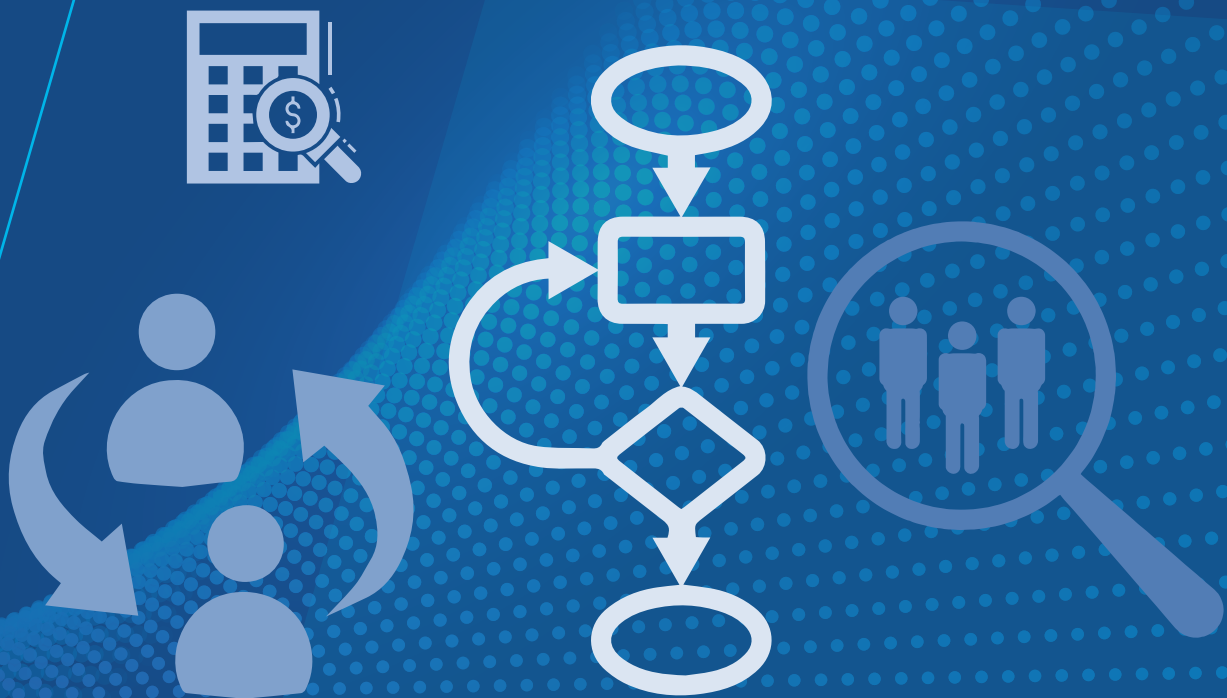YOUTH 4 POLICY

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YOUTH FOR POLICY PERSPECTIVES

POLICY OPTIONS FOR STRENGTHENING STATE-CITIZEN INFORMATION FLOW TO FOSTER ACCOUNTABILITY AT LOCAL GOVERNMENTS IN UGANDA

CENTRE FOR DEVELOPMENT ALTERNATIVES

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POLICY OPTIONS FOR STRENGTHENING STATE-CITIZEN INFORMATION FLOW TO FOSTER ACCOUNTABILITY AT LOCAL GOVERNMENTS IN UGANDA

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Policy Options for Strengthening State-Citizen Information Flow to Foster Accountability at Local Governments in Uganda

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This policy paper argues that limited access to information on government programmes by the citizens contribute to increasing cases of accountability deficits, resulting in poor public service delivery by local governments in Uganda. Indeed, the state duty to ensure adequate access to public information by the citizens is essential for strengthening the capability, accountability and responsiveness of public officers at local governments. The paradigm shift to people-centred approaches to development through a decentralised system of governance in Uganda has seen the proliferation of powers, functions and services at the local government levels. Yet the concept of citizens' participation remains widely misinterpreted. Abuse of power by public officers, corrupt practices, tedious complaints mechanism and citizens' reluctance to engage public officers are identified as some of the underlying causes of citizens' limited access to information on government programmes. This policy brief, therefore, recommends strengthening the institution of village executive committees as a channel for communicating all government plans, policies and programmes. In addition, there is a need to establish the Sub-County Integrity Promotion Forums (SIPFs) to coordinate anti-corruption efforts, effective leadership, accountability and good governance at the sub-county level.

