



CSO POSITION PAPER ON THE SOCIAL DEVELOPMENT SECTOR MINISTERIAL POLICY STATEMENT FY 2019/20

The paper is based on the analysis of the FY 2019/20 Ministerial Policy Statement for the Social Development Sector FY2019/20



Developed by the Civil Society Budget Advocacy Group and Submitted to the Parliament Committee on Social Development sector.

April 2019

1.0. BACKGROUND

The preparation and development of this Social Development position paper on the Financial Year (FY) 2019/20 has been made possible through the collective contributions of Civil Society Organisations (CSOs) namely; the National Union for Disabled Persons in Uganda (NUDIPU), the Centre for Domestic Violence Prevention (CEDOVIP), Action for Development (ACFODE), Church of Uganda Tesso Dioceses Planning and Development Office (COU - TEDDO), Women and Girl Child Development Association (WEGCDA) and African Youth Development Link (AYDL), with technical support from the Civil Society Budget Advocacy Group (CSBAG).

The propositions in this position paper are an outcome of critical analysis of the FY 2019/20 Ministerial Policy Statements for the Ministry of Gender, Labour and Social Development, the Equal Opportunities Commission and Local Governments. This is in addition to reference to official documents such as Annual Performance Reports, Auditor General's reports, Sector Performance Reports, and research by State and Non-State Actors.

In addition, these propositions are a follow-up of previous recommendations to Government while assessing the levels of adoption and actions so far done in the context of the demands and expectations of the wider stakeholders in the sector.

INTRODUCTION

The Social Development sector contributes to all the Second National Development Plan (NDP II) objectives and strategies through: i) promoting decent employment opportunities and labor productivity; ii) enhancing effective participation of communities in the development process; iii) improving capacity of

youth to harness their potential and; iv) increasing self-employment, productivity and competitiveness. This sector focuses on social protection of vulnerable persons for example women, children, the elderly, Persons with Disabilities (PWDs) and those in areas of conflict and prone to violence.

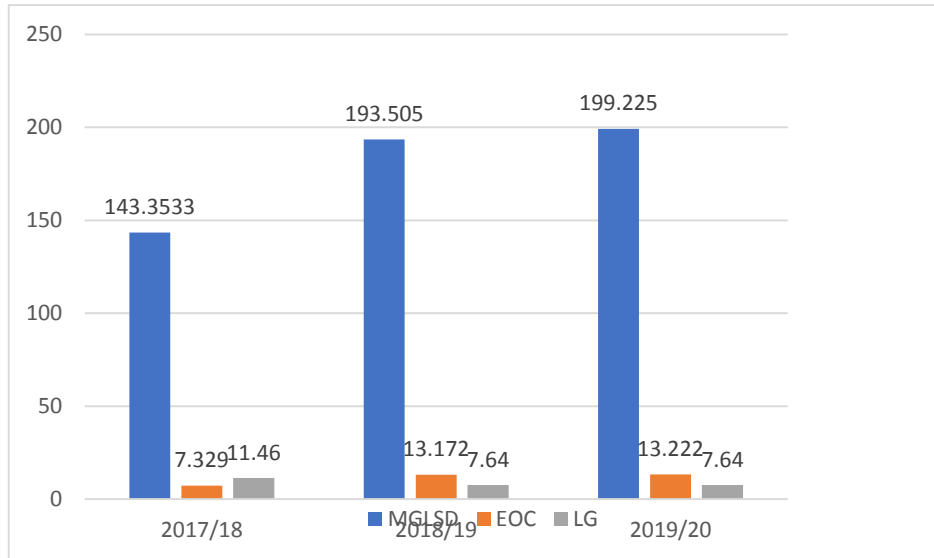
ABOUT CSBAG

The Civil Society Budget Advocacy Group (CSBAG) is a coalition of more than 50 civil society organizations (CSOs) jointly formed in 2004 by Uganda Debt Network, Forum for Women in Democracy (FOWODE), Uganda National NGO Forum and OXFAM GB in Uganda. CSBAG brings together CSOs at national and district levels to influence government decisions on resource mobilization and utilization for equitable and sustainable development. CSBAG members are committed to working together and to providing collaborative support to civil society budget work in Uganda.

