

Assessment of Government Compliance to the Certificate of Gender and Equity in FY 2017/18 Budget

Q&A with the EXECUTIVE CSBAG DIRECTOR



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Q. What is the importance of the Certificate of Gender and Equity to Civil Society?

A. Government budgets are the largest single source of financing through which government promises are translated into policies and plans that are meant to benefit men and women equitably. In line with this, CSBAG views the Certificate of Gender and Equity (CGE) as the most effective mechanism through which we can guarantee that Government of Uganda spending agencies deliberately plan and allocate resources every financial year to address the gender and equity challenges within their various sectors.

Q. What progress have CSOs made in championing the gender and equity responsive budgeting in Uganda?

A. To ensure that the allocation of public resources contributes to advancing gender and equity, CSOs have overtime advocated for budgets that respond to the needs of men and women equitably and we recognize that the Government of Uganda has over the years, implemented a number of reforms aimed at promoting gender equality including, the establishment of the Ministry of Gender, Labour and Social Development and the

Equal Opportunities Commission (EOC) as well as instituting gender responsive policies and laws.

In line with this, as a result of gender responsive budgeting advocacy by Civil Society Organizations, including FOWODE, Government in FY2006/07, through the Ministry of Finance Planning and Economic Development (MoFPED) started issuing a Budget Call Circular (BCC) containing a gender directive intended to ensure that spending agencies adopt gender budgeting. However this faced great compliance challenges within the various spending agencies simply because there was no enforcement mechanism for this directive.

So together with likeminded Members of the 9th Parliament, we embraced the opportunity of drafting a Public Finance Management Act, 2015 back in 2012 to push for a clause in this law that would make it mandatory for Ministries Departments and Agencies to plan and direct funding to the most pressing gender and equity challenges within their sectors. Still in 2015, when Government desired to take this provision out of the PFMA, 2015; we partnered with the EOC and caused Parliament not to amend this particular section of the law.

Q. Now that we have the CGE, what next?

A. First is to thank the responsible agencies for undertaking their mandate as prescribed in the PFMA, 2015. CSBAG and its members on the social development thematic working group commend the Ministry of Finance and EOC for complying with the law by assessing CGE compliance of over 130 votes for three financial years in a row.

We also commend the Parliament of Uganda; the law requires that no sector plan or budget should be approved by Parliament unless it has been issued with a certificate of gender and equity. In fact this particular year, some sectors were sent back by Parliament after their Budgets and Plans scored below average on this particular aspect.

What is next, is for Government to adequately finance the operationalization of this provision in the Law. For example, FY 2017/18, the EOC has a funding gap of UG 8B for operationalizing certificate of gender equity. Uganda is on the spot to prove to the rest of the world that this approach can be effective in making Governments to commit to their gender and equity commitments. As such our Government must build effective capacities,

systems and structures. Many countries want to come and learn from Uganda. We can't sell a failing approach.

As Government does its part to allocate resources to address gender and equity challenges, CSOs are dedicating a greater part of their efforts to strengthening budget performance monitoring work to ensure that resources allocated to address gender and equity needs are utilised in the right quantity and quality. The other is to create awareness about the importance of the CGE just as we are doing now. In future, we also plan to award and reward the best performing sectors and votes depending on the different selected criteria.

Q. What do you see to be the future of Gender and Equity Planning and Budgeting in Uganda?

A. Gender and Equity planning is not necessarily new in the country. However, the PFMA, 2015 makes it a legal requirement and as such it is incumbent upon all Government spending agencies to abide by the PFMA, 2015 provision on CGE.

Q&A with the EOC CHAIRPERSON



Sylvia M Ntambi
EOC CHAIRPERSON

1.0 Briefly Enlighten us about the Equal Opportunities Commission (EOC)

EOC is a constitutional body established by the EOC Act, 2007 "to give effect to the State's constitutional mandate to eliminate discrimination and inequalities against any individual or group of persons and take affirmative action in favour of groups marginalised for the purpose of redressing imbalances which exist against them; and to provide for other related matter" (EOC Act, 2007).

1.1 What is Gender and Equity Planning and Budgeting?

Gender and Equity planning and budgeting is an approach of allocating and utilizing country resources and programs taking into consideration of the different needs, interests and constraints of the various categories of people without any discrimination and addressing any imbalances that exist.

2.0 For how long have you been assessing for the CGE?

On the 23rd of February 2015, His Excellency Yoweri Kaguta Museveni, President of the Republic of Uganda assented to the Public Finance Management Act, 2015 with two provisions on Gender and Equity (BFPs, National Budget and MPSs). Consequently, since 2015/2016, the Commission has been assessing BFPs, the National Budget and the Ministerial Policy Statements. FY 2017/2018 marks our third year of assessing BFPs, the National Budget and the Ministerial Policy Statements to ensure their compliance to gender and Equity.

