

Citizen Participation in Local Government Service Delivery Processes in Uganda

June 2018

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International Development Research Centre
Centre de recherches pour le développement international

Canada 

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List of Acronyms

CAO	Chief Administrative Officer
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CDO	Community Development Officer
CRC	Convention on the Rights of the Child
CSOs	Civil Society Organizations
DCDO	District Community Development Officer
HUMC	Health Unit Management Committees
ICESCR	International Covenant on Economic Social and Cultural Rights
HRWS	Human Rights for Water and Sanitation
ISER	Initiative for Social and Economic Rights
LAA	Local Administrations Act
LC	Local Council
LGs	Local Governments
MDGs	Millennium Development Goals
NAADS	National Agricultural Advisory Services
NDP	National Development Plan
NODPSP	National Objectives and Directive Principles of State Policy
NRA	National Resistance Army
NRC	National Resistance Council
NRM	National Resistance Movement
NUSAF	Northern Uganda Social Action Fund
OWC	Operation Wealth Creation
PWD	Persons with Disabilities
RC	Resistance Committee
RDC	Resident District Commissioner
SDGs	Sustainable Development Goals

SMC	School Management Committee
T/C	Town Council
UAA	Urban Authorities Act
UDHR	Universal Declaration on Human Rights
UN	United Nations
USAID	United States Agency for International Development
WHO	World Health Organization
WUC	Water User Committee

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PREFACE

Citizens have a legal right to participate in local government service delivery processes. This right plays a critical role in deepening democracy, promoting good governance and, importantly, fulfilling the global agenda of inclusive growth, which is the ultimate goal of Uganda's National Development Plan II (2015/2016-2019/2020).

Article 176 (2) (b) of the 1995 Constitution of the Republic of Uganda (as amended) provides that, “decentralization shall be a principle applying to all levels of local government and, in particular, from higher to lower local government units to ensure people's participation and democratic control in decision making.”

Citizen participation and involvement in local government service delivery processes guarantees experiential and grounded perspectives on community needs, which government can draw on to inform programmes to make them optimally responsive to community needs and interests.

The Initiative for Social and Economic Rights (ISER) conducted research on the participation of citizens in local government service delivery processes in the districts of Bushenyi, Kyenjojo, Kayunga, Iganga, Mbale and Kumi under the Social Accountability and Community Participation Project funded by the International Development Research Centre (IDRC) Canada. ISER believes this study offers vital guidance on better participation practices in service delivery processes, particular those facilitating the participation of marginalized groups. More broadly, this research seeks to examine the current status of citizen participation in service delivery processes within the contexts of the following sub-sectors: water, education and health. Special attention was paid to the participation of marginalized groups including women, youth and persons with disabilities among others.

The research interrogates the representative participation in service delivery processes of members of community accountability structures, including among others Health Unit Management Committees (HUMCs), School Management Committees (SMCs) and Water User Committees (WUCs). The research further seeks to understand the direct participation of citizens in general service delivery processes through mechanisms such as community meetings. As highlighted in this report, citizen participation in local government service delivery processes is low.

ISER calls upon policy-making and implementing institutions, together with the entire public, to harness the findings from this report as a tool for policy review and reforms aimed at national development. We also encourage utilization of the findings for target setting (by governance practitioners), as well as monitoring and progress-tracking of the right of citizen participation in local government service delivery processes.



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Executive Director

Initiative for Social and Economic Rights (ISER)

EXECUTIVE SUMMARY

Introduction

The core objective of most decentralization programmes is to improve public service delivery by bringing services closer to beneficiary communities, and ensuring people's participation and democratic control in political decision-making.¹ This effort is often underpinned and reinforced by attempts to establish and empower local citizens and institutions to enlist the participation of local communities in matters that concern and affect them. As such, decentralization is seen as a key driver in global efforts to reduce poverty and open the democratic space, through processes that are effective, efficient, transparent, responsive, inclusive and equitable.

Participation is a fundamental human right, not merely a discretionary policy option that policymakers can choose whether or not to implement.² It is an affirmation of the right of every individual and group to engage in public affairs, and also a part of the solution to poverty and social exclusion.³ The right to participate is reflected in numerous international instruments;⁴ it is also expressed as a legal right in domestic law.

Article 38 of the Constitution of Uganda guarantees citizen participation by providing that every Ugandan has the right to participate in the affairs of government, and to influence government policies. Article 41 guarantees the right of access to information, which is an essential precondition for participation. The Constitution further provides that the local government system is aimed at decentralization and ensuring people's participation and democratic control in decision-making.⁵

Part I (ii) of The National Objectives and Directive Principles of State Policy of the 1995 Constitution of the Republic of Uganda (as amended) states that "The State shall be based on democratic principles which empower and encourage the active participation of all citizens at all levels in their own governance." This is reinforced by amongst others Article 176 (2) (b) which provides that, "decentralization shall be a principle applying to all levels of local government and, in particular, from higher to lower local government units to ensure people's participation and democratic control in decision making." These provisions are implemented through various provisions of the Local Governments Act and other laws and policies that relate to service delivery in the social sector.⁶

1 For a detailed definition of Decentralisation, see UNDP, *Decentralisation: A Sampling of Definitions*, Working Paper Prepared in Connection with the Joint UNDP – Government of Germany Evaluation of the UDP Role in Decentralisation and Local Governance. (October, 1999)

2 Statement made by the UN Special Rapporteur on Extreme Poverty and Human Rights, Magdalena Sepúlveda Carmona while presenting her annual report to the Human Rights Council, 28 May, 2013.

3 Ibid.

4 See International Covenant on Civil and Political Rights (art. 25), the International Covenant on Economic, Social and Cultural Rights (arts. 13.1 and 15.1), Convention on the Elimination of All Forms of Discrimination Against Women (art. 7), the Convention on the Rights of the Child (art. 12), the Declaration on the Right to Development (arts. 1.1, 2 and 8.2), the Declaration on the Rights of Indigenous Peoples (art. 5, 18, 19 and 41) and the Millennium Declaration (para. 25).

5 Article 176 (2) of the Constitution of Uganda, 1995

6 See, for instance, section 5 (2) of the Education Act (2008) and section 7 of the Water Act.

It is against this background that the Initiative for Social and Economic Rights (ISER) has conducted research on citizen participation as a legal right in local government service delivery processes in Uganda.

Rationale of the Baseline Study

Participation, which is an important component of service delivery mechanisms, maximizes the benefits of any mechanism selected. The lack of participation in decision-making and in civil, social and cultural life is recognized as a defining feature and cause of poverty, not merely its consequence.

Participatory programs further serve to enhance the involvement of poor and marginalized persons in community-level decision-making bodies, in order to amplify citizens' inputs into decisions affecting their lives. Local participation is viewed as a way to achieve a variety of goals, including improving poverty targeting, building community-level social capital, and increasing the demand for good governance. Participation is also expected to lead to better-designed, pro-people development projects, more effective service delivery, and improvements in the targeting of beneficiaries. Mansuri and Rao propose that one way of repairing civic failures is to address social inequalities by mandating the inclusion of disadvantaged groups in the participatory process.⁷

Objectives of the Study

The main aim of the study was to assess the implementation of citizen participation, especially in respect of marginalized groups, in local government service delivery processes in Uganda with a focus on the sub-sectors of water, education and health. The specific objectives were:

- i. To generate better evidence and understanding on the status of service delivery and participation of citizens in health, education and water sub-sectors;
- ii. To identify and assess the various modes of citizen participation in local government service delivery processes;
- iii. To establish the categories of people excluded from participating in decision-making processes;
- iv. To establish the factors that impact on the enjoyment and enforcement of the legal right to participate in service delivery processes, especially that of the rural poor, women and youth;
- v. To propose solutions for greater participation and public accountability at the local government level by interrogating existing approaches to service delivery and enforcing participation as a legal right.

Methodology

- i. The research employed both qualitative and quantitative approaches with a descriptive correlation design to assess citizen participation in local government service delivery

7 G. Mansuri & V. Rao, Localizing Development: Does Participation Work? World Bank Policy Research Report, 2013 p.10

processes in Uganda. The research focused on citizen participation in three sub-sectors namely; water, education and health.

- ii. Out of 121 districts in Uganda, the research covered a sample of 6 districts namely: Bushenyi and Kyenjojo in the Western Region; Kayunga in the Central Region; and Iganga, Mbale and Kumi in the Eastern Region.
- iii. In each of the six districts, information on citizen participation in local government service delivery processes was collected using structured interviews, literature review and focus group discussions to complement the quantitative data collected.
- iv. Sampling involved the selection of 6 local governments from which a total of 18 sub-counties were randomly selected with each district making a contribution of 3 sub-counties i.e. one rural, one urban and one peri-urban. The total number of targeted households was 50 per sub-county. In each sampled enumeration area, a school, health facility, water source members, selected group of youth, women and older person were engaged through a focus group discussion. District and sub-county officials were engaged through focus group discussions and key informant interviews for specific expert information.

Findings and Conclusions

Uganda's decentralization program has, in principle, facilitated immense opportunities for communities to participate in the water, education and health sector planning and decision making processes in their respective communities and local governments. However, these opportunities have not been optimally exercised. Community resources have also not been fully exploited to maximize community participation in water, education and health program planning and decision making. Some groups, notably people with disabilities, the poor, older persons, women, the illiterate and people with ill health, are more socially excluded than others; and as previous studies have demonstrated, social exclusion significantly inhibits community participation.

Access to water-, education-, and health-related information remains low at community level, which is a concern as access to information is a necessary condition for participation.

Awareness among community members and their leaders of the right of citizens to participate in decision-making processes remains significantly low. This attests to the need to improve community and leaders' sensitization on the right to health, education and water, including the right to participate in program planning, monitoring and decision-making. This will help to address the gaps identified in this report, in particular low levels of citizen participation in all the sub-sectors.

The study also reveals a strong nexus between participation and quality of service delivery, with low levels of participation linked to poor service delivery or poor outcomes in the health, education and water sectors.

Recommendations

- i. There is a need to empower the various community structures to enhance citizen access to information. This requires revisiting some of the modalities used to disseminate information

(including inter alia, platforms, branding, language, etc.).

- ii. There is a need to sensitize communities on existing committees, namely Water User Committees (WUCs), School Management Committees (SMCs) and Health Unit Management Committees (HUMCs). Sensitization should serve to educate citizens on the formation and functions (the role of the committees themselves as well as that of citizens)
- iii. There is a need to support the various committees at village level to ensure their functionality. Most of the committees were not adequately functional with others completely dysfunctional, which hampered the participation of citizens.
- iv. Special attention needs to be directed to vulnerable and marginalized groups such as the rural poor, older persons, the youth, persons with disabilities, women and children.
- v. The constitution of committees should be undertaken in a transparent manner, with all community members afforded an equal opportunity to participate in the selection of committee members and leadership.
- vi. There is urgent need to create functional platforms through which citizens can raise service delivery concerns pertaining to water, education and health. Citizens' concerns should be given priority by leaders when making subsequent plans.
- vii. Community leaders and citizens should be trained on their roles and empowered to influence decisions concerning and affecting their communities.
- viii. Local Governments and their various committees (SMCs, WUMCs and HUMCs) should facilitate regular citizen engagement on the delivery of various services. In such engagements, citizens should be consulted and provided feedback.
- ix. The laws providing for citizen participation should be revised to make more explicit provision for the inclusion of marginalized groups.
- x. There is a need to sensitize citizens to the fact that participation is a legally entrenched and enforceable right, which has an effective remedy where violated.



CHAPTER ONE

GENERAL INTRODUCTION

1.0 Introduction

Uganda institutionalized decentralization by means of the 1995 Constitution of the Republic of Uganda (as amended) and the 1997 Local Government Act. The main objective of decentralization was to restore democracy and return the participation and decision-making power to the people thereby contributing to development. Decentralization was expected to improve people's access to and participation in decision-making processes, in order to: weigh in on service delivery issues in the areas of health, education, water and sanitation among others; assist in the development of citizen's capacities; and enhance government's responsiveness, transparency and accountability for improved public service delivery.

Public participation in decision-making is a mechanism that serves to entrench democracy and promote social cohesion between government and citizens, particularly as relates to the provision of quality and sustainable services and goods. It is just that people – both in their capacity as citizens and consumers of public services and goods provided in terms of the law – should be allowed and encouraged to express their views on governance and service delivery matters pertaining to them.⁸

Understanding citizen participation in local government service delivery processes as a legal right has implications for the quality of life of all citizens. Article 38 of the Constitution of Uganda guarantees citizen participation by providing that every Ugandan has the right to participate in the affairs of government, and to influence government policies; Article 41 guarantees the right of access to information, which is a key prerequisite for participation. Regarding participation in local government processes, part I (ii) of The National Objectives and Directive Principles of State Policy of the 1995 Constitution of the Republic of Uganda (as amended) states that “[t]he State shall be based on democratic principles which empower and encourage the active participation of all citizens at all levels in their

own governance.” This is reinforced *inter alia* by Article 176 (2) (b) which provides that, “decentralization shall be a principle applying to all levels of local government and, in particular, from higher to lower local government units to ensure people's participation and democratic control in decision making.” These provisions are implemented through various provisions of the Local Governments Act and other laws and policies relating to service delivery in the social sector.⁹

The imperative of accountability and community participation at local government level is vested in the district leadership. Public engagement in the planning and prioritization of service offerings is essential for efficient and effective government functioning. Government should be citizen-centred both in respect of planning and implementation of policies and programmes.¹⁰

Recognizing participation as a legal right, the Initiative for Social and Economic Rights (ISER) has undertaken research on citizen participation in local government service delivery processes in Uganda. The Report has the following structure: (i) a general introduction; (ii) policy, legal

8 The Public Service Commission (2008). Report on the public participation processes in the public services. Pretoria, South Africa.

9 See, for instance, section 5 (2) of the Education Act (2008) and section 7 of the Water Act.

10 Shah Anwar (2006), Local Governance in Developing Countries: Public Sector Governance and Accountability. Washington DC. World Bank.

and institutional framework on citizen participation in decision making processes; (iii) research methodology; (iv) research findings; (v) conclusions and recommendations.

1.1 Background

The concern and identification of the need for citizen participation in local government service delivery processes in Uganda is not novel. At independence, the 1962 Constitution devolved significant power to local authorities, conferring upon them sufficient revenues to enable efficient service delivery.¹¹ A more limited degree of devolved power was given to kingdoms; while others such as Buganda, Toro, Bunyoro and Ankole were granted semi-federal status and Busoga became a territory. The post-independence Constitution also established the districts of Acholi, Bugisu, Bukedi, Karamoja, Kigezi, Lango, Madi, Sebei, Teso and West Nile.¹²

The 1964 Urban Authorities Act (UAA) and the 1967 Local Administrations Act (LAA) restored to Central Government local administrative control in each district. In 1967, the Republican Constitution centralized power, severely constraining local authorities.¹³ This Constitution abolished kingdoms and demarcated the country into districts. The Minister responsible for local governments was accorded extensive powers, which included among others determining the number of local councils, approving council elections and by-laws, and taking over districts deemed weak and incapable of independent function.

Idi Amin's military take-over and subsequent regime (1971-1979) was characterized by the dissolution of district and urban administrations, which were replaced by established provincial administrations led by governors, most of whom were high-ranking military officials.¹⁴ This was the last blow to decentralization aspirations.¹⁵ Obote II, 1980-1985, did not make any significant efforts to re-establish decentralized governance.¹⁶

However, in 1986 decentralization was revived, emerging out of the Resistance Committee (RC) system that was rooted in the National Resistance Movement (NRM) and National Resistance Army (NRA)'s philosophy of popular participation which they implemented during the bush war.¹⁷ In 1987, the National Resistance Council (NRC), serving as the Legislature at the time, enacted the Resistance Councils and Committees Statute,¹⁸ which amended the 1967 Constitution and the LAA thereby legalizing RC structures in the country. In a bid to improve local governance, in 1987 the Government of Uganda established the Mamdani Commission,¹⁹ mandated to inquire into the local government system in Uganda. The Commission's recommendations called inter alia for the creation of a decentralized system of government as a measure to ease governance problems in Uganda, which included non-participation of citizens in decision-making process.²⁰

11 Ministry of Local Government, *Decentralization in Uganda: The Policy and its Implication*, Kampala, Ministry of Local Government, Kampala : Ministry of Local Government, [1993]. p.7.

12 Edward Mugabi *Uganda's Decentralisation Policy, Legal Framework, Local Government Structure and Service Delivery*, paper September 17 to 18, 2004. Florence, Italy.

13 Op Cit pg 255.

14 Edward Mugabi, *supra* note 11.

15 Mbazira, Christopher, 2013 *supra* note 8.

16 Edward Mugabi, *Supra* note 10.

17 Kulumba Mohammed, *Decentralized Local Governments Constitutional and Legal Framework Key Issues in Policy Implementation Process in Uganda*

18 Statute 9, 1987.

19 Commission of Inquiry into Local Governments to review the Local Government System and Structures in Uganda, 1987.

20 See Terrell G. Manyak & Isaac Wasswa Katono 'Decentralization and Conflict in Uganda: Governance Adrift' (2010) 11 *African Studies Quarterly* 1.

In 1993, the Local Government (Resistance Council) Statute²¹ was adopted, devolving a number of powers to elected local councils. A more comprehensive legal framework was ushered in by Uganda's new Constitution adopted in 1995. The enactment of the Local Government Act (LGA) soon followed in 1997.²² A number of functions and powers previously exercised solely by the Central Government were devolved to local government units.

Article 38 of the Constitution of Uganda guarantees the citizen participation by providing that every Ugandan has the right to participate in the affairs of government, and to influence government policies. Article 41 guarantees the right of access to information, which is a necessary condition for effective participation. The Constitution further provides that the local government system is aimed at decentralization and ensuring people's participation and democratic control in decision-making.²³ The motivation for this study by the Initiative for Social and Economic Rights is therefore to assess the current status of citizen participation in local government service delivery processes in Uganda.

1.2 Rationale of the baseline study

Citizen participation in decision-making processes at local government level is a fundamental human right, not a discretionary policy option that policymakers can implement at their whim.²⁴ It is an affirmation of the right of every individual and group to take part in the conduct of public affairs, but also a part of the solution to poverty and social exclusion.²⁵ The right to participate is reflected in numerous international instruments,²⁶ and is also enshrined as a legal right under domestic law. Article 38 of Uganda's Constitution guarantees citizen participation, providing that every Ugandan has the right to participate in the affairs of government, and to influence government policies. As such, ALL people, including those living in poverty, are entitled to participate in the design, implementation and monitoring

of interventions that affect their lives, and to hold duty bearers accountable for sound implementation of said interventions.²⁷

Accountability is a critical component of participation.²⁸ The expression of participation as a legal right, moreover, means that it is legally enforceable by rights holders who are entitled to an effective remedy for its violation. However, it has been observed that while participation is considered one of the key principles of a human rights-based approach to development and poverty reduction, little attention is given to what practical elements are required to ensure the meaningful and effective

21 Act 15 of 1993.

22 Chapter 243, Laws of Uganda, 2000 Edition.

23 Article 176 (2) of the Constitution of Uganda, 1995

24 Statement made by the UN Special Rapporteur on Extreme Poverty and Human Rights, Magdalena Sepúlveda Carmona while presenting her annual report to the Human Rights Council, 28 May, 2013.

25 Ibid.

26 See International Covenant on Civil and Political Rights (art. 25), the International Covenant on Economic, Social and Cultural Rights (arts. 13.1 and 15.1), Convention on the Elimination of All Forms of Discrimination Against Women (art. 7), the Convention on the Rights of the Child (art. 12), the Declaration on the Right to Development (arts. 1.1, 2 and 8.2), the Declaration on the Rights of Indigenous Peoples (art. 5, 18, 19 and 41) and the Millennium Declaration (para. 25).

27 Report of the Special Rapporteur on Extreme Poverty and Human Rights (Human Rights Council 23rd session, March 2013), p18, paragraph 80.

28 Ibid. p 15, paragraph 65.

participation of persons living in poverty.²⁹ It has been proposed that rights-based participation is particularly necessary to ensure that the poorest and most marginalized people are able to make their voices heard, therein giving expression to fundamental principles of dignity, non-discrimination and equality.³⁰ Giving effect to such fundamental principles requires a clear policy commitment and concomitant government actions that efficiently and effectively implement their anchoring strategy documents.³¹ Public service delivery must, therefore, move beyond treating participation as an elusive ideal, to ensuring its effective realization as an entitlement for all persons.

Participation, in addition to being an important aspect of accountability, is also necessary for the effective implementation of service delivery mechanisms, optimizing the benefits of any given mechanism. Decision-making and civil, social and cultural life characterized by an absence or paucity of civilian participation is recognized as a cause and central defining feature of poverty, as opposed to merely the consequence thereof.³² It has further been noted that the purpose of participatory programs is to enhance the involvement of the poor and the marginalized in community-level decision-making in order to give citizens greater say in decisions affecting their lives.³³ Local participation is viewed as a way to achieve a variety of goals, including improved poverty and benefits targeting, building community-level social capital, and increasing the demand for good governance. Participation is also expected to lead to better-designed development projects, and more effective service delivery.³⁴

1.3 Objectives of the study

The main aim of the baseline study was to assess citizen participation in local government service delivery processes in Uganda, focusing on the sub-sectors of water, education and health. The specific objectives were:

- vi. To generate better evidence and understanding on the status of service delivery and participation of citizens in health, education and water sub-sectors.
- vii. To identify and assess the various modes of citizen participation in local government service delivery processes.
- viii. To establish the categories of people excluded from participation in the decision-making processes.
- ix. To establish the factors that impede the enjoyment and enforcement of the legal right to participate in service delivery processes, especially that of the rural poor, women and youth.
- x. To propose solutions for greater participation and public accountability at the local government level by interrogating existing approaches to service delivery and the enforcement of participation as a legal right.

29 Ibid p.5

30 Ibid p.5

31 Unicef Fact Sheet: The Right to Participation.

32 Programme of Action of the World Summit for Social Development (1995), A/CONF.166/9, chapter II, para. 19, in the Report of the Special Rapporteur on Extreme Poverty and Human Rights, p.5, paragraph 14.

33 G. Mansuri& V. Rao, Localizing Development: Does Participation Work? World Bank Policy Research Report, 2013 p.5

34 G. Mansuri& V. Rao, (n 53 above) p.15

1.4 Structure of the report

This report is structured into six Chapters:

- i. Chapter one sets out a general introduction;
- ii. Chapter two provides a literature review on participation;
- iii. Chapter three highlights the legal and policy framework on citizen participation and considers key judicial decisions on the right to participate;
- iv. Chapter four presents the research methodology;
- v. Chapter five presents an analysis of research findings;
- vi. Chapter six presents the study conclusion and recommendations.



CHAPTER TWO

LITERATURE REVIEW

2.0 Literature Review

Participation is variously defined by different authors. Broadly, participation is understood as a process of communication between local communities and development agencies, in which local people assume the lead role in analyzing their current situation to identify the need or problem requiring attention in order to plan, implement and evaluate development activities, and even implement and evaluate the quality of participation itself.³⁵ Participation is thus concerned with who plays the leading role in development activities; who ultimately influences the planning process and/or decisions; and whether development plans reflect the priorities of the local people.

Citizen participation according to Lister is private citizen intervention in public activities. It is viewed as a process that provides private individuals with the opportunity to influence public decisions such that they reflect their social interests; this has been a component of the democratic decision-making process, for a considerable time.³⁶

More recently, the definition of participation in development has often been located in development projects and programmes, as a means of strengthening their relevance, quality and sustainability. In an influential statement, the World Bank Learning Group on Participation defined participation as a process through which stakeholders influence and share control over development initiatives and the decisions and resources which affect them.³⁷ From this perspective, participation is conceived as the level of consultation or decision-making in all phases of a project cycle, from the needs assessment-, to the appraisal-, implementation-, monitoring and evaluation- stages of the project. Under this paradigm, citizen participation is a process which provides private individuals the opportunity to influence public decision-making as part of the democratic process.

