

U4 Expert Answer



Uganda: overview of corruption and anti-corruption

Query

Can you please provide an overview of corruption and anti-corruption in Uganda, with a focus on public financial management?

Purpose

Support a new country strategy for development cooperation with Uganda

Content

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Corruption affects a wide range of sectors and government institutions, including procurement, police, and the defence, education and health sectors.

As an aid dependent country, Uganda needs a sound public financial management system, to ensure donors' funds are spent wisely and leakages are avoided. In spite of reforms, there is still room to improve the level of transparency and accountability of the country's public financial management system still. .

Summary

Corruption in Uganda is widespread and seen as one of the greatest obstacles to the country's economic development as well as to the provision of quality public services. Corruption-related challenges in the country stem from a weak separation between the public and private spheres, leading to extensive clientelistic practices and patronage, as well as widespread political corruption. Such corruption challenges are exacerbated by weak law enforcement, which fuels a culture of impunity, particularly with regards to high-ranking officials involved in corruption schemes.

The Ugandan government has acknowledged that corruption is one of the main challenges facing the country. But recent developments have raise questions on the government's political will to address it. Several reforms, laws and new institutions to fight corruption have been established. However, in spite of recent investigations and corruption trials, an effective enforcement of the laws in place is still lacking.

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Date: 8 April 2013 **Number:** 379 **Acknowledgement:** We thank Transparency International Uganda for their contribution

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1. Overview of corruption in Uganda

Background

After years of civil conflict and fierce regimes, Yoweri Museveni, leader of the National Resistance Movement (NRM), came to power in 1986, where he remains today (Barkan, 2011). For several years, political parties were banned in the country and elections took place with candidates not affiliated with any political party. A new Constitution reintroducing multi-party politics was enacted in 1995, and the first multi-party general elections took place in 2006. The last presidential and parliamentary election was held in 2011, with an overwhelming victory of President Museveni and the NRM-party.

In general, while the opening of the democratic space has been consolidated, vestiges of authoritarianism still remain (Bertelsmann Foundation, 2012). According to experts, Uganda *'is in essence an authoritarian patronage-based regime'* (Barkan, 2011:2).

Notwithstanding the economic improvements achieved by the country during the last 25 years, Uganda still suffers from extreme poverty, high income inequality and significant disparity among regions. The country is also highly dependent on international aid for the delivery of basic services to its citizens. A Low transparency and accountability, and widespread corruption threaten both access to and quality of public services. Corruption is seen a severe and growing problem by citizens, while the political will to address it seems to be lacking, posing a real challenge for the implementation of proposed and necessary reforms (Amundsen, 2006).

Extent of corruption

Transparency International's 2012 Corruption Perceptions Index ranks Uganda 130th out of 176 countries and territories, with a score of 29 out of 100, indicating a perception of widespread and endemic corruption. The country ranks 30 out of 48 countries in the Sub-Saharan Africa region.

Uganda has also consistently scored poorly in the World Bank Worldwide Governance Indicators (WGI). In 2011, it scored 19.9 on control of corruption, on a scale from 0 to 100 and it has shown no improvements across the years. Uganda scores relatively better, but

still below the 50th percentile, on the rule of law, government effectiveness, regulatory quality and voice and accountability indicators.

Consistent with these findings, 82% of the respondents to the East Africa Bribery Index 2012 believe that corruption levels either remained as bad or increased in compared to the previous year (Transparency International Kenya, et al., 2012).

Corruption is seen as the most problematic factor for doing business in the country according to nearly 19% of business people surveyed under the 2012 Enterprise survey (World Economic Forum, 2013).

Nature of corruption challenges

Corruption-related challenges in the country are a result of a lack of separation between the public and private spheres, leading to extensive clientelistic practices and patronage, as well as widespread political corruption. Such corruption challenges are exacerbated by weak law enforcement, which fuels a culture of impunity, particularly with regards to high-ranking officials involved in corruption cases.

According to respondents to the National Integrity Survey conducted by the Inspectorate of Government in 2008, the most recurrent forms of corruption in the country include the payment of bribes (66% of the respondents); embezzlement of public money (15%), nepotism (5%), and favouritism (3%).