3.0 The Parliament of the Republic of Uganda is currently reviewing Budgets and Plans for the various agencies in Uganda, as EOC what is your role?

In accordance with Article 32(3) of the 1995 Constitution of the Republic of Uganda (as amended), section (14) and (15) of the Equal Opportunities Commission Act (2007), section 13 (15) (g) (i) and (ii) of the Public Finance Management Act (2015) and sub section 4.1 of the NDP II (2015/2016-2019/2020), the Equal Opportunities Commission assesses Ministerial Policy Statements for compliance with Gender and Equity.

After the assessment, the Commission submits an advisory not to the Minister Responsible for Finance

to issue a certificate of gender and equity to MDAs whose votes meet the minimum requirements.

4.0 As we talk now, what is the latest from your assessment Exercise

The Commission in total received 139 votes of which 103 votes obtained the minimum mark of 50% (99 passed after the first assessment; 6 met the minimum requirements during the second assessment). Overall, 42 votes failed the first assessment out of which only 6 have addressed some of the recommendations made by the Commission while 36 are yet to resubmit for re-assessment.

The overall national compliance to Gender and Equity requirements for the FY 2017/2018 was 48.5% in the 1st assessment and following the assessment of the re-submitted MPSSs, the performance has improved by 1.5%age points to 50%. The overall compliance for the FY 2016/2017 was 53%.

5.0 What are some of the Key Gender and Equity Issues of Concern that emerged during the assessments?

Positive Observations

i. There is a lot of government commitment to achieve inclusive growth and to promote equal opportunities and this has been evident first from His Excellency the President who assented onto the PFMA, Parliament under its various Committees has played a key role, the Ministry of Finance and the Ministry of Gender Labour and Social Development with whom we implement the Gender and equity Provisions have been very supportive, Our Development Partners (UN Women, UNDP and DGF have also played a key role.

ii. The Commission has also noted that taxes on rice have been waived as a short-term intervention for the shortfall in maize production. As advocates of equal opportunities, we note that majority of Ugandans feed on posho and yet currently, there is anticipated shortfall in the production quantities. We believe that low cost rice will substitute the demand for maize flour until the situation becomes normal again.

iii. There is improvement in the way the various votes appreciate gender and equity issues and its linkage to inclusive growth.

Negative observations

i. The Uganda Blood Transfusion Service (UBTS) is a semi-autonomous; centrally coordinated organization in the Ministry of Health responsible for all Blood Transfusion activities for the entire country. During

the assessment, the Commission noted that UBTS plans to reduce on the units of blood collected for transfusion. In the FY 2015/2016, UBTS targeted 266,400 units of blood and 280145 in the FY 2016/2017. On contrary, in the FY 2017/2018, the targeted units of blood to be collected (247,000) were reduced by 33,145 units. It's important to note that on several occasions various hospitals have experienced blood shortage.

ii. Analysis of the PLE, UCE and UACE UNEB results over the years reveals that all the worst performing sub regions are located in the Eastern Region and these are; Elgon, Busoga, Teso and Bukedi. These are followed by West-Nile, Lango and Acholi sub Regions. In addition, the Eastern Region contributes 73% (22) of the 30 poor performing districts of which 6 of the districts are in Busoga (Iganga, Luuka, Bugiri, Kairo, Mayuge and Buyende). However, during the assessment, the Commission noted there was no explicit commitment by the Ministry to address the above performance inequalities.

iii. Under the Dairy Development Authority, the Commission noted that the activities of DDA are concentrated in the Central, South West, Mid-West and Eastern Regions. The Karamoja Sub Region is completely left out which breeds regional imbalance.

iv. The Ministry of Finance Planning and Economic Development projected the National Economy to grow at 4.5% in the FY 2016/2017 and 5.5% in the FY 2017/2018 which is below the NDP II targets (FY 2016/2017 5.9%; 2017/2018 6.4%). The projected under performance is likely to impact on Uganda's commitment to attain a middle-income status by 2020 which will also compromise inclusive growth. There is need for the Ministry to carry out more analysis and advise government on how best to realise the NDP II targets.

v. During the assessment, the Commission noted that the Ministry of Agriculture did not allocate resources towards the single spine extension system and irrigation.

vi. The assessments revealed that the newly elected councils have not been inducted and yet no such allocations have been made for the FY 2017/2018. This will constrain execution of their mandate among which includes equitable policy oversight and monitoring government programmes.

vii. The assessment team noted the limited commitment of Missions abroad on delivering services to the Ugandans abroad such as awareness on employment laws of the host countries, development of data banks for Ugandans abroad in order to respond to their specific needs, trafficking persons among others.