The roots of citizen participation are traced back to ancient Greece and Colonial New England. Before the 1960s, governmental processes and procedures were designed to facilitate “external” participation. Citizen participation was institutionalized in the mid-1960s with President Lyndon Johnson’s Great Society programs.³⁸

In Uganda, citizen participation is accorded as a right under Article 38 of the Constitution, which states:

- (i) Every Uganda citizen has the right to participate in the affairs of government, individually or through his or her representatives in accordance with law.
- (ii) Every Ugandan has a right to participate in peaceful activities to influence the policies of government through civic organizations.³⁹

The Constitution also provides for citizen involvement in ‘the formulation and implementation of development plans’⁴⁰ and caters for systems and processes key to supporting the exercise of the right to participation such as for example provisions for the operation and independence of NGOs, including human rights institutions, and state facilitation of the operations of the same.⁴¹

35 Food Agriculture Organization of the United Nations (1998). *Social Economic and Gender Analysis*

36 Lister R. (1998). *Citizens in action: Citizenship in action and community development in Northern Ireland*.

37 World Bank (2009). *Participation and Engagement: Independent Budget Analysis*.

38 Cogan and Sharpe (1986). *The Theory of Citizen Involvement in Planning Analysis: The Theory of Citizen Participation*, University of Oregon.

39 The Constitution of Uganda (1995)

40 NODPSP X

41 NODPSP V (i-ii).

Citizen participation takes different forms: indirect participation involves representation through elected leadership, e.g. local councils, which can be targeted at special interest groups such as women, youth, the elderly, and persons with disability, many of whom may be marginalized (socially, economically, etc.). Direct participation involves personal engagement through platforms such as village meetings, local council meetings, budget conferences and Barazas, which are intended to facilitate direct citizen participation in decision-making processes such as for example government budgeting and development planning cycles. In some instances there are joint actions by citizens and civil society groups to interact with local government in policy-making, including consultation and joint projects.⁴²

Citizen participation is often cited as a major tenet of decentralization, which is assumed to be an automatic benefit of decentralization processes. However, community participation is rarely an outcome of decentralization processes,

since poor people are typically excluded notwithstanding the fact that they are disproportionately affected by problems of illiteracy, poor health, hunger, economic exclusion and poor infrastructure, among others.⁴³

Public participation benefits local government leaders by giving them insight into community or social groups' needs and positions. Administrators, through regular contact with citizens who might not otherwise be engaged in the policy process, learn what policies are likely to be explosively unpopular, and how to avoid policy failures. A policy well-grounded in citizen preferences can be implemented in a smoother, less costly fashion on account of the public being more cooperative and not seeking to interfere with the implementation of the policy concerned.⁴⁴

Citizens' political participation can be a powerful transformative force for both political and socio-economic development.⁴⁵ It is instrumental in establishing democratic norms and practices and encourages governments to develop policies and programs that are responsive and accountable.⁴⁶

The most common form of political participation is voting; however, in most established democracies this has at best been stagnant over the last few decades.⁴⁷ In the European Union, elections have been marked by lower levels of participation than national votes. Distrust of political institutions – in particular legislatures – is higher among citizens than a few decades ago. Citizens are, similarly, more likely to judge that government performance has deteriorated and they are less inclined to identify with political parties, which remain the key institutions for translating public opinion into government policy.⁴⁸

Some citizens assert that they do not like politics and that they would, in fact, prefer for politicians to do their jobs while they get on with their lives.⁴⁹ On average, citizens are opposed to conflicts and disinterested in constant engagement with politicians; consequently, they prefer to merely communicate their preferences on issues or to protect their own narrow interests.

42 John Gaventa (2002): Legal and policy frame works for citizen participation in local governance in East Africa

43 Justine Bagenda (2007): the Challenges of community participation in decentralization processes in Uganda: A case study of Kabaale district

44 Thomas, John Clayton (1995). Public participation in public decisions.

45 UNDP Human Development Report 2001: Deepening Democracy in a Fragmented World.

46 Department for international Development Research and Evidence Division (2010). The Politics of poverty" elites, citizens and states

47 Franklin et al (2004). Voter turnout and the dynamics of electoral competition in established democracies

48 Pharr and Patnum (2000). Disaffected democracies: what is troubling the trilateral countries?

49 John Hibbing and Theiss Morse (2002). Stealth Democracy

As in every society, contested representative democracy is a necessary but insufficient condition for democracy. Therefore, additional supplementary mechanisms of citizen participation are essential, to enable those elected to better gauge the needs and priorities of citizens and create a sense of citizen ownership of government services.⁵⁰

Citizens have moved from passively using public services or choosing from a range of policies crafted by others, to personally participating in the making and shaping of policies.⁵¹ The trend has shifted from representative or formal democracy (indirect participation) towards mechanisms facilitating direct citizen participation in decision-making processes at various levels of decentralization, from the local level (participatory planning, budgeting and monitoring) to the national level (sectoral programmes, formulation of poverty policy) and global level (global governance policies, treaties and conventions and summits.⁵²

Cornwall posits that citizen participation is enabled by an overarching political project which has an explicit ideological commitment to popular participation as well as legal and constitutional rights to participate, committed bureaucrats, a strong and well organized civil society, and effective institutional designs that include procedures for broad-based civil society organizing.⁵³

Emerging trends point to the role of states as being to create 'an enabling environment' for citizens to participate in political decision-making processes. This enabling environment is expected to incentive poor citizens to engage in political mobilization. Indeed, the participation of the poor in defining their own priorities, by means inter alia of participatory poverty assessments, advocacy for pro-poor policies, etc., has gained considerable traction as discourses of governance and participation have encouraged citizen participation, influence and the exercise of accountability in respect of governance. Citizens thus assert their citizenship through the pursuit of accountability by means of participation in policy processes, which are actively claimed by right rather than invitation.⁵⁴

Four conditions are essential for the successful participation of citizens in political decision-making processes, namely: (i) tolerance of collective action by the poor; (ii) the credibility, among persons of all social classes, of political representatives; (iii) political stability and; (iv) the extent to which benefits are recognized as legal or moral entitlements.⁵⁵

Many agencies or individuals choose to exclude or minimize public participation in planning efforts citing as discouraging factors the prohibitive cost and protracted time investment required. Many citizen participation programs are initiated merely to mitigate negative public reaction to proposed projects or actions. However, there are tangible benefits to effective citizen involvement programmes. Cogan and Sharpe identify the following benefits: generation of information and ideas on public issues; public support for planning decisions; avoidance of protracted conflicts and costly delays; the establishment of a reservoir of good will which can be carried over to future decisions, and; a spirit of cooperation and trust between the agency and the public.⁵⁶

50 Andrea, Cornwall (2002). *Locating Citizens participation*.

51 Gaventa, John (2004). *Participatory Development or Participatory Democracy?*

52 Gaventa, John (2004). *Participatory Development or participatory Democracy?*

53 Andrea, Cornwall (2007). *Spaces for Change? The politics of citizen participation in new democratic arenas*

54 Moore and Putzel (2002). *Thinking strategically about politics and poverty*.

55 Moore and Putzel (2002). *Thinking strategically about politics and poverty*.

56 Cogan and Sharpe (1986) *The Theory of Citizen Involvement in Planning Analysis: The Theory of Citizen Participation*, University of Oregon.

Participation offers citizens the following rewards: the inherent involvement, through the act of participation or the instrumental benefits resulting from the opportunity to contribute to public policy.⁵⁷

Participatory democracy motivates for active citizen participation in political governance processes, which entails among other things participating in multi-stakeholder forums, public meetings, referenda, interactive polls, etc. It has been argued that a stronger form of democratic participation will complement processes for interest groups and expert participation in policy making by bringing people as citizens into the policy choices that impact their lives.⁵⁸ Democratic decision-making, in contrast to bureaucratic or technocratic decision making, is premised on the assumption that all who are affected by a given decision have the right to participate in the making of that decision. Participation can be direct in the classical democratic sense, or devolved to representatives as in the pluralist-republican model.⁵⁹

Government and government agencies frequently find citizen engagement difficult and even in some instances threatening. This is because participation is ultimately concerned with the exercise of power. Shifting from an expert-led, top-down mode of decision-making to deliberations that solicit a diverse plurality of public opinions, and alternative, challenging inputs – a modus which is not opposed to transforming deeply entrenched political and bureaucratic cultures – can be fraught with tension. Critics of participation argue that it is too complicated, costly and time-consuming, and that there is no evidence that it improves outcomes; hence, the costs associated with participation – particularly in the light of what it does deliver – are not justifiable. However, there are compelling examples – from around the world – of what goes wrong in circumstances where citizens are not consulted, and similarly positive cases abound of the gains derived from citizen engagement.⁶⁰

2.1 Participation of the poor and marginalized groups or communities

The rural-poor, compared to their urban counterparts, face additional structural constraints (distance, political invisibility, weak/lack of coordination) impeding their ability to mobilize around and influence policy processes. The rural poor also face many of the same issues as their urban counterparts such as illiteracy, a paucity of resources, institutional prejudice and resistance, a lack of confidence and capacity to understand political issues and processes – all of which hampers their participation in high-level technical policy discussions, notwithstanding the pressing need to do so in view of the prevailing conditions and scope of rural poverty.⁶¹

Addressing rural poverty requires redistribution, not only of resources but also political power. A report on rural poverty by the International Fund for Agricultural Development (IFAD), argues that institutions should no longer be perceived as neutral or value free but rather as reflecting the preferences of the persons who established the institutions in question. Typically well-resourced,

57 Cogan and Sharpe (1986) *The Theory of Citizen Involvement in Planning Analysis: The Theory of Citizen Participation*, University of Oregon

58 National, Regional and Global Institutions, *Infrastructure and Governance – Vol 1 - Accommodating Marginalized Groups in the planning processes*.

59 Mary Grisez Kweit and Robert W. Kweit (1981). *Implementing citizen participation in a bureaucratic society: A contingency approach*.

60 Cornwall, A. (2016). *Citizen Voice and Action: GSDRC Professional Development Reading Pack no.36*. Birmingham, UK: University of Birmingham.

61 Andy Sumner et al (2008). *Access to Governance and Policy processes: What enables the participation of the rural poor?*

urban, well-informed persons play an instrumental role in governance and poverty alleviation, including shaping discussions and discourse, staffing institutions and building coalitions mandated to end rural poverty.⁶²

Poor and marginalized persons will continue to be excluded from policy spaces unless a concerted effort is made to facilitate their involvement, notably through among other things decentralization and devolution of political power, the activation and availing to poor persons financial tools such as microcredit, the establishment of partnerships and coalitions consisting of impoverished persons as well as other agents of the policy process including NGOs, and varied Government agencies. One prominent concern is the vulnerability of 'pro poor' initiatives or instruments to state or elite capture in the absence of safe-guarding measures, such as the deliberate incorporation of oversight mechanisms involving a broad range of actors.⁶³

The improved voice and increased participation of the poor in political decision-making, beyond its intrinsic value, has the potential to contribute to poverty reduction through the enhanced involvement of the poor in budget formulation and identification of public expenditure priorities. Giving primacy to the views of poor as opposed to well-resourced persons or members of the development community should become the point of departure in policy development. This is because top-down understandings of poverty rarely correspond with how poor people themselves conceive of their well-being.⁶⁴

Similarly, greater emphasis should be placed on the child and young dimensions of governance. A large proportion of the rural poor are children and youth; yet, inadequate efforts are made to facilitate their involvement in policy processes. It is important to be mindful of the following factors when addressing young governance and child-related policy processes. According to the United Nations Convention on the Rights of the Child, people under the age of 18 constitute approximately 37% of the population and in the least developed countries as much as 49% of the total population. UNICEF estimates suggest that children aged 18 years or younger constitute a disproportionately high percentage of the poor – up to 50 percent in some contexts – surviving on less than \$1 per day.⁶⁵

The rural poor are a highly heterogeneous group, including among others smallholder subsistence farmers, landless or casually employed wage laborers, nomadic pastoralists, female-headed households and many children (almost 700 million children in developing countries are deemed to live in absolute poverty, with rural children facing far worse living conditions than their urban counterparts).⁶⁶

The entitlements, needs and capabilities of the rural poor are highly diverse and cannot be easily synthesized into a single narrative.

The rural poor may have limited interest in or incentive to participate (or be represented) in governance and policy processes. Poor people are often excluded or far-removed from governance processes and feel they have little to gain in contributing to policy debates; they also often have

62 IFAD (2001). Rural Poverty Report: The challenges of ending rural poverty

63 IFAD (2001). Rural Poverty Report: The Challenge of ending Rural Poverty.

64 Robert Chambers (2006). Poverty unperceived: Traps, Biased and Agenda.

65 D. Gordon et al (2004). Child Poverty in the developing World.

66 D. Gordon et al (2003). Child Poverty in the developing World .

no time to spare for this endeavour or do not see any benefit in participating. A significant proportion of the rural poor are children, who are rarely factored into participation processes.⁶⁷

These challenges notwithstanding, there remains scope to improve conditions for the enhanced articulation of the interests of the rural poor and the marginalized and the incorporation of these interests into political decision-making. Different actors can contribute their respective strengths towards achieving this goal. Available evidence suggests that Civil Society Organizations (CSOs) can be effective in strengthening the voice of the poor, mobilizing around their interests and assisting to coalesce social movements. Governments play a central role in creating an enabling environment for participation; this is accomplished by means inter alia of policies that enhance people's rights and freedoms and the promotion of association and participation. Donors can open spaces for participation by supporting the capacitation of individuals and associations representing the poor among other things. Irrespective of the intervention, it is important for the views and inputs of poor people to be the point of departure, since top-down understandings of poverty frequently do not correspond with how poor people themselves conceptualize the changes needed to facilitate their well-being.⁶⁸

For the poor and the marginalized to actively participate in civic decision-making, there needs to be stronger investment in rural, poverty-oriented policy research and evidence gathering. This should be availed to the poor, or those engaged in policy advocacy on their behalf, who should ensure that demands for sound policies are anchored on research/evidence. Secondly, shifting government priorities and increased levels of uncertainty require permanent monitoring of the policies and policy processes implemented at local, regional and international levels to ascertain their impact upon the rural poor. Finally, those advocating for pro-rural, pro-poor policies should make an effort to cultivate and nurture relationships with policy makers (government and donor) in order to be better positioned to identify and gain access to hidden policy spaces.⁶⁹

2.2 Participation of women in local government service delivery

Women's participation in national and local decision-making fora in Uganda has persistently been nominal due to institutional biases, discouraging social and cultural norms and beliefs, the statutory environment and a local government leadership not invested in promoting women's participation.

Women's popular participation in local government has been nurtured and enhanced through the Resistance Council/Committee (RC) system, which was introduced into Uganda in the 1980's by the National Resistance Movement (NRM) Government. The RC system, renamed in the 1995 constitution as the Local council (LC) system, is a hierarchical structure of councils and committees that stretches from village (LCI) to District (LC5) levels. This form of local government structure represented a break with the past in that it significantly undermined the hitherto entrenched authoritarian tendencies of chiefs. It introduced participation at the village level; however, this tended to diminish as the hierarchy progressed to the district council. It is to these councils that powers, functions and responsibilities of local governments have been decentralized.⁷⁰

67 T. Thuy et al (2007). *Fostering the right to participation*.

68 Robert Chambers (2006). *Poverty unperceived: Traps, Biases and Agenda*.

69 Andy Sumner et al (2008). *Access to Governance and Policy processes: What enables the participation of the rural poor?*

70 Nsibambi, Apolo, (ed.), 1998, *Decentralisation and Civil Society in Uganda: The Quest for Good Governance*, Fountain Publishers Ltd., Kampala.

The 1995 constitution of Uganda provides the institutional and legal framework for women's participation in all areas including governance and human rights. The provision for the one-third membership of each Local Government council was introduced as a measure to address the imbalance in the representation of women in Local Governments. At the district level, prior to 1995, there was only one-woman councilor per county. The Local Governments Act 1997 and the amended Act 2001 were implemented to give expression to the gender and related articles of the constitution.

Despite this, however, women in Local Government continue to confront significant challenges. In part this is because while Local Governments derive their mandate from the decentralization policy, the attainment of the broad objectives of the decentralization policy depends largely on the political commitment of central Government, which has largely failed to successfully facilitate broader political representation and participation of women in political processes.⁷¹

71

Kuruhiira Godfrey and Metuseera Ajuna Akiiki (2002). Achievements and Challenges of Women in Local Governments. Paper presented at the World's Women Congress organized by the Department of Gender Studies and Development, Makerere University, Kampala Uganda.



CHAPTER THREE

LEGAL FRAMEWORK AND JUDICIAL CONSIDERATION OF THE RIGHT OF PARTICIPATION IN UGANDA

3.0 Introduction

The Government of Uganda appears committed to citizen participation in local government service delivery processes. This is evidenced by the various policies, legal and regulatory frameworks targeting citizen participation. The following sub-sections provide an overview of Uganda's international, regional and national policy, legal and regulatory frameworks, which facilitate citizen participation in local government service delivery processes.

3.1 International and regional framework

The legal right to participate is well-grounded in the Universal Declaration of Human Rights (UDHR)⁷² and several international human rights instruments ratified by Uganda.⁷³ At the regional level, article 13 of the African Charter on Human and Peoples' Rights (ACHPR) states that:

1. Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.
2. Every citizen shall have the right of equal access to the public service of his country.
3. Every individual shall have the right of access to public property and services in strict equality of all persons before the law

Uganda is obliged to take all appropriate measures to domesticate and implement the above provisions. Indeed at a policy level, Uganda seems to be committed to achieving sustainable inclusive growth as highlighted under the 17 Sustainable Development Goals globally and pursuant of this has dedicated efforts, through National Development Plan (NDP II), to realise the full potential of every Ugandan including the prioritization of citizen participation in the service delivery processes. The ultimate goal of the NDP II 2015/16-2019/20 is to attain a middle income status by 2020 by means of strengthening the country's competitiveness for sustainable wealth creation, employment and inclusive growth. This ultimate goal depends on citizen participation in the service delivery process to ensure that the different needs and interests of men, women, youth, children, persons with special needs, ethnic minorities, older persons, the rural poor, marginalised groups and disadvantaged regions and or locations are factored into all Local Government Commitments.

3.2 National legal and policy framework

3.2.1 The Constitution

As the Supreme law of the country, Uganda's 1995 Constitution is a critical piece of legislation insofar as defining the system of governance is concerned. As part of the National Objectives and Directive Principles of State Policy (NODPSP), the Constitution provides that "the State shall be based on democratic principles which empower and encourage the active participation of all

⁷² Article 21 of the Universal Declaration of Human Rights (UDHR)

⁷³ See for example article 25 of the International Covenant on Civil and Political Rights (ICCPR), and other international treaties such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the International Convention on the Elimination of all forms of Racial Discrimination (ICERD), and the Convention on the Rights of Persons with Disabilities (CRPD).

citizens at all levels in their own governance.”⁷⁴ This is in addition to stipulating that “the State shall be guided by the principle of decentralisation and devolution of governmental functions and powers to the people at appropriate levels where they can best manage and direct their own affairs.”⁷⁵ The NODPSP further provides that the composition of Government shall be broadly representative of the national character and social diversity of the country.⁷⁶

Relevant to this analysis is Objective XXVI, which provides that all public offices shall be held in trust for the people and that all persons placed in positions of leadership and responsibility shall be answerable to the people. It further states that all lawful measures shall be taken to expose, combat and eradicate corruption and abuse or misuse of power by those holding political and other public offices.⁷⁷ In this provision, service delivery is amplified and the citizenry is assigned the right to hold their leaders accountable. This aspiration can rightly be relied on as the basis for service delivery in LGs.⁷⁸

Substantively, Article 1 of the Constitution provides that all power belongs to the people, to be exercised in accordance with the Constitution.⁷⁹ Similarly, the Constitution provides that all authority in the State emanates from the people of Uganda, who shall be governed through their will and consent.⁸⁰ Provisions on decentralisation are found in Chapter II, with some provisions relating to social accountability. Article 176 (1), part of Chapter II, provides that the system of local government in Uganda shall be based on the district as a unit, under which there shall be such lower local governments and administrative units as Parliament may by law provide.

In Article 176(2), the Constitution defines 7 principles that apply to local government, of which principle (b) stands out as the most relevant to the subject of discussion providing that “decentralisation shall be a principle applying to all levels of local government and, in particular, from higher to lower local government units to ensure people’s participation and democratic control in decision making” [emphasis added].

Outside Chapter II, there are provisions that empower citizens and define their powers to demand and take part in their governance. This is articulated under the Constitution as the right of every Ugandan citizen to participate in the affairs of government individually or through his or her representative.⁸¹ This is in addition to the right to participate in peaceful activities to influence the policies of government through civic organizations.⁸² These provisions establish participation as a legal right in Uganda and open the door for citizens to participate in the affairs of their LGs as well as hold their representatives accountable. The provisions are complimented by other provisions in the Bill of Rights that guarantee the freedoms of expression, assembly and association,⁸³ as well as the right of access

74 Objective II(i).

75 Objective II(ii).

76 Objective II(i) - (iv), 1995 Constitution.

77 Objective XXVI, 1995 Constitution.

78 The Constitution itself gives guidance on the role of the NODPSP. These are intended to guide all organs and agencies of the State, all citizens, organisations and other bodies and persons in applying or interpreting the Constitution or any other law and in taking and implementing any policy decisions for the establishment and promotion of a just, free and democratic society. In Article 8A provides that the country shall be governed based on the NODPSP.

79 Article 1(1).

80 Article 1(2).

81 Article 38(1)

82 Article 38(2).

83 See Article 29.

to information.⁸⁴ It is within this constitutional context that service delivery and citizen participation within the local government setting should be understood.

3.2.2 The Local Government Act (LGA)

The principle legislation governing decentralisation in Uganda is the LGA which, in addition to designating the different local government structures, deals with a number of operational issues and defines various mechanisms and procedures that among other things promote service delivery and participation. In contrast to other legislation, section 2 of the LGA defines its objectives, which include the objective to give full effect to the decentralisation of functions, powers, responsibilities and services at all levels of local governments.⁸⁵ This is in addition to ensuring democratic participation in, and control of decision making by the people concerned,⁸⁶ as well establishing a democratic, political and gender sensitive administrative setup in local governments.

Indeed, the abovementioned objectives underscore the aspirations of community participation, service delivery and affirmative action for marginalized groups. Thus, it can be rightly said that the Act ably takes into account the rationale for the decentralization policy as far as its objectives are concerned. Citizen participation in Local Governance involves ordinary citizens assessing their own needs and participating in local project planning and budget monitoring.⁸⁷ In realizing this right, the Local government Act is alive to the need for the involvement of marginalized groups such as persons with disabilities, the youth and women among others in light of the composition of district councils.⁸⁸ The local governments Act entails other provisions that speak to citizen participation such as S.26 that provides for the function of local government executive committees and in particular S.26 (g), which provides for the mobilization of people in relation to self-help projects. Attention will now be turned to a review of the law and policy on the right to health, education and water to assess whether these provide for citizen participation.

3.2.3 Legal framework relating to citizen participation in health governance

The Public Health Act 1935 vests powers in the minister of Health to establish any number of sanitary boards by statutory instrument;⁸⁹ however, such boards are not mandatory and may be created at the discretion of the minister. S.8 also gives the minister powers to establish an Advisory board of Health whose composition affords citizens the opportunity to participate where appointed by the minister. It is our contention that the Act confers excessive powers upon the minister, who is empowered to make rules and appointments diluting citizen participation since the public do not have a say regarding who represents them on the Health Advisory Board.