Bureaucratic corruption

Bureaucratic or 'petty' corruption, which affects citizens and companies in their daily interaction with public officials to access public services, is a significant problem in the country. Studies have shown that such illegal payments are so widespread that they often happen in full view, with public officials openly asking for bribes in exchange for services, and citizens and companies openly paying without complaining (Inspectorate of Government, 2008).

Companies doing business in Uganda have to deal with a complex bureaucracy and high levels of discretion. The large numbers of documents, payments and procedures required for business operations, certainly encourage companies and individuals to pay bribes or offer gifts in order to speed up such processes (World Bank, IFC Doing Business in Uganda, 2013). According to the latest Enterprise Survey on Uganda, more than

50% of the companies surveyed expect to give gifts in order to 'get things done' (World Bank, IFC, 2006).

Moreover, business people surveyed in the World Economic Forum Executive Survey consider that irregular payments and bribes connected to imports and exports, public utilities, tax payments, and the award of public contract are relatively common (World Economic Forum, 2013).

There have been several initiatives undertaken by the government aimed at simplifying the bureaucracy and reducing opportunities for corruption. Those include improving customs processes, and increasing the efficiency of tax, banking and property registration services. The country, however, still needs to improve regulations related to starting a business, such as acquiring permits and licenses, to reduce further the opportunities for corruption (World Bank; IFC, 2013).

Citizens have also frequently reported paying bribes in their interactions with public servants in several institutions. According to Transparency International's Global Corruption Barometer, in 2010, nearly 90% of the respondents reported having paid a bribe to at least one of the nine institutions analysed (i.e. judiciary, education, tax services, permits/registries, medical services, police, customs, land services, customs, utilities).

Political corruption

Political corruption is one of the main factors undermining further reforms in Uganda. Allegedly, the ruling party has consistently made use of its position to remain in power, by extending its patronage networks, buying political support, and using the state apparatus for electoral campaigns. According to Freedom House, "the government's reliance on corruption to fund its expanding patronage network makes it difficult for it to punish members of the President's inner circle" (Freedom House, 2012b:14). Other studies highlighted the alleged government effort to pass a supplementary budget to meet campaign needs (Barkan, 2011).

Uganda's political financing legal framework is inadequate, and lacks transparency and accountability. Studies have shown that corruption related to campaign financing often involves (i) 'quid pro quo' donations, where contributors to political parties and candidates expect something in return for their donations; (ii) the misuse of state resources by candidates and political parties; and (iii) vote-buying and bribery of election officials (Bertelsmann Foundation, 2012). 19% of the

respondents to the 2012 Afrobarometer survey reported having being offered money or a gift in return for their vote during the 2011 elections.

Besides vote-buying, the last general elections have confirmed that the distinction between the ruling party, NRM, and the state apparatus remains blurred (CMI, 2011; Bertelsmann Foundation 2012; Barkan, 2011). Not only did the NRM-party clearly enjoy financial advantages in the campaign leading up to the elections, but there was also government spending on behalf of incumbents, and extensive media bias (Freedom House, 2012c). There were also claims of ballot-stuffing, problems in voter registration, uneven distribution of voting supplies at polling stations, among other irregularities (CMI, 2011).

Grand corruption

There is abundant evidence of embezzlement of public funds in the country¹. Approximately 20% of public officials surveyed under the 2008 National Integrity Survey reported the embezzlement of public money within their institution as a common practice, while 15% indicated the diversion of funds to be a common form of corruption affecting public institutions (Inspectorate of Government, 2008). There is also evidence of the existence of organised syndicates composed of public officials strategically placed within different government institutions who conspire to embezzle public funds, while remaining unpunished (Inspectorate of Government, 2008).

For instance, in late 2012 government audits revealed that an estimated 7,600 ghost workers existed across the public administration. These individuals never worked for any public institutions but were included in the government payroll, costing billions of shillings. The audit uncovered that the scheme was made possible by a collusive agreement between officials within the Ministry of Public Service, supported by the Ministry of Finance (allAfrica, 2012).

In addition, many scandals have shed a light on the embezzlement of aid money in the country. Uganda has become extremely aid dependent, with several donors providing for direct budget support. But the lack of accountability in dealing with these resources has put at risk the country's relationship with several donors,

¹ For a list of recent scandals involving the embezzlement of public money please see:

<http://www.actionaid.org/uganda/publications/black-monday-movement-newsletter>

including Ireland, Denmark, Norway and the U.K. (Foreign Policy, 2012).