1.1. Sector Financing

Financing to the Social Development sector is a combination of three government institutions including the Ministry of Gender, Labour and Social Development, (MGLSD) the Equal Opportunity Commission (EOC) and Local Government. The total Social Development sector budget for FY 2019/2020 is UGX 220.087 billion, expected to increase by UGX 5.77 bn in nominal terms from the FY 2018/19 budget majorly in the Ministry of Gender and EOC budgets as indicated in the breakdown below.

Figure 1: Budget allocation to Social Development sector FY 2017/18 – 2019/20, incl. arrears

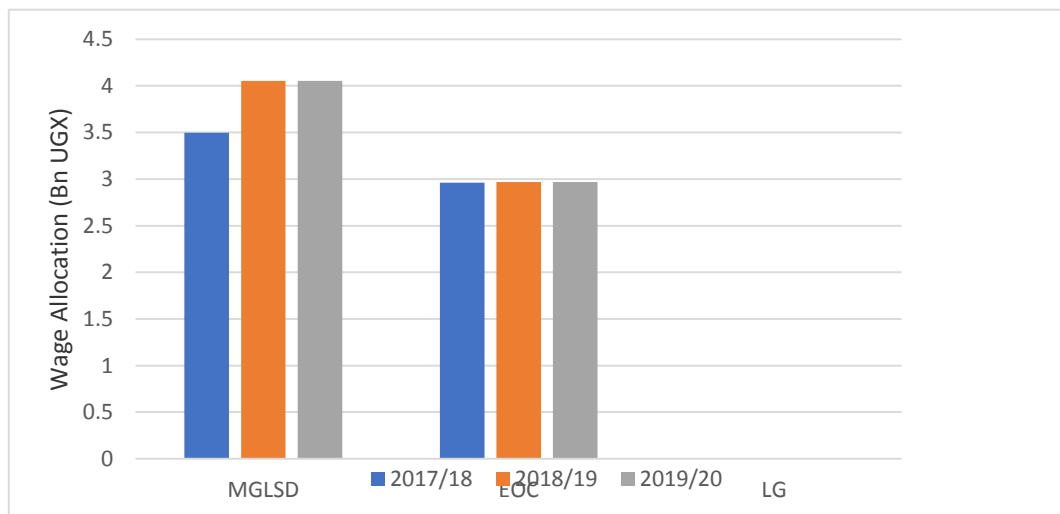


Source: Social Development Ministerial Policy Statement FY 2019/20

Of the UGX 220.087 billion total budget to the sector, UGX 199.225 Bn was allocated to Ministry of Gender, UGX 13.222 billion to Equal Opportunities Commission (EOC) and UGX 7.64 billion to Local Governments. Given the respective Ministry Department and Agency (MDA) allocations, the Local Governments

allocations for wages for the last 3 years are not traceable which shows a big gap given that most of the work in this sector is undertaken at the Local Government Level including community mobilization and empowerment as indicated in Figure 2 below.

Figure 2: Social Development Allocation to Wages, FY 2017/18 – 2019/20



Source: Social Development Ministerial Policy Statement, 2019/20

In FY 2019/20, the sector's development budget is expected to receive a significant reduction due to exclusion of Youth Livelihood Project Enterprise Funds and the institutional support funds for Youth Livelihood Program (YLP) and Uganda Women Entrepreneurship

Fund (UWEP). We note with concern that institutional support worth UGX 15.8 billion (UGX 7.9Bn for each of the programmes; YLP and UWEP) has not been provided, which means a slump in the provision of services under these two programs.