1. Introduction

Uganda introduced the decentralised system of government in 1997 with the objective of transferring powers, functions and services from the central to the local government.[1] Decentralisation was expected to bring planning, budgeting and management of public resources closer to the people, thereby enhancing monitoring, participation and accountability in public service delivery. However, with more than 20 years of decentralisation, there are still widespread concerns over the lack of accountability of public officers, both elected and appointed, at local governments (LGs). If citizens are to meaningfully hold public officers accountable, they need to have adequate information about government decisions and actions during public service delivery. Existing platforms, however, do not provide adequate information on government programmes to citizens. As a result, over 60 per cent of citizens do not have access to public information at the local government levels.[2] Unfortunately, only about 14 per cent of citizens are aware of any law or policy that governs access to public information in Uganda.[3] And yet Article 41 of the Constitution of 1995, Access to Information Act, 2005, and Access to Information Regulations, 2011, provide for the right to access public information by the citizens.[4]

Limited access to information on government programmes by citizens contributes to accountability deficits, resulting in poor public service delivery at local governments. A working definition of access to information is the ability of people to seek or obtain vital public information through formal or informal means.[5] As communication experts argue, the main obstacles to citizens' access to public information include a culture of secrecy, bureaucracy, ignorance of the law and its relevance, tedious complaints mechanisms, and institutional barriers, among others.[6] Therefore, the information gap causes accountability deficits, which manifest themselves in the form of drug shortages in health centres, poor quality construction of roads and classrooms, shortages of learning materials in schools, failure to follow procurement procedures, and nepotism in the recruitment of staff, among others.

Uganda already loses billions of shillings annually due to limited accountability at local government levels, with many accountability experts describing corruption as 'severe, well-known, and something that cuts across social sectors.'[7] The risk, therefore, is that the trend of rising corruption will continue and negatively impact on the country's socio-economic development, thus hindering the attainment of the Sustainable Development Goals 2030 and Uganda's Vision 2040. In addition, the information gaps pose risks to the quality

of leadership by making citizens unable to cast informed votes in the elections, which impacts negatively on the democratic processes as weak and incompetent leaders are elected to political offices. Yet with decentralisation, the powers, functions and services are transferred from the centre to local governments. This requires strong and capable leadership to monitor and supervise public service delivery processes to avoid being abused or mismanaged by the technocrats.

The increasing cases of poor public service delivery necessitate the state to have effective, efficient and inclusive communication structures and processes, which enable the two-way exchange of information between the state and the citizens. Simply defined, a two-way communication is when the sender transmits a message to the receiver and the receiver, after getting the message, sends back a response, acknowledging the message was received.[8] A two-way communication system allows citizens to access adequate information on government programmes, which enhances citizens' participation in the planning, budgeting and monitoring of public service delivery. It further enables citizens to demand accountability from duty bearers, enter into an informed dialogue with the state on issues that affect their well-being, and influence political outcomes, among others. Indeed, many political experts argue that the two-way exchange of information encourages the development of trust between the state and citizens, which is the foundation of state legitimacy over the long-term.[9]

This paper, therefore, explains the underlying causes of limited access to public information by the citizens at local governments in Uganda. The paper further provides policy options for improving citizens' access to public information that would contribute to strengthening the capability, accountability and responsiveness of public officers. The study involved reviewing relevant academic literature, policy documents and government reports on the subject of access to information, accountability and citizen participation in local governance. This was complemented by semi-structured interviews conducted with key stakeholders, mainly local government officials, elected leaders, representatives of civil society and community members. The main findings of the study identified the constraints undermining citizens' access to public information as: citizens' reluctance to engage with duty bearers; abuse of power by public officers; corrupt practices; and ineffectiveness in communicating government programmes to the citizens. As a policy remedy, this paper proposes a range of policy interventions and actions, including strengthening the institution of Village Executive Committee headed by the village (LC1) chairperson, which is made the first contact point in disseminating information on government programmes. There is also a need to establish the Sub-County Integrity Promotion Forums (SIPFs) to facilitate the coordination of anti-corruption efforts, effective leadership, accountability and good governance at the sub-county level.