To supplement the public Health Act, The Guidelines on Health Unit Management Committees (HUMCs) for Health Centre II and Health Centre III as well as the Guidelines on Hospital Management Boards for Referral Hospitals and District Hospitals, 2003 were passed by the Ministry of Health to serve as institutional structures for participation in Health governance. The ministry of Health Guidelines explicitly state that the mandate of HUMCs is to monitor and

84 See Article 41.

85 Objective (a).

86 Objective (b).

87 New Tactics in Human Rights, Strengthening Citizen Participation in Local Governance.

88 S.10 of the Local Government Act provides composition of district councilors to entail female youth, councilors with disabilities and women.

89 S.4 of the Public Health Act

govern the health facilities on behalf of the respective local governments and foster improved communication with the public thereby encouraging community participation in health activities within and outside the unit.⁹⁰ The functions of Health Management Boards include providing strategic vision and direction to hospitals; making inputs to health policy; examining and approving the annual work plans, budget and funding reallocations proposed by hospital management teams; monitoring implementation of annual work plans and budget performance; fixing the ceiling for single item expenditure; monitoring, on behalf of the ministry of health, tender awards and performance.⁹¹

Citizens participate in health governance through representation or direct participation on these boards as constituted. . Paragraph 2 of the HUMC Guidelines, which provides for the composition of the HUMC, states that the committee shall be composed of six members. In nominating committee members, paragraph 2

(iii) provides that, it is preferred that the members be from different parishes taking into account gender responsiveness. Guidelines on the Ministry management

Board under Paragraph 2 provides that the board shall be composed of 9 members and 4 ex officio members. This emulates the Alma-Ata Declaration on Primary health care where people have the right and duty to participate individually and collectively in the planning and implementation of Health care.

3.2.4 Legal framework relating to citizen participation in education governance

Citizen participation in education-related Local Government service delivery is facilitated through the Education Act,⁹² which provides for the establishment of School Management Committees (SMCs) whose role is to oversee the effective running of schools. SMCs are composed of 6 members: a chairperson, a local government representative, a representative of the local council executive committee, a person elected by the sub-county or city division or municipality, a parent representative of the school, a staff representative of the school (teaching or administrative staff) and an alumnus representative (former students).⁹³

The Constitution calls for the state to ensure gender balance and fair representation of marginalized groups on all constitutional and other bodies;⁹⁴ and further makes provision for affirmative action under Article 32. However, marginalized groups such as women, people with disabilities and youth are not explicitly provided for in the composition of the School Management Committee. One of the objects of the People with Disabilities Act is to ensure the full inclusion of persons with disabilities in all government programmes.⁹⁵ The National Youth Council Act 1993 has as one of its objectives to encourage the youth to consolidate their role in national development in the economic, social, cultural and educational fields.⁹⁶

90 The Guidelines on Health Unit Management Committees for Health Centre II and Health Centre III, Paragraph 1

91 Guidelines on Hospital Management Boards for Referral Hospitals and District Hospitals 2003, Paragraph 1 Section 28.

92 Part II of the Second Schedule of the Education Act.

93 National Objective VI of the Constitution.

94 Part III of the PWD Act.

95 Section 3.

In the light of the above, government should make express provision for the representation of all marginalized groups on the School Management Committee to facilitate their participation in education-related matters.

3.2.5 Legal framework relating to citizen participation in water governance

The Water Act provides for citizen participation through Water User Groups.⁹⁷ These groups are empowered to own and manage water supplies. Water use groups act through Water and Sanitation Committees, which are responsible for planning and managing water systems, including the collection and utilization of revenue.⁹⁸ Where a water supply serves more than one Water User Group, they shall come together to form a Water User Association comprising representatives of the various Water Sanitation Committees that bear responsibility to manage the water system, set tariffs and collect revenue for the maintenance of the system.⁹⁹ Water Sanitation Communities and Water User Associations operate under the direction of the Director of Water Development, who shall also approve the tariffs charged by them.

The National Framework For the Operation and Maintenance of Rural Water Supply; The National Water Policy

The National Framework for the Operation and Maintenance of Rural Water Supply and the National Water Policy establish a 3-tier system for the maintenance of rural water supplies.¹⁰⁰ The first tier is at the community level, where Water User Groups, Water and Sanitation Committees and Water User Associations have the responsibility to inter alia plan for and oversee operations and maintenance, collect funds, and engage plumbers for repairs. At the second tier is the sub-county, which selects and pays maintenance staff such as plumbers, and trains water sanitation committees, etc. At this level, the private sector provides services for a fee. The third tier is at district-level, which is where the directorate for water development is located. The district provides financial and technical back-up to sub-counties, carries out supervision and provides toolkits and transportation to plumbers and maintenance staff, etc. Central government provides financial and technical assistance to districts, monitors water quality and formulates and monitors implementation and efficacy of water policy.

The Water (Water Resources) Regulations:

Regulation 3 of the Water (Water Resources) Regulations outlines the procedure for acquiring water permits; drilling permits are acquired by means of the same procedure.¹⁰¹ This procedure requires interested parties to apply to the director for water development, who is located at district-level. The regulations facilitate citizen participation in the license review, approval and renewal¹⁰² processes through the incorporation of advertising,¹⁰³ and right of complaint provisions.¹⁰⁴ While these regulations are commendable for providing for the preservation of water resources and

97 Section 50(1),(2) of the water act

98 Section 50(3) of the water act

99 Section 51 of the water act

100 Directorate of Water Development, Rural Water Supply Division; A National Framework for Operation and Maintenance of Rural Water Supplies. Accessible at http://www.rural-water-supply.net/_ressources/documents/default/219.pdf

101 Regulation 15

102 Regulation 8

103 Regulation 4

104 Regulation 6(k)

supervision of their utilization, they do have some notable gaps. Regulation 12 (d), for example, does not provide for consultation in respect of the preparation, revision and implementation of national water resources policy, national priorities for the use of water and related land resources or the water action plan with district, Sub-County and village local councils. This is further compounded by government's adoption of a comprehensive national development planning framework, which shifts orientation from needs-based planning to visionary planning, such that local governments do not have significant scope to make input to policy formulation or review, which is predominantly deferred to central government and subsequently to local government for implementation. In our opinion, district local governments should, after consulting with constituent local councils, formulate these policies, subject to Central government review, to harmonize policy across districts – the reasoning being that citizens have a better opportunity to participate at local rather than national government level.

It is also important to note that these regulations do not provide for local council input to borehole completion reports.¹⁰⁵ In our considered opinion, those tasked with constructing boreholes should involve local councils and village people in the formulation of borehole completion reports. In the alternative, the director for water development should be able to call upon LC1s to prepare their own report in respect of the same to ensure that what is contained in the report is consistent with what is found on the ground. Considering that LCs are a vital platform for citizen participation, the same approach should be adopted for the supervision and report-back on water utilization and construction. The regulations also require any person who seeks information on constructions, plans or wishes to undertake a site visit to require permission from the director. In our opinion, this bureaucratic barrier may be used by directors to keep citizens from discovering mismanagement. In our view, greater transparency is preferable and this information should be made public.

3.2.6 Legal framework relating to the participation of marginalized groups

Implementation of the right to citizen participation requires special attention to be given to marginalized groups. Art 32 of the Constitution provides for affirmative action in favor of groups marginalized on the basis of age, gender, disability or any other reason created by history, tradition or custom for the purposes of redressing imbalances that exist against such persons or groups.¹⁰⁶ Art 32(5) confers upon parliament the power to enact laws to give full effect to this Article. The Persons with Disability Act is one example of such a law, which has as one of its objectives to develop and promote the participation of PWDs in all aspects of life as equal citizens of Uganda capable of being contributing members of society.¹⁰⁷ The Act expressly provides for the right of persons with a disability to participate in public life,¹⁰⁸ and places an obligation on the government to guarantee the exercise of this right, which is conceived as a political right.¹⁰⁹ The Act further buttresses the right of disabled persons to affirmative action,¹¹⁰ which supports the framework to enable them to fairly enjoy the right to citizen participation. In the light of the marginalization of groups such as women and youth, the composition of the boards and

105 Regulation 21(2)

106 Objective VI impresses it upon the state to ensure balance and fair representation of marginalized groups.

107 S.3 (b) and (f) of the Persons with Disability Act, 2006

108 S.37 of the Persons with Disability Act, 2006

109 S.37 (4) of the Persons with Disability Act, 2006

110 S.33 of the Persons with Disability Act, 2006

committees of the representative entities provide slots for women and youth; however the same is not commonly found in respect of persons with a disability as is attested by the composition of District councils.¹¹¹

Therefore, existing laws providing for citizen participation should be revised to be more explicitly inclusive of marginalized groups. An example is the composition of the respective committees under the Local Governments Act¹¹², Public Health Act¹¹³, Education Act¹¹⁴ and related guidelines. To further facilitate this government should facilitate sign language instruction and the production of material in braille.¹¹⁵

3.3 Judicial decisions relating to participation

The right to participate has typically been brought for consideration before Ugandan courts in two ways: direct litigation on the right to participate as provided under article 38 of the constitution, and litigation of related rights impacting on participation, for example the right to access information, etc.

One of the key judicial pronouncements on the right to participation was the constitutional petition of Satya V. Attorney General.¹¹⁶ The following are the facts giving rise to the petition: following the creation of the new district of Kween carved out of Kapchorwa district, the people of the area, through their local councils, voted for the headquarters of the new Kween district to be situated at Chepsikunya trading center and forwarded this information to the minister of local government. However, parliament passed a resolution putting the district headquarters in a different town and the petitioner brought a constitutional challenge arguing that the parliamentary resolution violated the citizens' right to participation. The court held, however, that, "The Constitution does not in any of the cited provisions require the minister of Local Government to merely endorse or act in accordance with the recommendations of the people or Local Government Councils concerned." Thus, while the right of participation was recognized, this was not found to impose on political representatives an obligation to comply with or give expression to the substantive views or demands made by citizens on the basis of the exercise of this right.

The position of the constitutional court in the above case significantly differs from the jurisprudence of other courts in the region. In Kenya, the court delivered a landmark judgement in the case of **Robert Gakuru V. Governor Kiambu County & Others**¹¹⁷ which was consolidated with other petitions challenging the passing of the Kiambu Finance Act 2013, which was passed without prior public consultation and was thus argued to violate Articles 201, 174 and sections 115 and 84 of the County Government Act. The court, in nullifying the passing of the Act emphasized that public participation plays a central role in legislative and policy functions of local government. The court reiterated that government has an obligation to ensure that the public participate by making it easier for people to voice their opinions through radio talk shows, Barazas etc.

111 S.10 of the Local Government Act

112 The composition of the Advisory board under S.8 does not provide for marginalized groups

113 Second Schedule Part II, S.3 does not specifically provide for the representation of marginalized groups.

114 This is in line with National Objective XXIV

115 Constitutional Petition No. 0036 Of 2012

116 Petition no 525 Of 2013(Kenya High Court)

117 Petition no 525 of 2013 (Kenya High Court)

In the South African case of *Doctors for Life International v. Speaker of The National Assembly*¹¹⁸ the South African Constitutional Court delivered a progressive judgment, in which it was held that the right to participation consists of two legs, namely the right to vote and the right to participate (a distinction between participatory and representative rights). The court held that the representative and participatory components of the right were complementary and didn't conflict with each other; therefore, it was not a defense in a petition challenging the lack of participation to argue that citizens participated through representatives in parliament or local government: the court held that government has a responsibility to ensure public participation through innovations such as public debates and forums, etc. The court further emphasized that the bodies charged with the responsibility to consult should make decisions guided by citizen input. Moreover, consultation should be real rather than illusory.¹¹⁹

It is our contention that Ugandan courts have adopted an excessively conservative approach in respect of actions based on Article 38, which conservatism is premised, with respect to the learned judges, on a misinterpretation and application of Article 38. The approaches adopted by South African and Kenyan courts provide an illuminating example of the approach courts in Uganda should take.

The right to participate was reaffirmed in an earlier case of *Dr. James Rwanyarare and Others V Attorney General*,¹²⁰ where the court implicitly found that the right to participation can be enjoyed even in non-state organs such as associations and political parties and that it includes pre-policy or decision consultation as well as an effective remedy to vindicate one's right. The petitioners challenged the constitutionality of various sections of the Political Parties and Organisations Act 2002, which they alleged gave preferential treatment to the NRM and also violated Article 29 and Article 38 of the constitution insofar as the imposition of unfair and unjustified restrictions on political parties was concerned. The petitioners contended that section 13(b) of the Act is inconsistent with and contravenes article 1(4), 20, 21, 29(1)(a)(b) and (c), 29(2)(a) and (b), 38, 43, 71(e) and 270 of the Constitution, insofar as it provides that a person who has lived outside Uganda consistently for 3 years may not be appointed or voted into office in a political party. The court held that section 13(b) contravened the right and freedom of association and the right to participate in the affairs of government, individually or through representatives under article 38(1). Even though the court considered the right to participate in a political context, we believe the reasoning of the court is true in respect of citizen participation in the realization of any other right.

The judgement of *Okello, JA in Zachary Olum and Another v. Attorney General*¹²¹ summarises the relationship between the right to participate and the right to information as elaborated by the learned justice of appeal (as he then was), who held that:

"The general features in the definition of the phrase "free and democratic society" are that it is a society where its government is based upon the consent of informed citizenry and there is dedication to the protection of the rights of all."

This was further emphasized in *Saleh Kamba V Attorney General*,¹²² in which the constitutional court held that the purpose of the right of participation is to ensure accountability and transparency of all government organs.

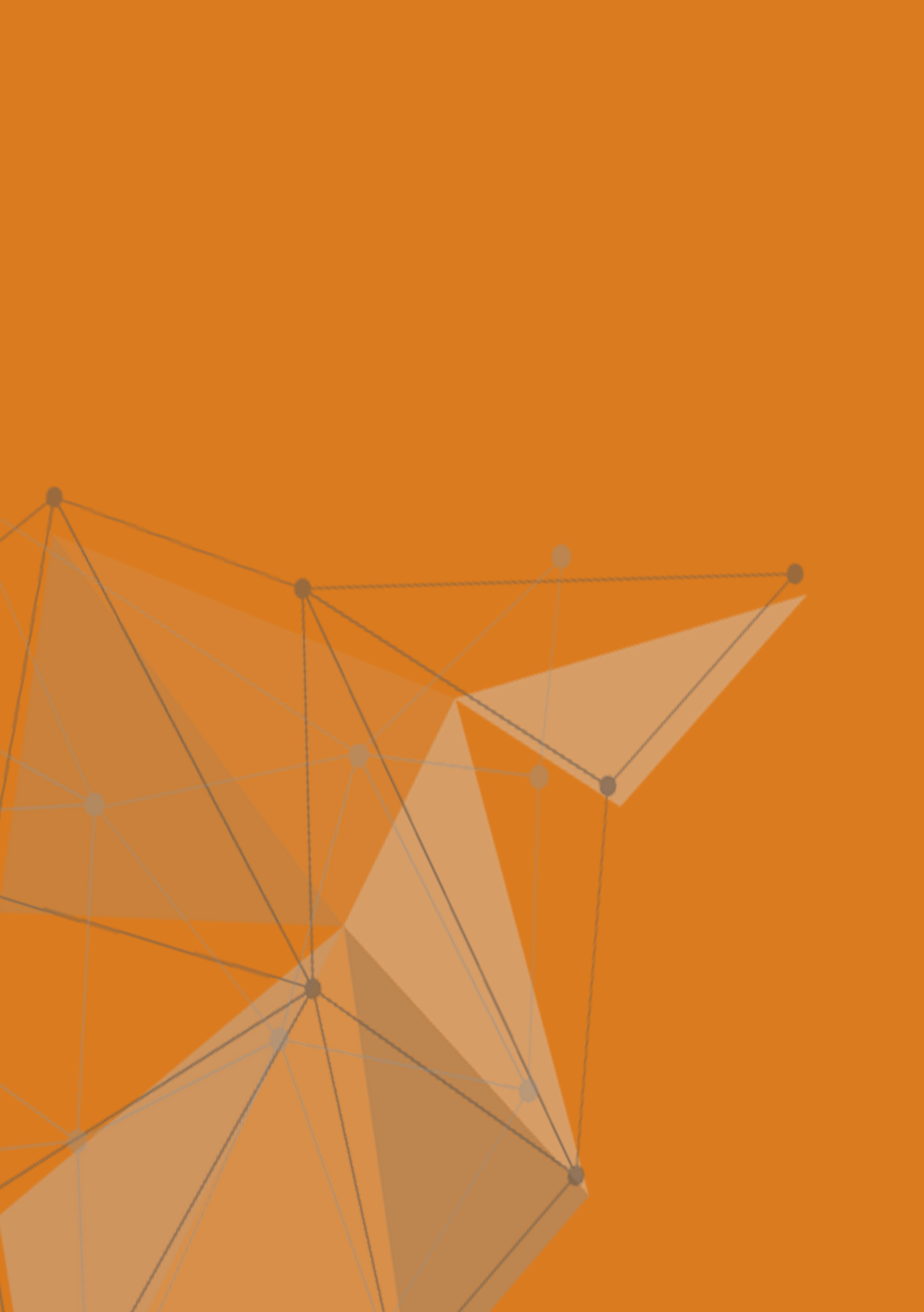
118 2006 ZACC 11

119 See also *Gleinsten v President of the Republic of South Africa* 2011 ZACC 6, *Menatory Demarcation Forum & ors v President of the Republic of South Africa* 2008 ZACC 10, *Abdalla Rhova v The Hon. Attorney General & 6 Others* civil case 14 of 2010 (Kenya HC)

120 Constitutional Petition No. 7 of 2002 [2004] UGCC 5

121 Constitutional Petition No. 6 of 1999

122 Constitutional Petition No. 38 of 2012



CHAPTER FOUR

RESEARCH METHODOLOGY

4.0 Introduction

Chapter three presents the methodology used in this research study to obtain information pertaining to citizen participation in local government service delivery processes in Uganda. The chapter sets out the study: research design, scope, sampling technique, sample size, target respondents, data collection techniques, data collection instruments, data collection process, data processing, analysis and reporting.

4.1 Research design

The research employed both qualitative and quantitative approaches with a descriptive correlation design to assess citizen participation in local government service delivery processes in Uganda.

4.2 Scope and coverage of the research

Citizen participation in local government service delivery processes is complex assuming varied forms across multiple levels making it difficult to enumerate exhaustively in a single study. This research thus focused on citizen participation in three sub-sectors namely; water, education and health with a focus on the participation of marginalized persons such as women, youth and older persons.

The study covered a sample of 6 districts out of 121 districts in Uganda, namely: Bushenyi and Kyenjojo in the Western Region; Kayunga in the Central Region; and Iganga, Mbale and Kumi in the Eastern Region. These Districts were selected on the basis of their having implemented the USAID's Strengthening Decentralization for Sustainability (SDS) Programme.

In each of the six sample districts, information on citizen participation in local government service delivery processes was collected using structured interviews, literature review and focus group discussion to complement the quantitative data collected.

4.3 Sampling techniques and sample size

Sampling involved the selection of 6 local governments from which a total of 18 sub counties were randomly selected with each district making a contribution of 3 sub counties i.e. one rural , one urban and one peri-urban. The total number of targeted respondents was 50 per sub-county. Table 3.1 below presents the number of respondents that participated in the survey by district and sub county:

Table 3.1: Distribution of participating respondents by district and sub-county;

District	Sub county	Number of respondents
Bushenyi	Bitooma	50
	Central Division	50
	Kyeizooba	50
	Total	150
Iganga	Namalembe	50
	Namungalwe	49
	Northern Division	50
	Total	149
Kayunga	Busaana	49
	Kangulumira	50
	Kayunga Town Council	50
	Total	149
Kumi	Atutur	49
	Kumi Town Council / Municipality	51
	Mukongoro	50
	Total	150
Kyenjojo	Butiiti	50
	Butunduzi T/C	50
	Kyenjojo Town Council	50
	Total	150
Mbale	Busiu	50
	Industrial Division	50
	Wanale Division	50
	Total	150
Grand Total		898

Source: ISER data Data 2017

4.3 Data collection tools

Data collection tools were consultatively designed and included administered data collection tools targeted at respondents aged 18 years and above as well as focus group discussion guides that targeted clusters of community leaders among others and key informant interviews of leaders for expert information.

4.4 Data collection techniques

Primary data collection involved use of semi-structured interviews and focus group discussions.

4.5 Information processing and analysis

4.5.1 Data processing

The questionnaires were edited before entry to make necessary corrections and ensure accuracy of the information. This was followed by coding all open ended questions in the instrument to smoothen data entry as well as analysis. A data entry program was designed using EPidata for all the instruments. Before starting the data entry process, the program was tested by data entry clerks with supervision to eliminate and correct any inconsistencies. Thereafter official data entry commenced. On completion of data entry, accuracy was checked to ensure that all information was captured.

4.5.2 Data analysis

After entry, data was exported to statistical packages for social scientists, Stata and Excel for analysis. Three major kinds of data analysis and presentation were used and these include; descriptive statistics, ratio analysis; and comparative analysis.

4.5.3 Validation and quality assurance

Validation workshops were conducted across the six districts to validate the findings. During the validation, the targeted sample included district and sub county technical and political leaders, the ordinary citizens, youth, women, civil society organizations, health facility In Charges, selected head teachers and local accountability structures of Health Unit Management Committees (HUMCs), Water User Committees (WUCs) and School Management Committees (SMCs). The validation workshops were conducted from the 29th January to the 2nd February 2018. Two teams were put in place to conduct the validation exercise; one team covered the districts of Iganga, Mbale and Kumi while the second team covered the districts of Bushenyi, Kyenjojo and Kayunga.

The validation workshops in all the six districts were attended by technical and political leaders at the district and from the three selected sub-counties in each district. At the district level, the participants included the Chief Administrative Officer (CAO), the Resident District Commissioner (RDC), the District Community Development Officer (DCDO), the District Chairperson, the District Speaker, representative of Civil Society Organizations, representative of Persons with Disabilities, heads of departments (health, education and water) district youth councilors.

From the sub county and community level, participants included; the Senior Assistant Secretary, the Sub County Chairperson, Community Development Officer, Gombolola Internal Security Officer (GISO), In Charges of health facilities at the sub county level, SMCs of selected schools, head teachers of selected schools and HUMCs of selected health facilities.

4.6 Reporting

The research findings have been presented with respect to the set objectives. The report constitutes four chapters (i.e. Chapter one: General introduction, Chapter two: the Legal framework, Chapter three: Methodology, Chapter Four: Findings, Chapter five: Recommendations and conclusion.



CHAPTER FIVE

RESEARCH FINDINGS

5.0 Introduction

The success of national and international development frameworks is dependent on the effective participation of citizens in local government service delivery processes. This report presents the findings of research conducted in six districts, namely: Bushenyi, Iganga, Kayunga, Kumi, Kyenjojo and Mbale. The aim of the study was to establish the status of citizen participation – particularly marginalized groups – in service delivery processes at local government level in Uganda focusing on three sub-sectors, namely; water, education and health. The Chapter is divided into four sub-sections: (i) background information on respondents; (ii) citizen participation and service delivery in the water sub-sector, (iii) citizen participation and service delivery in the education sector and (iv) citizen participation and service delivery in the health sub-sector. The sub-sections below highlight the research findings.

