	
CRC			
Initial	15 Sept. 92	1 Feb. 96	29 Sept. 97
Second Periodic	15 Sept. 97	2 Aug. 03	15 Sept. 2005
Third Periodic	15 March 11	Not yet due	
Fourth Periodic	15 March 11	Not yet due	
Fifth Periodic	15 March 11 ²³	Not yet due	
CRC OPT-AC			
Initial	06 June 04	Not submitted	
CRC OPT-SC			
Initial	18 Jan 04	Not submitted	
CMW			
Initial	1 July 04	Not submitted	
CERD			
Initial	22 Dec. 81	10 July 84	9 Aug. 84
2 nd -10 th Periodic ²⁴	21 Dec. 83	20 June 01	7 March 03
11 th - 13 th Periodic ²⁵	21 Dec. 05	Not submitted	
CORE REPORT	-	7 Mar.1996	Outdated!

¹⁹ Adapted from: <http://www.bayefsky.com/docs.php/area/rephistory/state/179/node/3/treaty/cat/opt/As> at Feb.2007

²⁰ The Human Rights Committee has scheduled consultations with the state party; subsequently, on 25 July 2006, a further reply was received (see A/60/40/vol.1 and A/61/40,vol.1, pg. 136)

²¹ In its Concluding Observations adopted on 31 March 2004 the Human Rights Committee requested that Uganda submits its Second Periodic Report by 1 April 2008.

²² The Initial and Second periodic reports were combined and submitted as one report.

²³ In its concluding observations adopted on 30 September 2005, the Committee on the Rights of the Child invited Uganda to submit a combined third, fourth and fifth periodic reports by 15 March 2011.

²⁴ The second to tenth periodic reports were combined and submitted as one report.

²⁵ In its concluding observations adopted on 19 March 2003, the Committee on the Elimination of Racial Discrimination recommended that the eleventh periodic report be submitted jointly with the twelfth and thirteenth periodic reports, due 21 December 2005.

In Table 2 above, three pertinent issues can be observed:

- There is an average time lag of about 6 years between the date of submission of the reports and the actual date when they are due or required. This means that the timeliness and periodicity of the reports is compromised, which also adversely affects the ability of the monitoring committees to effectively assess the human rights situation in Uganda.
- The Government of Uganda has a backlog of about 14 reports which are yet to be submitted to the U.N monitoring committees. This backlog is indicative of the failure by government to comply with its reporting obligations.
- Uganda's Core report, which forms part of the documents that are submitted by States parties, is extremely outdated by eleven years and needs to be revised as a matter of urgency, so as to reflect the extensive political, social and economic changes that have occurred in the country since 1996, the date the report was last submitted.

Uganda's follow-up of UN Committees' concluding observations

A tentative assessment of Uganda's follow-up of the recommendations and observations by the various U.N treaty bodies reveals, on the whole, lacklustre performance. The most pertinent observations and conclusions were to be effectively followed up by the relevant governmental institutions; much more would have been achieved in the area of human rights protection in Uganda. There is no formal mechanism or structure at governmental level to follow up the UN Committees' recommendations and concluding observations.

Some obstacles to effective reporting by the Uganda government

There are several reasons that explain the Uganda government's lacklustre reporting performance. This section attempts to identify the most salient difficulties that impede the country's full compliance with its reporting obligations.

Insufficient political will and commitment from the political leadership as well as from government officials in ministries, departments and agencies. Effective state reporting is an intensely demanding activity, requiring both adequate human and financial resources. It is essential that the importance of reporting be appreciated and prioritized by the political leadership of the country in order for them to ensure that sufficient resources are allocated to the activity.

Insufficient skilled personnel and infrastructure in government ministries and departments. Whereas the government has been exemplary in ratifying a big number of international and regional human rights treaties, it has neglected to effect policy and institutional measures to ensure that the treaty provisions are fulfilled. For instance, there are no reporting officers in the Ministries of Foreign Affairs (MoFA), Internal Affairs (MIA), Gender, Labour and Social Development (MGLSD), Agriculture, etc, yet their mandates constitute most of the country's reporting obligations. There is general absence of modern information management systems to keep constant track of governments overlapping reporting obligations in the key ministries and departments.

- Poor coordination among government ministries and agencies as well as civil society organizations. The government has not established a permanent inter-ministerial committee or task force to coordinate the various stakeholders in the reporting activity. Whenever there is a report being prepared, various officials from government ministries, agencies, etc and civil society organizations are co-opted into an ad-hoc team, which then dissolves after the accomplishment of the report. This is detrimental to continuity and institutional memory, crucial ingredients to the reporting process. Most countries that have successfully fulfilled their

reporting obligations, like Canada and Italy, have had to establish permanent bodies to coordinate the reporting process.

- Paucity of human rights knowledge among most officials in government ministries and departments. The human rights framework in general and the Rights Based Approach to Development (RBAD) in particular, have largely not been mainstreamed in any meaningful way, into the government's development policy formulation and implementation. Consequently, human rights reporting is not given adequate visibility that it deserves at the governmental level.
- Lacklustre involvement in the reporting activity by CSOs, NGOs, academia, the media and the general public. Majority of local and international NGOs, as well as other civil society organizations, the academia, and even the general public are not sufficiently (if at all) integrated into the reporting process. In order to make state reporting a vibrant interface of accountability between government and its citizens, as many stakeholders as possible must be included in the process. The reporting process in Uganda remains an isolated activity, limited to only few individuals in government and some civil society organizations.

Some recommendations to improve reporting in Uganda

In order for Uganda to improve compliance with its reporting obligations to both regional and international human rights treaties, the following suggestions are proposed to the Government of Uganda and the civil society organizations:

- Improved commitment by the political leadership and governmental institutions to comply with the reporting obligations. The visibility of reporting can be enhanced by institutionalizing a permanent inter-ministerial reporting task force or committee, staffed with skilled personnel and equipped with adequate financial and technical resources (computers connected to the internet, information management systems, library, etc) to gather, analyse and write reports on the various human rights treaties. The Task Force, probably headed by an individual of high public standing, would also be charged with the coordination of all the relevant stakeholders as well as the dissemination of the reporting process (and its outcomes), to the wider public, so that the activity is as participatory as possible.
- Training as a means of enhancing the skills and technical capacity of all the stakeholders, both in the government and civil society, in the reporting process. The glaring lack of reporting skills and knowledge that currently characterizes the reporting process can only be rectified by a deliberate and concerted training program that is tailor-made for both civil society and government officials.
- Legal, policy and institutional reform with a view to establishing a more conducive environment for the reporting activity. To recruit reporting officers, government ministries and departments would have to revisit their organizational structures as well recruitment, budgetary and training policies. Law reform should be effected so that outdated laws still on the country's statute books are made to comply with international standards in the ratified treaties. This will ease the work of reporting officers.
- The civil society organizations should lobby government to expeditiously ratify the Convention on Persons with Disabilities, which promote and protect important economic and social rights. Uganda has made commendable progress in addressing issues related to disability, even without the treaty, so ratification should not pose any significant "difficulty". Moreover, Uganda is already a signatory, so the process needs only to be completed.

Gerald Tushabe, Project Officer, ESCR, HURINET-U