Corruption in public financial management

Uganda has been implementing public financial management reforms since the beginning of the 1990s, and while recent assessments² show impressive improvements in many areas, there are still many challenges, particularly with regards to the effectiveness and efficiency of government spending and the quality of the services delivered with these resources (Ministry of Finance, Planning, and Economic Development, 2011).

As mentioned, a significant portion of the international support provided by development agencies to Uganda is channelled through direct budget support, meaning that aid is transferred directly to the government, which then uses its own systems to spend them. Although there is no comprehensive information on the amount of funds channelled by development agencies through the Ugandan budget, estimates show that between 2002 and 2007 direct transfers were between USD\$ 600 million and \$1 billion per year (Barkan, 2011).

The lack of transparency and accountability regarding how the money is spent, combined with the government's failure to investigate and punish high profile corruption cases, has raised doubts among donors as to whether direct budget support can generate the reforms and improvements the country badly needs (Freedom House, 2012c). For instance, in August 2012, the Office of the Auditor General reported that approximately 12 million Euros in aid channelled through direct budget support were allegedly transferred to private bank accounts of officials from the Ugandan Prime Minister's Office (Auditor General, 2012; Transparency International, 2012b). These funds were supposed to support the Ugandan government's plan for peace-building and development in the Northern region. As a result, Denmark, Norway, and Ireland suspended their assistance to the country, requiring the Ugandan government to repay the allegedly stolen money (Foreign Policy, 2012)

² Recent assessments include the FINMAP Mid-term Review Report January 2010; the Joint Assessment Framework February 2010; Budget Monitoring and Accountability Unit Progress Reports, World Bank Public Financial Management Report 2008.

Newly discovered large oil and gas reserves in Uganda are seen by many as an opportunity to increase state revenue and replace the budget support being channelled by international donors. However, while oil revenues could translate in economic development, they may also offer new opportunities for graft and rent-seeking (Economic Policy Research Center, 2011). Uganda has to ensure that these new revenues are dealt with in a transparent manner, so that the whole society can enjoy its benefits³.

In an attempt to address those challenges, the government of Uganda launched a new public financial management (PFM) strategy (Uganda PFM Reform Strategy 2011/2012- 2016/2017). Among other things, the strategy aims to implement reforms in order to (i) guarantee full compliance with existent laws; (ii) ensure that public officials who divert public funds are sanctioned; (iii) ensure that there are sufficient funds to finance the National Budget by improving planning and its connection with policy making and budget formulation; (iv) improve predictability in the release of funds to end users; (v) increase the participation of citizens and civil society groups, particularly in determining how the funds should be spent; (vi) improve procurement planning and management; (vii) ensure timely follow up on all audits and inspections findings; (viii) improve record keeping in public administration bodies; and (ix) increase awareness of the PFM legal framework (Ministry of Finance, Planning, and Economic Development, 2011). It remains to be seen whether the new reform strategy will bring about the expected results.

Budget

The country scores 65 out of 100 in the 2012 Open Budget Index, a significant improvement from 2010, when it scored 55. This score indicates that the government provides substantial information to the public on budget processes, but there is still room for improvement. The government can still do more to enhance budget transparency, by, for example, increasing the comprehensiveness of the different reports produced during the budget process (e.g. Executive's budget proposal; in-year reports; audit reports), specifically by focusing on providing information on expenditures, outstanding debts, macroeconomic forecasts, financial assets, future

³ Please see the list of additional resources for recent literature on the oil sector in Uganda.

liabilities, earmarked revenues and tax expenditures (International Budget Partnership, 2013).

According to the Budget Survey 2012, budget oversight provided by the Auditor General is fairly strong, but it could be further strengthened if the institution received the appropriate level of resources for its activities and to hire additional skilled and qualified staff for sector-level audits (International Budget Partnership, 2013).

Accountability in the budget process could also be enhanced in the country if the government encouraged public participation throughout the budget process. Public engagement in budgeting is fairly weak in Uganda. While there is limited room for public participation during the consultation process (e.g. public hearings and budget planning meetings), public participation prior to the consultation phase and after the consultation process is non-existent (International Budget Partnership, 2013).

In addition, the country could benefit from more transparency and accountability in the implementation of the budget, allowing civil society organisations, donors, and citizens in general to monitor how public money is spent.