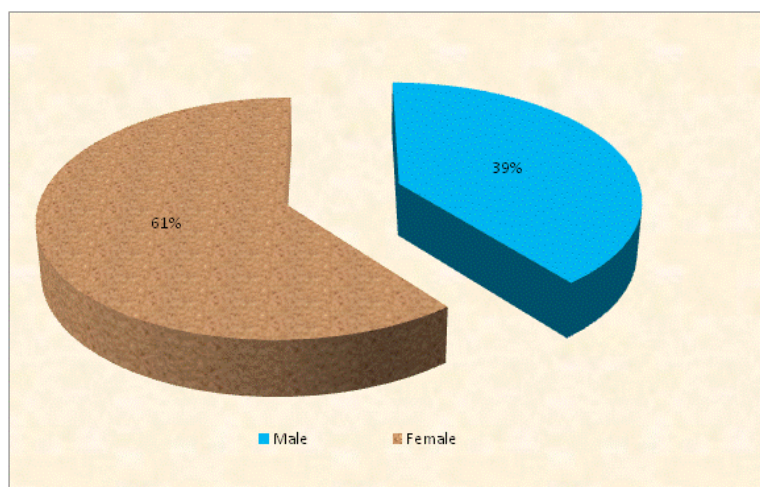
5.1 Background characteristics

The background characteristics of citizens are useful in helping to understand the effectiveness of citizen participation in local government service delivery processes. In this regard, research information was collected on respondent's sex, age, education and literacy level, marital status, occupation and income levels among others. The purpose was to explore whether these background factors have an influence on citizen participation in the decision-making processes. The findings on respondent's background characteristics are presented under the sub-sections below.

5.1.1 Sex of respondents

Effective citizen participation in local government service delivery processes can be hampered by discrimination on various grounds, including sex. Participation of both men and women in the local government service delivery processes is critical to deepen democracy, promote good governance and most importantly to realize the global agenda of gender equality and women empowerment. Figure 4.1 presents the distribution of study respondents by sex;

Figure 4.1: Percentage distribution of respondents by sex



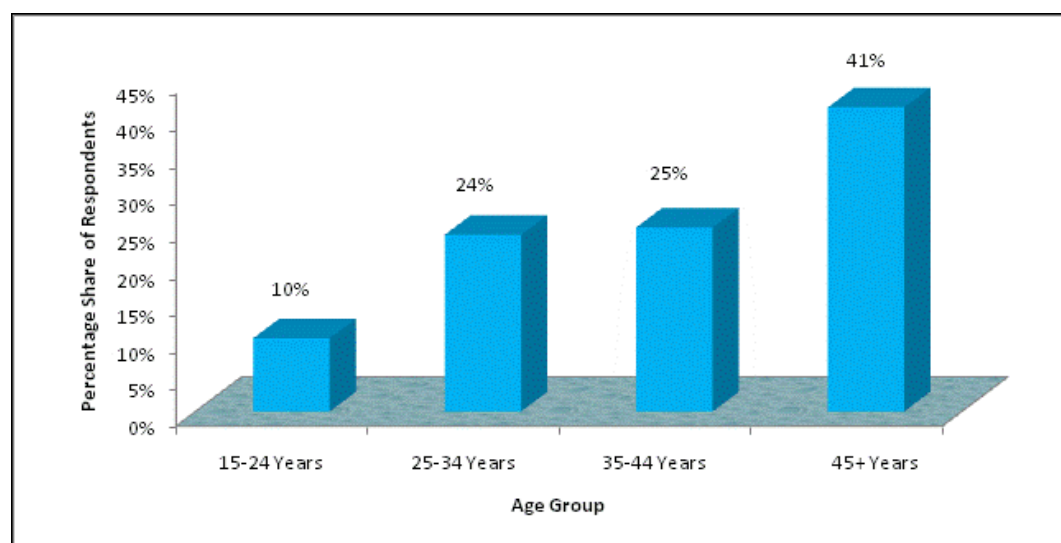
Source: ISER data 2017

Overall, 898 respondents participated in the research: 61% were females, while males constituted 39% of respondents. The number of respondents per district was relatively the same and ranged from 149-150. In all the districts, more females than males took part in the research: Bushenyi (37% male; 63% female), Iganga (41% male; 59% female), Kayunga (35% male; 65% female), Kumi (45% male; 55% female), Kyenjojo (41% male; 59% female) and Mbale (37% male; 63% female). Females outnumber men in Uganda's population; they are usually at home and are more affected by non-participation in service delivery processes, which may account for the considerably higher participation rate of women in this study.

5.1.2 Distribution of respondents by age and marital status

Age is a key variable in the design of various interventions and service delivery points. It is through effective citizen participation that the various local governments can ensure inclusion across all the ages in service delivery processes. Research respondents were required to stipulate their age. Figure 4.2 below presents the distribution of study respondents by age:

Figure 4.2: Percentage distribution of respondents by age



District	15-24 Years	25-34 Years	35-44 Years	45+ Years	Grand Total
Bushenyi	14	28	40	68	150
Iganga	12	29	44	64	149
Kayunga	13	46	32	58	149
Kumi	14	36	34	66	150
Kyenjojo	9	36	43	62	150
Mbale	27	40	31	52	150
G.Total	89	215	224	370	898

Source: ISER data 2017

The findings reveal that all the age categories eligible to participate in decision-making participated in the research. 41% of the study respondents were citizens aged 45 years and above; persons aged 35-44 years accounted for 25% of respondents. The motivation to disproportionately target respondents aged above 35 years stemmed from a desire to tap into their experience as well as their societal role in service delivery processes.

Pertaining to marital status, the majority of respondents were married (76%) with only 9% unmarried. Divorced and widowed persons constituted 4% and 11% of respondents respectively.

5.1.3 Occupation of respondents

Respondents were drawn from a range of occupations to ensure equitable representation in the research. Studies have revealed that citizens are sometimes denied the opportunity to participate in civic decision-making processes because of their membership of a marginalized group, which inhibits their ability to contribute to and benefit from community development initiatives. Table 4.1 below presents the distribution of participating respondents by occupation:

Table 4.1: Distribution of respondents that participated in the research by occupation.

S/N	Occupation	Number of respondents			%
		Male	Female	Total	
	Still In school and not working	9	15	24	3%
	Housewife / unpaid work	1	52	53	6%
	Unemployed	5	21	26	3%
	Casual labour	18	16	34	4%
	Part time employed	7	6	13	1%
	Self-employed /business	101	146	247	28%
	Peasant farmer	199	268	467	52%
	Teacher	7	15	22	2%
	Boda Boda driver	5	0	5	1%
	Tailor	1	6	7	1%
	Grand Total	353	545	898	100%

Source: ISER data 2017

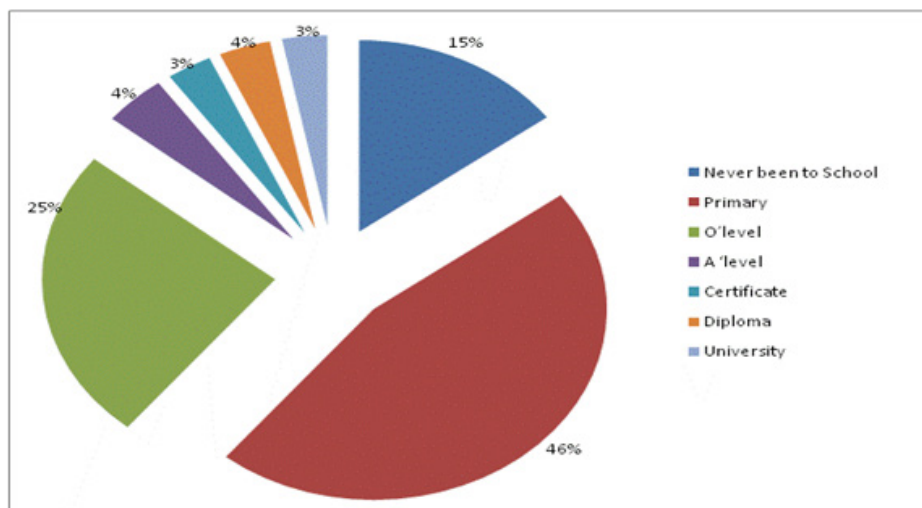
The majority of respondents were peasant farmers (52%) followed by self-employed- /business- persons (28%). Other respondents fell into the following categories: school-goers (3%), housewives (6%), unemployed persons (3%), casual labourers (4%), persons in part-time employment (4%), teachers (2%), boda-boda drivers ¹²³(1%) and tailors (1%).

Research studies have shown that the abovementioned categories are the most vulnerable to marginalization and exclusion from citizen participation in service delivery decision-making processes and its benefits.

5.1.4 Respondent's education and literacy levels

Education and literacy are additional factors affecting the level of participation of citizens in local government programmes. Educated persons tend to be favored more than those who lack education when it comes to civic participation. Figure 4.3 below presents the level of education of all study respondents:

Figure 4.3: Distribution of research respondents by education level



Source: ISER data 2017

Of the 898 respondents who participated in the research study, the majority (61%) had attained a primary school education as their highest level of education (completion of primary education). Only 7 percent had attained a tertiary-level education.

Of the 898 respondents, 67% (602) could read their respective mother tongue, while 33% (296) could not. 53% of respondents reported that they could read English, which is Uganda's official language; while 47% (422) could not.

The findings pertaining to education and literacy levels call for responsiveness and sensitivity to difference in abilities when designing participation campaigns and materials on service delivery at local government level.

The findings of the focus group discussions revealed discriminatory attitudes towards respondents on the basis of their level of education. During the discussion, one of the respondents stated that:

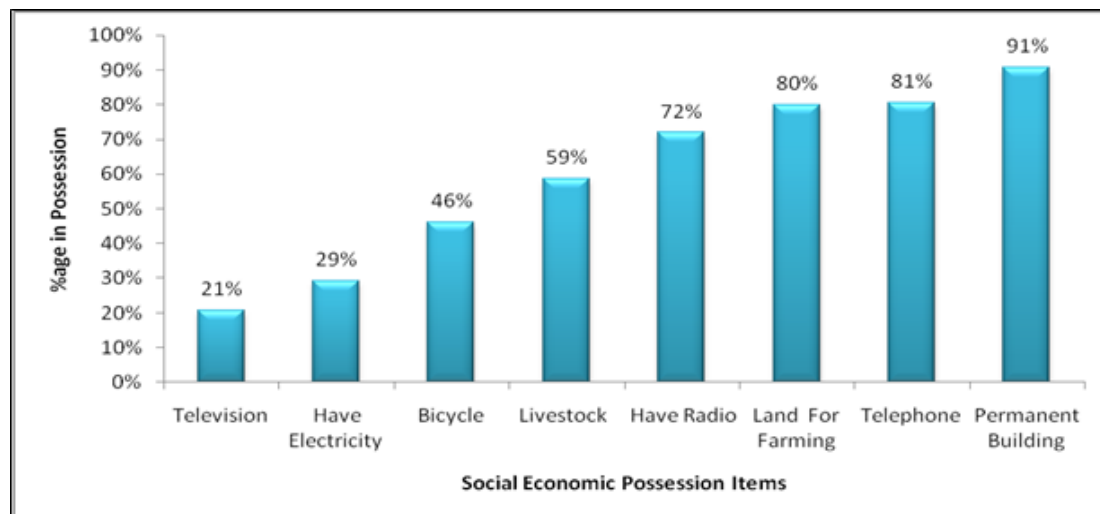
“What mainly hinders people's participation in this community for example here in Nkatu some of our people are not educated well, so there are some things that are brought here when you need to have some level of education. But when things are taken there and you have no education you will not benefit, so people get demotivated and they don't participate claiming that they are for [the] educated.”²⁴

It is therefore incumbent upon political leaders at the different levels to design structures that better facilitate the participation of citizen, irrespective of their level of education.

5.1.5 Respondent's social-economic status

Whereas Uganda is implementing the decentralization policy in the delivery of services at local government level, there is still widespread social-economic marginalization in rural areas. Little attention has been focused on analyzing the relationship between socio-economic marginalization and popular participation in local government service delivery processes. During the research, respondents were required to provide an account of ownership of social economic items in their respective households. These findings are presented in Figure 4.4 below:

Figure 4.4: Percentage distribution of respondents by ownership of social economic items



Source: ISER data 2017

On averaged, the 898 respondents owned 60% of the listed items i.e. electricity, radio, television, telephone, livestock, bicycle, land for farming and permanent building. The majority did not own a television (79%), have access to electricity (71%) or own a bicycle (54%).

Farming was the main source of income for respondents (52%). 2% of respondents were formally employed while those in business constituted 28% and casual labourers constituted 4% of respondents.

Source of income indicates a person's average earning over a period of time. Survey respondents were asked to state the average income they had earned over the previous season¹²⁵. These findings are presented in Table 4.2 below:

Table 4.2: Distribution of respondents by average income earned over the previous season

S/N	Income Earned last Season (UGX)	Male		Female		Total	
		No. of Respondents	%	No. of Respondents	%	No. of Respondents	%
1	Below 100,000	84	24%	172	32%	256	29%
2	101,000 -150,000	42	12%	85	16%	127	14%
3	151,000-200,000	32	9%	48	9%	80	9%
4	201,000-250,000	25	7%	38	7%	63	7%
5	250,000+	170	48%	202	37%	372	41%
	Grand Total	353	100%	545	100%	898	100%

Source: ISER data 2017

The majority of respondents were low-income earners: 41% earned at least 250,000UGX (65 US dollars) in the last season. More males (48%) earned above 250,000UGX as compared to females (37%). It is important to note that the government of Uganda is aiming to realize a per capita income (the average income earned per person in a specified year) of USD 9500, the equivalent of 34,200,000UGX per person per year. The average income among the households interviewed falls far short of the country's aspiration.

5.1.6 Summary findings on respondents' background characteristics

- i. Overall, 898 households participated in the research: 61% of the total number of respondents were female, while males constituted 39% of respondents. The dominance of females was consistent across all districts: Bushenyi (37% male; 63% female), Iganga (41% male; 59% female), Kayunga (35% male; 65% female), Kumi (45% male; 55% female), Kyenjojo (41% male; 59% female) and Mbale (37% male; 63% female). The number of respondents per district was relatively the same, ranging from 149-150.
- ii. The majority of respondents were citizens aged 45 years and above (41%) followed by persons aged 35-44 years of age (25%). The selection of more respondents aged above 35 years of age was intentional, motivated by a desire to tap into the experience of this cohort given their higher representation in societal roles and participation in service delivery processes.
- iii. The majority of respondents were married (76%) with only 9% unmarried. Divorced and widowed persons constituted 4% and 11% of respondents respectively.
- iv. The majority of respondents were peasant farmers (52%) followed by self-employed-/business- persons (28%). The two categories of occupation accounted for 80% of the total respondents. Other categories included: school-going persons (3%), housewives (6%), unemployed persons (3%), casual labourers (4%), people in part-time employment (4%), teachers (2%), Boda-Boda drivers (1%) and tailors (1%).

- v. Of the 898 respondents who participated in the research study, the majority had attained a low level of education. Whereas 61% had at most completed primary-level education, only 7% percent had acquired a tertiary-level education.
- vi. 67% of the 898 respondents could read their respective mother tongue while 33% (295) could not. 53% of the total respondents reported being able to read English – Uganda’s official language – while 47% (418) could not.
- vii. On average, the 898 participating respondents owned 60% of the listed items i.e. electricity, radio, television, telephone, livestock, bicycle, land for farming and permanent building. The majority did not own a television (79%) or bicycle (54%) or have access to electricity (71%).
- i. Farming was the main source of income for respondents (52%). Only 2% of respondents were formally employed while those in business constituted 28% and casual labourers 4%.
- ii. The majority of respondents were low-income earners with 41% earning at least 250,000UGX (about 65 US dollars) in the last season. More males (48%) earned above 250,000UGX as compared to females (37%). It is important to note that the government of Uganda is aiming at realizing a per capita income (the average income earned per person in a specified year) of USD 9500 per annum, equivalent to 34,200,000UGX per person/ per annum. The average income among households interviewed fell far short of the country’s aspiration.

5.2 Citizen participation in the water sub-sector

Access to adequately safe and clean water in Uganda remains a major impediment to human development. Uganda has an estimated 9.2 million people without access to clean and safe water, which is a substantial number of citizens who are unable to enjoy their human right to water.¹²⁶ Limited access to safe water and adequate sanitation compromises the right to health of a large proportion of the country’s population.

In 2013, 85% of the Ugandan population lived in rural areas, with the rural population growing by 3% annually.¹²⁷ Rural areas not only suffer from greater levels of poverty but also from the most serious barriers to clean and safe water access. This challenge is not restricted to rural areas, with many urban and peri-urban areas also affected. Weather patterns across the nation vary significantly by region, placing certain populations in extremely precarious situations during dry season. However, it should be noted that both natural and man-made conditions affect the fulfillment of the right to water throughout Uganda.

The following sub-section presents research findings on: citizen access to water service delivery information, awareness on water service delivery processes and participation in negotiations on water service delivery.

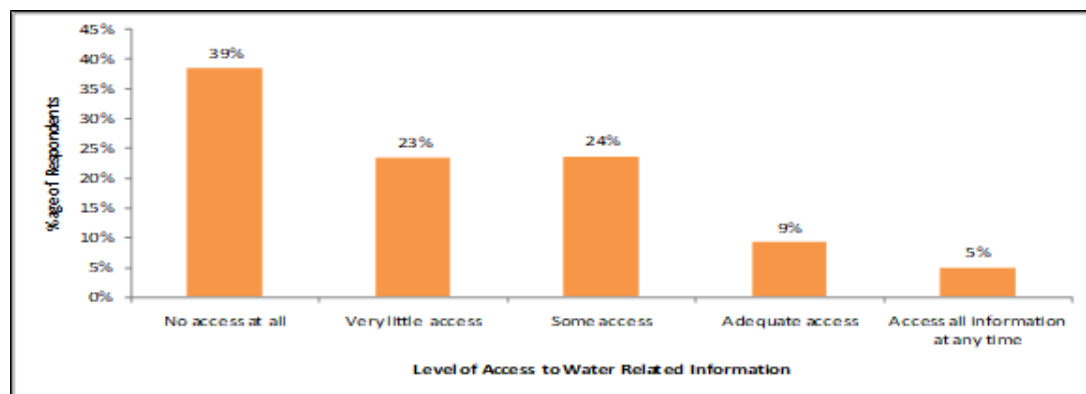
126 Water Aid, Where we work: Uganda, accessed June, 2017 <http://www.wateraid.org/us/where-we-work/page/uganda>

127 World Bank, World Bank DataBank, accessed July, 2017, <http://databank.worldbank.org/data/views/reports/tableview.aspx>

5.2.1 Community access to water-related information at LG Level

Access to water and sanitation is a human right; as such, and consistent with all human rights, enjoyment of this right must be facilitated in accordance with the following principles: non-discrimination, equality, accountability, transparency, sustainability, access to information and participation. During the research, respondents were asked to report whether they had access to water-related information in their respective communities. The findings are presented in Figure 4.5 below:

Figure 4.5: Respondents' access to water related information



Access to water information	Number of respondents	%
No access at all	346	39%
Very little access	211	23%
Some access	213	24%
Adequate access	83	9%
Access all information at any time	45	5%
G.Total	898	100%

Source: ISER data 2017

The research findings revealed that the majority of citizens face challenges in accessing water-related information: 39% of respondents did not have any access at all; 23% had very little access; 24% had some access. Only 14% of respondents had access to information (9% characterized this as adequate, and 5% described themselves as having access to all information at any time).

Whereas women play an instrumental role in ensuring the availability of water in their households, only 11% had access to information as compared to 20% of male respondents. 89% of females and 80% of males interviewed could not easily access water-related information.

Access to water-related information was a challenge in all six districts surveyed, with high levels of difficulty recorded in all districts: Bushenyi (97%), Mbale (92%), Kyenjojo (88%), Kumi (84%), Iganga and Kayunga (76%).

The findings of the focus group discussions revealed that while the majority of respondents had access to information concerning Operation Wealth Creation (OWC) access to water-related information was very limited. A focus group discussion in Bushenyi revealed that:

“We don’t get to know of information, we would also wish to participate but we lack information and we lack where to start from.”¹²⁸

The effective enhancement of information sharing modalities and platforms and the mobilization of citizens to demand better services, remains a critical gap.

The Ministry of Water and Environment produces an annual Uganda Water Supply Atlas, which contains up-to-date knowledge and information on among other things, the current safe water supply coverage, functionality and distribution of water sources, etc. However, the contents of this Atlas do not serve the usability requirements of the community at local level. Therefore, water-related information at local government level should be packaged in a manner responsive to the various categories of people and communication channels to enhance the current low accessibility levels. Table 4.3 below presents the source through which the respondents obtained information relating to Water User Committees (WUCs):

Table 4.3: Distribution of respondents by source through which information relating to WUC was obtained;

District	Community gatherings/local communication networks	Radio	TV	Newspaper /notice board	Baraza	Total
Bushenyi	83	34	26	2	3	148
Iganga	54	32	21	20	13	140
Kayunga	32	29	46	22	11	140
Kumi	37	44	42	16	7	146
Kyenjojo	59	36	35	13	4	147
Mbale	68	28	35	7	5	143
G.Total	333 (39%)	203 (23%)	205 (24%)	80 (9%)	43 (5%)	864 (100%)

Source: ISER data 2017

Research findings revealed that the majority of respondents obtained information relating to WUCs through community gatherings/local communication networks (39%), electronic media (23% TV; 24% Radio). However, 67% of women obtained the information through community meetings/local communication networks. In this regard, attracting the participation of women calls for information dissemination interventions that target convening places for women among other local communication networks.

The above findings are consistent with the findings of the focus group discussions across the six districts. Focus group respondents reported that information was accessed mainly through

128 Participant at a FGD held with the Water User Committee of Kyeizooba village, Kyeizooba Sub County in Bushenyi District on the 15th November 2016.

community gatherings/local communication networks. Other sources cited in most of the districts include inter alia: mobile phone call, announcements pinned on walls and radio announcement. Therefore, it is important for government programmes to tap into community gatherings and local communication networks as avenues for the dissemination of information.

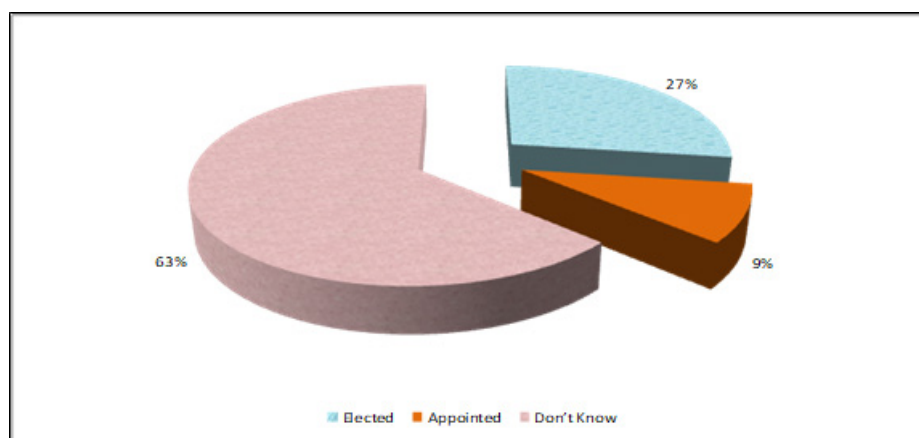
5.2.2 Citizen awareness on water service delivery processes

The management of water as a communal resource is fraught with many challenges.¹²⁹ Advocates of an institutional approach to communal management point out that over-use and degradation of a shared resource is not inevitable provided that the management set-up establishes specific features to avert this.¹³⁰ Bruns lays out the importance of community level awareness on water service delivery processes and management of water resources.¹³¹

5.2.2.1 Citizen awareness on formation of WUCs at local government level

WUCs at local government level are essential to ensure the sustainability of community water systems. To ensure their effectiveness, citizens at local government level should rightly participate in the appointment/election of WUCs. During the research, respondents were asked to report if they knew how water user committees are formed. The findings are presented in Figure 4.6 below:

Figure 4.6: Respondents knowledge on formation of WUC:



Source: ISER data 2017

Of the 898 respondents interviewed, 63% did not know how WUCs are formed. Ignorance on the formation of WUCs was highest in: Bushenyi (86%), Mbale (74%) and Kyenjojo (68%). Districts with lower ignorance included: Kumi (56%), Kayunga (51%) and Iganga (44%).

