



Institutional Framework Thematic Report Final Report

Mid-Term Review of the
Uganda National Development
Plan

Prepared by Delta Partnership in
Association with REEV Consult for
the National Planning Authority

CONTENTS

ACRONYMS	IV
EXECUTIVE SUMMARY	VI
1.0 INTRODUCTION	1
1.1 BACKGROUND	1
1.2 CONTEXT	1
1.3 METHODOLOGY	1
1.4 ORGANISATION OF THIS REPORT	3
2.0 UGANDA'S INSTITUTIONAL ARCHITECTURE	4
2.0 OVERVIEW	4
2.1 UGANDA'S PUBLIC SECTOR	6
2.2 THE PRIVATE SECTOR	8
2.3 CIVIL SOCIETY	8
2.4 THE MEDIA	10
3.0 MECHANISMS FOR NDP IMPLEMENTATION, MONITORING AND OVERSIGHT	11
3.0 ENVISAGED ARRANGEMENTS FOR NDP IMPLEMENTATION	11
3.1 ANALYSIS OF ALIGNMENT AND COHERENCE FOR IMPLEMENTATION	21
3.2 ANALYSIS OF ALIGNMENT AND COHERENCE FOR M&E	23
3.3 ANALYSIS OF ALIGNMENT AND COHERENCE FOR OVERALL NDP OVERSIGHT	24
3.4 INTERNATIONAL EXAMPLES OF GOOD PRACTICES	24
4.0 KEY INSTITUTIONAL CHANGES REQUIRED FOR EFFECTIVE NDP DESIGN, IMPLEMENTATION, MONITORING AND EVALUATION, AND OVERSIGHT	25
4.0 RATIONALISATION OF ROLES, FUNCTIONS AND MANDATES FOR NDP DESIGN	25
4.1 RATIONALIZATION OF ROLES AND FUNCTIONS FOR NDP IMPLEMENTATION	26
4.2 RATIONALIZATION OF ROLES AND FUNCTIONS FOR MONITORING AND EVALUATION	28
4.3 RATIONALIZATION OF ROLES AND FUNCTIONS FOR NDP OVERSIGHT	28

5.0	CROSS-CUTTING ISSUES	31
5.1	OVERVIEW	31
5.2	DEMOCRACY AND POLITICAL GOVERNANCE	31
5.3	ENVIRONMENT AND NATURAL RESOURCES	33
5.4	GENDER AND DEVELOPMENT	35
5.5	CHILD RIGHTS.....	36
5.6	SOCIAL PROTECTION.....	37
5.7	HUMAN RIGHTS.....	38
6.0	CONCLUSIONS AND RECOMMENDATIONS	40
6.0	UGANDA'S INSTITUTIONAL ARCHITECTURE	40
6.1	MECHANISMS FOR NDP IMPLEMENTATION, MONITORING AND OVERSIGHT	40
6.2	KEY INSTITUTIONAL CHANGES REQUIRED FOR EFFECTIVE NDP DESIGN, IMPLEMENTATION, MONITORING AND EVALUATION, AND OVERSIGHT	42
6.3	CROSS CUTTING ISSUES.....	44
ANNEX 1:	DISTRICT CASE STUDIES	47

ACRONYMS

BFP	Budget Framework Paper
BoU	Bank of Uganda
CSO	Civil Society Organisation
DDP	District Development Plan
EAC	East African Community
EPRC	Economic Policy Research Centre
FBO	Faith Based Organisation
GAPR	Government Annual Performance Report
GDP	Gross Domestic Product
GoU	Government of Uganda
IFC	International Finance Corporation
IGG	Inspectorate of Government
JBSF	Joint Budget Support Framework
LDPG	Local Development Partners Group
LGDP	Local Government Development Plan
LGFC	Local Government Finance Commission
MDA	Ministry / Department / Agency
MoAAIF	Ministry of Agriculture, Animal Industries and Fisheries
MoD	Ministry of Defence
MoEACA	Ministry of East African Community Affairs
MoEMD	Ministry of Energy and Minerals Development
MoES	Ministry of Education & Science
MoFPED	Ministry of Finance, Planning and Economic Development
MoGLSD	Ministry of Gender, Labour and Social Development
MoH	Ministry of Health
MoIA	Ministry of Internal Affairs
MoICT	Ministry of Information and Communications Technology
MoJCA	Ministry of Justice and Constitutional Affairs
MoLHUD	Ministry of Lands, Housing and Urban Development
MoTIC	Ministry of Trade, Industry and Commerce
MoTWH	Ministry of Tourism, Wildlife and Heritage
MoWE	Ministry of Water and Environment

MoWT	Ministry of Works and Transport
MPS	Ministerial Policy Statement
MTEF	Medium Term Expenditure Framework
MTR	Mid Term Review
NDP	National Development Plan
NDR	National Development Report
NPA	National Planning Authority
OBT	Output Based Tool
OoP	Office of the President
OPM	Office of the Prime Minister
PEAP	Poverty Eradication Action Plan
PIP	Public Investment Plan
PPP	Public Private Partnership
PSFU	Private Sector Foundation of Uganda
SACCO	Savings and Credit Cooperative
SIP	Sector Investment Plan
SMEs	Small and Medium Enterprises
STA	Science and Technology Agency
SWG	Sector Working Group
ToR	Terms of Reference
UAAU	Urban Authorities Association of Uganda
UBOS	Uganda Bureau of Statistics
URA	Uganda Revenue Authority

EXECUTIVE SUMMARY

The mid-term review (MTR) of the National Development Plan (NDP) 2010/11 to 2014/15 was commissioned by the National Planning Authority (NPA) to determine the extent of progress made towards achievement of its objectives and to provide guidance on the preparation of the next NDP. This thematic report reviews the institutional framework for the NDP and covers four major aspects: an overview of the structure, roles, functions and mandates of key NDP implementing institutions; an assessment of the oversight and management architecture for NDP implementation; a review of the alignment and coherence of mechanisms for implementation, monitoring and oversight of NDP progress so far; and proposal of institutional changes that will ensure better implementation of this and subsequent NDPs.

Uganda's Institutional Architecture

Uganda's current institutional architecture is guided by the 1995 Constitution operationalized by various Acts, ordinances, bye-laws and statutes. The main blocks of the Institutional architecture comprises of four major components of the state namely: the Executive, Legislature and the Judiciary. In addition, there are also non-state actors that are key players on the functioning of the institutional set up namely civil society, private sector, academia and the media. The challenge remains the functionality of these institutions in a singular ethos that rallies all Uganda and all productive forces around one Comprehensive National Development Framework.

By and large, the MTR noted that the institutions in Uganda are generally weak in a number of respects. In particular, the institutions of the state (public services) continue to be characterised by low enforcement of critical reforms and innovations, overlapping and in some cases conflicting mandates, low levels of productivity stemming from a poor work ethic as well as limited financing. In an effort to enhance efficiency and effectiveness, Uganda in 1992 introduced the decentralisation policy aimed at devolving some functions to local governments. However, local governments remain heavily reliant on the central government for funding (with conditional grants accounting for about 85 per cent of their funding) and with dwindling local revenues insufficient to support financing of local service delivery.

Uganda's private sector continues to be the key driver of growth and development propelling Uganda to post a 6per cent average GDP per annum growth rate over the last decade, above

the global average of 2.4 per cent. The private sector, however, continued to face challenges during the NDP period with a need to foster and cultivate business acumen and expand innovation. The cost of doing business remains high due to such factors as the high cost of energy and transportation of goods, low labour productivity, bureaucracy emanating from slow reforms in the business regulatory regime (especially related to procurement, logistics and supply), weaknesses in the financial services sector and the lack of a public private partnership policy.

Civil society has continued to play its part, to a large extent through advocacy for requisite reforms to improve the quality of life of all Ugandans. Most CSOs remain reliant on external funding which in some instances affects the message / issues they represent as well as their sustainability. CSOs are now represented on the NPA expanded board, but more work will be required over the next NDP period in terms of increased consultations and dialogue on issues pertaining to inclusive growth, good governance and development. The media continues to be a key player in development. This role would be further enhanced through improvement in civic awareness among the public, leading to greater demand for information that can improve productive decision making.

Alignment and coherence of roles, functions and mandates for NDP implementation

Chapters 10 and 11 of the NDP clearly elaborate an implementation and monitoring and evaluation (M&E) strategy for the NDP with roles for key institutions. The main challenge over the NDP period so far has been the insufficient distinction between roles, functions and mandates for institutions. This now requires further clarity and mainstreaming.

The Forum headed by H.E the President to regularly assess the NDP performance has not had a single sitting over the NDP period, largely because the forum was never actually constituted in the first place. However, the NPA Board has been represented in Cabinet under the President's directive and has had various engagements there and in Parliament.

The Office of the Prime Minister (OPM) has the primary coordination and implementation role for the NDP, but has been limited in its activities to undertake this function within a landscape of weak and unstreamlined institutional structures. The OPM operates mainly under the framework of the Public Sector Management Working Group (PSM-WG) which includes the following structures: Policy Coordination Committee (PCC), the Implementation Coordination

Steering Committee (ICSC) and the Technical Implementation Coordination Committee (TICC). The MTR noted that NDP progress has not been a focus of the PSM-WG. By and large, due to many other demands the OPM has not played its NDP coordination and monitoring role effectively and this has become a major handicap of the NDP implementation process.

In addition, the NPA has not fully consolidated its role as an 'authority' to enforce sufficient guidance to sectors and districts in the alignment of plans and budget framework papers (BFPs) with the NDP. In an attempt to provide a national planning platform that includes more than Government, the NPA Expanded Board was constituted to include other key stakeholders including the Economic Policy Research Centre (EPRC), Private Sector Foundation of Uganda (PSFU), NGO Forum and others.

The Ministry of Finance, Planning and Economic Development (MoFPED) and the NPA have had limited engagement over the NDP period to link planning and budgeting for NDP implementation. Nonetheless, there were good consultations between MoFPED, NPA and the Bank of Uganda (BoU) to agree on the macroeconomic framework for the NDP and there is evidence that there has been increased allocation to NDP core projects over time, especially roads and energy. Going forward, it is important that the Medium Term Expenditure Framework (MTEF) is aligned as fully as possible to the five-year NDP.

Some sectors have not prepared their sector investment plans (SIPs). A high proportion of those SIPs which have been produced do not align to the same time line as the NDP which complicates implementation of the Plans. A challenge remains in that while the NDP adopted a cluster approach to development planning based on the 'egg concept', this approach is not fully congruent with the sector-wide approaches that were established before the NDP came into being. It is currently difficult to harness development synergies between sectors.

Over the NDP period, districts have transited from annual to five year development plans. However, almost all districts failed to undertake a comprehensive planning process. The NDP has been presented to districts as a top-down, bottom-up planning dispensation against which the district development plans (DDPs) must align. Owing to limited financing of local governments (which has reduced from 23 per cent of the national budget in 2011/12 to 17 per cent in 2012/13), implementation of the NDP in districts has so far been a challenge especially due to very low development grants.

The private sector has continued to be a driver of economic growth and development during the NDP period. With challenges notwithstanding, the private sector has propelled Uganda to an average 6 per cent GDP growth over the NDP period. It has created employment for Uganda and transformed lives through expansion of business opportunities and investments at corporate and individual levels. However, the sector remains bedevilled by a high cost of doing business, low productivity of labour, and weak business support infrastructure.

Civil society has continued to play its role as a watchdog over government and private sector performance - particularly in its reporting and advocacy on issues like social protection, good governance and respect for human rights and the environment. However, CSO representatives who were interviewed as part of this MTR have alluded to 'shrinking space' for them to contribute ideas, with a feeling that government has over the last three years become less receptive to constructive criticism, evidenced in their view by the passing legislation aimed at curtailing alternative views, especially on issues of good governance.

The MTR observed that the media's participation in the preparation of the NDP was low and as such did not feature as a potentially important partner for the NDP. Nonetheless, over the NDP period the media has continued to be a big player in communicating information (through print, air and public media outlets) about the NDP. This intensified recently as the Vision 2040 was launched, and the media has promoted this with a view to it becoming the talk of all Ugandans. The NPA should now be innovative in seeking ways to utilise the various platforms available to drum up popular support for the NDP and to sustain the public goodwill prevailing around the Vision 2040.

Required institutional changes to ensure better implementation of this and subsequent NDPs

Sectors will be required to prepare SIPs in line with the NDP, while districts will prepare and finalise five year DDPs with better priority setting and guidance from NPA. Priorities should to the maximum extent possible be in line with the aspirations of the Vision 2040, with NPA being the 'guardian' of the critical path to the vision. This responsibility will require access to all requisite planning and M&E data from the Uganda Bureau of Statistics (UBOS), MDAs, districts and elsewhere.

Mobilisation of resources and facilitating financing of the NDP will remain the core business of MoFPED. Implementation of the NDP will continue to be through key instruments such as

Sector development plans; district plans; Public Investment Plan; Ministerial Policy Statements, and budget framework papers (annual plans).

Overall oversight and implementation of the NDP was intended to be under the leadership of H.E the President through the Presidential Forum for the NDP. However, this forum was not yet in place at the time of the NDP mid-term review. Going forward, the Presidential NDP Forum should be established to guide NDP implementation and provide oversight and political leadership.