6.0 What is the value addition for Gender and Equity Budgeting

Uganda is committed to achieving the 17 Sustainable Development Goals globally and has dedicated efforts, through National Development Plan (NDP II) to realise the full potential of every Ugandan with emphasis on the vulnerable and marginalised groups in society. Gender and Equity Planning and Budgeting are a need for sustainable inclusive growth and development. This is in line with the ultimate goal of the NDP II 2015/16-2019/20, which is to attain a middle-income status by 2020 through strengthening the country's competitiveness for sustainable wealth creation, employment and inclusive growth.

7.0 Challenges

i. Late submission of the Ministerial policy statements by MDAs

ii. The role of the Equal Opportunities Commission as provided for in the Public Finance Management Act, 2015 is not highlighted on the Budget cycle.

iii. As part of the Budget Cycle, the Commission invited two focal point persons in the various MDAs for engagement. However, some Agencies sent representatives that do not play any role in the preparation of BFPs and MPSSs. This act is partly constraining the Commission's capacity building efforts.

8.0 Conclusion

First, the Commission wishes to thank the President of Uganda. H.E Y K. Museveni, for heading the call of Ugandans when he assented to the Equal Opportunities bill into an Act of parliament on the 4th April 2007 and also when he assented to the PFMA 2015 with 3 provisions on compliance with Gender and Equity Requirements as a strategic mechanism for mainstreaming Gender and equity issues in the national planning and budgeting process.

Secondly, the Commission congratulates the 103 votes for passing the assessment and at the same time calls upon the 36 votes that are yet to address the recommendations made in the first assessment to do so before the 24th of April 2017.

Lastly, the Commission extends appreciation for partnership with CSBAG which gives us this opportunity to share with Ugandans some of the key highlights that concern gender and equity as the country is making the Final touches to the 2017/2018 Budget.

Uganda is committed to achieving the 17 Sustainable Development Goals globally and has dedicated efforts, through National Development Plan (NDP II) to realise the full potential of every Ugandan with emphasis on the vulnerable and marginalised groups in society. Gender and Equity Planning and Budgeting are a need for sustainable inclusive growth and development.

MAKING FY 2017/18 BUDGET WORK FOR THE POOR AND THE MARGINALISED

Assessment of Government Compliance to the Certificate of Gender and Equity in FY 2017/18 Budget

1. BACKGROUND TO THE CERTIFICATE OF GENDER AND EQUITY:

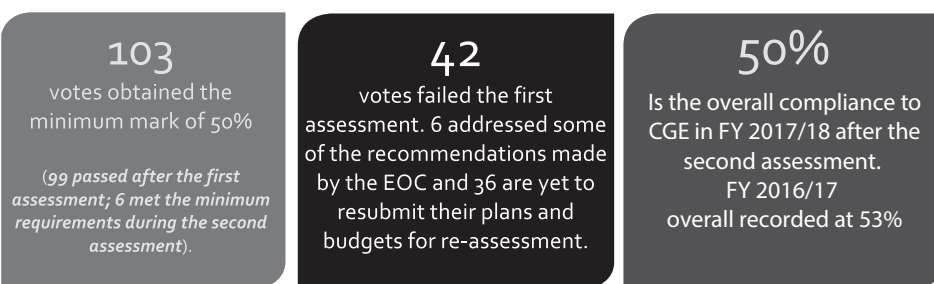
Although progress has been made by Government of Uganda towards the improvement of gender and equity planning and budgeting, there continues to be critical challenges to fulfilling the National Gender and Equity commitments within the country to ensure that the allocation of national resources takes into consideration needs, interests and constraints of the various categories of people without any discrimination.

In line with this, Uganda became the first country in the world to make it a law requiring that Government Ministries, Departments and Agencies 'would' only have their budgets and plans approved by Parliament 'only when' they have satisfactorily planned and allocated resources to address sector specific gender and equity challenges in a given financial year. Specifically, Sec 13 (15) (g) (i) and (ii) of the Public Finance Management Act, 2015 calls for issuance of a Certificate of Gender and Equity by the Ministry of Finance, Planning and Economic Development in collaboration with the Equal Opportunities Commission to all sectors and votes confirming that each sector budget and plan is gender and equity responsive.

In accordance with the PFMA 2015 requirement the Ministry of Finance and Equal Opportunities Commission have assessed Sector Compliance to the Gender and Equity Planning and budgeting requirements thereby issuing Certificates of Gender and Equity for sectors for 3 financial years i.e. FY 2015/16-FY 2017/18

2. OVERVIEW OF 2017/18 SECTOR PERFORMANCE

Ministerial Policy Statements of 139 votes for the financial Year 2017/18 were assessed in March 2016 by EOC and an Advisory Note on the performance of these sectors was presented to the Minister for Finance, Planning and Economic Development to issue a Certificate of Gender and Equity to MDAs that met the minimum requirements.