129 Derman, B. and Hellum, A. (2002). Neither Tragedy Nor Enclosure: Are There Inherent Human Rights in Water Management in Zimbabwe's Communal Lands? *European Journal of Development Research*, Vol. 14 Issue 2, 31-50.

130 Ostrom, E. (1990) *Governing the Commons: the Evolution of Institutions for Collective Action*, Cambridge: Cambridge University Press.

131 Bruns, B. (2005) Community-based principles for negotiating water rights: some conjectures on assumptions and priorities, International workshop on African Water Laws: Plural Legislative Frameworks for Rural Water Management in Africa', 26-28 January 2005, Johannesburg, South Africa.

Comparison of knowledge levels between male and female revealed that 51% of males interviewed did not know how WUCs are formed as compared to 71% of females. Whereas the majority (63%) of respondents did not know how WUCs are formed, the probability of knowing was highest among those with tertiary education as compared to those whose highest attained level of education was completion of O-levels and below.

5.2.2.2 Work of the WUCs

The main function of a WUC is to manage the community water system: by overseeing day-to-day operations and setting policies, for example whether and how much to charge for usage to cover future maintenance costs. WUCs also promote health and sanitation education in the community by passing on the knowledge members acquire through trainings. The role of a WUC is also to elevate the position of women, PWDs and other marginalized groups within the community. When women or representatives of other marginalized groups serve on WUC, it empowers them with influence, which if responsibly used can catalyse a positive change in community perceptions and attitudes towards the group in question.

41% of respondents were able to report at least one function of a WUC. 59% of respondents were unable to cite a function performed by the Committee. The roles most commonly known to respondents included: water source maintenance (40%), ensuring water points cleanness (35%), holding regular meetings (13%), implementing by-laws passed for water-points (8%) and keeping records of meetings (4%).

Focus group discussions revealed that the majority of respondents were not familiar with the role of WUCs, resulting in under-utilization of the structures by citizens. In some instances, members of the WUCs themselves were uncertain as to their specific role and responsibility. For example, in Namalemba Sub-County, one of the female discussants stated that:

“...for me I have not participated in any government service but I worked on the water committee. I was the one who used to collect money at the bore hole and also tell people to clean the jerry cans.”¹³²

This member could not provide a comprehensive explanation of the Committee’s cardinal roles and responsibilities apart from collecting money and instructing community members to clean their jerry cans.

5.2.2.3 Functionality of WUCs

The level of functionality of a WUC has a positive correlation with citizen participation in water-related local government accountability decision-making processes. This is due to the structural link between the community and the WUC.

Respondents were required to report on the functionality of their district’s WUC. Table 4.4 below presents the findings of the functionality of WUCs in the districts surveyed:

¹³² Participant at a female FGD in Idinda village, Namalemba Sub County in Iganga District held on the 29th November 2016.

Table 4.4: Functionality of WUCs by districts

District	Functional	Not Functional	Total	% Functional	% Not Functional
Bushenyi	23	127	150	15%	85%
Iganga	87	62	149	58%	42%
Kayunga	90	59	149	60%	40%
Kumi	79	71	150	53%	47%
Kyenjojo	48	102	150	32%	68%
Mbale	52	98	150	35%	65%
G. Total	379	519	898	42%	58%

Source: ISER data 2017

Overall, 42% of respondents indicated that the WUCs in their communities were functional. The majority of respondents (58%) reported having non-functional WUCs in their communities. Districts with high reports of non-functionality included: Bushenyi (85%), Kyenjojo (68%) and Mbale (65%). Non-functionality of WUCs was found to have an adverse effect on the management of the community water system, the day-to-day operations and setting up of policies at local level; conversely, there was a high level of correlation between optimally functional WUCs and citizen participation.

5.2.2.4 Representation of special interest groups on WUCs

Guidelines on the formation of WUCs call for a broad range of representation, since water users range from children, to women, older persons, the poor, youth and persons with disabilities among others. Therefore, the demographics of those participating and involved in decision-making related to water should factor all of these groups. During the research, respondents were asked to report on the inclusion of special interest groups on their user committees. The findings are presented in Table 4.5 below:

Table 4.5: Representation of special interest groups on WUCs

District	Peple With Disabilities	Women	Youth	Older Persons	Total
Bushenyi	4	15	7	11	37
Iganga	6	12	7	14	39
Kayunga	12	15	6	15	48
Kumi	30	30	13	32	105
Kyenjojo	10	54	40	36	140
Mbale	13	27	22	36	98
Grand Total	75	116	24	62	277

Source: ISER data 2017

Of the 377 respondents who reported having functional WUCs, 191 (21%) reported having at least one WUC member representative of a special interest group (People with Disabilities, Women, Youth and Older Persons). Of the 377 respondents who reported having a functional committee, only 75 (20%) reported having a person with a disability serving on their Committee. 116 (31%) respondents reported female representation on their Committees; while 24 (6%) and 62 (16%) reported youth and older persons serving on their WUCs.

Overall, the findings revealed limited information among water source users on the functionality of their WUCs and low levels of participation by marginalised persons and groups. Due to non-inclusive participation modalities, a number of water points have remained physically inaccessible to older persons, expectant mothers and persons with disabilities.

However, findings from the focus group discussions revealed participation challenges for the special interest groups – with youth, PWDs and children subjected to discrimination. For instance during a focus group discussion in Iganga, the youth stated:

“In those meetings I have not seen PWDs maybe because I don’t usually participate but there are times when I pass by here at the division when such meetings are going on but I don’t see that category of people. Old people who left the youth age bracket are the ones who attend. The PWDs and youths are left aside and there is no one who can even tell them that there is a meeting which is going to take place.”¹³³

Results further reveal that the majority of respondents (80%) accessed water source points within a radius of less than 1 kilometre; whereas 44% accessed water source points within less than 500M and 36% within less than 1 Km. This suggests that the more proximate a respondent’s residence to the water source points the greater the prospect of their participation; and conversely, the further a respondent’s residence from a water source point, the lower the levels of participation. Citizens should, therefore, be encouraged and supported to exercise their right of participation.

Whereas 80% of respondents collected water from sources constructed over two years ago as compared to those whose water source points had been constructed more recently (2015/2016 and 2016/2017) it is relatively easy for both groups to participate in the decision-making processes concerning their respective water source points.

5.2.3 Citizen participation in negotiations on water service delivery

The research also sought baseline information on the effectiveness of citizen’s participation in negotiations on water service delivery. The areas of focus included: citizen’s ability to voice concerns on water-related issues and concerns; citizens’ participation in influencing decisions relating to water; the accessibility of water fora to citizens; citizen’s negotiation power with local government for better water services; and citizen’s negotiation power with WUCs for better water services. The research findings are presented in the sub sections below:

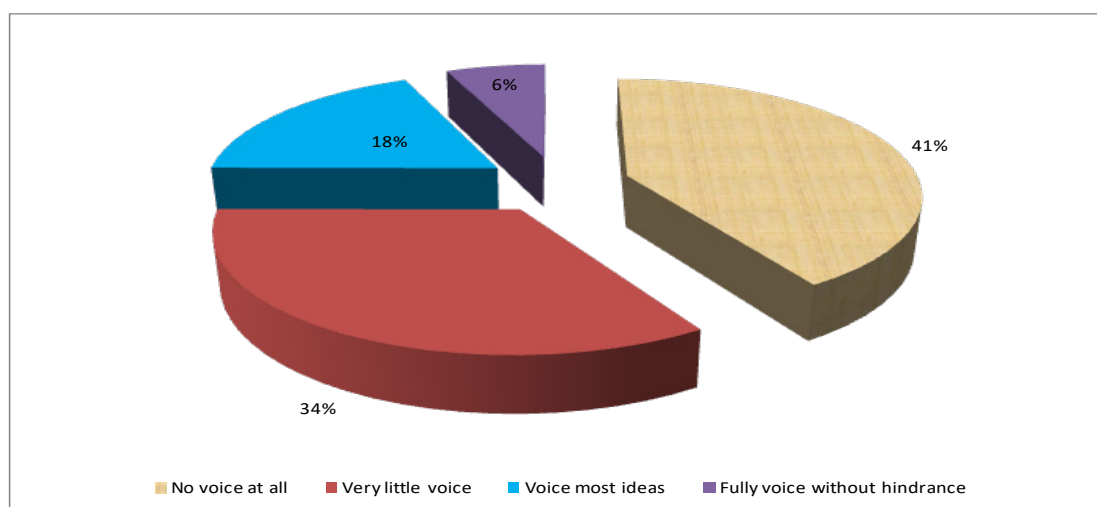
5.2.3.1 Citizen’s ability to voice concern on water-related issues

Citizens’ ability to voice concerns on water-related issues is vital for the effective oversight of the regulation of water services and to facilitate the public’s meaningful input into the planning, implementation and regulation of water-related service delivery. The ability of citizens to voice

their concerns serves to improve communication of water-related issues to municipalities; achieves an increased role of citizens in the regulation of water services, and; establishes a working relationship, in a structured manner, between communities and local government. This process is integral to government's drive to improve the regulation and ensure accountability of public services.

Citizens' voice thus serves as a tool for the fulfilment of the aims of public participation in strategic planning for service delivery, as well as the regulation of public services. Citizens need to know to whom faults should be reported, where to escalate matters if problems are not addressed and they need to be able to organise with others to solve problems collectively if existing systems fail them. Figure 4.7 below presents research findings on citizen's ability to voice concerns on water-related issues:

Figure 4.7: Citizen's ability to voice concerns on water-related issues



Source: ISER data 2017

The majority of respondents (41%) perceived themselves as having no voice at all on issues related to water in their community; 34% of respondents reported having very little voice. Overall, only 24% of respondents perceived themselves to have a favourable opportunity to voice out water-related concerns.

The lack of opportunity for citizens to voice out concerns undermines effective participation in the decision making process. Respondents who reported having no voice at all or very little voice were overwhelmingly persons with low levels of education and women. Table 4.6 below presents the status of citizen's voice on water-related issues at district level:

Table 4.6 Status of citizen's voice on water-related issues at district level:

District	No voice at all	Very little voice	Voice most ideas	Fully voice without hindrance	Total
Bushenyi	85	50	10	5	150
Iganga	65	23	45	16	149
Kayunga	51	37	45	13	146
Kumi	31	83	28	8	150
Kyenjojo	70	52	18	10	150
Mbale	66	59	19	6	150
G.Total	368	304	165	58	895

Source: ISER data 2017

Districts with the highest number of respondents reporting challenges in voicing out water-related concerns included: Bushenyi (20%), Mbale (19%), Kyenjojo (18%) and Kumi (17%).

Whereas the majority of respondents reported having no voice at all on water-related issues at local government level, the majority of local government workers engaged in the research process emphasised that the community is generally afforded the opportunity to voice any concerns. For example, a Senior Community Development Officer from Kumi District said:

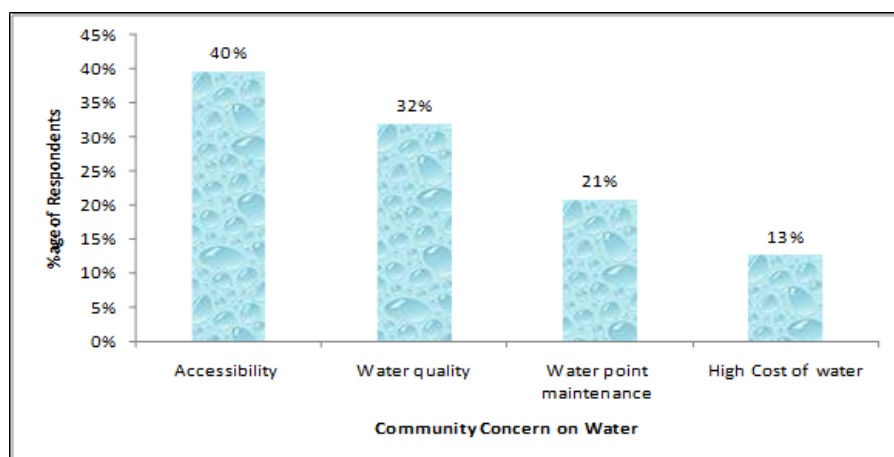
“For services like water, if we are meant to deliver... a borehole, we don't just go and bump into the people that we are going to bring a bore hole. We first mobilize the community, after mobilizing; we identify their needs, what is their priority. If it is a borehole, then you prioritize that one, when that service comes you still go back to the ground and sensitize the community. You don't just bring the borehole and leave it just like that. We sensitize them on the issues of sanitation, how to handle sanitation of the borehole, hygiene and then how to maintain that service you have provided to them.”¹³⁴

Affording citizens the opportunity to voice their concerns is expected to lead to these concerns ultimately being addressed. Figure 4.8 below presents the major water-related concerns raised by respondents:

134
2016

Participant at FGD with sub county leaders in Mukongoro Sub County in Kumi District held on the 15th November

Figure 4.8: Citizen's water concerns



Source: ISER data 2017

The two most commonly cited community concerns relating to water were challenges relating to accessibility (40%) and water quality (32%).

5.2.3.2 Citizen's participation in influencing decisions relating to water

Citizen participation implies the ability of community members to make inputs into decisions relating to water source and usage at local government level. However, discussions of citizen participation in water policy formulation are generally narrowly restricted, both in terms of the issues advanced and the alternative mechanisms proposed to facilitate participation. During the research, respondents were asked to report on how they influence water-related decisions in their respective communities. The findings are presented in Table 4.7 below:

Table 4.7: Citizen's participation in influencing water-related decisions

District	Attend meeting	Elect members to WUC	Members of WUC	Total
Bushenyi	28	0	5	33
Iganga	61	3	6	70
Kayunga	74	6	2	82
Kumi	55	12	8	75
Kyenjojo	52	2	10	64
Mbale	23	7	5	35
G. Total	293	29	36	359

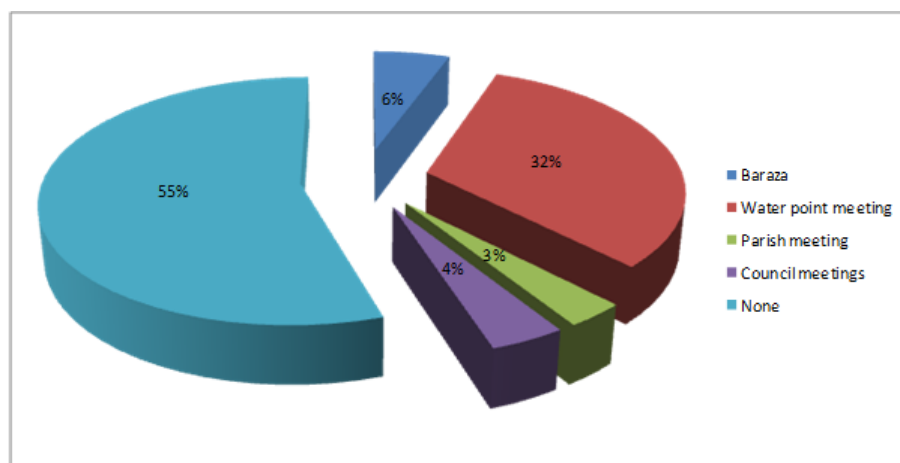
Source: ISER data 2017

Of the 359 respondents who reported participating in influencing water-related decisions, 82% did so through meetings; 8% cited participation in the election of WUC members; 10% cited membership of the WUC.

5.2.3.3 Citizens' accessibility of water fora

For citizens to effectively participate in and influence water-related decisions, they need to be able to access existing fora in which citizens are regularly convened and engaged on civic matters. It is also important to ensure that such fora are accessible and responsive to the different categories of people within any given community. During the research, respondents were asked to report the fora in which they participated on water-related issues. Figure 4.9 below presents the research findings:

Figure 4.9: Citizen's accessible foras on water



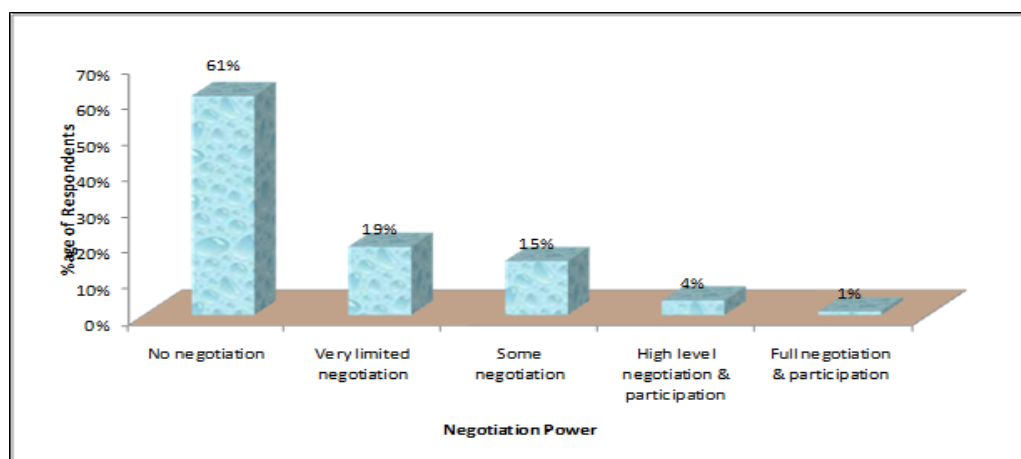
District	Baraza	Water point meeting	Parish meeting	Council meetings	None	Total
Bushenyi	2	15	1	10	113	141
Iganga	11	67	4	2	62	146
Kayunga	18	59	11	11	42	141
Kumi	9	59	3	4	61	136
Kyenjojo	4	52	5	6	72	139
Mbale	3	19	3	1	114	140
G. Total	47	271	27	34	464	843

Source: ISER data 2017

55% of the 843 respondents did not have access to any water-related fora; on a more positive note, 45% of respondents were able to identify at least one forum in which they could raise water-related issues. The fora cited included: water meeting points (32%), Barazas (6%), Council meetings (4%) and Parish meetings (3%).

5.2.3.4 Citizen's negotiation power for better water services with local government

Respondents were asked to report the extent to which they have been able to negotiate with local government for better water services. These findings are presented in Figure 4.10 below:

Figure 4.10: Citizen's negotiation power for better water services with LG

District	No negotiation	Very limited negotiation	Some negotiation	High negotiation & participation	Full negotiation & participation	Total
Bushenyi	89	36	21	2	2	150
Iganga	106	24	14	3	2	149
Kayunga	97	21	19	10	2	149
Kumi	64	47	32	6		149
Kyenjojo	85	26	27	8	3	149
Mbale	109	14	22	4	1	150
G.Total	550	168	135	33	10	896

Source: ISER data 2017

61% of the 896 respondents surveyed reported that they had never participated in any negotiation with the local government for better water services; 19% and 15% reported that they had very little negotiation or some negotiation respectively. Only 5% of respondents reported a high level of water-related negotiation with local government. Districts with the lowest levels of negotiation opportunities included: Iganga, Mbale and Bushenyi.

It was also found that respondents with a high social economic status were more likely to negotiate as compared to those with low economic status. During the focus group discussions, respondents cited the following factors as contributing to low service-delivery negotiation power with local government:

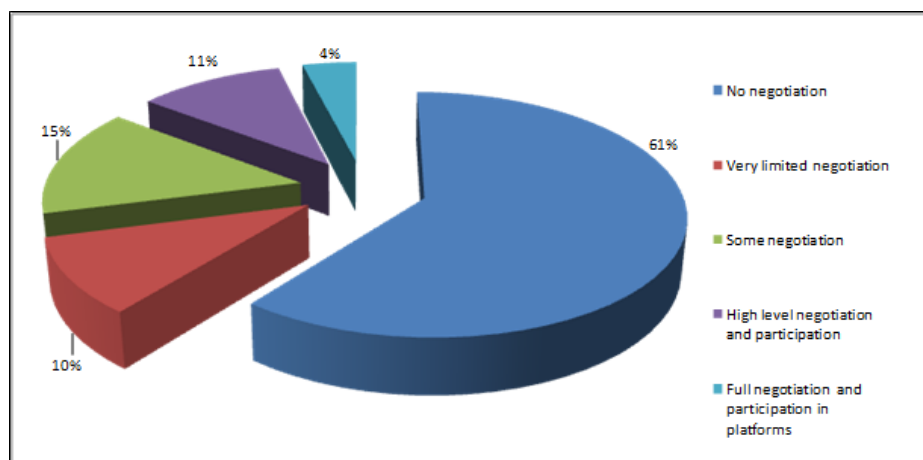
- i. Information channels are not clear to community members;
- ii. A lack of sensitization and convening of meetings at village levels to assist citizens to familiarize themselves with their rights;
- iii. The provision by government of information products of a poor standard, which discourage citizens from engaging with local government;

- iv. Widespread corruption at all levels of government.

5.2.3.5 Citizen's negotiation power for better water services with the WUC

WUCs are essential to ensure the sustainability of community water systems. To ensure their effectiveness, citizens at local government level should be able to engage them periodically with water-related concerns. During the research, respondents were asked to report the extent to which they have been able to negotiate with WUCs for better water services. The findings are presented in Figure 4.11 below:

Figure 4.11: Citizen's negotiation power for better water services with the WUC



District	No negotiation	Very limited negotiation	Some negotiation	High negotiation & participation	Full negotiation & participation	Total
Bushenyi	114	16	11	5	4	150
Iganga	74	15	18	34	13	154
Kayunga	70	11	31	24	6	142
Kumi	81	21	30	16	2	150
Kyenjojo	96	16	18	12	7	149
Mbale	107	12	22	4	3	148
G.Total	542	91	130	95	35	893

Source: ISER data 2017

61% of the 893 respondents reported that they had never participated in any negotiation with WUCs for better water services; 15% and 10% reported that they had very little negotiation or some negotiation respectively. Only 15% of respondents reported having a high level of negotiation and participation with WUCs. Districts with the lowest negotiation opportunities included: Bushenyi, Mbale and Kyenjojo.

5.2.3.6 Summary on citizen participation in the water sub-sector

The following are the research findings on citizen participation in local government service delivery processes relating to access to water service delivery information, awareness on water service delivery processes and participation in negotiations on water service delivery:

Citizen access to water-related information

- i. The majority of citizens experience challenges accessing water-related information: 39% of respondents reported not have any access at all; 47% had very little access; and 23% some access. Only 14% of respondents reported having access to information. Whereas women play an instrumental role in ensuring the availability of water in their respective households, only 11% had access to information as compared to 20% of male respondents.
- ii. Access to water-related information was a challenge in all six districts surveyed. Information access difficulties were high in all districts: Bushenyi (97%), Mbale (92%), Kyenjojo (88%), Kumi (84%), Iganga and Kayunga (76%).
- iii. The majority of respondents obtained information on WUCs through electronic media (23% TV; 24% Radio) and community gatherings/local communication networks (39%). However, 67% of women obtained the information through community meetings/local communication networks; to increase the participation of women, there is a need for dissemination interventions to target convening places for women among other local communication networks.