Implementation of the NDP should be a shared responsibility of all Ugandans - all MDAs, districts, the private sector, CSOs, media and development partners. OPM is responsible for ensuring effective coordination of NDP implementation across government. The challenge is lack of national level oversight and coordination of the private sector and non-governmental organisations. There is also the challenge of the responsibility for reviewing budget framework papers (BFPs) to ensure their alignment to the NDP. Similarly, there remains gaps in alignment of plans and country programs of different development partners with respect to the NDP. This lack of alignment of donor priorities is even more complicated in the case of non-traditional donors.

Whereas the NPA Act (2002) mandates the NPA to be responsible for monitoring and evaluation, recent development of the Public Sector M&E Policy to a large extent contradict the former. For instance, while the NPA Act assigns the Authority the responsibility to monitor and evaluate the effectiveness and impact of development programs and the performance of the economy of Uganda, the M&E policy asserts OPM as the institution responsible for evaluation of Government programs. Going forward, it may be worthwhile for government to switch coordination of implementation of its policies and programs and dedicate monitoring and evaluation to OPM. This would require a review of the NPA Act and raising the profile of the political leadership of NPA. On the hand, while the OPM produces the Government semi-annual and annual performance report, the NPA produces the annual National Development Report. There is need to consolidate the GAPR as a comprehensive government performance report that covers the output contributions of the private sector and the other non-state actors. On its part, the NDR should be consolidated as the main national report on the implementation of planning and development outcomes.

Cross-cutting issues

The MTR identified general weakness in key government institutions, particularly those related to democracy and governance, and have outlined a number of factors that have constrained the ability to deliver cross cutting outcomes the NDP. The environment sector in particular reveals a challenge of unclear and overlapping roles among key sector institutions. In addition, gender mainstreaming facing a challenge of coordination leading to adequate achievement of national strategies and objectives

Recommendations regarding institutional frameworks in the cross-cutting reports include establishing NPA as a constitutional body akin to the Office of the Auditor General and developing a revenue sharing mechanism between local governments and the Uganda Revenue Authority.

1.0 INTRODUCTION

1.1 Background

Uganda elaborated her five year blue print for national development – the National Development Plan (NDP) in April 2010 as the country’s overall development framework. The mid-point for implementation of the NDP was December 2012, thereby warranting a mid-term review (MTR). This review of the institutional framework of the implementation of the NDP is one of six thematic reports of the MTR. The report analyses the performance of institutions in the public, private and civil society sectors, as well as considering the media (‘fourth estate’). It highlights successes and challenges encountered during the two and a half years of implementation of the plan. The essence of this report is to make recommendations for appropriate institutional arrangements for implementation of the NDP over the remaining period to 2014/15, and the next NDP.

1.2 Context

Over the last two decades there has been a transformation of Uganda’s national development platform that has included three key milestones: the elaboration of Uganda’s Constitution in 1995, the adoption of Comprehensive National Development Framework, and a shift of focus from poverty reduction alone to emphatically include growth through the NDP towards achievement of the objectives of the Vision 2040. It is imperative that the institutional framework for Uganda’s development aligns with these transformations. By and large, the reform attempts have been largely skewed to the public sector but with less focus on the private sector and other non-state actors. Incorporation of all facets of the state is critical for effective implementation of the NDP and achievements of its goals and objectives.

While this report is focused on an analysis and assessment of how the institutional arrangements to support NDP implementation have played out thus far, the context of the review includes assessment of the institutional apparatus that should support the contribution of the private sector, CSOs and the media.

1.3 Methodology

It was agreed as part of the inception report that the Institutional Framework thematic report will cover the following review questions:

IF1	To what extent is there ownership, unequivocal leadership and a sense of urgency and commitment to drive the changes envisaged in the NDP from the Cabinet / highest levels of Government?
IF2	How effective has the Forum (chaired by the President) and the NPA Board been in reviewing progress of the NDP?
IF3	What is the actual institutional / management 'architecture' (for oversight, authority, accountability and management of NDP implementation as a 'programmatic' plan, and how effective has this been?
IF4	To what extent are the roles of NPA, OPM, MoFPED, MPS, other MDAs and LG bodies separate, distinct, harmonised and carried out in order to maximise efficiency and effectiveness of NDP preparation, implementation and monitoring?
IF5	What are the mechanisms for aligning the NDP to resource allocation and how can these be improved?
IF6	To what extent has NDP implementation at the Local Government level been enabled or hindered?
IF7	To what extent are institutions working together effectively to develop, deliver and monitor cross sectoral policy outcomes / results relevant to the NDP?
IF8	To what extent has the change from PEAP to NDP influenced policy, planning and budgeting at all levels?
IF9	To what extent have government structural changes led to more efficient and effective delivery of NDP objectives?
IF10	How effectively does central and local government, civil society and the private sector work together for joined-up implementation of the NDP?

The overall approach to the mid-term review has included:

- A three week inception period to hold introductory meetings, to collect and review background documentation, to refine and agree the review questions, and to populate review matrices showing how evidence would be collected and analysed;
- Discussion forums with representatives of 13 sectors, the private sector, civil society organisations (CSOs) and development partners;
- A series of key informant meetings in each thematic area, focused on the review questions;
- Supplementary analysis of data and collation of documented evidence;

- Review of 10 relevant research reports of the Economic Policy Research Centre produced over the past 2 to 3 years;
- Assessment of the national development planning experiences in the four comparator countries mentioned in the NDP itself – Kenya, Ghana, Malaysia and South Korea;
- Visits to 12 districts / municipalities to obtain data and opinion surrounding NDP implementation at local government level;
- Two meetings with a Technical Committee to present and get feedback on progress;
- Internal meetings to peer review the quality and robustness of analysis and interpretation;
- Preparation of the zero draft thematic reports;
- Presentation of draft thematic findings and recommendations to the extended management team of the NPA;
- Conduct of meetings with the NPA review manager to obtain and incorporate verbal comments into the first draft thematic reports;
- Presentation of updated drafts reports to the Ministry of Finance, Planning and Economic Development (MoFPED), the Extended NPA Board and the committee of Permanent Secretaries chaired by the Cabinet Secretary;
- Incorporation of comments on the updated draft reports.

1.4 Organisation of this report

The remainder of this report comprises the following five sections:

- Section 1 presents the background, context and methodology of this report;
- Section 2 looks at the institutional architecture for effective management of Uganda's economy;
- Section 3 is an analysis of the alignment and coherence of mechanisms for implementation, M&E and NDP oversight;
- Section 4 focuses on the required institutional changes to achieve NDP goals and objectives;
- Section 5 looks at issues from the cross-cutting reports;
- Section 6 is the summary of conclusions and recommendations for the institutional framework for the current and next NDPs.

2.0 UGANDA'S INSTITUTIONAL ARCHITECTURE

2.0 Overview

Uganda's current institutional architecture is guided by the 1995 Constitution operationalized by various Acts, ordinances, bye-laws and statutes. The main blocks of the Institutional architecture comprises of three major components of the state namely: the Executive, Legislature and the Judiciary. In addition, there are also non-state actors that are key players on the functioning of the institutional set up namely civil society, private sector, academia and the media. The challenge remains the functionality of these institutions in a singular ethos that rallies all Uganda and all productive forces around one Comprehensive National Development Framework.

The MTR noted that by and large, the institutions in Uganda are generally weak in a number of respects. In particular, the institutions of the state (public services) continue to be characterised by low enforcement of critical reforms and innovations, overlapping and in some cases conflicting mandates, low levels of productivity stemming from a poor work ethic as well as limited financing. In an effort to enhance efficiency and effectiveness, Uganda, in 1992, introduced the decentralisation policy aimed at devolving some functions to local governments. However, local governments remain heavily reliant on the central government for funding (with conditional grants accounting for about 85 per cent of their funding) and with dwindling local revenues insufficient to support financing of local service delivery.

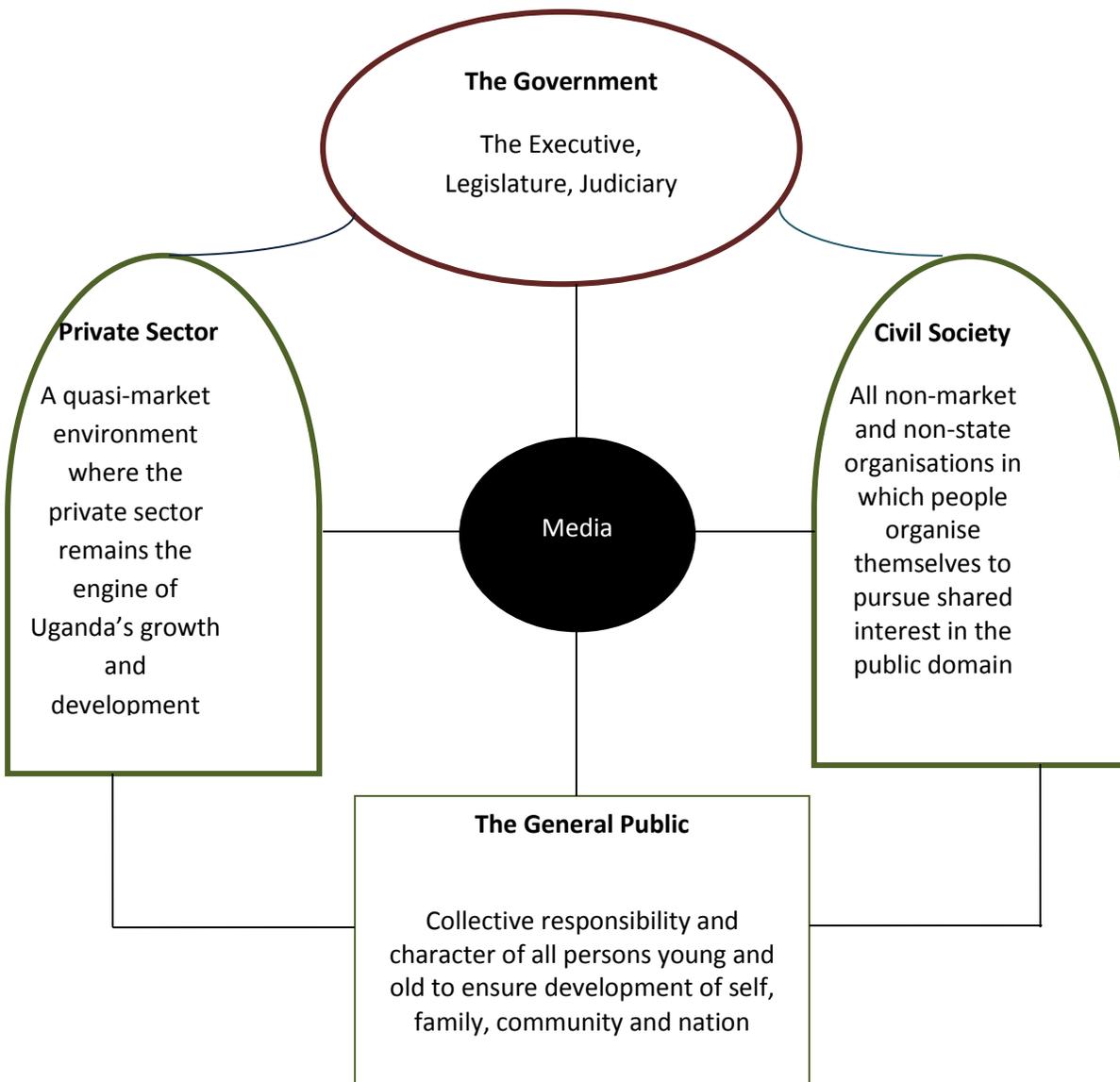
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funding which in some instances affects the message / issues they represent as well as their sustainability. CSOs are now represented on the NPA expanded board, but more work will be required over the next NDP period in terms of increased consultations and dialogue on issues pertaining to inclusive growth, good governance and development. The media continues to be a key player in development. This role would be further enhanced through improvement in civic awareness among the public, leading to greater demand for information that can improve productive decision making.

These pillars of the state are illustrated in fig.1.

Fig 1: Diagrammatic depiction of the pillars of the State



2.1 Uganda's Public Sector

The public sector should ideally be arranged to deliver the constitutional development objectives. These are: political objectives; protection and promotion of fundamental and other human rights and freedoms; social and economic objectives; cultural objectives; accountability; the environment; foreign policy objectives; and duties of a citizen.

The fabric of the public sector mandate is to govern, organise, and preside over all Government and the security and sustainability of its resources. Based on best practices, the structures of the public sector were determined by the Constitution to include the Executive, Legislature and Judiciary. According to the Constitution, the President is the Head of State and the Head of Government. He or She carries out or delegates authority for appointment and creation of structures to enable effective delivery of government objectives. The NDP places the oversight role over the Plan's implementation and management under the overall leadership of H.E the President. The President is to be represented at all levels of implementation in line with the existing institutional arrangements. The President was therefore expected to play a key role in realignment and creation of structures for effective implementation of the NDP. In addition, Parliament is accorded power to legislate and ensure democratic governance of Uganda according to the constitution. Under the NDP Parliament was expected to ensure effective implementation of the Plan through its oversight, legislative and appropriation functions. Lastly, the Judiciary is mandated by the Constitution to provide legal direction and advice to the state. Under the NDP the Judiciary is accordingly expected to undertake the administration of justice, independence, and the protection of the rights and property of all Ugandans.