Procurement

In Uganda as in other countries, procurement is one of the government sectors most vulnerable to corruption. The large amounts of funds spent through procurement and the high levels of discretion and bureaucracy often involved in such processes provide incentives and opportunities for rent-seeking behaviours.

The [Public Procurement and Disposal of Public Assets Act of 2003](#) sets out the main regulations on public procurement in the country. The Act also establishes the [Public Procurement and Disposal of Public Assets Authority \(PDDA\)](#), which is tasked with ensuring that procurement processes are fair, competitive, and transparent; harmonizing the procurement policies, practices, and systems of the central and local governments as well as statutory bodies; and monitoring compliance with existing laws and regulations (Section, 6 Public Procurement and Disposal of Public Assets Act).

According to the 2008 National Integrity Survey, 83% of public officials surveyed reported being aware of the PPDA procurement rules and 72.1% of the respondents indicated that their institutions regularly apply these regulations. However, 11.8% apparently never applied

the PPDA procedures, reportedly due to the fact that procurement units have not been adequately established throughout the country (Inspectorate of Government, 2008).

Notwithstanding the rules in place, findings from 'value for money' audits conducted by the Auditor General have shown that procurement processes in Uganda have many flaws. For instance, the audits reveal that in many cases there is a lack of adequate needs assessment and widespread waste of funds; that procurement is often carried outside of pre-established procurement plans; that contracts are signed without a confirmation of availability of funds; and that bidding process are often manipulated to limit the number of bidders (Inspectorate of Government, 2011). Another common corruption scheme in the procurement sector involves the deliberate delay of planning by the public official to justify emergency processes, which are then carried out with limited or no competition (Inspectorate of Government, 2008).

Despite recent reforms, public procurement remains a "complex and vulnerable area for corruption in Uganda". Also due to a lack of effective reporting systems, poor record management by procuring agencies, and the failure to investigate and punish corruption (Inspectorate of Government, 2011).

Sectors and institutions affected by corruption in Uganda

Corruption in Uganda affects a wide range of sectors and institutions. According to citizens surveyed under the 2011 East Africa Bribery Index, experience with corruption in encounters with public officials is very high. For instance, nearly 49% of citizens who interacted with police reported having to pay bribes. The percentage is also high for bribe payments in tax services (40.6%), registry and licensing services (34%), city and local councils (29.6), and the judiciary (24.8%) (Transparency International Kenya, et al., 2012).

Corruption and the lack of information regarding budget implementation and public resources management are also affecting both the quality of and access to health and education services. While the prevalence of bribes in the education sector is relatively lower than in other sectors (12.4%, according to the East Africa Bribery Index, with approximately 10% of the parents reporting having to make illegal payments to get a place in a primary school, Afrobarometer, 2012), the so-called "quiet corruption" – the failure of public officials to

deliver public services – is widespread and negatively impacts the quality of education (Inspectorate of Government, 2011). According to the [National Panel Survey](#) (UNPS) conducted in 2010, teacher absenteeism affects one in five primary classrooms across the country.

Absenteeism is even more serious in the health sector, where one out of every three health workers is absent (Inspectorate of Government, 2011), what encourages people to paying bribe in order to receive preferential treatment (Moses, 2012). Almost 30% of Ugandans using the public health service in 2011 have reported paying bribes (Transparency International Kenya, et al., 2012). Health providers themselves have acknowledged that accepting unofficial payments and gifts in exchange for services is a rather common practice (Moses, 2012).

In addition, recent studies have raised the issue of corruption in the defence sector. Transparency International UK's Government [Defence Anti-Corruption Index](#) 2012 places Uganda in the group of countries which are highly exposed to the corruption risks in this sector.

2. Governance structure and anti-corruption efforts

In recent years, the government of Uganda has been vocal about fighting corruption in the country. A series of laws and policies aimed at reducing corruption and its pervasive effects have been established, but the lack of implementation and enforcement of these rules and policies have raised doubts about the seriousness of the government efforts as well as of its political will to actually change the situation in the country.

A new National Anti-Corruption Strategy (NACS) was launched in 2008. This strategy is a 'five-year plan designed to make a significant impact on building the quality of accountability and reducing corruption levels in Uganda'. It focuses not only on government structure and systems, but also on people and on rebuilding a culture of integrity (Directorate of Ethics and Integrity, 2008).