Section 2 provides the research context on access to public information by citizens based on ethnographic research findings. The responses from the different development stakeholders are discussed, analysed and synthesised with findings from the literature reviewed in order to draw a comprehensive conclusion. Section 3 presents the conclusion and policy recommendations.

2. Contextualising citizens' access to information at local governments in Uganda

2.1. Legal and policy frameworks for access to public information in Uganda

Uganda has a supportive legal framework for access to information under which citizens' limited access to public information is addressed. The right to access public information is enshrined in Article 41 of the Constitution of 1995, which provides that 'every citizen has a right to access information in the possession of the state or any other organs of 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 persons.'[10] Indeed, Uganda became one of the few African countries to enact a right to information law, the Access to Information Act, 2005, and later the Access to Information Regulations, 2011.[11] The Act was enacted to promote the right of access to information by citizens so as to enhance the effectiveness, transparency and accountability of the state by allowing the public to access and participate in decisions that affect them as citizens.[12] Since the enactment of the Access to Information Act, 2005 and its enabling regulations, the Government of Uganda has undertaken noteworthy strides to ensure that citizens access public information.

In 2011, for instance, the government developed a communication strategy to establish an effective, efficient, well-coordinated and proactive communication system across all public institutions. Notably, the communication strategy was developed to further foster government responsiveness to the diverse information needs of the public. Findings, however, acknowledge that the realisation of the communication strategy and the right to information have significantly been affected by the ignorance of the citizens and other public officers about the existence of the available laws and regulations on access to information, its importance, and implementation approaches. From the interviews, for example, it was determined that only two out of 48 community members interviewed had heard about the access to information laws. Perhaps citizens' limited awareness about the access to information laws may not only reflect their ignorance about the significance of the access to information laws and regulations but may also reveal that the government has not done enough regarding their obligation of sensitising the citizens to the existence of available laws and regulations.

The government facilitates its engagement with the citizens through the Government Citizens Interaction Centre (GCIC). GCIC offers a platform for citizens to interact with the government through multiple channels, including a toll-free line, email, social media, website, online chat and SMS, among others. GCIC was established to make access to public information simple and more affordable by the citizens so as to foster the monitoring of service delivery, and to provide a channel for feedback and suggestions from citizens in a bid to promote open governance. However, only 10.8 per cent of households in Uganda have access to the internet and this proportion drops to 6.6 per cent of households in rural areas.[13] This indicates that persons outside urban areas face significant disadvantages in accessing online content. Therefore, GCIC may be serving an elite segment of citizens in urban areas to access information

from Ministries, Departments, and Agencies (MDAs), excluding the rural poor who only access information directly from public officers at local government levels. Above all, most rural communities do not have electricity and, where electricity is available, there is erratic and unstable power supply, which does not favour the use of information and communication technology (ICT) equipment.

In order to open up access and remove usage restrictions on all information on government programmes, the government introduced the Open Data Policy in 2017. The policy aims at making all public sector information open by default with the exception of personally identifiable information with security, commercial, intellectual property rights and environmental restrictions.[14] The Open Data Policy focuses on how opening up access to information can support performance monitoring as a means of improving public service delivery. Much as the Open Data Policy might have succeeded in opening up access and removing usage restrictions, the government needs to address the bureaucracy involved in the process of accessing information. Currently, under the Local Government Act, 1997 (amended in 2015) and Access to Information Act, 2005, all information on government programmes is supposed to be accessed from the Chief Administration Officer (CAO) at the district level. This bureaucracy essentially enables public officers to hide information from citizens for their personal gain. Public officers, therefore, should be obliged to freely release essential information such as bills of quantity (BoQs) used during the procurement and contractual processes to service user committees such as Health Unit Management Committees (HUMCs), School Management Committees (SMCs) and Water User Committees (WUCs), among others. This would encourage service user committees and other citizens to effectively monitor and supervise contract works, which would both reduce poor quality works and ensure value for money.