The MTR noted that the anticipated public sector reforms are yet to be realized. This has made effective implementation of the NDP slow due to the lack of the 'business approach' in the public sector. In addition, some of the important legislations affecting development have been slow in coming such as cyber laws relating to the adaption electronic transaction. The Judiciary continued to be characterised by low staffing levels among the various ranks which has led to faster growth of backlog of cases.

Overall, the MTR noted the need to strengthen the current institutional architecture in ways that improve its efficiency and effectiveness. Going forward, it would be critical for the public sector

to identify and reduce unproductive functions and ensure that public functions and mandates are harmonized, with optimal levels of staffing. It is imperative that Government implements recommendations of institutional reviews of sector MDAs that were undertaken under MoPS during the NDP period.

According to Article 176 of the Constitution, followed by the Local Government Act CAP243, the local government system is described as one that:

- Ensures that functions, powers and responsibilities are devolved and transferred from the Government to local government units in a coordinated manner;
- Is pursuant of decentralisation as a principle applying to all levels of local government and, in particular, from higher to lower local government units to ensure peoples' participation and democratic control in decision making;
- Ensures the full realisation of democratic governance at all local government levels;
- Establishes for each local government unit a sound financial base with reliable sources of revenue;
- Ensures that appropriate measures shall be taken to enable local government units to plan, initiate and execute policies in respect of all matters affecting the people within their jurisdictions;
- Has persons in its service who shall be employed by the local governments which oversees their performance; and
- Guarantees that local governments implement monitor and report on the provision of services in their areas on behalf of government.

Currently, Uganda has 112 districts and 22 municipalities that constitute the overall tier of local government, each with lower local governments / town and urban councils which are frontline service delivery units for decentralised services. The number of districts has increased, especially over the last two decades from 56 in 2006 to 112 today. While this increase has inflated the cost of public administration, decentralisation has by and large increased the reach of government. However, the MTR found mixed results on the relationship between proliferation of new districts and improvement in the level of service delivery especially in the areas of education, primary health care, water and sanitation, roads and agricultural extension services.

2.2 The private sector

The NDP espouses the private sector as the engine of Uganda's growth and development. This is to be realised within a quasi-market framework, involving participation of government to fill the gaps in key growth sector drivers. The private sector growth is to be promoted through: capacity building and nurturing; provision of incentives; increasing accessibility to credit; and provision of an enabling regulatory framework. Uganda's private sector may be classified into three parts:

- The primary production cluster, which includes production of raw materials for processing;
- The manufacturing cluster, which focuses on agro-processing, construction, and cottage, medium and large scale industrial production;
- The services sector (financial services, telecommunications, tourism, sales of products etc.).

Over the NDP period, the private sector has continued to grow and has positioned itself as the leading arm for growth and socio economic transformation of the country. Impressive performance was particularly registered in the services and manufacturing sectors. However, the private sector institutions continue to be characterised by high morbidity of businesses due to lack of business acumen; and appropriate incentives. There are a number of institutions mandated to support the private sector some of which have conflicting mandates and unable to respond adequately to requisite private sector needs. The multiplicity of institutions has in most instances led to over-regulation and increase in bureaucracy and duplication of effort with negative impact on private sector growth. For instance, Uganda Investment Authority, Uganda Export Promotion Board, Uganda Chamber of Commerce, Uganda Competitiveness and Investment Climate Secretariat together with the Ministry of Trade and Industry have conflicting core functions and roles. The private sector national umbrella associations aimed at collective advocacy and self-regulation, such as Uganda Manufactures Association and Private Sector Foundation of Uganda, require strengthening in order to play a leading role in the county's industrial transformation.

2.3 Civil society

Civil Society is defined as 'all non-market and non-state organisations outside of the family in which people organise themselves to pursue shared interest in the public domain'.¹ The 1995 Constitution and successor policies have ensured a comprehensive legal and institutional framework for citizen participation: notably the decentralisation (1993) and NGO (2012) policies.

¹ ITAD (2012) Support to Civil Society Engagement in Policy Dialogue Uganda Country Report, p9

Most CSOs in Uganda have channelled effort into ensuring social protection, good governance, accountability and advocacy for a number of social issues that affect the most vulnerable constituents such as children, women, people with disabilities (PWDs), people living with HIV&AIDS (PLWHAs) and the elderly. CSOs in Uganda are mainly registered under three umbrella organisations:

- Development Network for Indigenous Voluntary Organisations (DENIVA);
- Uganda National Non-Governmental Organisations Forum (UNNGOF);
- International NGOs Association (INGOA).

However, there are CSOs that operate but which are not registered under these umbrella organisations, since there are no legal obligations / requirements to do so. Uganda is signatory to a host of international obligations to protect the work and personnel of CSO operatives and to support policy dialogue as a mechanism to provide further checks and balances in governance and service delivery. This is why, for the last three decades, the cause for the CSO movement in Uganda has rallied around the Accra Agenda for Action (Section 13) which calls for open and inclusive dialogue on development policies. Most CSOs (of which the majority remain based in Kampala and urban centres across the country) have helped to bridge the gap in service delivery and advocacy for human rights, protection of vulnerable groups of society and implementation of projects in areas denoted as 'hard-to-reach' and 'hard-to-stay'. However, challenges remain for CSOs in disclosure of their resource deployment plans, with many remaining delinked from the national planning spectrum at both central and local government levels. For its part, the government has been calling upon CSOs to *'work more closely with parliamentarians, local authorities and private sector in preparing, implementing, monitoring of national development policies and plans'* (part of Section 13 of the Accra Agenda).

The MTR noted that there is currently lack of a clear forum for NGOs to present their findings as regards their oversight role, to Government, in particular, Parliament and Cabinet. There is need to streamlining and strengthen the reporting mechanism for the CSOs by re-aligning it to be under the MoGLSD. In addition, a platform should be established to produce a national oversight report constituting key oversight players including NPA, Parliament and NGO Forum, and presented to the Plenary of Parliament by the overall chair to the oversight committees of Parliament. This annual oversight report will facilitate follow-up of key recommendations and findings on national development issues.

2.4 The media

The media (also referred to as the 'fourth estate') is a vital part of Uganda's broader institutional framework since it is the mouth-piece for the development agenda of government through various outlets including radio, TV, newspapers, public address, internet or word of mouth. According to the UBOS (2012) Statistical Abstract, almost every Ugandan on a daily basis listens to news through one or other of the afore-mentioned outlets (with word of mouth as the most used form of communication). The media in Uganda has been used to raise public awareness about issues on social, political and socio-economic development aspects. Raising public awareness is important in maintaining debate on policy decisions, as well as, increasing awareness and understanding of policy issues. These roles justify the inclusion of the media as a vital component of the overall spectrum of activity that is fundamental for realisation of country development goals.

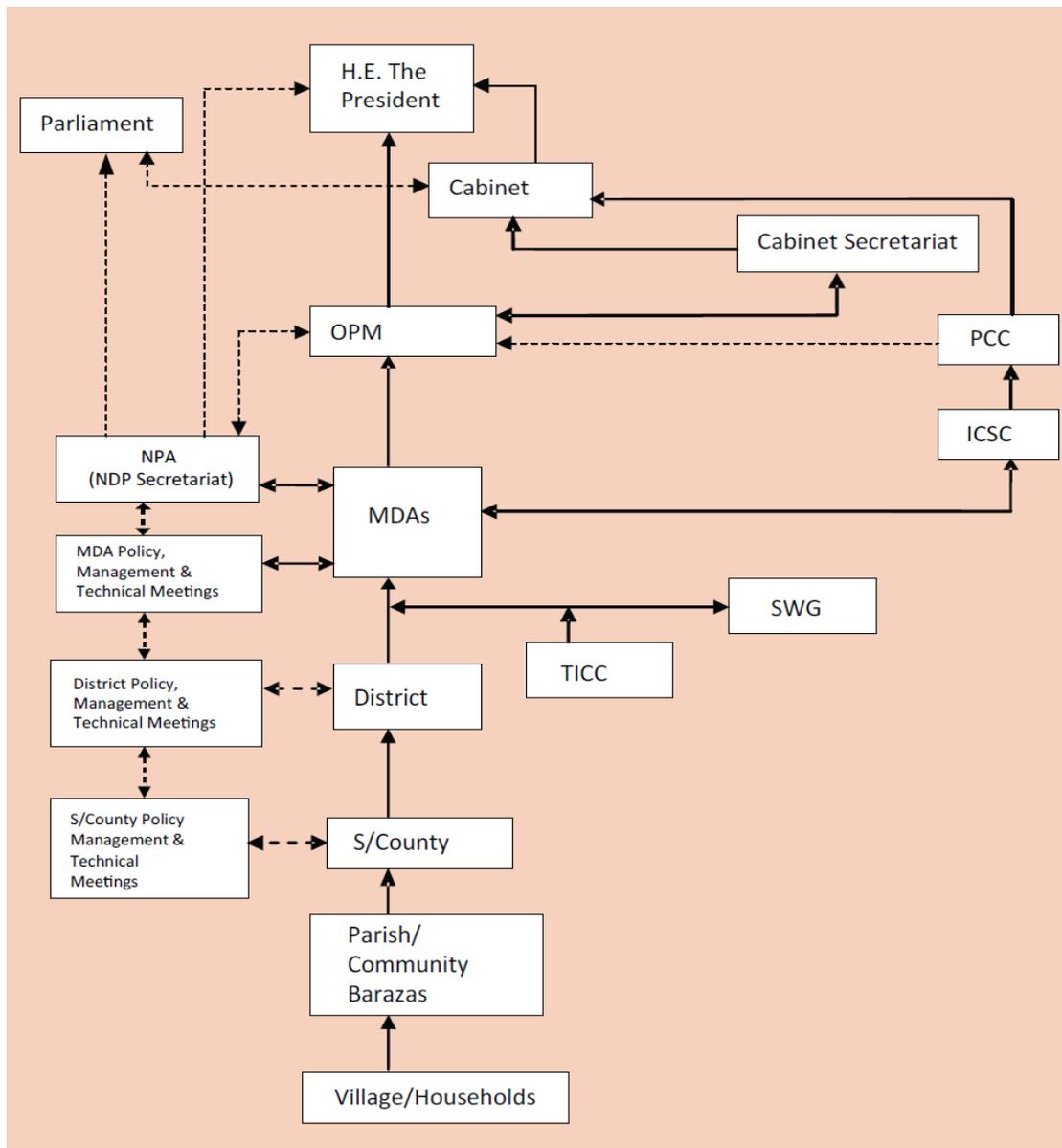
The MTR noted that there is lack of a platform to engage the media. The media, which is a vanguard of democracy, needs to do more to educate the citizens of Uganda on national development

3.0 MECHANISMS FOR NDP IMPLEMENTATION, MONITORING AND OVERSIGHT

3.0 Envisaged arrangements for NDP implementation

At its inception, the NDP was to be implemented through a combination of both central and local government structures. Various important aspects of the institutional framework were supposed to be put in place to facilitate much of the effectiveness of this structure. The diagram below illustrates the institutional arrangements, structures and systems for NDP implementation as outlined in Figure 11.1 of the NDP (NDP p.404).

Fig.2: Organisational structure for NDP Implementation



Section 11.4 of the NDP specifically describes the institutional arrangements, structures and systems for NDP Implementation. This chapter highlights a review of the appropriateness and effectiveness of these structures, the extent to which institutions mandated to implement elements of the NDP have worked together to achieve NDP results, and progress with attempts to strengthen arrangements to make them more efficient over the next NDP period. The following paragraphs consider the effectiveness thus far of these processes.

The NDP Implementation Forum – Headed by the H.E the President to regularly assess the NDP performance is its yet to be constituted. This was attributed to the existence of parallel forums on the NDP implementation such as the GAPR and the Presidential Round Table, which are confused to be substitutes to the NDP implementation Forum. Given that this is the single most important forum focusing on implementation of planning, it is recommended that it should be urgently constituted and becomes fully operational over the remaining period of the current NDP implementation. The forum is particularly important because of the unique composition of participants in relation to the Presidential Round Table, Presidential Economic Council (PEC) and GAPR.

Cabinet – Cabinet chaired by H.E the President is the body responsible for the overall leadership of Government and the country. Cabinet business is run under arrangements of collective responsibility. Cabinet Sub-Committees are often created to facilitate in-depth research, understanding, analysis and guidance on issues as found necessary. Currently, Cabinet is in the process of institutionalizing permanent committees as a standard mode of operation. Cabinet Secretariat is mandated to provide support to Cabinet by ensuring the consistency of new policies with existing ones to avoid duplication and undertaking analysis of policies in order to provide further guidance on their application.

The MTR noted that during the NDP period, the NPA Board has been represented in Cabinet by the Chairman of the Board, on a personal to holder basis. This has improved the ‘political visibility’ of the importance of the NDP with continued references to the NDP in speeches of various cabinet ministers, reading of the national budget and the State of the Nation address by the Head of State.