1.2. Social Development Vote Expenditure by Program FY 2017/18 -FY 2019/20, excl arrears

Vote	Programme	FY 2017/18 Outturn	FY 2018/19 Approved Budget	FY 2019/20 Proposed budget
Vote 018: Ministry of Gender, labor and Social Development				
1001	Community mobilization, Culture and empowerment	4.596	4.459	4.537
1002	Gender, Equality and Women's Empowerment	32.012	40.241	1.701
1003	Promotion of Decent Employment	7.677	27.736	55.408
1004	Social Protection for Vulnerable Groups	78.591	107.464	52.404
1049	General Administration, Policy and Planning	20.561	15.601	26.912
Sub Total for Ministry of Gender, labor and Social Development		143.437	195.501	140.962
Vote 124: Equal Opportunities Commission (EOC)				
1007	Gender and Equity	2.44	3.774	4.164
1008	Redressing Imbalances and Promoting Equal Opportunities for all	4.889	9.398	9.074
Subtotal for EOC		7.329	13.172	13.238
Vote 501-850 Local Governments				
1081	Community Mobilization and Empowerment	11.46	7.64	40.821
Sub Total for Local Governments		162.226	216.313	195.021

Source: FY 2019/20 Social Development Sector Ministerial Policy Statement

The highest funding will be allocated to the Promotion of Decent Employment under the Ministry of Gender amounting to UGX 55.4 billion (29.13%) majorly to cater for Strengthening Social Risk Management and Gender Based Violence Prevention and Response Project. The Gender, Equality and Women's Empowerment program is allocated the least amount under the Ministry's programs at UGX 1.7 billion as a result of the transfer of UWEP implementation to LGs. The stand to this is, however, not yet final majorly for quality control and monitoring purposes.

1.3 Social development Sector Financing and Compliance to NDP II and Sector Development Plan

	2015/16	2016/17	2017/18	2018/19	2019/20	Total
NDP II costing	3,628	3,086	3,112	3,097	3,112	16,035
Social Sector Development Plan (SSDP)	217	484	479	470	482	2,131
Medium Term Framework	90	192.79	176	215	238	718

Source: Author's Compilation

The financing falls short in all the 3 planning documents, with the Medium-Term Framework falling far below the NDP II costing by UGX 15.3 billion for the 5 years and UGX 13,903 billion in the Social Development Sector Plan. For FY 2019/20, the SSDP is short in attaining the NDP II costing by UGX 2,630 billion. This will ultimately affect achievement of the sector objectives set out in the SSDP and the NDP II.

2.0

CSO CONCERNS

2.1 Proposed transfer of the Uganda Women Empowerment Program and Youth Livelihoods Program funds from Ministry of Gender to Local Governments

We commend government for the efforts made to improve the livelihoods of the women and youth under the Uganda Women Empowerment Program (UWEP) and Youth Livelihoods Program (YLP) programs. We note that there is an intention to transfer all funds under UWEP and YLP to the respective Local Governments as development funds. These will be sent as direct transfers to the districts by the Ministry of Finance, Planning and Economic Development. Given the history in implementation of many government programs, this transfer not only poses a threat to the operationalization and management of these funds but also disregards the approved implementation arrangements for the two programs. The arrangement fails to provide for parties responsible to manage the full payment for these programs, given the modality under which the funds are provided, which will most

likely result in failure to accomplish the desired effects of the program.

Recommendation

- We recommend that this proposed transfer be halted until the proper implementation guidelines have been instituted at the Local Government level with great measures to ensure full payment of the respective beneficiaries and monitoring of the respective local governments.

2.2 Limited financing for disability and the limited funding to special grant for Persons with Disabilities

Civil Society Organizations commend Government efforts to improve the livelihoods of Persons with Disabilities (PWDs) through supporting 169 LGs to mobilize families with PWDs to form groups such that they can benefit from the Special Grant for Persons with Disabilities, disbursement of UGX 1.2 billion was disbursed to all LGs (Districts and Municipalities). A total of 3,380 PWDs (on average 20 PWDs from each of the 169 LGs and Municipalities have been supported under

the Special Grant for PWDs Programme and improved their employment and livelihood. 238 PWDs have been trained in the five institutions of Lweza (20), Mpumudde (70), Ocoko (48), Ruti (50) and Kireka (50) in FY 2018/19. Disabled Persons' Organizations (DPOs) further applaud the efforts of the Social Development Committee in spearheading the enactment of the Persons with Disability Bill, 2018.

We however note that only UGX 2.2 billion has been allocated for the Special Grant for Persons with Disabilities in FY 2019/20 to enhance income and employment of PWDs. Much as this is an increase from the UGX 1.2 billion allocation, this is low especially given that the Population Census puts the population of PWDs at 4.4 million which continues to increase due to accidents and birth defects.