2.2. Citizen engagement with public officers at local governments

When citizens freely engage and interact with the state authorities, they are able to get first-hand information on government programmes, present their preferences regarding specific issues affecting them, participate effectively in public decision-making, and hold public officers accountable for particular decisions, actions and behaviours. Interviews with community members, however, revealed that only 18.8 per cent of the respondents have accessed government offices to seek

information on government programmes in the last three years. The interviews further revealed that most community members do not know the civil servants employed by the government to deliver public services. For instance, only 10.4 per cent of the respondents had personally met and interacted with their Senior Assistant Secretary, commonly referred to as the Sub-county Chief, on issues of public service delivery. Denis, for instance, said categorically that he is not aware whether

the Sub-county Chief is male or female. Similarly, Susan only knew the Sub-county Chief who died five years earlier and wondered whether he had been replaced.

Much as decentralisation might have brought government closer to the citizens, it seems that it is at the discretion of the public officers to decide when, where and how to engage and interact with the citizens. In fact, both district and sub-county officials who were interviewed acknowledged that few community members often came to their offices to seek information on government programmes. For instance, Francis admits that on average only two community members came to his office on a given day. Meanwhile, three respondents from civil society claimed that citizens were often reluctant and unwilling to go to government offices to access public information because they had lost trust in government as a result of corrupt practices by some public officers. This claim was indirectly accepted by Peter, one of the public officers interviewed, who argued that community members often had negative attitudes towards public officers, which made them reluctant to engage with public officers on issues of public service delivery. Indeed, this finding is in agreement with social accountability experts who argue that for citizens to proactively engage and interact with public officers, they need an enabling environment that facilitates free engagement and interaction.[15]

2.3. Communicating government programmes to citizens through local radio stations

Access to adequate information on government programmes by citizens promotes an efficient, effective, transparent and accountable government. Indeed, government policies, plans and programmes ought to be adequately communicated and well received by citizens in order to ensure quality public service delivery. According to interviews with government officials, information on government programmes such as Operation Wealth Creation (OWC), Youth Livelihood Programme (YLP) and Uganda Women Entrepreneurship Programme (UWEP), among others, is disseminated mostly through local radio stations and public noticeboards. Local radio, however, seems to be the most preferred channel for communicating government programmes at local government levels. In fact, during the interviews, two of the district officials were quick to thank Uganda Communication Commission (UCC) for allocating free radio airtime to the districts, which they claim had eased community sensitisation and mobilisation on government programmes.

In 2013, UCC introduced free public education airtime, which requires all radio stations across the country to give free one-hour radio airtime weekly to the local government to mobilise and sensitise the public to government programmes and receive feedback on public service delivery. This has led to radio stations becoming an integral component of public service delivery in Uganda. However, while free radio airtime might have been successful in sensitising and mobilising some citizens to participate in government programmes, it has not reached economically disadvantaged people who cannot afford a radio receiver. This makes it impossible for some community members to access and benefit from the information on government programmes delivered through the radio stations. In fact, this concern has been confirmed by the National Information Technology Survey, which reports that only about 60 per cent of Ugandans access and listen to the radio; this number drops to 35 per cent of households in the rural areas.[16] Responses from community members interviewed also indicate that only 33.3 per cent of respondents access public information from local radio stations. The interviews also discovered that a district without a locally based radio station does not benefit from the free radio airtime allocated by the UCC. In fact, one of the public officers interviewed accepted that his district holds only one radio talk show in a quarter because of resource constraints.

Much as local radios seem to be the means most preferred by public officers for communicating government programmes, some community members also feel ignored. For instance, Jacky, one of the respondents, reported that the radio talk shows are often held very late in the night when most women are tired and already sleeping after a long day's work in the garden and engagement in domestic chores. In addition, given that the topics discussed on radio are pre-identified and determined by public officers, there is also a significant possibility that some critical information, such as BoQs for a project, may be intentionally left out for fear that pressure, criticism and a demand for accountability might arise from the citizens. For instance, Susan, one of the public officers interviewed, wondered why she should give a community member the BoQ for a project and yet he/she will use it against her on radio.