In the light of the above, there is need to strengthen the Cabinet Secretariat in terms of staffing levels and increased collaboration with the NPA.

The Parliament- Parliament is responsible for oversight, legislation and public accountability. The institution of Parliament executes its mandate roles and functions through various Standing Committees, Sessional Committees and Ad hoc Committees. To facilitate effective implementation of these responsibilities, parliament is supported by a number of constitutional agencies of the state. Four categories of institutions supporting government oversight functions are in place in Uganda. They include:

- Those that are within parliament to receive, discuss, and enforce action on the oversight decisions and recommendations;
- Those that work outside parliament to initiate oversight reports that are fed into the parliament, such as the Auditor General's Office, IGG, Human Rights Commission and Public service commission;
- Those that work as auxiliary institutions to facilitate effective functioning of parliament and other oversight institutions by directing and enforcing implementation of oversight decisions / recommendations, such as the Office of the President and the National Planning Authority;
- Those within civil society on whose behalf oversight services are rendered. The citizens are the ultimate beneficiaries of oversight services.

Over the NDP period, the NPA has held meetings with Committees most relevant to the NDP implementation including those of Finance and Planning, Budget and National Economy Committees to review performance of the NDP and present the progress of NDP implementation. Respondents in parliament as part of this MTR have noted that there is need for further engagement between NPA and Parliament. It will also be necessary to build further awareness and capacity of parliamentarians to enhance their appreciation of the new planning dispensation, including the means and how they can play their roles effectively through their committees to ensure alignment of government business with the NDP.

The Office of the Prime Minister- OPM is responsible for ensuring effective coordination of NDP implementation across government. This is expected to be undertaken within the framework of the Policy Coordination Committee (PCC); Implementation and Coordination Steering Committee (ICSC); and the Technical implementation Coordination Committee (TICC);

enhanced by the NDP Implementation Forum and mandatory quarterly sector and local government meetings and reports. Thus the Prime Minister is therefore seen as the driver of NDP implementation. This has, however, not taken place. Instead the PCC has over the last two and a half years been pre-occupied largely with issues concerning the Public Sector Management Working Group (PSM-WG) and other pressing emerging issues of national importance. This has left no forum for effective coordination of NDP implementation and reporting.

Minutes from the PCC have not provided an indication that progress against the NDP was ever a major focus. OPM has over the NDP period undertaken bi-annual and annual iterations of the Government Annual Performance Review (GAPR) that marginally includes performance review against the NDP objectives and strategic targets. This assessment is mainly based on national budget resources released and has also omitted critical aspects notably the contribution of the private sector, CSOs and the media.

The Ministry of Finance Planning and Economic Development – According to the NDP, significant government resources were to be committed to the implementation of the NDP. Mobilisation and disbursement of resources for implementation of the NDP is the responsibility of MoFPED, within the framework of existing relevant laws. MoFPED has over the NDP period played a role as a ministry in charge of both planning (through the NPA) and financing (through the national budget). It holds the knowledge of what resources are available that will eventually fund identified national priorities. Over the last three financial years, the NDP has not been the sole informer and influencer of the allocation of national resources. The close relationship between the NRM manifesto and the NDP notwithstanding, resource allocation has generally eluded funding of programs to unlock the key binding constraints.

The National Planning Authority- The NPA has not fully consolidated its role as an ‘authority’ to enforce sufficient oversight over sectors and districts in the alignment of BFPs, policies and the work plans of MDAs and districts so far. Most districts now have 5-year plans which align to some extent to the NDP, but a major challenge is the resourcing of those plans. Only around half of MDAs have strategic investment plans which align well to the NDP.

A GoU–UNDP study conducted in 2012, and commissioned by the NPA, summarises the priority intervention areas that warrant attention at each level of oversight actors in order for the needed capacities to be generated and sustained. It elaborates those areas identified for the

Parliament, the NPA and others. For the NPA, the suggested areas of intervention including a framework for generating and compiling a national oversight report on the performance of the economy by the NPA, covering all development strategies, policies, and programmes by MDAs, local governments and the private sector;

Over the NDP period, the NPA produced two annual National Development Reports (NDRs). More analytical work (and requisite technical capacity and financial resources) will be required to ensure that the NDR captures the contribution of all sectors including those of CSOs, the private sector and the media over the remaining NDP period.

There is need to strengthen the capacity of the NPA with a view to establish effectively manned desks in charge of the various sectors. The MTR noted that the current effort to coordinate planning and implementation of the NDP by the NPA are haphazard due to limited staffing and general capacity inadequacies (financial, logistical and administrative). In addition, the current structure of the NPA needs to align to both the NPA Act and the NDP.

Ministry of Public Service – Under the NDP MoPS is required to provide the human resources needed for effective and efficient implementation of the Plan. Over the NDP period, MoPS undertook a number of studies and produced findings and recommendations for reforms of public service structures and management. These were a follow-up of various previous reforms which include:

- Public Service Review and Re-organisation Commission (1990). Two Public Sector Reform Programs (PSRPs) were initiated;
- A reduction of the Service from 32 to 23 Ministries (1992);
- A reduction of the Service from 23 to 21 Ministries (1996);
- Re-alignment of mandates, functions to the provisions of the Constitution and 1997 Local Governments' Act;
- A comprehensive review of MDAs of 1998;
- Post-constitutional restructuring of Service Commissions 2000;
- Restructuring of educational training Institutions 2002;
- A comprehensive review of local government structures and staffing (2005). Customisation of structures has continued whenever new local governments have been created.

The rationale for further restructuring with a comprehensive review of all MDAs from 2010-2012 was that piecemeal reviews from 1998-2009 had not adequately addressed the cross-cutting issues affecting the efficiency of the public service and the NDP implementation. Further considerations that have particular relevance for the NDP have been:

- Proposed integration of the East African Community and the implementation of the East African Common Market;
- Emphasis on the greater use of ICT across government;
- Financial reforms, (IFMS, EFT, IPPS, ROM and Performance Management) with a view to working smarter;
- Increased participation of the private sector in service delivery;
- Creation of agencies like NITA-U;
- Regional, continental and international agreements, protocols and conventions;
- Millennium Development Goals;
- Discovery of oil and gas in Uganda;
- Recommendations from other studies in various sectors (such as the Human Resources Strategy, a Transformation paper on the Public Service Review of Inspection function in MoPS and a study on oversight functions).

Much as there have been substantial studies over the last decade, as shown above, there has not been commensurate transformation of the public sector as envisaged. The institutional framework remains weak largely due to inability to fully implement the reforms that have been proposed.

During the NDP period, a Comprehensive Functional Review of MDAs was undertaken and covered 21 Ministries and 41 Departments and Agencies. It was conducted in two phases over 17 months with MDAs being grouped into clusters. The intention was to involve both the senior leadership of MDAs and also their key stakeholders at all stages. While each of these were aimed at the more efficient and effective delivery of public services, functional reviews have not been clearly linked to the attainment of NDP objectives, but rather have emerged and proceeded as independent institutional reform processes.

A number of other structural changes that were recommended in functional reviews conducted by MoPS – essentially with a view to removing anomalies, duplications and conflicts of interest – and with a view to clear separation of functions that could help NDP oversight, management

and implementation, have not been addressed. In this context it is perhaps unfair criticism of this Ministry to imply that weaknesses in public administration or the slow progress of reforms (being one of the major constraints as is noted in the NDP) are in some sense a failure on its part, when the majority of recommendations that it has put forward have never been addressed.

Sector MDAs – The MTR noted that technocrats in most MDAs are receptive to the NDP and its recommended reforms. About half² of the sectors have fully aligned their sector investment plans to the NDP, a factor that determines effective implementation of the Plan. However, alignment of the SIP to the NDP has not always meant effective implementation of the NDP as this equally depends on the budget tools such as the OBT that determine the specific outcomes and outputs receiving the resources.

Sector MDAs remain institutionally weak due to significant lack of harmonization of structures and the high level of both fragmentation and duplication. The situation has been further aggravated by the structural changes in the economy. Optimal levels of structures and staffing levels for effective deliver of the NDP are yet to be worked on, as recommended by the NDP. There is lack of good will from technocrats within the public sector and among the political leadership regarding the reforms. Going forward, there is need for the key leading reform institutions such as the NPA, OPM, and MoPS to further engage the NRM government to fully embrace and enforce these reforms.

Local governments - Local Governments are in charge of front-end service delivery. In this regard, the local governments are responsible for monitoring frontline service delivery and accountability for results. Over the NDP period, districts continued to submit quarterly reports and work-plans to MoFPED, based on the OBT, to facilitate release of funds. As with MDAs, the reports do not cover the entire spectrum of the NDP such as the contribution of the private sector civil society and donor activities.

The MTR observed that limited development budget and low staffing levels coupled with weak alignment of district budget framework papers to the NDP were the greatest handicap to the implementation of the NDP by Local Governments. Reducing financial allocations to districts in real terms has thwarted development programme implementation at the local level. Districts

² These include: Health, Agriculture, JLOS, Education, Defense and Security, Public Service, Water and Environment, Public sector management

receive limited development grants, and since 85 per cent of the financing of the LGs is in the form of conditional grants it is difficult for districts on their own to implement projects at the level of ambition due to financial constraints. What is clear from district visits undertaken as part of the MTR is that the NDP MTEF did not really emanate from district consultations but rather from sector ministries that did not adequately capture local needs and realities.

At present the sector / local government budget and planning processes are not well aligned. The budget cycle does not put sufficient emphasis on assessing progress over the preceding year. NDP reviews and district planning processes are carried out every 5 years whereas the budget is developed annually and sector plans timelines are not necessarily aligned with the NDP planning period. A key point emerging from our districts visits is a favourable view among some of the return in Uganda to the system of regional tier governments, as there is a widespread view that managing 112 districts is proving too much for the central government to organise, manage, supervise and develop. There may be efficiency gains to be had from delivering shared services at a regional level, but extreme care would need to be taken not to introduce further bureaucracy and additional administration cost.

There has been an increase in the number of districts which has inevitably increased the costs of LG administration. Over the NDP period two key studies were conducted by the Ministry of Local Government under the auspices of the UNDP: one on the holistic review of local government financing and another on the review of local government set-up. The following key recommendations have been made:

- As a measure to improve financing and its impact on services delivery, priority should be given to gradually stepping up financing under the grants system to local government to bring it more in line with the service delivery requirements. Special emphasis should be placed on the adequacy of financing under the unconditional grants to include the management functions of planning, supervision and monitoring of service delivery.
- Rationalisation of the expenditure assignments so that those functions that have been decentralised and cannot be served by districts are lifted either to the regional level or back to central government.

Civil society – this group has continued its role as a watchdog of government and private sector performance particularly in its reporting and advocacy on issues like social protection, good governance and respect for human rights and the environment. However CSO representatives

who were interviewed as part of this MTR have alluded to 'shrinking space' to contribute ideas with a feeling that government has over the last three years become 'less receptive to constructive criticism' and is passing legislation aimed at curtailing 'the alternative voice of reason' especially on issues of good governance. CSOs have pointed to some issues that need to be tackled:

- The failure to achieve significant transformation in the structure of Ugandan economy and society in spite the impressive economic growth record for over a decade;
- The contradiction between long-term nation building objectives and the short-term survival objectives of sitting governments, or in the case of a multi-party system, the ruling parties;
- Market fundamentalism embedded in the unquestionable belief in neo-liberal economic dogma and the need to find new ways in which the state and the market can interact to deliver equitable and sustainable development;
- Investing in creation of effective demand for good governance through re-energising citizen engagement;
- The need for more decisive policy action to counter Uganda's population growth rate or aggressively investing in improving the quality of life for the population;
- Consolidating peace and preventing the resurgence of conflict in the North or any other part of Uganda;
- Reclaiming the ecological and legal integrity of our Nation's environment and natural resources;
- The need to restate and re-articulate Uganda's commitment to gender equality.

The private sector - Over the NDP period, the private sector has continued to be a key player for Uganda's growth, employment and social transformation. The resilience of Uganda's private sector in the face of a global economic downturn has supported impressive GDP growth rates averaging 5 per cent-6 per cent per annum – way above the global average. With limited opportunities for employment in the public sector, the private sector has played a key role in providing employment across many sectors especially in the services sector. However over the NDP period, comprehensive assessment of the contribution of the private sector to NDP implementation has been lacking due to limitations in analysis in both the GAPR conducted by OPM and the NDR produced by the NPA.

The private sector remains constrained by a number of factors which, once resolved, would go a long way in harnessing its contribution to NDP goals and objectives. Such factors include:

- Absence of deliberate strategies for private sector development - notably the inability to pass a critical Public-Private Partnership bill;
- High cost of credit, also related to some actions by the central government that have crowded out the private sector and its competitiveness;
- Inability to hire skilled labour in Uganda and hence the reliance on external expatriates in some key private sector areas (telecommunications, engineering and ICT);
- A low consumer demand due to persistent low wages and income inequalities; and
- Competition from foreign firms and proprietors which are seen by some respondents in MTR as a consequence of 'over-opening up' of the economy' and a failure to protect infant indigenous firms.