Recommendations

- DPOs and CSOs recommend implementation of the law following its enactment by the President to ensure equitable distribution of resources to Persons with Disabilities.
- CSOs further advocate for increment of the Special Grant for Persons with Disabilities to at least UGX 4 billion and on an incremental basis thereafter. We further urge that an assessment of the Grant be conducted to ascertain the Grant's efficacy in improving the lives of Persons with Disabilities.

2.3 Absence of targets for the Community Mobilization and Empowerment Program at Local Government level

The Community Mobilization and Empowerment Program at the Local Government level lacks targets that detail the specific outcomes and activities for

implementation in FY 2019/20. This is coupled with low financing of the Community Development Officers (CDOs) at LG level. The Policy Statement shows a gap in providing wages for Local Government Officials, a lack of transport facilities for CDOs to effectively carry out monitoring and support supervision of social communities. These offices are key in not only mobilization and sensitization of the communities to address community vices like Sexual Gender Based Violence (SGBV) but also rolling out the mandate of the Ministry at community level i.e. implementation of policies on Gender and Equity. Community development activities in Local Governments have a funding shortfall of UGX 32.36 billion, with only UGX 7.64 billion allocated in FY 2019/20. This hinders government interventions to community mobilization and empowerment and efforts towards improving the lives of the marginalized.

Recommendations

- i. Inclusion of targets for community mobilization and empowerment program at Local Government level in the MPS
- ii. Adequate training and provision of operational support for CDOs, especially with regard to social welfare and this will play a pivotal role in community mobilization efforts to support service delivery and strengthen the case referral process for the safety and protection of our communities.

2.4 Limited financing for Older Persons

We applaud the plan to review of the National Policy for Older Persons and finalization of the Older Persons Bill 2018 in FY 2019/20 as a means of ensuring equitable service provision among the elderly. In line with this, Government has agreed to fund the nationwide

rollout of the Social Assistance Grants for Empowerment (SAGE) which requires UGX 149 billion in FY 2019/20. With a provision of UGX 42.88 billion by Government of Uganda and UGX 50.97 billion by Development Partners, Government now requires additional UGX 55.15 billion to realize the national roll out to cover for older persons aged 80+ years while maintaining all the current beneficiaries. However, no clear plan has been provided by Government on how this balance will be attained.

Recommendation

Government should provide a clear plan of attaining the UGX 55.15bn balance for SAGE and its countrywide roll-out in FY 2019/20.

2.5 Poor management and duplication of Youth centred programs

According to the 2018 Auditor General's report, there is a challenge of underfunding of the Youth Livelihood Programme (YLP). The program had benefited only 195,644 out of 286,200 youths (68%) by 30th June 2018. The Auditor General further revealed the low recovery of funds where the groups funded in FY 2013/14 and FY 2014/15 were expected to have repaid a total amount of UGX.33.6 bn, inclusive of interest, by the end of FY 2017/18, but only UGX 8.3 billion (24.7%) was collected, leaving a balance of UGX 27.4 billion (75.3%). The failure of the beneficiaries to pay back in the required time affects the implementation of the program.

The Auditor General's report also highlights failure to transfer recovered funds to the recovery account in bank of Uganda. A review of the bank statements of YLP collection accounts revealed that out of the recovered UGX 8.3 billion from 105 districts, UGX 6.9 billion had been transferred to the National Revolving Fund Collection Account by the end

of the FY 2017/18 and the balance of UGX 1.4 billion had not been transferred. The program also has an unfunded gap of UGX 7.9 billion in FY 2019/20 for operational funds. These gaps in implementation of the program are affecting its effectiveness and ability to achieve the anticipated objectives.

In addition to the gaps in implementation of YLP, the Social Development sector is also funding youth through the Youth Venture Capital Fund (YVCF). However, this fund is currently considered an unfunded priority of with a funding gap of UGX 20 billion and a duplication with the YLP as both are aimed at addressing the unemployment challenge.