The overall national compliance to Gender and Equity requirements for the FY 2017/18 was 48.5% in the 1st assessment and following the assessment of the re-submitted MPS, the performance has improved by 1.5%age points to 50%. It is hoped that after all re-assessments have been completed, the FY 2017/18 performance will supersede that of FY 2016/17 which 53%.

2.1 Votes that obtained the Pass Mark for FY 2017/18

Efforts of the Parliamentary Commission, Uganda National Bureau of Standards, and Uganda Land Commission are recognised considering that in the current FY of 2016/17 they had scored below the minimum mark. They are worth applauding and they offer lessons that can be adopted. It is good to understand the performance rating and factors for this improved performance.

Vote Name	Compliance 2016/17(%)	Compliance 2017/18(%)
Ministry of Gender, labour & Social Development	98	91
Equal Opportunities Commission	82	90
Kampala Capital City Authority	58	78
Ministry of Education and Sports	80	78
Ministry of Health	84	75
Arua Referral Hospital	55	73
Parliamentary Commission	44	73
Uganda National Bureau of Standards	42	71
Uganda Prisons Service	68	71
Uganda Land Commission	42	70
Ministry of Lands, Housing and Urban Development	57	70

NB: The minimum qualifying score for Ministerial Policy Statements for the FY 2017/18 is 50%.

2.2 Worst performing Votes

Vote Name	Compliance 2016/17(%)	Compliance 2017/18(%)
Lira Referral Hospital	40	35
Uganda Aids Commission	54	34
Mbarara University	64	33
Kabale University	41	30
Uganda Coffee Development Authority	52	23
Makerere University	46	12
Over 90% of the Missions Abroad		

Mbarara University, Uganda AIDS Commission, Uganda Coffee Development Authority recorded declining performance in FY 2017/18 when you compare their performance in FY 2016/17.

2.3 Votes whose performance improved after addressing recommendations made in the 1st Assessment

In the second assessment, improvement was recorded for 6 out of the 42 votes that had originally passed below the mark. According to the table below, UBOS, Ethics and Integrity and National Forest Authority recorded the highest improvements when you compare their ranking in the first assessment with that of the second assessment. See details below:

Vote Name	1st Assnt	2nd Assnt
National Animal Genetic Resources Centre and Data Bank	25	61
Uganda Bureau of Statistics	21	63
Ethics and Integrity	26	69
National Forestry Authority	29	70
Uganda Blood Transfusion Service	22	52
National Environmental Management Authority	18	55

3. WHY IS GENDER AND EQUITY BUDGETING CRITICAL FOR UGANDA

Uganda is committed to achieving the 17 Sustainable Development Goals globally and has dedicated efforts, through the National Development Plan (NDP II) to realise the full potential of every Ugandan with emphasis on the vulnerable and marginalised groups in society. Gender and Equity Planning and Budgeting are a need for sustainable inclusive growth and development. This is in line with the ultimate goal of the NDP II 2015/16-2019/20, which is to attain a middle-income status by 2020 through strengthening the country's competitiveness for sustainable wealth creation, employment and inclusive growth.

4. CSO CONCERNS AND RECOMMENDATIONS

Strengthening institutions and systems: Government needs to dedicate adequate funding to support the responsible agencies including Ministry of Finance, Planning and Economic Development, Equal Opportunities Commission, Ministry of Gender, Labour and Social Development to strengthen the capacity of Sectors in gender and equity responsive budgeting through financing and development of the required systems to effectively operationalise the PFMA, 2015 provision in promoting gender and equity in Uganda.

Assessing LGs: EOC and Ministry of Finance currently perform the assessment and issue Certificates of Gender and Equity only to MDAs at National Level. Local Governments have never been assessed. As part of promoting inclusiveness, it is our call that these responsible agencies are facilitated adequately to assess plans and budgets for all Local Governments every financial year.

Performance review for learning: Its 3 years since the CGE was made law. There is need to undertake an interim review of the financing and performance of this provision in the PFMA 2015. Findings and lessons from this process can then be applied to improve Uganda's efforts to promote inclusive growth.

Monitoring budget performance: The Office of the Prime Minister (OPM) and the Ministry of Finance, specifically the Budget Monitoring and Accountability Unit (BMAU) should produce Annual Gender and Equity Budget Performance Reports to ascertain how public expenditure and financial flows of government are gender responsive and how this impacts different gender groups and ordinary people's lives as a whole".

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