Other measures taken by the government include the new Anti-Corruption Act in 2009, the 2007 declaration signed by Ugandan, Kenyan and Tanzanian anti-corruption authorities to deny safe haven to corrupt persons and investment in illicit funds (World Bank,

2011), and the establishment of specialised anti-corruption court within the judiciary.

Legal framework

International conventions

Uganda has been a signatory of the United Nations Convention against Corruption (UNCAC) as well as of the African Union Convention on Preventing and Combating Corruption since 2004, but it still has to improve its legal framework (and its implementation) in order to be fully compliant with both conventions.

National legislation

Overall, Uganda's anti-corruption legal framework is assessed as strong, but the country is still lacking effective implementation and enforcement of the rules in place (Global Corruption Report, 2011; Inspectorate of Government, 2011).

Criminal responsibility for corruption is provided for in both the Penal Code Act and the Anti-corruption Act of 2009. The latter defines corruption as "soliciting and acceptance of anything by a public official, diversion of public funds, as well as fraudulent acquisition and concealment of property". Those guilty of bribing public officials, diversion of public funds, influence peddling, or nepotism will be liable on conviction to a term not exceeding ten years. The Act regulates corruption in both the public and private sector (Conference of the States Parties to the United Nations Convention against Corruption, 2011).

The Leadership Code Act (2002), the Anti-Corruption Act (2009) and the Code of conduct and ethics of the Ugandan Public service regulate conflict of interest, as well as related prohibitions such the acceptance of gifts and hospitality. The Inspectorate of Government is responsible for overseeing the code (World Bank, 2011).

The President, Ministers, members of the Parliament, judges, and civil servants, and their spouses, must comply with asset disclosure requirements, in accordance with the Leadership Code Act. Declarations should be filled upon taking office, annually, and upon leaving office, and should include information on assets, liabilities, and income items. These declarations are made publicly available, but not always timely (World Bank, 2011).

Rules on campaign and political party financing in Uganda are inadequate. According to the law, there is no ban or restriction on donations from legal entities or foreign sources to political parties, including from companies which have contracts with the public administration. Limits to donations are only established in case of foreign funds. Natural persons are allowed to make donations to parties and candidates without any limit. Parties and individual candidates also commonly rely on public funding to cover their expenses. Overall, there are no limits to how much can be spent during political campaigns (International IDEA, 2012).

With regard to party and candidates accountability, political parties and candidates have to report on their campaign expenditures, and include information on the sources of funds, the names of the contributors, and whether the donation was in cash or in kind. All the financial transactions of the political party have to be reported (International IDEA, 2012). The Electoral Commission is responsible for overseeing the process, but there is evidence that the commission lacks independence and resources to exercise its functions properly (Freedom House, 2012b).

The 2010 [Whistleblowers Protection Act](#) provides for mechanisms encouraging individuals to blow the whistle on corruption cases. The act includes monetary incentives for whistleblowers and also guarantees their protection. The Inspectorate of Government has established a [hotline](#) where individuals can report corruption anonymously.

The [Access to Information Act](#), enacted in 2005, provides every citizen the right to access information, with the exception of information that is likely to threaten the country's security or sovereignty (World Bank, 2011). However, although the act was enacted in 2005, regulations necessary to operationalize the act were only adopted in 2011 (Freedominfo, 2011).

Uganda ranks 26 out of 93 countries with access to information laws in the global right to information rating 2012⁴ (RTI rating), with a score of 98 points out of 150. The main shortcoming of the Ugandan access to information legal framework relates to the lack of administrative appeal mechanisms, and the gaps in the system of judicial review. (AccessInfo; Centre for Law and Democracy, 2012).

⁴ The RTI rating assesses the strength of the legal framework for guaranteeing the right to information in a given country, but it does not measure quality of implementation of the law.

Institutional framework

There are several institutions in the country tasked with investigating wrongdoings and fighting corruption. While a system of checks and balances is guaranteed by the 1995 constitution, in practice, many of the country's institutions are unable to perform their duties efficiently because they are understaffed and lack sufficient resources.

Inspectorate of Government

The [Office of the Inspectorate of Government](#) (IGG) was established in 1986, and since 1995 it has the mandate to fight corruption in the country. The office's mandate is further regulated by the Inspectorate of Government Act of 2002. According to the act, the Office of the Inspectorate plays a critical role to ensure a more effective and efficient public administration, and therefore, should work closely with other government agencies and NGOs to promote the rule of law and ethics among public officials.