The broader assessment of the performance of the private sector during the NDP period is covered in detail in the Economic Management and Results Framework thematic reports of this MTR.

The media – As documented in the 2012 National Media Performance Report, released by the Uganda Communications Commission in January 2013, the overall public perception of the media appears to be more positive than it was before the NDP. However, there are some challenges related to the technical quality of services, and the low levels of availability of appropriate programming for children, youth and the elderly. According to this report, there seems to be a clear demand for programming in the local languages and for local content. Not all parts of Uganda are able to access the print media or clear radio and TV signals which have limited reach. Despite growing levels of literacy, national media (New Vision, Monitor and other publications) are accessed / demanded by only by a small proportion of the population.

There has been a keenness by the main media houses to focus on the relaying of national news and entertainment, and most respondents noted the need for more focus on programming around entrepreneurship and wealth creation. The survey also noted the negative influence of film halls and new (western culture style) media that poses potential dangers, particularly to young people, as well as the challenge of the unregulated use of mobile phones and the internet. The proliferation of private radio stations and the media (with the exception of UBC) are thought to be some to be increasingly contributing to the development of local identities and less to a national Ugandan identity. CSO representatives to this review also decried increased harassment of the media by state operatives pointing to the recent closures of Monitor

Publications and other media houses. In general terms there seems to be a limited understanding of the role the media could play in national development and constituting a forum to encourage the media to advance the benefits of the NDP should be considered.

3.1 Analysis of alignment and coherence for implementation

For a coherent and robust framework for implementation, the NDP points out the following pre-requisites: Ownership of the Plan by all, political will at the national and local levels, sustained annual and quarterly planning and commitment of resources, increased private sector capacity, behaviour change, patriotism and progressive reduction of corruption, and effective monitoring and evaluation to support implementation. As the NDP has progressed the existence of these pre-requisites for success became less certain. It became evident one year into NDP implementation that financing did not fully match NDP priorities. Political will (even if it did exist) was inevitably affected and distracted by a Parliamentary and Presidential election period that lifted Parliamentarians and Presidential candidate manifestos into the limelight, to some extent eclipsing the NDP. During its second year the NDP faced economic challenges including high inflation levels, withdrawal of donor funding and a national budget that went into austerity mode with some core investments envisaged under the NDP not getting accorded budget allocations. In addition, sector MDAs that had not elaborated their SIPs at the time of the NDP launch have continued not to do so, while some such as Justice, Law and Order have launched new ones which are not aligned to the NDP.

In general, there are three main factors that have prohibited alignment and coherence for NDP implementation:

Failure to fully align sector and district plans to the NDP – The NDP was based on a number of submissions from sectors, but these submissions did not always reflect the respective sector investment plans. Further, at the time of design of the NDP, some sector investment plans were not in place. In many cases sectors were guided by SIPs rather than their initial submissions to the NDP.) Similarly, when the NDP was developed, districts were asked to align their LGDPs to the NDP with the expectation that the NDP was to have emanated from district and sub-district plans themselves. This made the NDP appear as a top-down centralised planning regime against which all sectors and LGDPs were to plan and align. In some instances, this has worked well. It had been intended that OPM would review sector budgets and plans to ensure

alignment to the NDP and to create incentives and sanctions for MDAs to align. However, such systems were not developed.

Inability of the MoFPED MTEF to fully fund NDP strategic thrusts - In order to achieve targets, financial allocations in the MTEF must be broadly in line with those outlined in the NDP, but evidence so far suggests that this is not always the case. When the NPA undertook an exercise to design the NDP MTEF, based on the Cost Implementation Matrix (CIM), it hoped that this would be adopted as the overall MoFPED MTEF. . Funding to sectors continued to a large extent as during the period before the NDP and reversals to align back to the NDP by MoFPED are on-going but not complete. There is a need to harmonize the MoFPED and NDP MTEFs over the remaining period of the NDP.

Lack of cohesion among key NDP implementing institutions - The institutional framework for NDP implementation is clear on who should do what during implementation. However, the changes included in the framework were inevitably going to cause resistance that required firm political guidance. The lack of firm and clear political guidance has, in particular, led to duplication of effort, poor working relations, and wastage of resources in execution of planning and Monitoring and Evaluation among MoFPED, NPA and OPM. This lack of clarity has been played out in the eyes of sector MDAs (and development partners) in a manner that has presented NPA as being 'without the grasp' of its NDP oversight role, especially as regards its inability to ensure that MoFPED allocates resources with sufficient priority to NDP priorities, as was the popular expectation. While this happened, OPM (which was mandated by the NDP to ensure coordination and implementation) was reporting on government performance through the GAPR but not against the NDP - a role taken up by the NDR. From its own institutional review report of 2011-2012, OPM is already overwhelmed by a host of commitments under the auspices of 10 ministers (including ministers of state), and all under its oversight. These are: Information and National Guidance, General duties, Karamoja, Northern Uganda, Bunyoro, Luweero, Tteso, Disaster Preparedness, Chief Whip, East Africa Community Affairs. In addition, large national projects, the Northern Uganda Social Action Fund and the Peace Recovery and Development Program also fall under its mandate.

In addition, the orientation of development partners and their approach to development has in some instances not favoured a coherent approach for NDP implementation. In a number of cases development partners have played it safe by supporting programs without due regard to

mandates and institutional roles, which has led to significant duplication of effort. This MTR has made recommendations in chapter four (4) that would streamline roles, functions and mandates around NDP implementation going forward.

3.2 Analysis of alignment and coherence for M&E

The NDP outlines the strategy for monitoring and evaluation of results of the Plan. The NDP results framework provides the following levels of reporting: i) The goal/theme level; ii) the NDP Objectives, results level; iii) the key results areas level; iv) MDA level; and v) local government level. This was elaborated by the NDP monitoring and evaluation framework produced in the first year of implementation of the Plan. The National Planning Forum, chaired by H.E the President, is the highest institutional M&E organ for monitoring progress of the NDP. According to the NDP, NPA is responsible for establishing the results framework of the Plan and ensuring that relevant institutions of Government and relevant non-state actors develop results indicators consistent with the NDP, including production of the NDR.

On the other hand OPM is responsible for monitoring government performance and production of a six monthly reporting to Cabinet on Government performance. This reporting is required to be based on quarterly submissions by all sectors to OPM against key actions and outputs. In addition, MoFPED is responsible for resource mobilization, formulation of national budgets and disbursement of budgetary resources, financial accountability and budget monitoring and reporting.

Over the NDP period, OPM produced two GAPRs and convened two corresponding Cabinet retreats to review these reports. NPA also produced two NDRs and shared the findings with Committees of Parliament on Finance and Planning, National Economy and Budget. The NDP planning forums were not convened. MoFPED further enhanced the regularity of its budget monitoring reports to quarterly and sector specific reports.

Due to lack of firm political guidance and lack of harmonization of donor programs with domestic legal frameworks, duplication of planning and monitoring and evaluation roles continued to grow over the NDP period. Whereas the NPA continued to develop the NDP M&E framework into a comprehensive NDP M&E system, the OPM on the other hand developed and launched the Public Sector M&E Policy with several clauses that contract both the NDP and the NPA Act. In addition, MoFPED strengthened its planning activities under the Directorate of Economic Affairs contrary to the NDP and NPA Act.

3.3 Analysis of alignment and coherence for overall NDP oversight

It is stated in the NDP that H.E the President is responsible for the overall oversight over the progress of the NDP. The President is expected to undertake this role through convening of the annual NDP Planning Forum. The absence of this Forum indicates the lack of a sense of urgency and commitment to drive the changes envisaged in the NDP from Government.

The key institutions for oversight i.e. the Office of the President, OPM, NPA and Parliament have not provided or agreed a sufficiently unambiguous institutional / management 'architecture' for oversight, authority, accountability and management of NDP implementation as a 'programmatic' plan.

Much of the NDP implementation matrix remains blank and the endeavour by the NPA to get sectors and districts to refine indicators and provide statistics on progress has proved slow and problematic. OPM is undertaking monitoring of government performance, but without inclusion of statistics related to performance of the private sector (which should be a strategic partner for government in its pursuit of economic growth) or non-state actors. Recommendations are made in chapter four (4) on how to improve the overall oversight over NDP implementation.

3.4 International examples of good practices

A comparative assessment conducted by the MTR indicated that there are a number of best practices from Kenya, China that the country can learn from to improve its institutional framework particularly for planning. In China, for instance, the planning is led by China Planning and Reform Commission (PRC). Each is responsible for all matters relating to development planning; policy reforms; macroeconomic analysis; and implementation oversight. The political head of the PRC is the Prime Minister of China. It is worthwhile to note that the PRC employs over 2000 persons, has no institutionalized government M&E system and timely executes 100 per cent of its national development plan. Kenya, on the other hand, has recently stood out as a good implementer of its Plans and Programs based on Vision 2030. Kenya has a separate Ministry of Planning and National Development which includes the Central Bureau of Statistics; and an agency for population and development among others. The separation of roles between Government and the State (public service); less duplication of institutional roles; and increased checks and balances for greater accountability, have enhanced the country's execution of NDP policies and programs.

4.0 KEY INSTITUTIONAL CHANGES REQUIRED FOR EFFECTIVE NDP DESIGN, IMPLEMENTATION, MONITORING AND EVALUATION, AND OVERSIGHT

The previous chapter presented an assessment of the effectiveness of the mechanisms in place for NDP implementation, monitoring and evaluation as well as oversight. Having identified a number of challenges faced during the NDP period, this chapter presents the options of feasible solutions that may be adapted for more effective realization of the NDP goal and objectives. This chapter is presented under four sub-sections, namely: rationalization of roles, functions and mandates for NDP implementation; required changes to support the NDP institutional framework; and setting up of a communication strategy for the NDP.

4.0 Rationalisation of roles, functions and mandates for NDP design

Setting priorities – The Uganda Vision 2040 is the overarching development planning framework for the country. Within the Vision framework, setting priorities for national development ought to be carried out by NPA following evidence-based determination of priority needs, policy and strategic direction and aspirations of the country and macroeconomic analysis. These are articulated in the National Development Plan, which is the main guide to sectors and districts for setting their priorities and preparation of SIPs and DDPs, respectively. Preparation of the NDP, SIPs and DDPs follows the bottom up approach, in line with the constitutional requirements.

The MTR established that there is lack of clarity on the role of setting national priorities particularly for the national budget, PIPs, SIPs, and DDPs. The 1995 Constitution and the NPA Act are equally nonspecific in this regard. This weakness has led to lack of harmonization and consistence among the various plans, including the national budget. The weakness has also created uncoordinated implementation of programs and loopholes in accountability. Going forward, setting of priorities with the view to realizing effective implementation of the NDP will require clear policy and legal framework.

It was further established that parallel planning programs continued to be undertaken by MoFPED, often without involvement of the NPA. For instance, the PIP continued to be produced by MoFPED without involvement of NPA, the body responsible for development planning. Also, the MTEF and development of the Post 2015 Country strategy continued to be undertaken by MoFPED with minimal or no involvement of the NPA. Going forward, there is need to provide firm political guidance that ensures strengthening of the NPA by avoiding duplication and

fragmentation of planning roles. Overall medium and long range planning remain a new phenomenon in the minds technocrats, politicians and the general public, which will require strong political will and action to be entrenched in the country's planning systems.

4.1 Rationalization of roles and functions for NDP Implementation

According to the NDP, implementation and management of the Plan is under the overall leadership of H.E the President. Implementation of the NDP is, however, a shared responsibility of all Ugandans - all MDAs, districts, the private sector, CSOs, NGOs as well as development Partners. OPM is required to ensure effective coordination of NDP implementation across government.

The MTR noted that close linkage between the NRM Manifesto and the NDP often enabled unconscious budget prioritisation and implementation of programs that are a priority of the NDP. Deliberate focus of the budget on the NDP was only clear in the case of the 15 core projects leaving the rest on the strategies unattended to and with sectors continuing with 'business as usual'. The MTR also noted that as the NDP period progressed, there has been increased appreciation of the need to align planning and budgeting systems, tools and policies to the NDP for achievement of the desired socio economic transformation. Going forward, it will be necessary that collective actions of politicians and technocrats are undertaken to ensure deliberate mainstreaming of the NDP in implementation processes.

Over the NDP period, OPM continued to coordinate implementation of the public sector programs and policies without major review of its institutional structures to focus on the NDP. For instance, the MTR found no evidence to show deliberate strengthening of coordination of implementation for purposes of enhancing NDP implementation. A study of the Functional Review of the OPM held in 2011/12 was more focused on strengthening monitoring and evaluation by creating a new directorate of M&E and re-aligning production of the GAPR. In order to effectively undertake coordination of implementation of the NDP, OPM would require taking charge of the roles of quality assuring and validating sector and district work-plans, BFPs, and Policy Statements. In addition, OPM should in effect be responsible for approving sector and district quarterly and annual work plans and providing approvals to MoFPED for quarterly release of funds to districts and sectors. In order to effectively carry out its mandate on coordination of NDP implementation, OPM requires strengthening in terms of staffing levels and

logistics under the Directorate of Policy Coordination and Implementation, which is the most critical function under OPM.