Citizen awareness on water-related service delivery processes

- i. 63% of the 898 respondents interviewed did not know how WUCs are formed. Ignorance on the formation of WUCs was highest in Bushenyi (86%), Mbale (74%) and Kyenjojo (68%). Districts with lower levels of ignorance included: Kumi (56%), Kayunga (51%) and Iganga (44%).
- ii. Overall, the majority of respondents (58%) reported that the WUCs in their communities were non-functional; 42% of respondents reported having functional WUCs in their communities. Districts with high non-functionality included: Bushenyi (85%), Kyenjojo (68%) and Mbale (65%).
- iii. Of the 379 respondents who reported having functional WUCs, 191 (21%) reported having at least one member of the WUCs drawn from the special interest groups (People with Disabilities, Women, Youth and Older Persons).
- iv. Only 75 of the 379 respondents (20%) who reported having functional committees reported the representation of persons with disabilities on their WUCs.

Citizen participation in water service delivery negotiations

- i. The majority of respondents (80%) accessed water source points within a radius of less than 1 kilometre from their residence; 44% less than 500M; 36% less than 1 Km. This suggests that the more proximate a respondent's residence to a water source point, the greater the prospects of their participation in water service delivery negotiations.
- ii. The majority of respondents (41%) perceived themselves to have no voice at all on issues related to water in their communities. Those who reported having very little voice constituted 34% of respondents. Only 24% of respondents perceived themselves to have a favourable opportunity to voice out water-related concerns.
- iii. Districts with the highest reported challenges of voicing out water-related concerns include: Bushenyi (20%), Mbale (19%), Kyenjojo (18%) and Kumi (17%). The two outstanding community concerns cited were challenges related to accessibility (40%) and water quality (32%).
- iv. Of the 359 respondents who reported participating in influencing water-related decisions in their communities, 82% did so by means of enforcement of decisions at meetings, 8% through the election of WUC members and 10% through membership of WUCs.
- v. 55% of the 843 respondents did not have access to any water-related fora 45% of respondents had at least one forum in which to raise water-related issues including: water meeting points (32%), Barazas (6%), Council meetings (4%) and Parish meetings (3%).
- vi. 61% of the 896 respondents reported that they had never participated in any negotiations for better water services with the local government; 19% and 15% reported that they had engaged in very little or some negotiation respectively. Only 5% of respondents reported a high level of negotiation and participation with local governments.
- vii. 61% of the 893 respondents reported never having participated in any negotiations for better water services with WUCs; 15% and 10% reported very little or some negotiation experience respectively. Only 15% of respondents reported a high level of negotiation and participation experience with WUCs. Districts with the lowest negotiation opportunities included; Bushenyi, Mbale and Kyenjojo.
- viii. Overall, access to water-related information remains a major impediment to the enhancement of citizen participation in the delivery of water-related services at local government level. The limited access to information has also negatively affected citizen awareness of some cardinal components of participation in water-related delivery processes. Consequently, citizen participation in negotiating water-related service delivery has remained low contrary to the inherent rights of access to information and participation vested in citizens.

5.3 citizen participation in the education sector

Citizen Participation in education-related decision-making processes at local government level is essential to the achievement of quality public education. The responsibility for raising a well-educated, civic-minded generation of children cannot rest solely upon schools or government. A research review by Henderson & Mapp examined 51 research studies that offered perspectives

on the relationship between parent (and community) involvement and student achievement. As a whole, “these studies found a positive and convincing relationship between family involvement and benefits for students, including improved academic achievement.”

Additionally, since education is a right for everyone, citizen participation in its design, planning, implementation and oversight is very important.¹³⁵

This research study collected information on citizen participation in the delivery of education at local government levels. This sub-section presents the findings of the research on: citizen participation in the formation of School Management Committee (SMCs); the functionality of SMCs; the roles and responsibilities of SMCs; the representation of special interest groups on SMCs; citizen access to education-related information; citizen awareness of education-related local government service delivery processes, and; citizen participation in negotiations on education-related service delivery.

5.3.1 Citizen access to education-related information

Access to information is a fundamental human right recognized by international human rights instruments including article 19 of the Universal Declaration of Human Rights, which provides that, “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”

5.3.1.1 Citizen access to information on existence of SMCs

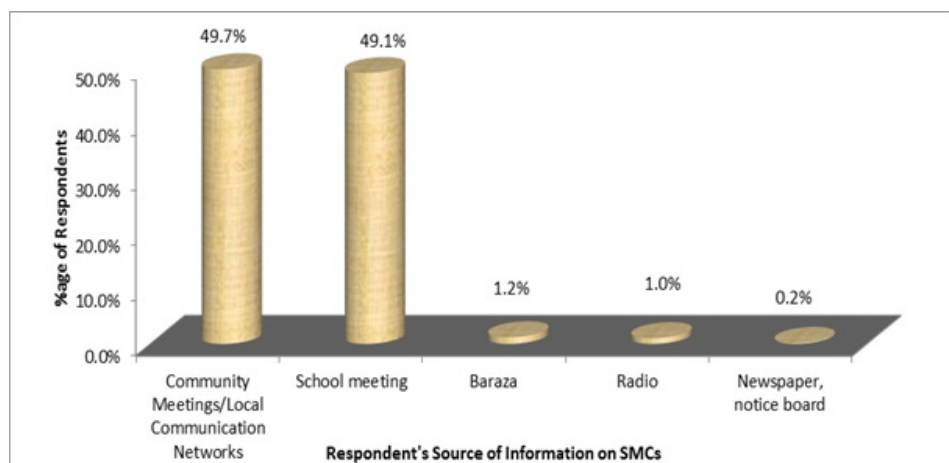
Citizen awareness on water-related service delivery processes

the state except where the release of the information is likely to interfere with the security of the state or the right to the privacy of any other person.”

Uganda was among the first African countries to enact a right to information law by means initially of the Access to Information Act (ATIA) 2005 and later the Access to Information Regulations Act 2011. These Acts are aimed at inter alia, promoting the right of access to information, promoting an efficient, effective, transparent and accountable Government and enabling the public to effectively access and participate in decisions that affect them as citizens. Figure 4.15 below presents findings on the sources through which respondents obtained information relating to SMCs:

¹³⁵ Henderson, A. T. and Mapp, K. L. (2002). A new wave of evidence: The impact of school, family, and community connections on student achievement. National Center for Family and Community Connections with Schools, Southwest Educational Development Laboratory.

Figure 4.15: Distribution of respondents by source through which information relating to SMCs was obtained;



Source: ISER data 2017

Research findings reveal that the majority of respondents obtained SMC-related information at community meetings and local communication networks (49.7%); school meetings (49.1%), and; Barazas (1.2%).

5.3.1.2 Citizen access to SMC-related information

As a strategy to promote citizen participation in education-related decision-making processes, the community should be granted access to proceedings of SMCs. During the research, respondents were asked to report their level of access to information on SMC proceedings. The findings are presented in Table 4.9 below:

Table 4.9: Respondent's distribution in terms of access to SMC-related information

District	No access	Very little access	Some access	Most access	Access all information	Total
Bushenyi	18%	32%	40%	9%	1%	100%
Iganga	25%	20%	36%	19%	1%	100%
Kayunga	17%	16%	39%	28%	0%	100%
Kumi	14%	30%	38%	17%	1%	100%
Kyenjojo	13%	30%	36%	21%	0%	100%
Mbale	23%	30%	40%	6%	0%	100%
G.Total	18%	27%	38%	17%	1%	100%

Source: ISER data 2017

Whereas citizens' access to information on preceding SMC meetings motivated their participation in subsequent education-related matters, research findings revealed that the majority of the respondents (82%) could not easily access information on the outcomes of SMC meetings. Only 18% of respondents had adequate access, which served to motivate their participation in subsequent stages.

Analysis of focus group discussions reveals that citizens often do not know of the existence of structures; or they do not appreciate how available structures can facilitate their civic participation. For example, while in Bushenyi with sector heads, one discussant said:

“...you know every school has a committee. Me I am member on the PTA committee but when I go for a meeting, it is a must for the Head teacher to give us the accountability of what he has done. So you find the weaknesses come to us people who are on the committee or the other parents who are in the village who don't know that if he has not understood something he can go and ask the member of the committee and he explains for the parent how it is moving. He leaves that aside and moves around talking what he thinks. Of course let us say it is the Head teacher, it is not that whoever he meets on the way he will give the accountability of the school. Sometimes he doesn't know them and other times he is also a worker but if he sees that at the school he has not got what he wants, he goes to a committee member and gets an explanation and if that member does not know, if he comes to another meeting he can ask that how is this and this moving?”¹³⁶

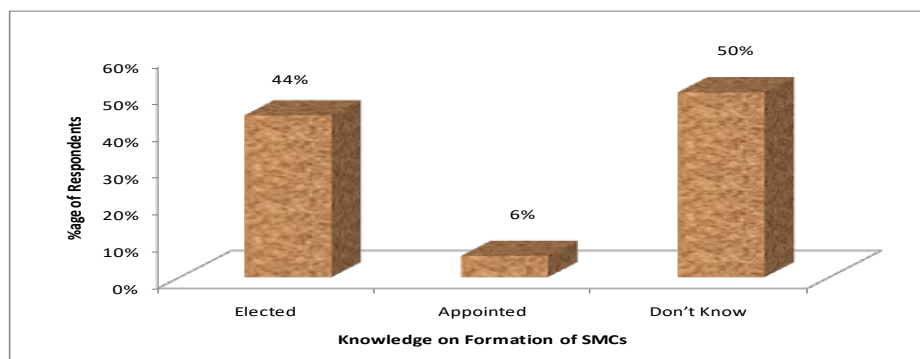
Citizens thus need sensitization and support to understand how and to whom to submit their contributions.

5.3.2 Citizen awareness on education-related service delivery processes

5.3.2.1 Citizen participation and knowledge on the formation of SMCs

Government advocated for and established SMCs, which work on a voluntary basis providing support in respect of school management and oversight. SMCs play a pivotal role in school governance, enhancing the quality of education offered. In bringing together different stakeholders, SMCs lay the groundwork for broadened and shared citizen participation in civic decision-making. During the research, respondents were asked to report their knowledge on how SMCs are formed. The findings are presented in Figure 4.12 below:

Figure 4.12: Citizen knowledge on the formation of SMCs



Citizen knowledge on the formation of SMCs

District	Elected	Appointed	Don't Know	Total
Bushenyi	79	7	64	150
Iganga	47	9	93	149
Kayunga	48	13	88	149
Kumi	90	3	57	150
Kyenjojo	77	12	61	150
Mbale	54	8	88	150
Grand Total	395	52	451	898

Source: ISER data 2017

Whereas 44% of respondents knew that members of SMCs are elected, the majority did not know how SMCs are formed. This suggests lower than desirable levels of citizen participation, including in subsequent SMC-coordinated activities. Districts with the highest levels of ignorance on the formation of SMCs included: Iganga (62%), Kayunga (59%), Mbale (59%) and Bushenyi 43%.

5.3.2.2 Functionality of SMCs

SMCs are one of the avenues available to ensure citizen participation in education-related decision making processes at local government level. SMCs comprise 15 members, four of whom are appointed by the education committee of the area where the school is located, two elected by parents and three appointed by the district education office. In some of schools, however, SMCs are non-existent or inefficient. Increased teacher and pupil absenteeism, poor school management and declining educational standards are attributed to the absence of SMCs or where present dismally dysfunctional committees. Respondents were asked to report the functionality of SMCs in the schools within their communities or in which their children were enrolled. The findings are presented in Table 4.8 below:

Table 4.8: Functionality of SMCs

District	SMC Functional		SMC Not Functional		Total
	No. of respondents	%	No. of respondents	%	
Bushenyi	110	73%	40	27%	150
Iganga	79	53%	70	47%	149
Kayunga	77	52%	72	48%	149
Kumi	123	82%	27	18%	150
Kyenjojo	112	75%	38	25%	150
Mbale	86	57%	64	43%	150
G.Total	587	65%	311	35%	898

Source: ISER data 2017

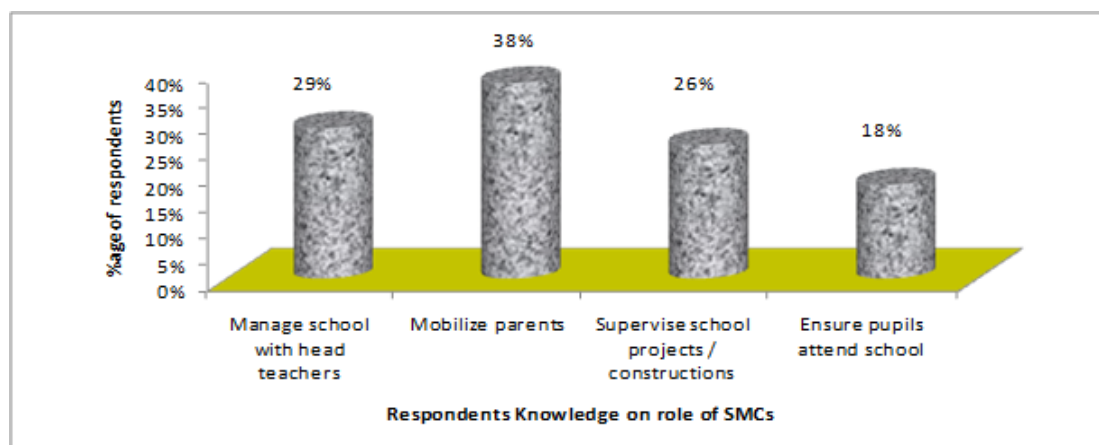
The majority of respondents (65%) reported having functional SMCs in their children's schools. 35% of respondents characterized as non-functional the SMCs in their children's schools. Districts with the highest reported non-functional SMCs included: Kayunga (48%), Iganga (47%) and Mbale (43%).

A positive correlation between the functionality of SMCs and Learner Performance was identified; non-functionality thus affects the effective management of schools, the day-to-day operations and the setting up and implementation of school policies.

5.3.2.3 Roles and responsibilities of SMCs

SMCs are schools' education policy-making bodies; hence, they work together with head teachers to provide educational programmes and services that ensure quality teaching and learning. Additionally, SMCs provide entry points for citizen participation in decision making processes at school level. Respondents of this study were asked to report their knowledge on the roles and responsibilities of SMCs. The findings are presented in Figure 4.13 below:

Figure 4.13: Respondents' knowledge on roles and responsibilities of SMCs



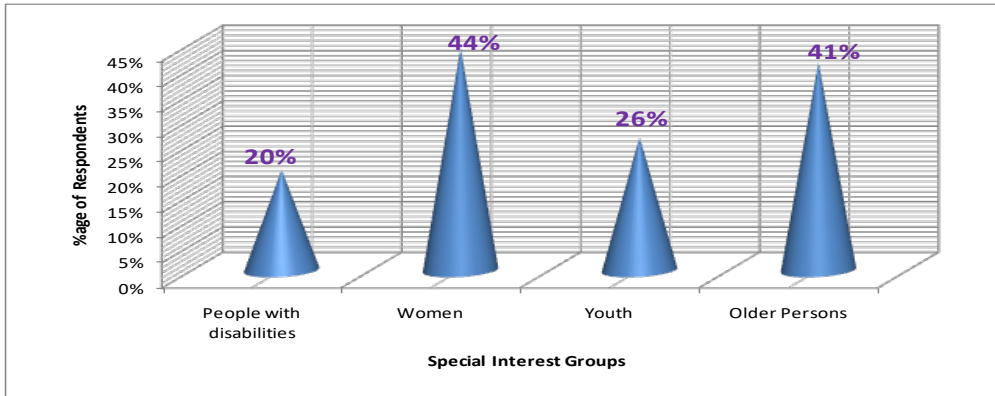
Source: ISER data 2017

All respondents (587) whose children were enrolled in schools with functional SMCs could accurately identify at least one function of an SMC. The most-commonly cited functions of SMCs included: mobilizing parents (38%), managing the school (29%), supervising school projects (26%) and ensuring that pupils attend school (18%).

5.3.2.4 Representation of special interest groups on SMCs

Respondents were asked to report whether SMCs in their children's schools had representation, within their membership, of a special interest group. The findings are presented in Figure 4.14 below:

Figure 4.14: Representation of special interest groups on SMCs



Source: ISER data 2017

44% of the 587 respondents who reported having functional committees, were aware of a women represented on the Committee; 20% reported that persons with disabilities constituted part of the Committee; while 41% and 26% reported that older persons and youth respectively constituted part of their SMCs.

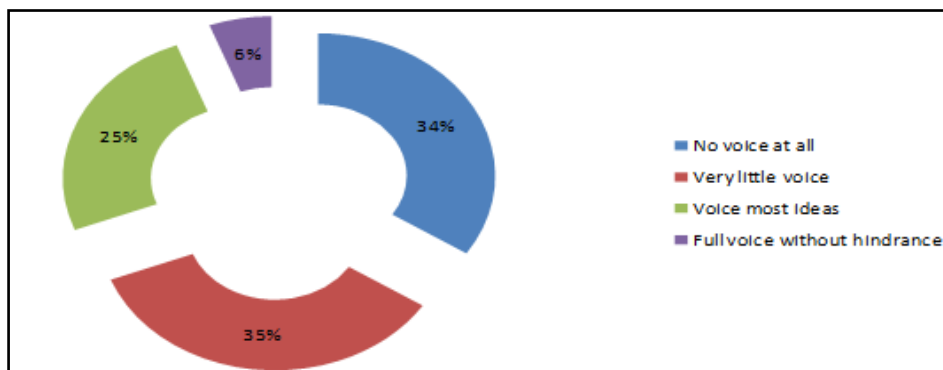
5.3.3 Citizen participation in negotiations on education-related service delivery

In this study, ISER sought to ascertain the extent of citizen voice on community education issues, citizen education concerns, modes of citizen influence on education-related decisions, citizen participation in education fora, citizen's negotiating power with LGs for better education services and citizen's negotiation power with SMCs for better education services. The sub sections below present the survey findings:

5.3.3.1 Citizen voice on community educational issues

Citizen voice and action is an approach to service delivery aimed at improving the relationship between communities and government with a view to improving services including education, which significantly impact people's lives. Respondents were asked to report on the extent to which they could voice their education-related concerns. The findings are presented in Figure 4.16 below:

Figure 4.16: Citizen voice on community education-related issues



Citizen voice on community education-related issues

District	No voice at all	Very little voice	Voice most ideas	Full voice without hindrance	Total
Bushenyi	56	61	24	9	150
Iganga	53	38	42	13	146
Kayunga	59	36	48	6	149
Kumi	28	67	44	9	148
Kyenjojo	45	56	39	10	150
Mbale	63	52	27	4	146
G.Total	304	310	224	51	889

Source: ISER data 2017

The majority (35%) of respondents felt they had very little voice on education-related issues in their community; 34% felt that they had no voice at all. 31% of respondents felt they had a favourable opportunity to voice education-related concerns. The lack of opportunity to voice concerns and the low levels of awareness of this as a right undermines citizens' participation in decision-making processes.

The major education-related concerns cited by respondents included poor academic standards (55%) inadequate government funding (40%), poor school management (5%), and poor staff welfare (4%).

The findings of the focus group discussions in all six districts make it clear that the bottom-up approach to voicing concerns is problematic. Whereas most communities had SMCs, citizenship participation was reported to be low in most of the sample areas. The majority of district officials interviewed characterized community involvement as a must. In this regard, an SCDO in Kumi District stated that:

*"For services like education, that one is mostly in schools. In schools mainly they organize for school Management meetings, most schools organize meetings with the community. Most of them do it at the end of the year, they mobilize all the parents of the children to come to the school. They normally do it when they want to benefit from government, like maybe they want construction of teacher's houses something like that, then after that, that's when government comes on board to implement what they have decided on. If it is teacher's houses, you prioritize that one, if it is maybe buying text books, you prioritize according to what the parents have agreed upon in the meeting. Even after taking those things to the school, you still call a community meeting. So those meetings are the ones [that] will always handle such things."*¹³⁷

5.3.3.2 Modes of citizen influence on education-related decisions

Citizenship education is concerned with enabling people to make their own decisions and assume responsibility for their lives and contribute to the assumption of responsibility for the

broader community as well. To this end, local governments should establish and maintain structures to facilitate citizen participation in civic decision-making processes.

Respondents were asked to report the fora in which they had participated and felt they had influenced education-related outcomes. Findings are presented in Table 4.10 below:

Table 4.10: Citizen participation in education fora

District	Baraza	SMC meeting	School meeting	Council meetings
Bushenyi	0%	6%	55%	4%
Iganga	3%	7%	68%	5%
Kayunga	7%	4%	66%	7%
Kumi	3%	8%	62%	1%
Kyenjojo	1%	11%	49%	5%
Mbale	1%	2%	39%	1%
Total	2%	6%	57%	4%

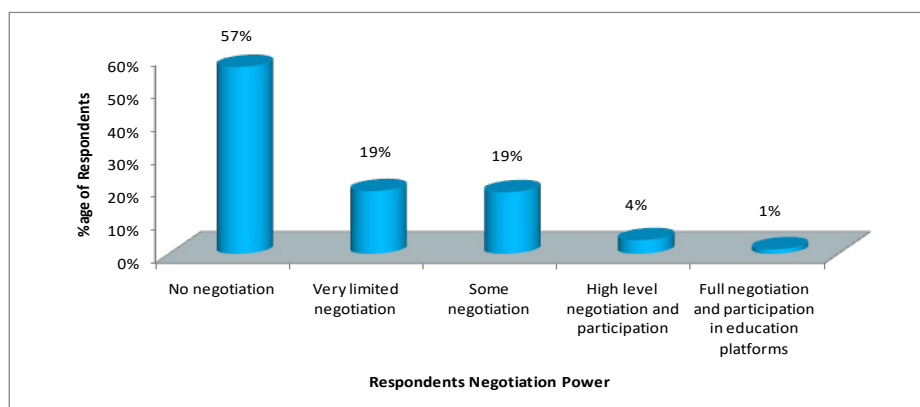
Source: ISER data 2017

Findings reveal that 31% of the 898 respondents reported that they did not have access to any education-related fora. 69% of respondents were able to identify at least one forum in which they could raise education-related concerns – fora cited included: school meetings (57%), SMC meetings (6%) Council meetings (4%) and Barazas (2%).

5.3.3.3 Citizen's negotiation power with LGs for better education services

This study underscores the important preconditions for effective citizen participation, as well as the necessary design features making its systematic application possible. Most important among these is to provide people with a genuine stake in any civic process, and a willingness, among all stakeholders, to share power. An “equal partnership with citizens” cannot be built on a technocratic model of public policy that reduces citizen input to passive “consultation” or carefully orchestrated public relations exercises with pre-determined outcomes.

Respondents were asked to report on the extent to which they have been able to negotiate with the local government for better education services. Findings are presented in Figure 4.17 below:

Figure 4.17: Citizen's negotiation power for better education services with LG

District	No negotiation	Very limited negotiation	Some negotiation	High level negotiation & participation	Full negotiation & participation	Total
Bushenyi	62	43	35	2	5	147
Iganga	88	22	30	5	3	148
Kayunga	95	21	24	7	1	148
Kumi	69	40	30	11		150
Kyenjojo	83	27	28	9	3	150
Mbale	110	17	20	3		150
G.Total	507	170	167	37	12	893

Source: ISER data 2017

57% of the 893 respondents reported that they had never participated in any negotiation with local government for better education services; 38% reported that they had very little negotiation or some negotiation. Only 5% of respondents reported high levels of negotiation and participation with local governments.