Recommendation

- i. The MGLSD should give clarity on the status of the Youth Venture Capital Fund and the Youth Livelihood Program, providing clarity on the differences in these programs and information concerning the status of these programs.
- ii. The MGLSD should also work closely with the Local Governments to improve the process of fund recovery, effective execution of youth led projects and roll out to enable more youth groups to benefit from the fund given that there is no allocation towards the youth enterprise in the FY 2019/20.
- iii. There is also need for a better coordination framework for youth funding across MDAs for sustainability of youth funding and enterprises to achieve value for money in the various government youth programs

2.6 Increasing cases of Violence against Children

The Uganda Bureau of Statistics (UBOS) show that 45% of children from households living below the poverty line are forced out of school to work and supplement their parents' incomes, with children aged between 5 and 17 years the worst at risk.

According to the 2017 findings on the Worst Forms of Child Labor Report by the US Embassy Department of Labor, children in Uganda are engaged in the worst forms of child labor, 95.4% of them engaged in the agricultural sector harvesting tea, 1.5% in industry undertaking dangerous tasks in gold mining, and 3.1% in the services sector under commercial sexual exploitation. The report also highlights inadequate public funding which in turn impedes the capacity of law enforcement agencies to conduct child labor inspections and investigations.

Media reports have shown that some children are forced to work in order to support the family income, contribute to their school fees and scholastic materials. For example a case in Mayuge district, children especially girls are exposed to physical, psychological or sexual abuse and work for long hours.¹

Despite the above challenges, the Social Development Sector does not indicate any child labor inspection targets for 2019/20. Out of the 15,093 cases reported as at 2017 by the Uganda Bureau of Statistics, the sector intends to have only 10,440 child abuse cases received, handled and concluded. It also plans to hold a National Steering Committee Meeting on Child Labor and Commemorate the International Day on Child Labor. This is insufficient to solve the

¹ <https://stories4humanrights.com/double-tragedy-girls-are-defiled-in-sugarcane-plantations-as-child-labour-remains-high-in-mayuge-district/>

challenge of increasing child labor, specifically the gaps in the implementation of policies, laws and regulations on child labor.

Recommendation

- i. The Ministry of Gender should work with local governments to develop and implement ordinances on ending child labor
- ii. There should be budget allocation to enhance enforcement of National Child Labor Policy of 2006, and other laws and regulations on child labor. This funding can be devoted to employ more labor inspectors and empower Industrial Courts to hear child labor cases.
- iii. The National Action Plan on Elimination of the Worst Forms of Child Labor should also be updated and implemented accordingly to provide a clear coordination and implementation framework for the worst cases of child labor.

2.7 Over reliance on external funding to combat Gender Based Violence

The sector relies greatly on off-budget support for the fight against Gender Based Violence (GBV) with support from Irish Aid amounting to UGX 338 million. Given the increasing number of GBV cases in the communities and the impending closure of the Irish Aid project by June 2019, there is concern of the fate of the efforts against GBV in the country.

Recommendations

- i. CSOs recommend that Government should allocate financing to GBV efforts, specifically to fast tracking the discussion of the Marriage Bill and direct investment in programs aimed at the investigation and conclusion of reported GBV cases. This will

supplement the economic empowerment programs including; skills and capacity building fund and Uganda Women's Entrepreneurship Fund.

2.8. Limited checks in ensuring labor protection of Ugandans in the foreign and domestic market

One of the sector outcomes is improved environment for increasing employment and labor productivity. 21,612 migrant workers (6,196 males and 15,416 females) have accessed employment in countries outside Uganda and on average USD 6 million is realized in remittances per month. Uganda ratified the International Convention on the Rights of Migrant Workers and the members of their families in 1990 which mandates the Government to ensure rights and welfare of migrants and their families.

CSOs commend the sector's efforts to enforce fair treatment of domestic workers through registration of 190 companies and bilateral agreements between Uganda and the Kingdom of Saudi Arabia and Hashemite Kingdom of Jordan for both General and Domestic workers, among others. CSOs welcome the granting of leave to Hon. Rwakajara to introduce the Externalization of the Labor Bill. This Bill seeks to uphold the dignity and rights of human workers (through registration of labor exporting companies, negotiate decent payment for these workers and continual supervision of these companies), and empowering the Minister to enter into bilateral labor agreements, among others.