MoFPED, undertakes the role of budget monitoring as part of its mandate for resource mobilization, public expenditure and accountability. This role needs to be harmonized with that of budget performance monitoring which was envisaged to be undertaken by OPM in line with the NDP.

The MTR findings indicated that lack of mobilization of the private sector to rally behind programs and strategies outlined in the NDP. For instance, during preparation of the NDP and over the last two and a half years of the Plan, no platform was put in place to facilitate dialogue and buy-in of the private sector in the implementation of the Plan through such means as division of labour. The private sector, however, continued to be the strongest factor behind the country's growth rates achieved over the NDP period due to its resilience and adoption of new innovations. There is therefore a need to put in place a mechanism that facilitates dialogue between the private sector and the NDP managers spearheaded by the Chairperson of the NPA. Similarly there is need to work out mechanisms for CSOs' engagement to public sector service delivery while avoiding duplication of effort.

More involvement of civil Society organisations and development partners – NPA should ensure that the umbrella organisation Uganda National NGO Forum, DENIVA and the Donor Working Group are fully consulted and encouraged to participate in shaping the development agenda for the next NDP - for instance by tackling issues elaborated in the paper: *Unlocking Uganda's Development Potential- 8 Fundamentals for the success of the NDP*³. There will also be a need to address key aspects elaborated in Uganda's Partnership Policy, including increase of financing under budget support (or development of new and innovative mechanisms as an alternative to this in light of the unlikely prospect that budget support will now increase); use of government systems where possible; untying of aid; predictability; progress on the division of labour; reporting and transparency and good intent to implement the debt strategy⁴. The inter-agency forum to link CSOs with the development process has remained inactive over the NDP period. CSOs seem now to proceed with business as usual and do not for the most part feel that they can influence the NDP.

³ A Civil Society perspective paper published July 2009 by the Uganda National NGO Forum.

⁴ Issues concerning the relationship with DPs are set out in a separate thematic report of this MTR.

4.2 Rationalization of roles and functions for Monitoring and Evaluation

Under the NDP, NPA is responsible for establishing a results framework for the NDP and ensuring that relevant institutions of Government develop result indicators that are consistent with the NDP (para.909 pg.396), including production of the annual National Development Report. The National Planning Forum, chaired by H.E the President, is the highest institutional M&E organ for monitoring progress of the NDP. On the other hand OPM is responsible for monitoring government performance and production of a six monthly reports to Cabinet on Government performance (Para 908, pg.395). In addition, MoFPED is responsible for resource mobilization, formulation of national budgets and disbursement of budgetary resources, financial accountability and budget monitoring and reporting (Para 910 pg.396). These NDP provisions and other provisions under the Constitution and the NDP Act notwithstanding, streamlining institutional roles and functions of M&E of the NDP has been one of the biggest NDP implementation challenges. In order for the country to have a single integrated and comprehensive monitoring and evaluation system for the NDP, there is need to ensure clarity of leadership on all M&E (for public and non-state actors). A comprehensive and integrated M&E system for the NDP would reduce duplication of reporting and fatigue on planners, and enable efficient use of time by planners and statisticians in sectors and local governments.

The challenges of harmonizing roles and functions for M&E are not caused by lack of legal and policy frameworks, as these are in place but struggles over M&E continue due to availability of significant amounts of donor support towards this function. Going forward, it would be incumbent upon Parliament to review the current situation and further clarify, in legal terms, the roles of NPA, OPM and MoFPED in relation to M&E. It may be worthwhile to consider switching the role of Coordination and Implementation from OPM to NPA while re-assigning the leadership on M&E from NPA to OPM. The MTR believes that this will particularly enhance coordination of implementation of the NDP, and that the new role of M&E, if assigned to OPM, would not encumber the Office's political function of leader of Government business in Parliament. NPA would also remain with the role of supporting oversight functions of the Presidency and Parliament as well.

4.3 Rationalization of Roles and Functions for NDP Oversight

NDP oversight is a mandate of the Presidency and Parliament supported by various statutory bodies. The civil society compliments statutory bodies by ensuring that independent

assessment of policies and programs, particularly of the NDP, are undertaken and reports are made available to government and general public. Oversight over the NDP has had a number of challenges, which include inadequate capacity of NPA and other statutory bodies to timely provide quality requisite reports to inform the oversight function. Another challenge is the lack of a platform for oversight support institutions to consolidate the various oversight reports (including the oversight monitoring reports of Parliament), in an evidence-based manner, into a single annual oversight report to be presented on the floor of Parliament. In addition, it may be worthwhile for Parliament to consider creating a Sessional Oversight Committee to consider and present in Plenary the Consolidated National Oversight Report. This report will also enable tracking and follow-up of recommendations and action taken by the responsible institutions and officers.

The MTR noted that inadequate institutional framework to support the oversight roles and functions of the Presidency, which has led to congestion of the Office of the President and State House with personalities of various professions and disciplines. It will be worthwhile to consider strengthening the Presidential oversight function by relocating the NPA to be under the direct supervision of the President. Operationally, it will be important to have a reconstituted NPA under a Senior Minister in charge of Planning and Economic Development. This will enable NPA to also be responsible for both the development policy, and policy and strategic direction of the country.

The pros and cons of relocating the NPA to the Office of the President are presented in the table below.

Pros (advantages) of getting NPA to move to the Office of the President	Cons (disadvantages/risks of moving NPA to the Office of the President
<ol style="list-style-type: none"> 1. NPA will play the role of advising H.E the President timely and effectively through various internal meetings and forums of the Office of the President and State House. 2. The NPA will have greater clout and mandate to convene MDAs on Planning and implementation of the NDP and the Vision on behalf of the President. 3. The Presidential oversight will be boosted in 	<ol style="list-style-type: none"> 1. Without firm political guidance, planning may continue to be fragmented which may lead to further reduction in the relevance of the NPA to determining budget priorities and the development policies. 2. Moving NPA to OoP has the potential to make it susceptible to unnecessary political influence which could detach the NPA from non-state actors who are critical to NDP monitoring and evaluation and its technical independence. 3. Shifting of NPA to the Office of the President will

Pros (advantages) of getting NPA to move to the Office of the President	Cons (disadvantages/risks of moving NPA to the Office of the President
<p>terms of analytical work and coordination of technical work in the country. This will include budget and macroeconomic analysis.</p> <p>4. It will provide the Presidency with more regular and current analytical development performance data and information to inform decision and policy making.</p> <p>5. The relocation of NPA to OoP will also enable the Authority to more effectively play the role of taking lead of policy reforms as assigned to it by H.E the President and Cabinet</p> <p>6. The change will harmonise the institutional framework of planning in Uganda in line with a number of EAC member states such as Tanzania and Kenya (very recent) where Planning bodies are directly supervised by the President. This is also consistent with the structures among middle income countries such and South Africa, Malaysia, South Korea, India and China that Vision 2040 emulates.</p>	<p>automatically lead to restructuring of the MoFPED where resistance to the move will disrupt its performance in the first year of implementation of the change.</p> <p>4. The change will put heavier responsibilities on NPA and yet it has inadequate capacity to take on these roles namely: policy reform, policy and strategic direction, macroeconomic analysis and determination of development policy.</p>

The MTR assessment based on pros and cons deduced that it will be objective and a move in the right direction to relocate the NPA to the Office of the President, under direct supervision of H.E the President and with a Senior Minister in charge of Planning and Economic Development.

5.0 CROSS-CUTTING ISSUES

5.1 Overview

This Chapter outlines issues related to the NDP institutional framework regarding cross cutting issues as part of the MTR. The chapter focuses on developments on cross cutting issues that are institutional in nature, including challenges and recommendations for improvement in mainstreaming these issues.

5.2 Democracy and political governance

The democracy and political governance MTR found that there is a wide appreciation among consulted stakeholders that the NDP is articulate in its narrative on the importance of constitutionalism, respect for democratic doctrines and the rule of law. The Plan also stipulates the need to strengthen the doctrine of separation of powers, transparency and accountability as sustainable means for efficient and effective service delivery. There are credible state institutions (Executive, Parliament and a robust judicial system and national army) to ensure these doctrines are upheld. What remains to be a challenge for Uganda is 'a lack of an agreed political values framework' as a requisite for transformative democratic and political governance.

The MTR also found that almost all institutions across the three arms of government are striving to embrace the ideals, principles and practices of democracy and governance. While separation of powers, transparency and accountability, conflict resolution, and management of diversity were identified as weak at the time of NDP design, there has been little progress in addressing these issues. The MTR established that the legislature is doing its constitutional work, but is often influenced by politics. The independence of the media is also often constrained by government. On the other hand, the public sector is underfunded and affected by unclear mandates, roles and functions which often lead to duplication of effort and wastage of resources. However, transformation of the public sector is a foundation for any government driven development framework such as the NDP. The MTR identifies three major areas of reform within the public sector which include:

- Public service infrastructure (processes, systems, structures and practices);
- The public servant (public service staff, salaries/reward mechanism and work environment); and
- The client (the general public for which services are intended).

To date, issuance and enforcement of key reforms like Results Oriented Management (ROM), performance contracts and Client Charters have by and large been slow and poor. Over the last 10 years, public service reforms are said to have concentrated on the 'hard side' of the sector (on processes, systems) rather than 'the public servant'. Public service recruitment has not generally emphasised meritocracy, but rather other informal systems. Inadequate enforcement of performance contracts and poor service monitoring within institutions have continued to contribute to low productivity and poor implementation of the NDP.

There are other key challenges of an institutional nature noted in this report:

- **There has been limited effort to move the country towards a path of ideological orientation that fosters national unity.** While there are always divergences in views there should be a re-thinking within the NDP process that domesticates sector and district planning involving all players in the development spectrum including all CSOs and political parties. This will ensure that the Plan is viewed as a non-partisan enterprise and one of national and patriotic stature.
- **Communication gaps remain central between central government and local governments / sector MDAs on how to implement the plan in unison.** Much as the plan clearly shows what each sector is supposed to implement, options for inter and cross-sectional linkages remain difficult to implement in practice. The structure of the vote systems in the national budgeting framework provides limited technical flexibility for this 'thematic approach to planning and budgeting and let alone implementation'.
- **There remains a host of other governance issues that need to be addressed that include:** a) expediting of the issuance of National IDs; b) supporting the use of ICT in the electoral process (as has been done in Kenya); c) strengthening the Equal Opportunities Commission with appropriate financing and staffing to adequately address concerns of minority voices in the governance spectrum; d) continuing the national inter-party dialogue that receives input of all political parties in the national development discourse; e) strengthening the local justice system to dispose national and semi-national judicial courts of important cases; and f) designing strategies to ensure that appointment of public officers is open to public scrutiny as in Kenya.

In the context of these constraints to government institutions, the democracy and governance report makes a number of recommendations both for the current NDP and for the next.

Recommendations for the current NDP

- The GoU monitoring function should be centralised into one office that can assign officers to specific MDAs and local governments.
- Strengthen the NPA to undertake coordination and implementation of the NDP using coordination and implementation oversight systems which are well ‘branched’ into sector MDAs and districts. On a periodic basis the NPA should be able to communicate progress on implementation of the plan with action to be taken by different stakeholders for reformation and improvement.
- Increase space for non-state actors (private sector, CSOs, media and the general public) to engage in the preparation of the next NDP with clear guidelines on how they should participate – with which roles, inputs, expectations and results monitoring mechanisms. NPA needs to be supported in its endeavour to undertake this large responsibility.

Recommendations for the next NDP

- There is a need to re-think the role of the NPA in relation to all planning bodies within government and the private sector around a common country plan of action devoid of any political intrigue / bias, but one based on national patriotism and culture and character.

5.3 Environment and natural resources

The MTR noted that weak institutional capacity is one of the key constraints facing environmental entities in implementation of their mandated roles. Specifically, this refers to managerial and technical capacity and staffing levels, which are not suitable for the extensive and diverse nature of environmental issues across the country’s economic and social sectors. The MTR found that capacity is particularly low in local governments where environmental degradation is on the increase in all districts that were visited by the consultants, yet environmental concerns are not being mainstreamed into District Development Plans.

Currently the Ministry of Water and Environment Directorate of Environmental Affairs (DEA) and the National Environment Management Authority (NEMA) are both responsible for coordination, regulation and policy making. This creates a large degree of confusion over which body is responsible for each of these functions. Further, there are contradictions between the Constitution, the National Environment Act and the Local Government Act which serves to perpetuate the state of confusion over the institutional framework. The MTR recommends that

an institutional review be conducted to create systems and mechanisms to support improved coordination between DEA, NEMA, NFA and district local governments in policy implementation and regulation of natural resources and environmental management. The MTR also recommends the strengthening of institutional capacity, particularly for collaborative forest management, and creating an institution to manage hazards and risks. Currently disaster risk management and monitoring of hazards is done by several bodies (Meteorology Department, the Department of Geological Survey and Mines, the National Environment management Authority, the Ministry of Health and the Ministry of Agriculture) and as such there is no provision to bring all this information together to provide strong multi-hazard risk assessments.