The majority of public officials attributed the low negotiation power of citizens to their disappointment with central government's consistent failure to effectively deliver electoral promises. A duty bearer in Kayunga stated:

"...[T]here's also a problem with the community when it comes to the perception about the meetings and the local government programs. People have pre-meditated negative opinions about our programs and are very reluctant and unbothered to participate in our programs. Probably this is because they have partly been disappointed with the various promises we have made according to the programs and services they are entitled to and we have failed to fulfill. This failure in fulfillment cannot be blamed on the local government because the central government does not also deliver its promises that it makes to us in return making it hard for us to live up to our promises..."¹³⁸

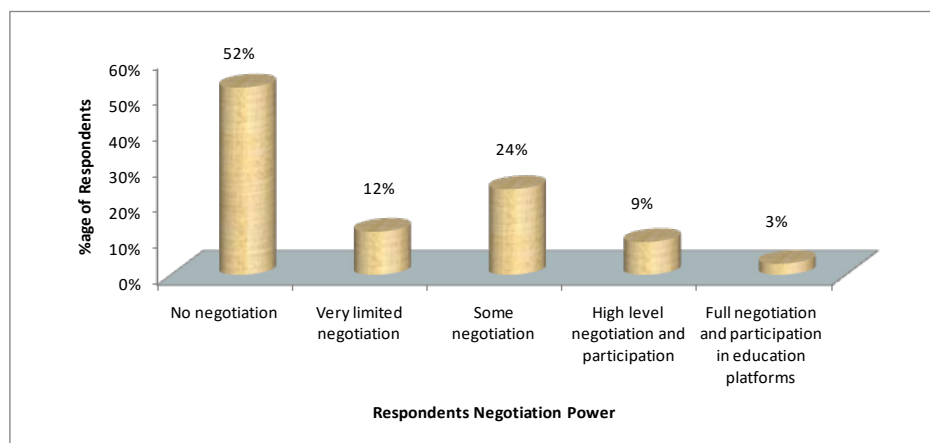
138 Participant at FGD with sector heads and leaders of Kangulumira Sub County in Kayunga District held on the 29th November 2016.

5.3.3.4 Citizens' negotiation power with SMCs for better education services

SMCs support education learning achievements. To ensure the effectiveness of SMCs, citizens at local government level should periodically engage them on education-related concerns.

Respondents were asked to report on the extent to which they have been able to negotiate with the SMCs for better education services. The findings are presented in Figure 4.18 below:

Figure 4.18: Citizen's negotiation power with SMCs for better education services



District	No negotiation	Very limited negotiation	Some negotiation	High level negotiation and participation	Full negotiation and participation in platforms	Total
Bushenyi	70	22	46	6	6	150
Iganga	91	10	13	28	6	148
Kayunga	76	13	30	10	2	131
Kumi	50	26	54	14	6	150
Kyenjojo	78	16	34	15	6	149
Mbale	92	18	32	7	1	150
G.Total	457	105	209	80	27	878

Source: ISER data 2017

52% of the 878 respondents reported that they had never participated in any negotiation with the SMC for better education services; 12% and 24% reported that they had very little negotiation or some negotiation respectively. Only 12% of respondents reported a high level of negotiation and participation with SMCs. Districts with the lowest negotiation opportunities included: Bushenyi, Mbale and Kayunga.

5.3.3.5 Summary findings on citizen participation in the education sector

Citizen access to education-related information

- i. The majority of respondents obtained SMC-related information relating through community meetings and local communication networks (49.7%), school meeting (49.1%) and Barrazas (1.2%).
- ii. Whereas citizen access to information on preceding SMC meetings motivates participation in education-related issues, research findings reveal that the majority of the respondents (82%) could not easily access information on the outcomes of SMC meetings. Only 18% of respondents reported having adequate access to information, which would motivate their participation in subsequent stages.

Citizen awareness of education service delivery processes at local government level

- iii. 44% of respondents knew how SMCs are established; the majority (56%) did not know how SMCs are formed. This suggests low levels of citizen participation, including in subsequent SMC-coordinated activities. Districts with the highest level of ignorance on the formation of SMCs included: Iganga (62%), Kayunga (59%), Mbale (59%) and Bushenyi 43%.
- iv. The majority of respondents (65%) reported having functional SMCs in their children's schools; 35% of respondents reported non-functional SMCs. Districts with the highest reported levels of non-functional SMCs included: Kayunga (48%), Iganga (47%) and Mbale (43%).
- v. All of the respondents (587) who reported having functional SMCs could accurately identify at least one function of an SMC: mobilizing parents (38%), managing the school (29%), supervising school projects (26%) and ensuring that pupils attend school (18%).
- vi. 44% of the 587 respondents who reported having functional SMCs had a women represented in their SMC; 20% reported having persons with disabilities represented; while 41% and 26% reported that older persons and youth respectively were represented.

Citizen participation in negotiations on education service delivery

- i. 35% of respondents felt that they had very little voice on education-related issues; 34% felt they had no voice at all; 31% of respondents reported having a favourable opportunity to voice their education-related concerns. The lack of opportunity for citizens to voice their concerns and a lack of awareness of the existence of this right undermines participation in the decision-making process.
- ii. The limited opportunity for citizens to voice their education-related concerns has contributed to the persistence of concerns, including inter alia: poor quality education (55%); poor school management (5%); inadequate government funding (40%); poor staff welfare (4%).

- iii. 31% of the 898 respondents felt that they did not have the opportunity to access any education-related fora; 69% of respondents had at least one forum in which to raise education-related issues: school meetings (57%), SMC meetings (6%), Council meetings (4%) and Barazas (2%).
- iv. 57% of the 893 respondents reported never having participated in any negotiation with local government for better education services; 38% had very little negotiation or some negotiation. Only 5% of respondents reported having a high level of negotiation and participation with local governments.
- v. 52% of the 878 respondents reported never having participated in any negotiation with SMCs for better education services; 12% and 24% reported that they had very little or some negotiation respectively. Only 12% of the respondents reported having a high level of negotiation and participation with SMCs.
- vi. Overall, access to education-related information is pivotal role to enhancing citizen participation in education-focused service delivery at local government level. Whereas the study findings reveal that the majority of respondents had access to information on SMCs, access to the outcomes of SMC meetings remains a gap. The findings further reveal that citizen awareness of key education components is moderate, ranging from 35%-65%. Overall participation in negotiations on local government education service delivery was also found to be low, which is a concern given that participation is an inherent right of all citizens.

5.4 Citizen participation in the health sector

The World Health Organization (WHO) defines participation in health as a process that involves groups and individuals exercising their rights by playing a direct and active role in the development of needed health services to ensure the sustainability of better health outcomes.¹³⁹

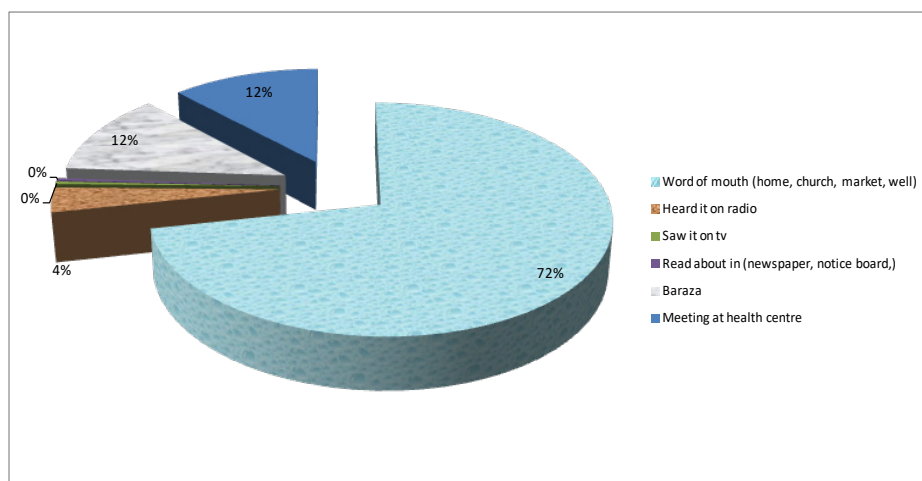
Information was collected on citizen participation in the delivery of health services at local government level. This sub-section presents the findings on: citizen access to health-related information, citizen awareness of health service delivery processes and citizen participation in negotiations for better health service delivery.

5.4.1 Citizen access to health information

5.4.1.1 Citizen access to information on the existence of Health Unit Management Committees (HUMCs)

¹³⁹ World Health Organization (1991). Community involvement in health development: challenging health services, report of a WHO study group meeting in Geneva from 11 to 18 December 1989. Geneva.

Figure 4.15: Distribution of respondents by source through which information on HUMCs was obtained:



Source: ISER data 2017

Research findings revealed that of the 326 respondents who knew of HUMCs, the majority (72%) obtained HUMC-related information by word of mouth; through meetings at health unit (12%); and at Barazas (12%). None of the respondents reported acquiring HUMC-related information by means of TV broadcasts, or newspapers; and only 4% obtained HUMC-related information by listening to the radio.

The findings of the focus group discussions are consistent with the quantitative findings. Most leaders interviewed reported capitalizing on community gatherings to disseminate information. One discussant reported that:

“...in my case, where there is freedom where you have something to talk about, when you go to church like on Sundays, you ask for an opportunity to talk that I have something to say there is a meeting that is going to take place and so those ones who hear the message take it to other people.”¹⁴⁰

However, it was clear that such meetings are not intended to incorporate citizens’ views into the decision making process but rather as a one-way conduit of information, relaying to citizens information on the topic or program of concern.

5.4.1.2 Citizen access to HUMC-related information

As a strategy to promote citizen participation in health-related decision-making processes, the community should have access to the proceedings of HUMCs.

Respondents were asked to report their level of access to HUMC-related information. The findings are presented in Table 4.12 below:

Table 4.12: Respondent's distribution by access to HUMC-related information

District	No access at all	Very little access	Some access	Most access	Access all information	Grand Total
Bushenyi	53%	26%	16%	3%	3%	100%
Iganga	38%	22%	23%	15%	2%	100%
Kayunga	46%	12%	19%	24%	0%	100%
Kumi	36%	28%	25%	10%	2%	100%
Kyenjojo	67%	13%	7%	11%	2%	100%
Mbale	44%	25%	23%	5%	4%	100%
G.Total	47%	21%	19%	11%	2%	100%

Source: ISER data 2017

Whereas access to information on HUMC processes motivates citizen participation in health related initiatives, research findings indicate that the majority of respondents (87%) could not easily access HUMC-related information. Only 13% of respondents had adequate access motivating their participation in subsequent stages. The findings point to the urgent need to establish user-friendly channels through which citizens can access HUMC proceedings and participate in related activities.

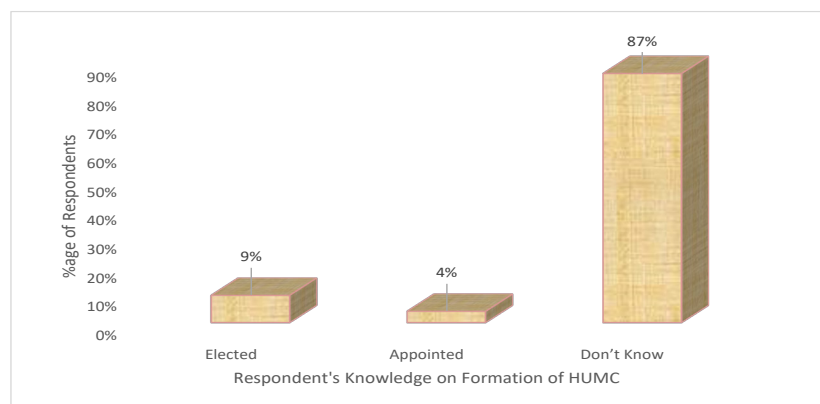
5.4.2 Citizen awareness of health service delivery processes

The government of Uganda is implementing a decentralization policy, pursuant of which it has devolved authority and responsibility for primary health care to the district level and assigned health centers to the administration of districts and sub-county local governments. Districts and sub-county local governments are thus responsible for appointing community representatives to HUMCs to support and strengthen the administration and oversight of government health centers and general hospitals.

5.4.2.1 Citizen participation and knowledge on the formation of HUMCs

Respondents were asked to report how HUMCs are formed. The findings are presented in Figure 4.19 below:

Figure 4.19: Citizen knowledge on the formation of HUMCs:



District	Elected	Appointed	Don't Know	Total
Bushenyi	17	4	129	150
Iganga	19	8	122	149
Kayunga	19	6	124	149
Kumi	16	2	132	150
Kyenjojo	9	5	136	150
Mbale	5	10	135	150
Grand Total	85	35	778	898

Source: ISER data 2017

The majority of respondents (87%) did not know how HUMCs are formed, which reveals low levels of citizen participation even in subsequent HUMC-coordinated activities. All districts registered low awareness levels on how HUMCs are formation.

5.4.2.2 Functionality of HUMCs

HUMCs are institutional structures that enhance citizen participation in health governance.

Respondents were asked to report the functionality of the HUMCs within their communities. The findings are presented in Table 4.11 below:

Table 4.11: Functionality of HUMCs

District	HUMC Functional		HUMC Not Functional		Don't Know		Total
	No. of respondents	%	No. of respondents	%	No. of respondents	%	
Bushenyi	46	31%	6	4%	98	65%	150
Iganga	45	30%	32	21%	72	48%	149
Kayunga	46	31%	23	15%	80	54%	149
Kumi	51	34%	5	3%	94	63%	150
Kyenjojo	29	19%	5	3%	113	75%	150
Mbale	36	24%	2	1%	112	75%	150
G.Total	253	28%	73	8%	565	63%	898

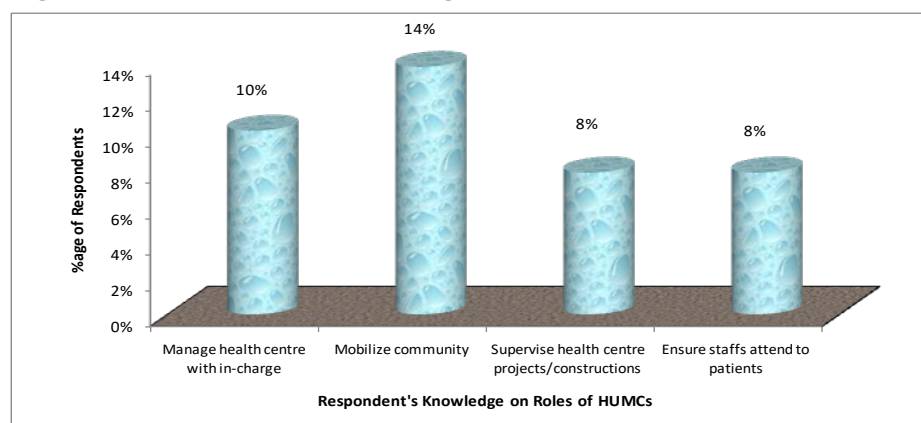
Source: ISER data 2017

The majority (63%) of respondents were unable to provide a report on the functionality of the HUMCs within their communities. 28% of respondents could provide insight on HUMC functionality; 8% reported having non-functional HUMCs in their communities. Districts with the high reported non-functional HUMCs included: Kyenjojo (75%) and Mbale (75%)

5.4.2.3 The roles and responsibilities of HUMCs

Community participation where health is concerned implies a shift from citizens who are passive recipients of healthcare to active participants in the creation of a healthcare system that serves and is responsive to their specific needs. HUMCs were established to enhance citizen participation in the administration and oversight of government healthcare centres and general hospitals; HUMC members are thus assigned specific roles and responsibilities pursuant of this objective. Respondent's knowledge of roles and responsibilities of HUMCs was examined. Findings are presented in Figure 4.13 below:

Figure 4.13: Respondent's knowledge of the roles and responsibilities of HUMCs



Source: ISER data 2017

Only 25% of the 898 respondents (225) who participated in the research could accurately cite at least one HUMC function: mobilization of the community on health-related issues (14%); management of the health unit together with the In-Charge person; supervising Health Centre Projects / constructions (8%); and ensuring that staff attend to patients (8%). The districts with the lowest levels of knowledge on HUMC roles and responsibilities were: Mbale (19%), Kyenjojo (19%), Iganga (25%) and Bushenyi 27%. Kumi (33%) and Kayunga (28%) registered the highest knowledge levels.

Ignorance of the responsibilities of HUMCs is associated with a number of consequences that limit citizen participation in demanding better healthcare and related service, particularly as HUMCs provide citizens with an entry point into the health service delivery structure. Consequently, there is a need to promote citizen involvement in HUMCs to improve healthcare service delivery.

Focus group discussions on HUMCs revealed that it is common practice for one individual to hold overlapping civic and social roles and responsibilities, which places them under significant strain, undermining their ability to effectively performance due to overstretch and time-constraints. At a focus group discussion with HUMC Members at Kyeizooba Health Centre III in Kyeizooba Sub county, Bushenyi District, one discussant reported that:

*"I am the chairman LCI at the village level and at the same time I am on the PTA committee at a primary school in our village called Kakamba primary school and at the same time I am a catechist in the Roman Catholic Church, the head of the Catechists Mushanga parish. I am also on the committee of Mushanga mixed primary school as a management member."*¹⁴¹

Focus group discussions further revealed that most HUMCs were not effectively supporting communities to demand improvements in health service delivery. It was clear that HUMCs only interface with communities during mobilization campaigns on immunization, and other health-education and related issues. The chain of transfer for citizens' concerns and commitment to address them was found to be weak. At a focus group discussion at Kyeizooba HC III, one of discussant reported that:

*"We have been Members of the HUMC for the last 3 years therefore we have participated in the service delivery of this health unit so don't forget to note it down because we have been members up to now...we have got meetings for the members of the committee and then the meeting with the staff separately because we just get a time and then meet the staff members to share with them...then other meetings, we just hold them in the communities about nutrition, about hygiene then disease control, it goes hand in hand when we have these needs those are the immunization days, when we are going there is sensitization of the communities then sometimes we go alongside politicians when they are having their meetings and then we go there to sensitize the people that's when we get a good number of turn-up of the communities so when the chairman wants to visit in the parish, some of us go there and deliver services to the people."*¹⁴²

It is clear that HUMC members focus disproportionately on convening meetings with health-facility staff, mobilizing and sensitizing citizens, leaving a limited opportunity for citizens to participate in HUMC decision-making processes.

141 Participant at FGD with HUMC of Kyeizooba HC III, Kyeizooba Sub County in Bushenyi District held on the 16th November 2016

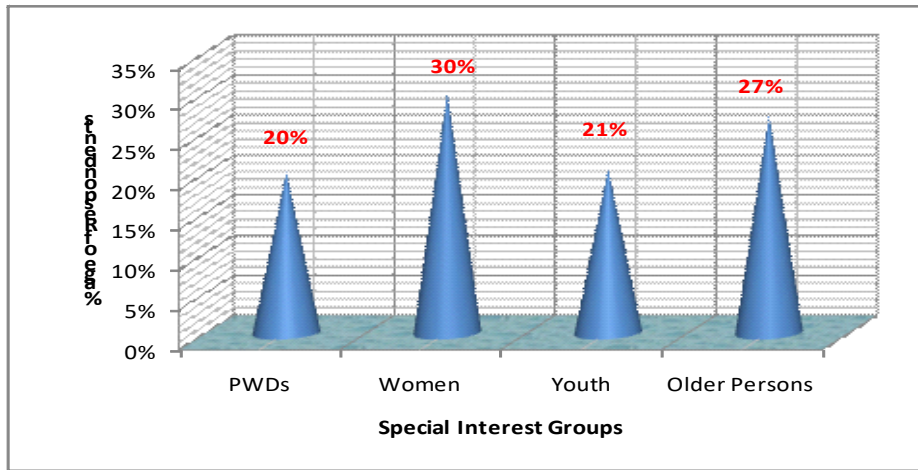
142 Participant at FGD with HUMC of Kyeizooba HC III in Kyeizooba Sub County in Bushenyi District held on the 16th November 2016

5.4.2.4 Representation of special interest groups on HUMCs

According to Ministry of Health HUMC Guidelines, each committee should be constituted of: (i) a Chairperson, who should be a prominent, educated public figure of high integrity not holding any political position on the sub-county or division council and nominated by the sub-county local council, (ii) Secretary, in-charge of the Health Unit and (iii) Members.

Respondents were asked to report whether the HUMCs in their respective communities had representation of special interest groups. The findings are presented in Figure 4.14 below:

Figure 4.14: Representation of special interest groups on HUMCs



Source: ISER data 2017

Research finding reveal that 30% of the 253 respondents who reported having functional HUMCs had women represented within their Committee; 20% had representation of persons with disabilities; 27% and 21% reported representation of older persons and youth respectively within their HUMCs. While the representation of special interest groups was lower than desirable, that special interest groups were represented at all is a positive first step. However, there is need to support special interest groups' participation in HUMC-related activities and enhance their representation on committees.

5.4.3 Citizen participation in negotiations for better health service delivery

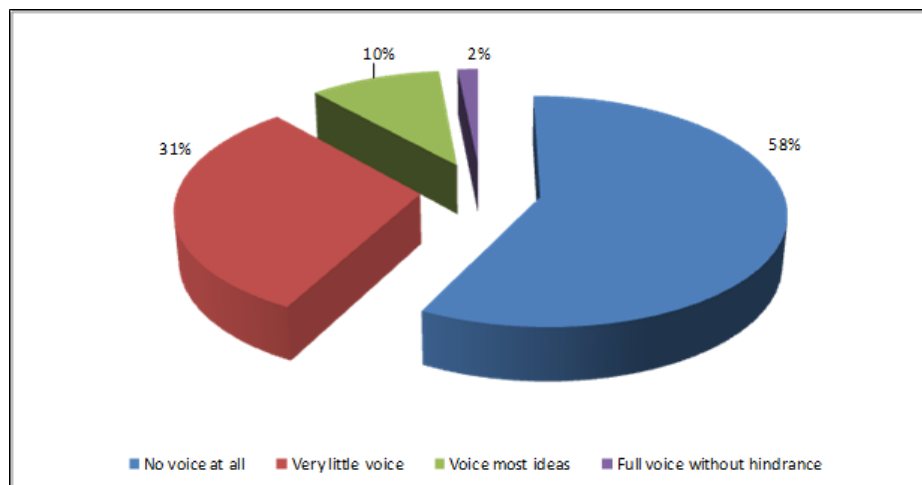
The focus of citizen participation in negotiations for better health service delivery was on: citizen voice on community-related health issues; citizen health concerns; modes of influencing health-related decisions; citizen participation in health fora; citizens' negotiation power with LGs for better health services; and citizens' negotiation power with HUMCs for better health services. The sub-sections below present the research findings.

5.4.3.1 Citizen voice on community health issues

Citizen voice and action is a service delivery approach designed to improve the relationship between communities and government, in order to improve services, like health, that impact on the daily lives of every Ugandan.

Respondents were asked to report the extent to which they felt they could voice their concerns on health-related issues. The findings are presented in Figure 4.16 below:

Figure 4.16: Citizen voice on community health- related issues



District	No voice at all	Very little voice	Voice most ideas	Full voice without hindrance	Grand Total
Bushenyi	94	48	5	3	150
Iganga	85	35	25	4	149
Kayunga	90	34	24	1	149
Kumi	60	74	15	1	150
Kyenjojo	96	40	11	3	150
Mbale	92	46	10	2	150
Grand Total	517	277	90	14	898

Source: ISER data 2017

The majority of respondents (58%) felt they had no voice at all on issues related to health in their communities; 31% reported having very little voice; only 12% of respondents reported having a favourable opportunity to voice their health-related concerns. The lack of opportunity for citizens to voice their concerns compromises their participation in decision-making processes.

The very limited awareness of the opportunities available to citizens to voice health concerns impacts service delivery. The research findings reveal that 70% of respondents cited concern regarding drug stock outs; 24% were concerned primarily about the quality of healthcare; 3% and 2% were concerned about low government funding allocations to healthcare and poor health centre management respectively.