The research findings, however, revealed that local radios to some extent have been fundamental in driving citizens

to believe that demanding information on government programmes and holding duty bearers accountable can actually improve public service delivery. This has mainly been through social accountability radio programmes. For instance, Michael, one of the public officers interviewed, explained that community members always take advantage of morning radio discussions to demand information on government programmes and raise issues of accountability. He added that, as a district, they are forced to respond to such issues, although this is something that most public officers are not comfortable doing. Much as accountability radio programmes might have succeeded in providing a platform for demanding public information and holding duty bearers accountable, responding to such demands or claims is neither legally binding nor mandatory. Sam, one of the respondents interviewed, however, claimed that public officers, especially elected leaders, are often very quick to respond to community demands over the radio for fear of tarnishing their names. Respondents from civil society claimed that public officers are often opposed accountability radio programmes because they expose abuse of power, corruption and mismanagement of government programmes.

2.4. Citizen participation in government programmes at local governments

In recent years, community participation has dominated the development discourse in an attempt to facilitate local people's involvement in their own development. Indeed, in decentralised public sector governance, citizens are expected to proactively participate in the planning, budgeting and monitoring of public service delivery, which is significant in strengthening accountability at local governments. However, interviews with community members revealed that only 12.5 per cent of the respondents had participated in any government programme in the past three years. For instance, Samuel explained: 'I have never benefited from any government programme but I just hear about such programmes over the radio…' Six community members acknowledged that they applied for YLP and UWEP but their groups were not selected to benefit from the grants. Community members defined their participation in government programmes in terms of what they benefit as individuals rather than the designing, planning and monitoring roles of citizens. Community members also accepted that they are often not willing to attend any meeting organised by any public officer unless they are paid sitting allowances. Johnson, for instance, stated categorically that public officers often use their names and signatures to steal money from government programmes to buy expensive cars and build good houses, leaving them to suffer from poverty.

Johnson claims that accountability still remains a challenge at the government levels. Recently, the State House Anti-Corruption Unit in the Office of the President arrested several local government officials on corruption and abuse of office allegations.[17] During the interview, Lucy, a 58-year-old single mother of six living with HIV/AIDS, narrated her ordeal about being a victim of the corrupt practices of public officers at local the government. Lucy's name was in the beneficiary list displayed on the sub-county noticeboard for the government restocking programme under the Office of the Prime Minister's Peace, Recovery and Development Programme (PRDP), but eventually her name went missing on the day animals were being given out to the beneficiaries. Lucy claims that her attempt to seek justice was ignored by public officers at the sub-county, including the Resident District Commissioner (RDC), who told her to wait for another opportunity. Lucy's story could be a representation of the untold stories of other community members who are denied public services by public officers as a result of abuse of power and corruption at local governments.

Lucy's experience may point to an explanation as to why many citizens are unwilling to engage, interact and participate in government programmes. As explained in the Accountability Sector Bulletin Report, corruption hinders citizens' access to information on government programmes as public officers tend to hide critical information so as to limit citizens from demanding accountability.[18] The act ultimately demoralises citizens from performing their cardinal roles of participating in the planning, budgeting and monitoring of public service delivery, though this is something that public officers deny. For instance, Robert, one of the public officers interviewed, claimed that community participation is low because of the high rate of illiteracy, lack of exposure, fear and low self-esteem among citizens. John, another public officer, attributed the low level of community participation to limited government resources and increased demand for money by the community members.

3. Policy recommendations

This section makes several policy recommendations, which, if employed, are poised to respond to some of the underlying causes of citizens' limited access to information on government decisions and actions taken by public officers during public service delivery.

3.1. Strengthening the institution of Village Executive Committees headed by village (LC1) chairpersons

This paper has established that all communications on government plans, policies and programmes should be channelled through the Village Executive Committee headed by the village (LC1) chairperson. The Village Executive Committee is the lowest political administrative unit based at the village level, which was established through the Local Government Act in 1997. According to Article 50 of the Local Government Act, 1997 (amended in 2015), the village committee oversees the implementation of policies and decisions made by its councils.[19] It further serves as the communication channel between the central government, the district or higher local council and the people in the area. The functionality of the Village Executive Committees, however, was crippled by the failure to hold LC1 elections for 17 years; it was not until July 2018 that elections were held. This made some positions on the committee fall vacant, and allowed weak people who could not mobilise the village council members to assume the position of chairperson, and some chairpersons could not be held accountable by the village members. Yet LC1 chairpersons are well-placed to play the role of communicating government programmes because they know each village resident well, including their home locations, and have extensive social contact with community members through casual socialising and events such as burials, weddings and traditional marriage ceremonies, among others.