The MTR therefore presents recommendations for the current and next NDP as below:

Recommendations for the current NDP

- Update the early warning system and, during this process, bring on board key stakeholders (disaster preparedness, health, agriculture and water ministries, departments of meteorology, geological survey and mines, NEMA among others) to determine a multi-hazard risk assessment. Also look at economic impacts and support rapid response to alerts and declarations of 'state of emergency' and design of concrete 'risk mitigation' mechanisms.
- Provide support and training for district leaders in disaster risk reduction and empower them to mobilise communities (especially in high risk areas) to improve readiness to respond to emergencies. This should also include both formal and informal routine arrangements and learning from past experiences (like flooding in Kasese and parts of eastern Uganda and mudslides in Bududa and Elgon).
- Improve financing and logistical support for institutions engaged in environmental protection including: fire brigade; environmental protection police, NEMA and LG Departments of natural resources (some LGs are receiving a paltry UGX 4m for a whole financial year). Other countries like Mozambique set up a National Contingency Fund as part of the National Treasury purposely to track, anticipate, and tackle disasters (famine, floods, disease outbreaks, fires etc.). This can also support National Emergency Coordination and Operation Centres.

Recommendations for the next NDP

- As Uganda industrialises and urbanises, there is potential of a shift towards extensive farming. Policy makers and plans should also put emphasis on 'intensive farming' with keen focus on increasing productivity of already tilled farm land even as new land is opened up for agriculture. This will go a long way in preserving the environment.
- Most laws and policies around environmental and natural resources management are 'conservationist in tone and framing' which has partially made implementation as thus. There is now a need to put more effort on 'restoration' as well so that even the depleted resources get a chance to be restored.
- Environmental and natural resource protection should be embedded across all sectors of government. This will require a big communications push. Minimisation of use of plastics and polythene, increase in use of energy saving bulbs and bio-gas as well as recycling of disposables requires a planning framework that triggers national consciousness around these issues.

5.4 Gender and development

The NDP acknowledges that low levels of gender mainstreaming are an impediment to Uganda's development and this is noted as one of the seven most binding constraints. However, while the plan notes ways in which gender inequalities manifest at the macro and micro levels, there are no concrete gender sensitive indicators leaving the plan 'gender neutral' in implementation.

Most gender related interventions are left to the Ministry of Gender, Labour and Social Development (MoGLSD) which 'compartmentalises', rather than mainstreams, gender in the development process.

There are four main concerns for gender and development noted in the first half of the NDP implementation. These are:

- Whereas the NDP sectors are categorised into four groups (primary growth sectors; complementary sectors; social sectors; and enabling sectors); gender is presented as though it is part of the social sub-sector without specific actions to broaden gender mainstreaming across the entire NDP implementation. There seemed to be an assumption in national and sub-national planning that development focuses on all people, including

men, women and children, and therefore gender issues are indirectly tackled. There needs to be more focus on actions / programmes that ensure that more contribution of women, in particular, is enhanced.

The gender report makes a number of recommendations for the current and the next NDP:

Recommendations for the current NDP

- Provide further clarity not just on stating gender indicators but how programmes and interventions under the NDP are designed to address concerns of both, men, women and children.
- Indicate in the costing framework unique allocations within sectors of the NDP going to actions and programmes to address challenges to development, especially those addressing gender constraints.
- Establish 'gender units' in key sector MDAs for example, in the MAAIF a gender unit would ensure agriculture policies, research and programmes sensitive to gender issues. In addition the gender working groups and their representation (of media, CSOs and the private sector) should receive government support to map out concrete strategies for implementing gender based plans in the next NDP.

Recommendations for the next NDP

- Start a process that builds national consciousness around the issue of gender so that there is an increase in understanding and the related rights of men, women, children and all minority groups. This will build a foundation for appreciation of gender issues going forward.
- Work out a nationally encompassing approach with requisite technical and financial support to ensure that gender interventions are adequately articulated in sector and national BFPs, ministerial policy statements and local government plans.

5.5 Child rights

Uganda is a signatory to the 1990 UN Convention on the Rights of the Child and in 2003 the Child Act of Parliament was passed to uphold the rights and integrity of children, and bring them up to contribute to the country's development. A number of key child welfare outcomes feature prominently in the MDGs and the NDP. The NDP mentions strategic actions to raise the profile of child welfare and role in national development such as reducing child mortality through a

drive to achieve 100 per cent immunisation coverage, targeting over 1.5 million children who are orphaned and vulnerable with strategic programs and reducing the overall population growth by reducing number of unwanted pregnancies through family planning so that Uganda progresses towards healthy well planned families.

With national and global targets (NDP and MDGs respectively), spending on health and education gained early prominence in the Uganda national budget. The share of national budget allocated to the two sectors is reported to stagnate at about 33 per cent since 2003/4. Despite Uganda adopting the Convention on the Rights of the Child in 1990, a number of key child issues remained unaddressed in the NDP.

The MTR puts forward various recommendations including those set out below.

Recommendations for both the current and next NDP

- Uganda needs to develop monitoring indicators to measure child rights issues within the NDP.
- More support is needed for MoH in implementing critical programmes that affect children including PMTCT, ANC attendance, increased access to contraceptives, health care for children, improvement in immunisation and other community and public health hygiene interventions.
- There is need to set up a coordination mechanism to address a holistic development focus on child development and upholding of child rights.

5.6 Social protection

The NDP outlines challenges that have inhibited progress towards providing comprehensive social protection to Uganda's citizens, as well as clear national and sector-wide objectives for overcoming these challenges. "Expanding social protection measures to reduce vulnerability" is clearly stated as an objective within the NDP, and is seen as a critical input into reducing poverty and inequality at a national scale and preparing the population for development. Social protection commitments have also been mainstreamed within national budgets and sector plans. Social protection under this sector carries a specific vote function to which resources are allocated annually. However, actual resources allocated are said not to fall in line with achieving these outputs and outcomes over the NDP period. Resources allocated to "social protection and vulnerable groups" are reported to have been inadequate and dwindling over the

NDP period. Other issues that have been observed over the NDP period of institutional nature include the following:

- **Social protection is not nationally prioritised.** The national focus is put on economic growth with social development on the fringes.
- **There is a heavy reliance on donor funding** and limited national financial commitment raises concerns over the sustainability of existing social protection interventions.

There is a multiplicity of social protection related policies, without implementation plans and budgets.

The MRT makes the following general recommendations for the current and next NDP:

Recommendations for the current NDP

- Proceed and strengthen the endeavour to roll out the Senior Citizens Grant which in its small size has already made a tremendous help to the elderly. In addition, the Government should pass the Health Insurance Scheme whose bill remains in Parliament.
- It is suggested that in the remainder of this NDP period, the GoU undertakes a detailed scoping study of current social care services, with a plan for the next NDP phase to operationalise a partnership and long-term strategy.

Recommendations for the next NDP

- Make social protection a stand-alone sector of the next NDP.
- A study needs to be undertaken to determine the contribution of investments in social protection to GDP so that government and other development partners can understand the role of this sector in development. This would, it is reported, make a strong case for more allocation of resources to this sector. The MTR goes on to say that for Uganda to become a middle income country, it needs to provide a framework that reduces vulnerabilities among children, women, PWDs and the elderly.

5.7 Human rights

The Constitution prescribes the national obligation to promote and protect human rights: it unequivocally states that *“fundamental and other rights and freedoms shall be respected,*

upheld and promoted by all organs, agencies and by all persons".⁵ The constitution further concretely recognises that "*fundamental rights and freedoms of the individual are inherent and not granted by the state*". This was also the spirit of the NDP in its attempt to put forth a rights-based approach to Uganda's development agenda. The appreciation of a rights-based approach to development is by and large-work-in-progress.

The MTR states that there is a demonstrated need for sustained efforts by the State to ensure that all Ugandans can enjoy fundamental freedoms as long as they behave within the confines of the law. The MTR puts forward recommendations that could improve this under the NDP framework which include the following:

- Human rights concerns within each sector / subsector and corresponding strategies for addressing them should be identified as part of the planning process. The NDP should require a human rights impact assessment of every development policy and intervention.
- The next NDP should adopt and integrate the human rights based approaches to development planning
- The NDP should incorporate interventions for the development of a National Action Plan for Human Rights. A developing country like Uganda, should in the development process, design and implement clear strategies for promoting respect, protection and fulfilment of human rights.

⁵ Article 20 (2) of the Constitution

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.0 Uganda's Institutional Architecture

The MTR noted the need to strengthen the current institutional architecture in ways that improve its efficiency and effectiveness. It is recommended that the public sector identifies and reduces unproductive functions to ensure these functions and mandates are harmonized, with optimal levels of staffing. In addition, Government should implement recommendations of institutional reviews of sector MDAs that were undertaken under MoPS during the NDP period.

There is need to streamline and strengthen the reporting mechanism for the CSOs by re-aligning it to be under the MoGLSD. In addition, a platform should be established to produce a national oversight report constituting key oversight players including NPA, Parliament and NGO Forum. The report should annually be presented to the Plenary of Parliament by the overall chair to the oversight committees of Parliament. This annual oversight report will facilitate follow-up of key recommendations and findings on national development issues.

There is lack of a platform to engage the media. In this regard, the MTR recommends that the media, which is a vanguard of democracy, does more to educate and create awareness among the citizens of Uganda on national development.

6.1 Mechanisms for NDP implementation, monitoring and oversight

The MTR noted that Cabinet Secretariat is mandated to provide support to Cabinet by ensuring the consistency of new policies with existing ones to avoid duplication and undertaking analysis of policies in order to provide further guidance on their application. It is therefore recommended Cabinet Secretariat is strengthened in terms of staffing levels and increased collaboration with the NPA.

The MTR team agrees with Parliament that there is need for further engagement between NPA and Parliament to enhance oversight and accountability functions of Parliament. It will also be necessary to build further awareness and capacity of parliamentarians to enhance their appreciation of the new planning dispensation, including the means and how they can play their roles effectively through their committees to ensure alignment of government business with the NDP.

It was observed by the MTR that NDP has not effectively influenced the allocation of national resources. However, the close relationship between the NRM manifesto and the NDP has enabled unconscious resource allocation to NDP priorities, although this has generally eluded funding of programs to unlock the key binding constraints.

There is need to strengthen the capacity of the NPA with a view to establish effectively manned desks in charge of the various sectors. The MTR noted that the current effort to coordinate planning and implementation of the NDP by the NPA are haphazard due to limited staffing and general capacity inadequacies (technical, financial, logistical and administrative). In addition, the current structure of the NPA needs to align to both the NPA Act and the NDP.

The MTR identified that Sector MDAs remain institutionally weak due to significant lack of harmonization of structures and the high level of both fragmentation and duplication, among others. There is a need to establish optimal levels of structures and staffing levels for effective delivery of the NDP. In addition, there is need to inculcate good will from technocrats within the public sector and among the political leadership regarding the reforms. This may best be achieved through re-orientation training and capacity building programs.

In addition, there were widespread observations from the MTR respondents over the inadequacy of financing of local governments. Special emphasis should be placed on the adequacy of financing under the unconditional grants to include the management functions of planning, supervision and monitoring of service delivery. There is also a need to explore the option of community contributions levy to enhance local revenue for service delivery. Furthermore, there should be rationalisation of the expenditure assignments so that those functions that have been decentralised and cannot be served by districts are lifted either to the regional level or back to central government.

The MTR noted that CSOs continued to play a significant role in service delivery over the NDP period. There is need for a mechanism within CSOs to report on their performance and contribution to the NDP as well as further alignment of their activities to the NDP.

In general terms there seems to be a limited understanding of the role the media could play in national development and constituting a forum to encourage the media to advance the benefits of the NDP. There is need to take advantage of the proliferation of private radio stations and the media to increase their contribution to national and local development.

6.2 Key Institutional Changes Required for Effective NDP Design, Implementation, Monitoring and Evaluation, and Oversight

Roles and Mandates for Planning and NDP Design

The MTR established that there is lack of clarity on the role of setting national priorities particularly for the national budget, PIPs, SIPs, and DDPs, which has led to poor harmonization and inconsistency among the various plans, including the national budget. Going forward, setting of priorities with the view to realizing effective implementation of the NDP will require clear policy and legal framework.

The MTR observed that parallel planning programs continued to be undertaken by MoFPED, often without involvement of the NPA. There is need to provide firm political guidance that ensures strengthening of the NPA by avoiding duplication and fragmentation of planning roles. There is also need for strong political will and action that entrenches medium and long range planning in the minds of technocrats, politicians and the general public to appreciate in the country's planning dispensation.

Roles and Mandates for Implementation

It was observed that over the NDP period, deliberate focus of the budget on the NDP was only clear in the case of the 15 core projects leaving the rest on the strategies unattended to and with sectors continuing with 'business as usual'. The MTR also noted that as the NDP period progressed, there has been increased appreciation of the need to align planning and budgeting systems, tools and policies to the NDP for achievement of the desired socio economic transformation. It will be necessary that collective actions of politicians and technocrats are undertaken to ensure deliberate mainstreaming of the NDP in implementation processes.