Focus group discussions revealed that the scope of citizen voices is complex. Whereas some discussants reported the existence of clear procedures by which to voice health-related concerns, it was reported that even when procedures are followed, citizens remain frustrated. One discussant stated that:

“...but then the problem is when someone is working and you want to complain and you say you want to go through the proper channels let’s say through the LCI chairman up to LCIII chairman and maybe you find they have failed at LCIII and maybe someone you are going to consult is involved among the corrupt people, they won’t go further you have no way to take it to the RDC or CAO, it stops there, there is nothing you can do.”¹⁴³

5.4.3.2 Modes of citizen influence of health-related decisions

The health wellbeing of citizens is centred on empowering and enabling communities to exercise agency in decision-making in order to assume greater responsibility for the lives of the individuals who make up the community. Pursuant of this, local governments should prioritize strengthening the functionality of HUMCs and enhancing citizen participation in the committee’s decision-making processes.

Respondents were asked to report the health-related fora in which they had participated. Table 4.13 below presents the findings:

Table 4.13: Citizen participation in health fora

District	Baraza	HUMC meeting	HC meeting	Council meetings	Total
Bushenyi	1%	3%	3%	5%	11%
Iganga	1%	2%	15%	13%	32%
Kayunga	11%	1%	15%	20%	48%
Kumi	1%	1%	9%	1%	11%
Kyenjojo	1%	1%	4%	2%	9%
Mbale	0%	1%	7%	1%	9%
Grand Total	3%	1%	9%	7%	20%

Source: ISER data 2017

The findings reveal that 80% of the 898 respondents felt that they did not have access to any health-related fora; 20% of respondents could identify at least one forum in which to raise health-related issues: Health Centre meetings (9%), Council meetings (7%), Barazas (3%) and HUMC meetings (1%).

During the focus group discussions, respondents were asked to report the fora in which they raised community and general concerns on government programmes. The findings were consistent with the quantitative finding. In Butiiti Parish, Kyenjojo district, a discussant reported that:

“Initially we had a Baraza meeting which was done only once and since then we have not had

143 Participant at a female FGD at Nyamiyaga village in Kyeizooba Sub County in Bushenyi District held on the 15th November 2016

any other Baraza meeting though it was mainly at the sub-county level. Here we had different government workers like health workers, security people, who were responding to questions raised by community members and these health workers would also respond to the community concerns. I think it was some 2 years ago.”¹⁴⁴

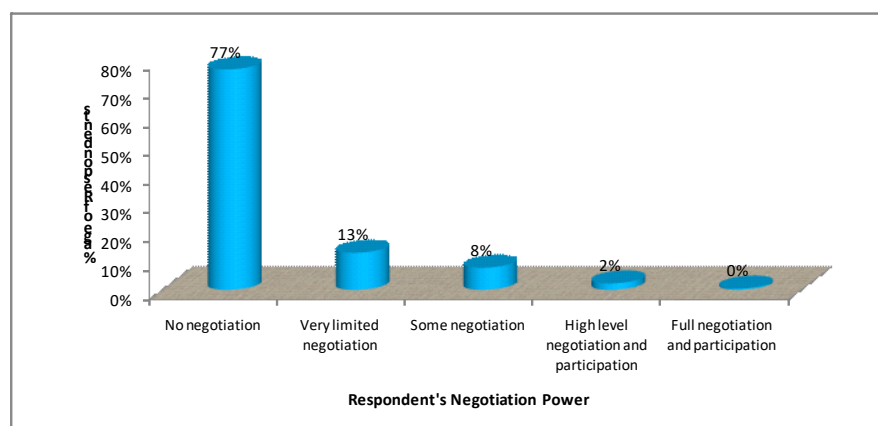
These findings point to a need to revive and strengthen citizen participation in local government service delivery.

5.4.3.3 Citizen’s negotiation power with LGs for better health services

The theory and practice of public administration is increasingly concerned with placing the citizen at the centre of policymakers’ considerations, not just as a target, but also as an agent. In an effort to enhance citizen participation in service delivery processes, citizens need negotiation power to influence the decisions made at the various policy levels.

Respondents were asked to report the extent to which they have been able to negotiate with the local government for better health services. The findings are presented in Figure 4.17 below:

Figure 4.17: Citizen’s negotiation power for better health services with LG



District	No negotiation	Very limited negotiation	Some negotiation	High level negotiation & participation	Full negotiation and participation	Total
Bushenyi	109	22	17	1	1	150
Iganga	121	16	6	6		149
Kayunga	127	12	8	2		149
Kumi	95	27	23	4	1	150
Kyenjojo	113	22	10	4	1	150
Mbale	124	17	5	3	1	150
G.Total	689	116	69	20	4	898

Source: ISER data 2017

The majority (77%) of the 898 respondents reported that they had never participated in any negotiation with the local government for better health services; some respondents reported having very little negotiation (13%) or some negotiation (8%). Only 2% of respondents reported having high negotiation and participation levels with local governments. All the districts reported low negotiation opportunities on health service delivery.

The majority of discussants participating in the focus group discussion with sector heads reported that some citizens have been empowered and do possess negotiating power. One of the sector heads stated that:

“...I will give you an example where people will come and say like if you are constructing a health centre, they would come and say some ratios are not recommended. They will even come and say, we think the gauge of the iron sheets was not the best one, of course they don't know what was in the bills of quantities but they will say to us government should not be using gauge 32, you know something like that.”¹⁴⁵

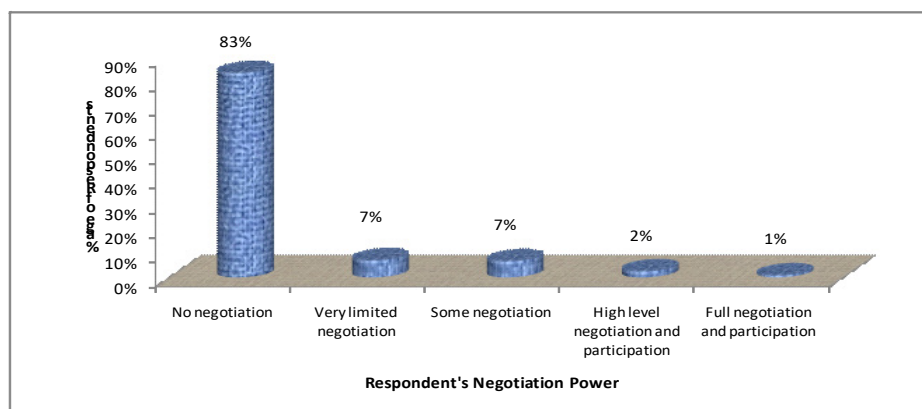
This was contrary to the quantitative findings, where the majority of respondents emphasized a paucity of power to engage in such negotiations.

5.4.3.4 Citizens' negotiation power with HUMCs for better health services

HUMCs are an important source of support in the general management of health units. To ensure their effectiveness, citizens at local government level should have the opportunity to periodically engage them with any health-related concerns.

Respondents were asked to report on the extent to which they have been able to negotiate with HUMCs for better health services. The findings are presented in Figure 4.18 below:

Figure 4.18: Citizen's negotiation power with HUMCs for better health services



Citizen's negotiation power with HUMCs for better health services

District	No negotiation	Very limited negotiation	Some negotiation	High level negotiation & participation	Full negotiation & participation	Total
Bushenyi	130	9	8	1	2	150
Iganga	120	9	10	10		149
Kayunga	109	15	15	7	3	149
Kumi	127	11	11		1	150
Kyenjojo	133	12	3	2		150
Mbale	129	6	12	2	1	150
G.Total	748	62	59	22	7	898

Source: ISER data 2017

The majority (83%) of the 898 respondents reported that they had never participated in any negotiation with the HUMC for better health care services; 7% reported that they had very little negotiation or some negotiation. Only 3% of respondents reported a high level of negotiation and participation with HUMCs. All districts reported very low negotiation opportunities with the HUMCs.

5.4.3.5 Summary findings on citizen participation in the health sub-sector

Citizen access to health related information

- i. Research findings reveal that of the 326 respondents who knew about the existence of HUMCs, the majority (72%) obtained HUMC-related information by word of mouth; meetings at health unit (12%); and at Barazas (12%). None of the respondents reported receiving HUMC-related information by means of TV or newspapers. Only 4% acquired HUMC information through radio broadcasts.
- ii. Whereas access to information on HUMC processes motivates citizen participation in health-related initiatives, research findings revealed that majority of the respondents (87%) could not easily access HUMC related information. Only 13% of respondents had adequate access motivating for their participation in subsequent stages. The findings signal the urgent need to establish user friendly channels through which citizens can access proceedings of the HUMCs and participate in committee activities.

Citizen awareness of health service delivery processes

- iii. The majority of respondents (87%) did not know how HUMCs are formed. This translates to low levels of citizen participation, including in subsequent HUMC-coordinated activities. All districts registered low levels of awareness on the formation of HUMCs.
- iv. The majority (63%) of respondents were unable to report on the functionality of the HUMCs within their communities. 28% of respondents were reported having functionality

HUMCs within their communities; 8% reported having non-functional HUMCs. Districts with the highest reported non-functional HUMCs included: Kyenjojo (75%) and Mbale (75%).

- v. Of the 898 respondents who participated in the research, only 225 (25%) respondents could accurately cite at least one function of HUMCs: mobilisation of the Community on health-related issues concerns (14%); management of the health unit together with the In-Charge person; supervising Health Centre Projects/ Constructions (8%); ensuring that staff attend to patients (8%).
- vi. Districts with the lowest levels of knowledge on the role of HUMCs included; Mbale (19%), Kyenjojo (19%), Iganga (25%) and Bushenyi 27%. Kumi (33%) and Kayunga (28%) registered the highest knowledge levels.
- vii. 30% of the 253 respondents who reported having functional HUMCs had women represented within their Committees; 20% reported representation of persons with disabilities; 27% and 21% reported representation of older persons and youth respectively.

Citizen participation in negotiations for better health service delivery

- viii. The majority (58%) of respondents felt that they had no voice at all on issues related to health in their respective communities; 31% had very little voice; only 12% of respondents reported having a favourable opportunity to voice health-related concerns. A lack of opportunity for citizens to voice concerns compromises their participation in decision making processes.
- ix. The very limited awareness on the opportunities available to citizens to voice health-related concerns impacts service delivery: 70% of respondents cited concerns relating to drug stock outs; 24% were primarily concerned about the quality of healthcare; while 3% and 2% were concerned about low government funding towards healthcare and poor health centre management respectively.
- x. 80% of the 898 respondents felt that they did not have access to any health-related fora; 20% had at least one forum in which to raise health-related issues: Health Centre meetings (9%), Council meetings (7%), Barazas (3%) and HUMC meetings (1%).
- xi. The majority (77%) of the 898 respondents reported that they had never participated in any negotiation with the local government for better health services; some respondents reported that they had very little negotiation (13%) or some negotiation (8%). Only 2% of respondents reported a high level of negotiation and participation with local governments. All the districts reported low negotiation opportunities on health service delivery.
- xii. The majority (83%) of the 898 respondents reported that they had never participated in any negotiation with the HUMC for better health care services; 7% reported that they had very little negotiation or some negotiation; only 3% of respondents reported high levels of negotiation and participation with HUMCs. All districts reported very low negotiation opportunities with the HUMCs.

- xiii. Overall, access to health-related information is still a challenge at local government level due to a huge disconnect between the administrative structures such as the HUMCs and citizens, which limits participation in any subsequent processes convened at the various levels.

5.5 Factors to which low citizen participation is attributed

Validation workshops¹⁴⁶ attended by the multiple stakeholders from the formal social accountability mechanisms (HUMCs, SMCs, WUCs), were conducted across all six districts. Low citizen participation in these mechanisms was attributed to the following factors:

- i. The protracted distance citizens are required to travel to attend meetings (the physical distance and prohibitive transportation costs act as barriers to participation, particularly that of the poor and PWDs).
- ii. Lack of access to information on citizen participation. In some local governments, while there was political will to facilitate citizens' participation a lack of mobilization, and a lack of resources constrained practical implementation (e.g. information is often disseminated only in English, which our findings show is not widely read, particularly among rural populations).
- iii. Non-integration or consideration of citizens' recommendations, especially in planning and budgeting processes, seriously discourages participation in subsequent meetings.
- iv. A negative attitude among citizens towards participation means that mobilization efforts of resource persons and local area leaders notwithstanding, meetings will invariably have low support.
- v. Competing priorities: the protracted time-demands of participation make some citizens disinclined to abandon livelihood, domestic or other pressing commitments (this was found to be the case for special group representatives in particular, i.e. women, PWDs, Older persons).
- vi. Failure to benefit from government programs despite demonstrated commitment by citizens – which was assumed to be due to discrimination and segregation – also adversely affects levels of participation. Programs such as Operation Wealth Creation (OWC) or National Agricultural Advisory Services (NAADS) and Northern Uganda Social Action Fund (NUSAF) among others are characterized by segregation and discrimination and sometimes application of partisan politics which offends and discourages minority groups from participating.
- vii. In some districts CDOs and extensions workers do not reside proximate to the communities they serve, making them inaccessible and thereby undermining efforts to enhance citizen participation.
- viii. Illiteracy and low levels of self-esteem remain challenges and deterrents to the participation of the poor, women and PWDs. Some members of the community do

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Validation workshops were conducted on the 30th January 2018 in Kumi and Kyenjojo; 31st January 2018 in Bushenyi and Mbale; on the 2nd February 2018 in Iganga and Kayunga Districts.

- ix. not believe that their opinions or ideas are valuable and can be used for community development. Views were put forward such as “How will they listen to [the] opinions of a poor person...?” According to a participant in Butiti Sub-County in Kyenjojo District, citizens restrain themselves from participating for fear that their comments may not be captured, deferring to those they believe will be listened to who are then mandated to represent the whole community.
- x. Managing expectations, particularly in relation to money, is also critical to sustaining the legitimacy of participation.
- xi. The tendencies of sectarianism, discrimination and marginalization when constituting committees and sharing service delivery-related information remains a concern. In such instances, citizens are unable to question the non-performance of leaders; neither can they identify any weaknesses where these are concealed by committee members seeking to ingratiate themselves with political leadership.
- xii. The failure of leaders to account to citizens on a regular basis, coupled with reports of corruption, also contributes to citizen apathy to participate.
- xiii. A lack of awareness that participation is a legal right means that citizens are not emboldened to assert, claim and make demands pertaining to the exercise and enjoyment of this right.
- xiv. A failure by local leaders to effectively implement government policies, rules and regulations facilitating citizen involvement in government programme delivery undermines such participation.
- xv. The negative attitude of leaders towards citizen participation is another discouraging factor. Some leaders consider the poor, PWDs, women and youth to be “unsound” to actively participate in the delivery of services.
- xvi. The built environment in the majority of local governments discourages the free movement of persons with disabilities, thus discouraging their participation.
- xvii. Social accountability initiatives, especially if not well explained and prepared in a participatory manner, can be demoralizing or threatening to state actors or service providers. This is one of the reasons why some of the leaders termed Baraza as a “witch-hunt programme”. For this reason, it is important to actively involve state actors in the design and preparation of social accountability initiatives, in order to create /enhance accountability incentives, and build in reward and sanction mechanisms.

5.6 Strategies to enforce effective and active citizen participation in service delivery processes

This section provides proposed strategies to encourage citizen participation in service delivery processes gleaned from the validation workshops and engagements with School Management Committees, Water User Committees and Health Unit Management Committees:

- i. Local leaders should be empowered with legal and policy provisions on participation and take measures to ensure this knowledge reaches lower levels.
- ii. Local government leaders should empower Local council leaders to mobilise communities to participate in the various government programmes.
- iii. Local governments ought to review information dissemination channels currently utilized and seek to address existing gaps in information flow. They should also make effectively use of government-gazetted airtime on the various electronic media houses to share information aimed at enhancing citizen participation.
- iv. Government needs to enhance the proportion of the national budget allocated to local governments. Currently, local governments receive only 12% of the national budget of which 9% is absorbed by wages leaving only 3% to support implementation of activities. These funds are insufficient to address citizen needs and facilitate their effective participation.
- v. There is need for continuous sensitisation of the population on their participation rights in the delivery of services at local government levels. Citizens need to be empowered, by Local Governments and development partners, with skills to petition their leaders where programmes are not met and leaders appear not to take on board their demands. The community must have the capacity to write their own petitions, which cannot occur if they are not empowered to do so. Many citizens do not know what roles and responsibilities they can play, as attested by members of the social accountability mechanisms engaged by this study.
- vi. Members of HUMCs, SMCs and WUCs need to receive induction training on their core functions to better understand their roles and responsibilities when assuming office. This should be supplemented by refresher trainings for longer-standing incumbents. Across the six districts, ignorance of function among those occupying office impeded committee members from effectively fulfilling their mandates.
- vii. Local government leaders should both effectively manage the expectation of citizens as well as endeavour to comprehensively address their concern in all engagements;
- viii. Leaders should desist from soliciting political support as a precondition for citizen participation;
- ix. The design and implementation of strategies promoting consistent citizen engagement with service delivery should be prioritized through consultative meetings, budget conferences and council meetings among others.
- x. Efforts should be made to change the perceptions and attitude of citizens who reject government programmes on the basis of political and cultural beliefs, with greater emphasis placed on leaders as change agents working in partnership with citizens to improve service delivery.

- xi. The formulation of by-laws to ensure the participation of specific categories of people, e.g. PWDs, the elderly, etc. should be considered (even without referring to the Local Government Act).
- xii. Local leaders should persist in mobilizing citizens to attend meetings irrespective of the level of support secured.
- xiii. For people to understand, apply and participate in enforcing their Constitutionally-enshrined right to participate, sensitization and information materials should be made available in local languages.
- xiv. Citizens should be sensitized on the roles of the different structures in the delivery of services at local government level with clear linkages on citizen participation at all levels.
- xv. Local leaders at the Sub- County and District levels should always endeavor to attend committee meetings when called upon to do so. This is the only way to uphold the credibility of the process and for duty-bearers to ascertain and capture community concerns.
- xvi. Local Government authorities should promote, create and expand spaces facilitating citizen voice and accountability, e.g. Barazas, community parliaments, etc. Platforms which are truly accessible to the rural poor are preferable, e.g. Participatory Poverty Assessments and Participatory Learning and Appraisals (PPAs / PLAs) enable the marginalized to express and analyze their knowledge of life and conditions, to plan and to act. Activate platforms for Youth, persons with Disabilities and People Living with HIV/AIDs to enhance citizen participation. Barazas, health camps, school annual general meetings, social functions, burial ceremonies and markets are costless avenues to provide information on service delivery.
- xvii. District Leaders must make a concerted effort to understand what is captured in performance agreements (client charters) and engage citizens on the same since their participation in these agreements provide for service delivery, e.g. each sub-county must hold at least one Barazas per financial year.
- xviii. Both continuous and ad hoc capacity building programmes should be arranged for citizens, local leaders and the media to ensure that access to information does not become an impediment to citizens' participation in civic decision-making. Community radios and popular arts can be powerful means for generating public interest and understanding of government programs. Informal and innovative forms of participation (such as farmer trials, citizen juries, etc.) can be effective in capturing poor people's interests in service delivery.
- xix. There is a need to ensure broad ownership among citizens of those issues deemed important by the majority. Citizens should know that service points belong to them and that the government only provides a supporting hand.
- xx. There should be provision for increased facilitation or motivation for committee members. Although the regulations explicitly provide for sitting allowances for members of HUMCs or SMCs, many of them complained that their remuneration is inadequate and not commensurate to the roles they play. They argued that in addition to attending

meetings, they are engaged in a number of activities at their respective facilities with no facilitation despite foregoing personal productive work to respond to public duties. Some hail from very faraway places of up to approximately 40km and they would need to set aside a day to be at the health facility. Some members are demotivated and regret assuming their responsibilities on account of a lack of material or other incentive.

- xxi. Where specific information cannot be generated, the use of specialized meetings has to be adopted so that various groups can freely participate and express their views. The youth, women, PLHA, PWDs can freely contribute to issues under discussion if they do not feel any pressure from their elders or husbands to attend to other priorities.
- xxii. Special attention needs to be directed to the vulnerable and voiceless amongst the rural poor, particularly the landless, older persons, the youth, the unemployed, nomadic pastoralists, the physically challenged, women and children. Formal or informal organizations and movements which assemble and articulate the interests of the poorest of the rural poor need to be stimulated. The Local Government authorities at all levels need to ensure that the categories above participate in service delivery processes and voice their interests.



CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

6.0 CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusion

National laws, in particular the decentralization programme, have principally provided legal guarantees and substantial opportunities for communities to participate in the water-, education- and health-related programme planning and decision-making in their communities and local governments.

However, these opportunities are yet to be fully exploited. Community resources have not been optimally maximized to enhance community participation in civic planning and decision-making, particularly in respect of the sub-sectors of water, education and health. Some categories of marginalized people, such as persons with disabilities, the poor, older persons, youth, women, the illiterate and people with ill health, experience greater social exclusion than others, which studies have shown undermines the community participation of such groups.

This research study has found that there is a strong nexus between citizen participation and the quality of social service delivery: findings show poor service delivery in health, education and water sectors is attributable to limited participation. There is, equally, a strong link between access to information and citizen participation, which local governments would do well to heed.

Community members and their leaders have very limited knowledge on the citizen right to participate in the decision-making process and in the delivery of water-, education- and health-related service delivery. There is a need to improve sensitization on the right to health, education and water, which is targeted at citizens and local leaders to increase appreciation among this cohort of the right to participate in program planning, monitoring and decision-making. This will help to address the gaps identified in this report, including importantly the very low level of citizen participation in all the sub-sectors.

6.2 General Recommendations

- i. Continuous sensitization of citizens should be implemented to raise awareness that participation (including in the delivery of services at local government level) is a legally enforceable right, for which there is an effective remedy if violated.
- ii. Additional care should be taken by local governments and civil society to sensitize and capacitate marginalized groups to demand affirmative action measures from local governments to ensure their participation, for example the convening of special-interest group consultation meetings.
- iii. Efforts should be made to empower community structures and enhance citizen access to information in order to address existing gaps in access to information on water, education and health. This requires revisiting some of the modalities, channels, packaging, branding, language and platforms currently used to disseminate civic information.
- iv. Communities should receive sensitization on existing committees such as Water User Committees, School Management Committees and Health Unit Management Committees, etc. As part of sensitization efforts, citizens should be educated on how such committees

are established, their functions, roles and responsibilities of designated representatives, the role of citizens, etc.

- v. Support should be provided to village level committees to ensure their functionality, since research findings revealed that most are currently not functional, with some completely dysfunctional, acting as a barrier to the effective participation of citizens.
- vi. Greater transparency should be achieved in the selection of committee members to afford all interested parties the equal opportunity to contest and participate in the selection of committee representatives and leadership.
- vii. The creation of functional participation platforms must be prioritized as a matter of urgency to provide citizens with a forum in which to raise water-, education- and health-related service delivery concerns. Citizen concerns should be given priority in civic planning, policy, budgetary and oversight, etc. processes.
- viii. Citizens and community-level leaders should be trained on their civic roles and capacitated to influence decision-making that impacts their communities.
- ix. Regular service delivery-related engagements between local governments, the various committees (SMCs, WUMCs and HUMCs) and citizens should be prioritized to facilitate in particular consultation with and feedback to citizens.
- x. The laws providing for citizen participation should be revised to expressly provide facilitate the inclusion of marginalized groups in public decision-making processes

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About the Initiative for Social and Economic Rights

ISER is a registered national Non - Governmental Organisation (NGO) in Uganda founded in February 2012 to ensure full recognition, accountability and realization of social and economic rights primarily in Uganda but also within the East African region.



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