Moreover, the office has the mandate to investigate or cause the investigation of corruption, prosecute, as well as arrest or cause the arrest of corrupt officials. The Inspectorate also serves as the country's ombudsman, and has the responsibility to enforce the Leadership Code of Conduct.

The Inspectorate of Government has 14 regional offices, which are headed by a Regional Inspectorate Officer and have the mandate to receive complaints within the scope and jurisdiction of the institution, carry out investigations, and inform the Inspector General of Government who is responsible for taking appropriate actions on the basis of the findings (Transparency International Uganda, 2008).

Data with regards to corruption cases handled by the responsible agencies in Uganda is still scant and unreliable. Public reports show that the Inspectorate of Government dealt with 114 criminal corruption cases in 2010, of which 59 were actually prosecuted with 17 convictions. In addition, the office has dealt with 272 administrative cases related to corruption in 2010, with an average length of six months (a significant reduction compared to the 36 months required to resolve a administrative case before 2008) (Inspectorate of Government, 2011).

While by law the Inspectorate is granted significant independence, reporting only to the Parliament, in practice, its autonomy, efficiency and effectiveness have been hampered by the lack of resources and staff,

as well as influenced by the Executive (Conference of the States Party, 2011; African Peer Review Mechanism, 2009; Global Integrity Report, 2011).

Director of Public Prosecutions

The [Directorate of Public Prosecutions](#) (DPP) of Uganda is mandated to handle and prosecute all criminal cases in the country, including corruption-related cases, or to delegate such powers where necessary. The Director of Public Prosecutions is appointed by the President at the recommendation of the Public Service Commission and with the approval of Parliament.

According to the data provided by the Director of Public Prosecutions' Office, the great majority of corruption-related cases investigated by the office relates to embezzlement and forgery. However, the data also show that a significant number of cases are either closed or referred to further investigation due to the lack of sufficient evidence for prosecution. For instance, in 2009, more than 40% of corruption-related crimes assessed as causing financial loss to the public administration were closed or referred to further investigation (20% in 2010) (Inspectorate of Government, 2011).

These numbers underscore one of the main challenges faced by the prosecutor's office (and other institutions) in Uganda which relates to the weak investigative capacity and lack of qualified personnel and technical expertise to conduct the investigations (Inspectorate of Government, 2011).

Auditor General

The [Auditor General](#) is responsible for overseeing government operations through financial and other management audits. These audits aim at (i) assessing whether public funds are spent efficiently, effectively, and in accordance with applicable laws; (ii) evaluating internal controls to improve governance in the public agencies; (iii) investigating illegal or improper activities within the public administration (Inspectorate of Government; Economic Policy Research Center, 2011).

As previously mentioned, the Auditor General is considered as a strong institution (International Budget Partnership, 2013). However, as underscored by the 2011 Global Integrity Report, the Auditor General faces serious challenges to its independence, as the head of the institution is appointed and can also be removed by the President of the Republic (Global Integrity Report, 2011).

Directorate of Ethics and Integrity

The [Directorate of Ethics and Integrity](#) (DEI) within the Office of the Presidency is responsible for coordinating the government's efforts in the fight against corruption and for establishing an integrity system that promotes good governance across the administration. Within this framework, the Directorate is implementing the National Anti-Corruption Strategy 2008-2013. The directorate also maintains a [resource centre](#) on corruption available to the public

The Directorate is also the chair of the [Inter Agency Forum](#) (IAF), which is a forum tasked with ensuring the effective coordination among all institutions tasked with fighting corruption in the country. It provides for a platform where different government agencies can exchange information and lessons learned with regards to the design and implementation of anti-corruption strategies. However, according to experts consulted for this Helpdesk answer, a lack of funding and capacity has constrained its effectiveness.

Judiciary

The 1995 Constitution stipulates a separation of powers between the Executive, the Legislature and the Judiciary, thus guaranteeing the independence of the judiciary. In practice, higher courts are relatively independent and staffed with qualified and well trained judges. In lower courts, however, magistrates are often influenced by political and economic groups (Freedom House, 2012b). Moreover, the appointment of judges is perceived by some as problematic – the President is responsible for appointing magistrates, upon approval of the Parliament (Transparency International, 2009).