Over the NDP period, OPM continued to coordinate implementation of the public sector programs and policies without major review of its institutional structures to focus on the NDP. It is recommended that in order to effectively undertake coordination of implementation of the NDP, OPM will require to take charge of the roles of quality assuring and validating sector and district work-plans, BFPs, and Policy Statements. In addition, OPM should in effect be responsible for approving sector and district quarterly and annual work plans and providing approvals to MoFPED for quarterly release of funds to districts and sectors. In order to effectively carry out its mandate on coordination of NDP implementation, OPM requires

strengthening in terms of staffing levels and logistics under the Directorate of Policy Coordination and Implementation, which is the most critical function under OPM.

The MTR noted that while MoFPED continued to undertake the role of budget monitoring, this role needs to be harmonized with that of budget performance monitoring which was envisaged to be undertaken by OPM in line with the NDP.

The MTR findings indicated that there was lack of mobilization of the private sector to rally behind programs and strategies outlined in the NDP. The private sector, however, continued to be the strongest factor behind the country's growth rates achieved over the NDP period due to its resilience and adoption of new innovations. There is therefore a need to put in place a mechanism that facilitates dialogue between the private sector and the NDP managers spearheaded by the Chairperson of the NPA. Similarly there is need to work out mechanisms for CSOs' engagement to public sector service delivery while avoiding duplication of effort.

Roles and Mandates for Monitoring and Evaluation

The MTR noted that there were numerous efforts to assess progress of the NDP. This is however still hindered by the lack of an NDP-specific monitoring and evaluation system. It is therefore recommended that a monitoring and evaluation system should be established to facilitate monitoring the NDP and reduce duplication of reporting and fatigue on planners. In addition, there is also need to ensure clarity of leadership on all M&E (for public and non-state actors) to avoid duplication and wastage of resources.

The MTR observed that the challenges of harmonizing roles and functions for M&E are not necessarily as a result of lack of legal and policy frameworks. The MTR recommends that Parliament reviews the current situation and further clarifies, in legal terms, the roles of NPA, OPM and MoFPED in relation to M&E. It may be worthwhile to consider switching the role of Coordination and Implementation from OPM to NPA while re-assigning the leadership on M&E from NPA to OPM.

Roles and Mandates for NDP Oversight

NDP highlights oversight as a mandate of the Presidency and Parliament supported by various statutory bodies. The MTR identified that oversight over the NDP has had a number of challenges, which include inadequate capacity of NPA and other statutory bodies to timely

provide quality requisite reports to inform the oversight function. It is therefore recommended that NPA and other statutory bodies that support oversight be strengthened including creation of a platform for responsible agencies to prepare an annual oversight report to be presented to the Plenary of Parliament. In addition, it is recommended that Parliament considers creating a Sessional Oversight Committee.

The MTR observed the inadequate institutional framework to support the oversight roles and functions of the Presidency. The MTR recommends strengthening of the Presidential oversight function by relocating the NPA to be under the direct supervision of the President. The MTR assessment based on pros and cons deduced that it will be objective and a move in the right direction to relocate the NPA to the Office of the President, under direct supervision of H.E the President and with a Senior Minister in charge of Planning and Economic Development.

6.3 Cross Cutting Issues

Democracy and Political Governance

The MTR noted that the need to increase space for non-state actors (private sector, CSOs, media and the general public) to engage in the preparation of the next NDP. In addition, it is recommended that NPA re-thinks its role in relation to all planning bodies within government and the private sector around a common country plan based on national patriotism and culture.

Environment and Natural Resources

Under this theme, the MTR noted the need for update of the early warning systems. There is also need to look at economic impacts and support rapid response to alerts and declarations of 'state of emergency' and design of concrete 'risk mitigation' mechanisms. In addition, it is recommended that support be provided to training for district leaders in disaster risk reduction and empower them to mobilise communities (especially in high risk areas) to improve readiness to respond to emergencies.

The MTR recommends that financing and logistical support for institutions engaged in environmental protection is improved. These include: fire brigade; environmental protection police, NEMA and LG Departments of natural resources.

In addition, as Uganda industrialises and urbanizes, there is potential of a shift towards extensive farming. Policy makers and plans should also put emphasis on 'intensive farming'

with keen focus on increasing productivity of already tilled farm land even as new land is opened up for agriculture. This will go a long way in preserving the environment.

Furthermore, most laws and policies around environmental and natural resources management are 'conservationist in tone and framing' which has partially made implementation as thus. There is a need to put more effort on 'restoration' as well so that even the depleted resources get a chance to be restored.

Gender and Development

The MTR noted the need to provide further clarity on how programs and interventions under the NDP are designed to address concerns of both, men, women and children. In addition, there should be a mechanism to indicate in the costing framework unique allocations within sectors of the NDP going to actions and programmes to address challenges to development, especially those addressing gender constraints. There is also need to start a process that builds national consciousness around the issue of gender so that there is an increase in understanding and the related rights of men, women, children and all minority groups.

Lastly, it will be important to work out a nationally encompassing approach with requisite technical and financial support to ensure that gender interventions are adequately articulated in sector and national BFPs, ministerial policy statements and local government plans.

Child Rights

The MTR noted the inadequacy of monitoring indicators to measure child rights issues within the NDP results framework, which should be addressed during the remaining period of implementation of the current NDP. In addition, more support is needed for MoH in implementing critical programmes that affect children including PMTCT, ANC attendance, increased access to contraceptives, health care for children, improvement in immunisation and other community and public health hygiene interventions. This will require setting up a coordination mechanism to address a holistic development focus on child development and upholding of child rights.

Social Protection

The MTR observed that during the NDP period, there was a government endeavour to roll out the Senior Citizens Grant which in its small size has already made a tremendous impact on the elderly. It is recommended that this program be scaled up across the country. In addition, the Government should pass other key legislation to enhance social protection including the Health Insurance Scheme whose bill is already in Parliament. It is further recommended that in the remainder of this NDP period, the GoU undertakes a detailed scoping study of current social care services with a view to operationalize the Social Protection Policy. The MTR notes that in order to become a middle income country, Uganda needs to provide a framework that reduces vulnerabilities among children, women, PWDs and the elderly.

Human Rights

In its review of the NDP, the MTR observed that there was inadequate address of human rights concerns across the planning process. This has limited assessment of the impact of development policies and programs on human rights due to lack of baseline information and indicators. Going forward, the MTR strongly recommends the adoption and integration of the human rights based approach in the next NDP and sector and LG plans.

Annex 1: District case studies

Katakwi

Katakwi is the district located in Tteso Region bordering Karamoja region in the North East of Uganda. The district is recovering from a blunt of civil conflict and most of the population has now resettled after two decades of displacement in Internally Displaced People's camps. While the resettlement occurs, there are still incidences of social strife connected to cattle rustling. Farming that employs the majority of population is often hampered by dry spells that go on for most of the year and also heavy rains that usually cause devastating floods. The district consultations made the following comments on the implementation of the NDP so far in as far as the institutional framework:

IF1: On the role of the district and its linkage with other national level institutions in order to maximise efficiency and effectiveness of NDP preparation, implementation and monitoring

- The district has now a 5 year Development plan linked to the NDP and the district works closely with Ministry of Local Government and Ministry of Finance (to who reporting is done quarterly using the OBT). However there is no specific linkage with NPA. "NPA just gave us the documents and told us to implement".

IF7: The extent to which NDP implementation at the Local Government level has been enabled or hindered?

- The NDP priorities are said to be different from the needs of the local population. "Cattle rustling, flooding and resettlement of people are our key needs but not targeted under the NDP."
- Capacity was not built for all district establishments to understand what to do with the NDP – "there were no templates or guidelines to help us to reorient to the NDP."

IF9: The extent to which institutions are working together effectively to develop, deliver and monitor cross sectoral policy outcomes / results relevant to the NDP?

- There is an obvious over-stretching of the personality of the President. It seems nothing works in Uganda until the President intervenes.

- The Ministry of Finance does not seem to have the capacity to stop education and health from going against the fiscal decentralisation. Since they started issuing their own guidelines, every sector has followed suit. Now 90 per cent of financing is conditional. “Within this scenario, local revenues cannot support monitoring of district investments”.

IF10: The level of effectiveness in working of central and local government, civil society and the private sector to implement the NDP?

- There is need for investment especially in fruit industry. There has been talk of a Fruits industry in the region, but for years no implementation has been made.
- It is not clear if private sector implemented project link to the NDP or not.

Comments made by the Katakwi NGO Forum

- There is now more awareness of the NDP (but below 50 per cent). There is need for follow up and capacity building around planning.
- There is appetite for the Regional Tier form of governance.
- It seems that planning is active around the planning calendar. After the plan there is no more engagement with the population.

Nakapiripirit

Nakapiripirit has over the last 3 years undergone gradual improvement in the socio-political environment and by-and-large has seen a return to peace, security and relative development. As stability returns to the district and Karamoja region in general, challenges for development appear more exposed than ever before. There is need now to provide education, health, water and other services to improve people’s livelihoods. The NDP mentions clearly the importance of good governance, resettlement of displaced persons, and an end to ethnic tensions and disarmament in Karamoja.

IF1: On the role of the district and its linkage with other national level institutions in order to maximise efficiency and effectiveness of NDP preparation, implementation and monitoring

- The needs on the ground need unique intervention and they are not adequately addressed explicitly in the NDP, though they are elaborated in the district plans. From discussions held district plans are more linked to their respective sector plans than to the NDP.
- There are functions that are better implemented by a regional government or the central government than at district level.

IF7: The extent to which NDP implementation at the Local Government level has been enabled or hindered?

- The NDP has encouraged longer range planning, but without assurance that resources will be there to fund this plan.
- LG planning is not being hampered by the NDP in any way; the problem is that implementation is being done at sub-counties but at this level financial and technical capacity is very low in Karamoja. Councillors who represent the people are in most cases not educated and unable to steer a technical process.

IF9: The extent to which institutions are working together effectively to develop, deliver and monitor cross sectoral policy outcomes/results relevant to the NDP?

- The district plans are coordinated by MoLG and MoFPED, but “we have also the guidance of the plan by the NPA”. The challenge is that the NDP is a national plan and “how we as Nakapiriprit fit in the picture is not clear.” NPA should work with the MoLG and MoFPED to show the district contribution expected as part of NDP implementation.

IF10: The level of effectiveness in working of central and local government, civil society and the private sector to implement the NDP?

- There is an increased presence of NGOs and other CSOs. The problem has been that CSOs operating in the districts work in a disjointed manner and do not disclose their work-plans to allow cohesive implementation of district programmes.
- There is a lot of potential for gold and other resources, but no capacity to attract and maintain investors.

- It is also not clear from the NDP what approach there is to turn investment potential into real projects. Were the national level sectors supposed to assist on this front?

Comments made by the Nakapiriprit Civil Society Forum

- The Forum is linked to the Uganda NGO Forum.
- CSOs and NGOs worked with districts to set up a District NGO Monitoring Committee, but it lacks both the political will and resources to supervise all work done by NGOs in the district.

Kabale

Kabale is one of the oldest districts in Uganda located in Western Uganda and borders Rwanda to the south-west. As a boarder district it benefits from economic activity related to cross border trade and has a high population of over 480,000 heavily engaged in farming of food crops. Kabale is also proud to be the home of the Lake Bunyoyi- one of the worlds' most pleasant and deepest crater lakes.

IF1: On the role of the district and its linkage with other national level institutions in order to maximise efficiency and effectiveness of NDP preparation, implementation and monitoring

- The NDP was expected to highlight projects that were supposed to be implemented by Kabale district as far down as at the sub-county level. "At the moment we have some confusion of whether we follow the past planning and budgeting guidelines since the National Assessment Team is rating zero marks for not having grass root work-plans." NPA had told districts that fetching local priorities was no longer necessary so local leaders are confused. Planning is said to have come to a halt under the NDP dispensation.

IF7: The extent to which NDP implementation at the Local Government level has been enabled or hindered?

- NDP is said to have hindered planning. The district is at a standstill. Planning is on hold because NPA guidelines suggest that we do not have to do collection of annual plans and priorities from the lower local governments. This used to be the core activity of councillors and chiefs. While there is a guide at the district level for linking planning to the NDP, there is no guide for the sub-county level. "For the Next NDP, let there be a guiding tool."

IF9: The extent to which institutions are working together effectively to develop, deliver and monitor cross sectoral policy outcomes / results relevant to the NDP?

- Ministry of LG and NPA need to work together more closely. It is possibly not appropriate that the National Assessment Team can come with expectations of how the district performed, basing their assessment on pre-NDP thinking and guidelines.

IF10: The level of effectiveness in working of central and local government, civil society and the private sector to implement the NDP?

- There is still a big gap between national planning and district planning. It is important to note that there are national priorities and local priorities. However, it is not easy to see IPFs benchmarked on national priorities and then be expected to use them to implement local priorities.
- CSOs and the private sector are “doing their own things”. Are they implementing the NDP? It is hard to tell.

Comments made by the Kigezi Private Sector Promotion Centre

- Established with support of County Corporation Framework under the NDP; no support is coming from KDA.
- NDP will be implemented better if centres like KPSPC are supported to orientate, train, incubate and inspire business entities since these are the engine of the economy.
- The District Business Support Centre is a critical part of the KPSPC but is under facilitated. The Centre is thankful for the provision of its premises by Kabale District Administration works yard. Unfortunately, their support is coming to a close and they have been asked to vacate the premises since the districts wants to rent it to generate their own revenue.