Despite these efforts, migrant workers continue to face challenges including contract substitution, non-payment and underpayment of wages, physical abuse especially of female

workers, among others.² We are also concerned about the sale of domestic workers in Karamoja on the open market.³ This unregulated market exposes these workers especially girls to sexual assault, deprives them of education, among others.

Recommendations

- i. There is need to establish bi-lateral negotiations with destination country governments on migrant worker rights to create screening avenues for combatting slavery.
- ii. Government should institute serious oversight measures to effectively screen companies in charge of connecting employees with external employers to ensure they meet and continually adhere to the set criteria.
- iii. Institute formal mechanisms to support trafficking victims to access appropriate care through increased efforts to investigate trafficking cases and prosecution and conviction of perpetrators.
- iv. CSOs call for the fast tracking of the Externalization of Labor Bill which will ensure dignity for migrant workers and their families.

2.9 Minimal financing for Equal Opportunities Commission

Article 32 (1) of the 1995 Constitution of the Republic of Uganda requires the state to take affirmative action in favor of groups marginalized on the basis of gender, age, disability, among others to redress imbalances

² Statement on Promoting Safe and Productive Migration of Labour issued by the Minister of Gender, Labor and Social Development in Kampala on 20th November 2018

³ <https://youtu.be/-yXL50avh7c> NBS Investigates: Karimojong Girls Trafficked for Labour and Sex 25th February 2019 accessed 28th March 2019

which exist against them. The Equal Opportunities Commission (EOC) was established to monitor, evaluate, and ensure that policies, laws and programs provide equal opportunities and affirmative action in favor of marginalized groups. The EOC investigated 70 complaints in six districts of Mbale, Kapchorwa, Sironko, Tororo, Manafwa and Kampala by December 2018 and intends to investigate 200 complaints in FY 2019/20. The Commission's budget has been increased from UGX 13.172 in FY 2018/19 to UGX 13.238 in FY 2019/20, however this is still low to handle all cases of Gender and Equity in the country especially for the marginalized groups.

Recommendation

CSOs recommend that the gradual increment in EOC's funding to cater for more tribunals from the current 25, increase the number of Public and private/NGO institutions monitored for Gender and Equity compliance from 1 to at least 10 every financial year and increasing the resolution of complaints presented to the EOC from 100 to at least 1000 every financial year.

2.10. Limited capacity to implement GBV prevention and response services

The Ministry of Gender grapples with human resource challenges in terms of lack of personnel to roll out the GBV programmes and to support other sectors to mainstream GBV prevention and response into their core pieces of work both at the national and local government level. In FY 2018/19, the MGLSD was only able to support 20 LGs out of 121 LGs with funds designated for gender mainstreaming, with no funds specially designated for GBV activities.

Additionally, for the Ministry to successfully roll out its mandate at the community level, the Community Based Services Departments at Local Government level are key. However, the

departments remain largely under-staffed, with many districts having only one officer to cover the departments of Gender, Probation and Community Development. The available staff also in some instances lack the capacity and sensitivity required to manage this office given the cases that are handled. This greatly affects the prevention and response to GBV services and effective implementation of the National GBV policy.

Recommendation

- i. Ministry of Gender should build the capacity of the local government staff in responding to and managing GBV cases, supporting their planning to allocate resources for GBV prevention activities and resource them with laws and tools to undertake their mandate.
- ii. The Ministry should also ensure facilitation of these offices to undertake their full mandate by providing the required staff, providing transport facilitation to follow up on victims and also refer cases when necessary across the country.

3.0 CONCLUSION

The Social Development sector continues to provide key services to the most vulnerable sections of the Ugandan population such as the youth, women, PWDs and the elderly and yet it continues to get one of the lowest budget allocations. Many of its activities end up as unfunded. The other challenge is the institutional and implementation framework for the social protection programmes which makes them unable to meaningfully impact the lives of the intended beneficiaries. There is need to review the implementation framework of the sector to ensure achievement of Gender and Equity objectives in the country.

References

1. Social Development Sector Ministerial Policy Statement FY 2019/20
2. Second National Development Plan, FY 2015/16 – 2019/20
3. Report of the Auditor General to Parliament for the Financial Year ended 30th June 2018, Office of the Auditor General