Borrowing from the rationale for the Local Government Reform in Tanzania in 2002-2005, dedicated to strengthening village authority and citizens' participation in poverty reduction,[20] similar attention should be given to strengthening the Village Executive Committees. Tanzanian local government reform ensured that all village leaders were trained, empowered and mandated to participate in formulating, implementing and monitoring government programmes, which succeeded in strengthening downward accountability. Village Executive Committees, therefore, should further be strengthened through holding regular elections every five years so that the village council members are able to hold the committee accountable for their decisions and actions, which are taken during public service delivery within the village. In addition, the facilitation which the government gives to the LC1 chairpersons annually should be given on a quarterly basis and attached to the village meetings conducted. The money should be given after the presentation of minutes of meetings and attendance lists for the general village meetings. This would encourage the Village Executive Committees to regularly organise meetings for the village members, thus serving as a reliable platform for communicating government programmes. To further ease the movements of village chairpersons, the Ministry of Local Government (MoLG) should fast-track the delivery of bicycles which were promised to village chairpersons.

3.2. Establish Sub-county Integrity Promotion Forums (SIPFs) to coordinate public service delivery system

This paper revealed the weaknesses in the current citizen engagement mechanisms, which give public officers at the local governments too much discretion in deciding what, when and how public information reaches citizens. Indeed, the current platforms do not sufficiently empower citizens to access the information needed to effectively hold public officers accountable. Therefore, the government should consider establishing Sub-county Integrity Promotion Forums (SIPFs) to co-ordinate mechanisms that aim to bring the leadership of a sub-county together to discuss issues of public service delivery, accountability and effective leadership in the sub-county. Borrowing from the justifications for the formation of District Integrity Promotion Forums under the Directorate of Ethics and Integrity in the Office of the President of Uganda, dedicated to fostering integrity and preventing corruption in the public

sector, similar attention should also be scaled down to fostering integrity and fighting corruption at sub-county level, which is the hub for public service delivery in a decentralised system of governance.

The SIPFs can be guided by the principles of mutual respect, honesty and service above self. Its membership can be drawn from among heads of sub-county institutions, representatives of civil society, media, and religious and cultural leaders. SIPFs would significantly address accountability deficits by frequently organising stakeholders' engagement meetings, public accountability meetings, and joint monitoring of public service delivery, which would greatly reduce abuse of power, corrupt practices, and mismanagement of government programmes by public officers at local government levels. In addition, SIPFs can be engaged by anti-corruption civil society organisations and accountability institutions, such as the Inspectorate of Government and the Office of the Prime Minister, in organising public accountability forums (barazas) at the sub-county level.

4. Conclusion

The concept of access to information evolved primarily as a means to promote citizens' participation in public service delivery, which enhances effectiveness, transparency and accountability of the state by allowing the public to adequately access information and participate in the decisions that affect them as citizens. However, because of the weaknesses in the current citizen engagement mechanisms, which give public officers at the local governments too much discretion in deciding what, when and how public information reaches citizens, citizens do not have adequate access to the information needed to effectively hold public officers accountable during public service delivery. The research findings highlighted governance challenges that have brought about a lack of trust between citizens and public officers. Indeed, it is worth noting that abuse of power and corrupt practices by public officers bring about the reluctance among citizens to participate in the planning, budgeting and monitoring of public service delivery at the local government levels. It is, therefore, of utmost importance that the access to information laws, policies and discourses should include abuse of power by public officers and sensitisation of citizens so that they are empowered to demand information on government programmes. This will give a complete account of the causes of citizens' limited access to public information and an accurate account of how to address limited access to information on government programmes, which would strengthen accountability at local governments.

In summary, in order to answer the questions of citizens' limited access to information as a means of strengthening accountability at local government levels, Uganda will need to have well-informed and empowered citizens to proactively participate in the planning, budgeting and monitoring of public service delivery. In addition, citizens will have to elect competent and capable leaders to supervise technocrats during public service delivery processes. Meanwhile, citizens will have to hold the public officers, both elected and appointed, accountable for their decisions and actions during the public service delivery. Improving citizens' access to information on government programmes will strengthen the capability, accountability and responsiveness of duty bearers at local government levels.

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