The judiciary is assessed as rather corrupt by both citizens and companies in Uganda (Global Corruption Barometer, 2011; Transparency International Kenya, et al., 2012). Another problem affecting the system is the lack of financial and human resources (Freedom House, 2012b): between 2008 and 2010, the Supreme Court did not convene because of a lack of quorum (Transparency International, 2011).

In 2008, a specialised anti-corruption court was established with the aim of judging corruption-related cases in a swifter and more efficient way. Between 2009 and 2011, the court received more than 350 cases, which resulted in 232 convictions. As of September 2011, 127 cases were still pending a decision and there was a backlog of 198 cases. The great majority of cases (68%) handled in 2010 and 2011 were related to embezzlement and public

procurement (Anti-Corruption Coalition Uganda, 2011). Like other courts, the anti-corruption court faces financial and human resources constraints. As of 2011, the court was understaffed with only six judicial officers (2 judges, three magistrates, and one register) (Anti-Corruption Coalition Uganda, 2011).

Other actors

Media

The Constitution of Uganda guarantees freedom of speech and freedom of the press, but provisions of the Penal Code Act and the Official Secrets Act are often used by the government as means to restrict journalists' freedom (Freedom House, 2012b). Since 2009, the government has increasingly restricted the space for the media, particularly those reporting on politically sensitive issues. According to human rights groups, journalists who criticized the government have been harassed and physically threatened (Bertelsmann Foundation, 2012), and some journalists have faced criminal charges for their reporting (Freedom House, 2012a).

The country ranks 104th out of 179 in Reporter without Borders' [Press Freedom Index 2013](#), an improvement in comparison with the 139th position it occupied in the 2011-2012 assessment.

There are approximately 20 national and local newspapers, and more than 200 licensed radio stations and some 40 television stations. Radio stations, in particular, play an important role in informing the population (Transparency International Uganda, 2011; Freedom House, 2012a). Despite this diversity of voices, the ruling party still dominates the media. During the 2011 elections, the opposition was clearly marginalised by both the state and private run media, despite, although laws granting access to free media to all political parties, (Bertelsmann Foundation, 2012), Independent journalists have also reported being pressured by the government to not report on opposition candidates (Freedom House, 2012c).

According to the 2000 Press and Journalist Act, journalists have to register with government affiliated National Institute of Journalists of Uganda, and obtain a license from the Media Council in order to exercise their profession. The Media Council is seen as heavily influenced by the Executive branch of government, lacking autonomy and independence (Freedom House, 2012a). Amendments to the Press and Journalist Act

and a new bill regulating communications in general have been proposed in 2010 and 2012, respectively. Among other things, the new regulations suggest increasing the powers given to the Media Council, including the mandate to license newspapers on a yearly basis and to revoke licenses at any time (Transparency International Uganda, 2011).

Civil society

Uganda's Constitution guarantees the right to freedom of association, and since its promulgation civil society groups have been playing an important role in shaping public policy through processes such as the Poverty Eradication Action Plan (PEAP), and the Public Expenditure Reviews (Transparency International Uganda, 2011).

With regard to the legal framework regulating civil society organisations in the country, in 2012, the government launched the national NGO policy, which is intended to "guide and regulate the operations of civil society organisations." The policy also aims at enabling the government to effectively monitor the integrity, accountability, and transparency of NGOs (International Center for Non-Profit Law, 2013).

Currently, there are numerous barriers to registering a non-governmental organisation in Uganda, and annual re-registration is also required. On the other hand, the country lacks appropriate appeal mechanisms or procedural safeguards during the registration process (International Center for Non-Profit Law, 2013).

There are many civil society organisations operating in the country in a wide range of areas and sectors (Bertelsmann Foundation, 2012), including on corruption-related issues. The most active organisations working on anti-corruption are the Anti-Corruption Coalition and its counterparts such as Transparency International Uganda, the African Parliamentarians Network against Corruption, Civil Society today, Uganda Debt Network, NGO Forum, and other regional level grassroots initiatives (Transparency International Uganda, 2011).

In response to recent corruption scandals, civil society groups formed a coalition named [Black Monday Movement](#), against the theft of public resources and impunity. The coalition organises events every first Monday of the month to raise awareness of corruption and mobilise citizens to take action.

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