

Promoting Transparency, Integrity and Accountability in the Water and Sanitation Sector in Uganda

Maria Jacobson, Sam Mutono, Erik Nielsen, Donal O'Leary & Rosemary Rop



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Water Integrity Network (WIN)

The Water Integrity Network is an action-oriented coalition of organisations and individuals promoting water integrity to reduce and prevent corruption in the water sector. Its membership includes the public sector, the private sector and civil society, as well as leading knowledge-based organisations and networks in the water sector. WIN is funded by grants from the Governments of Germany (BMZ), The Netherlands (DGIS), Sweden (Sida) and Switzerland (SDC). The WIN Secretariat is hosted by Transparency International in Berlin, Germany.

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Water and Sanitation Program (WSP)

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Back cover image: Men on bicycles transporting water, wood, pots and other materials. © Frank van den Bergh/iStock

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Every effort has been made to verify the accuracy of the information contained in this report. All information was believed to be correct as of October 2010.

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Summary

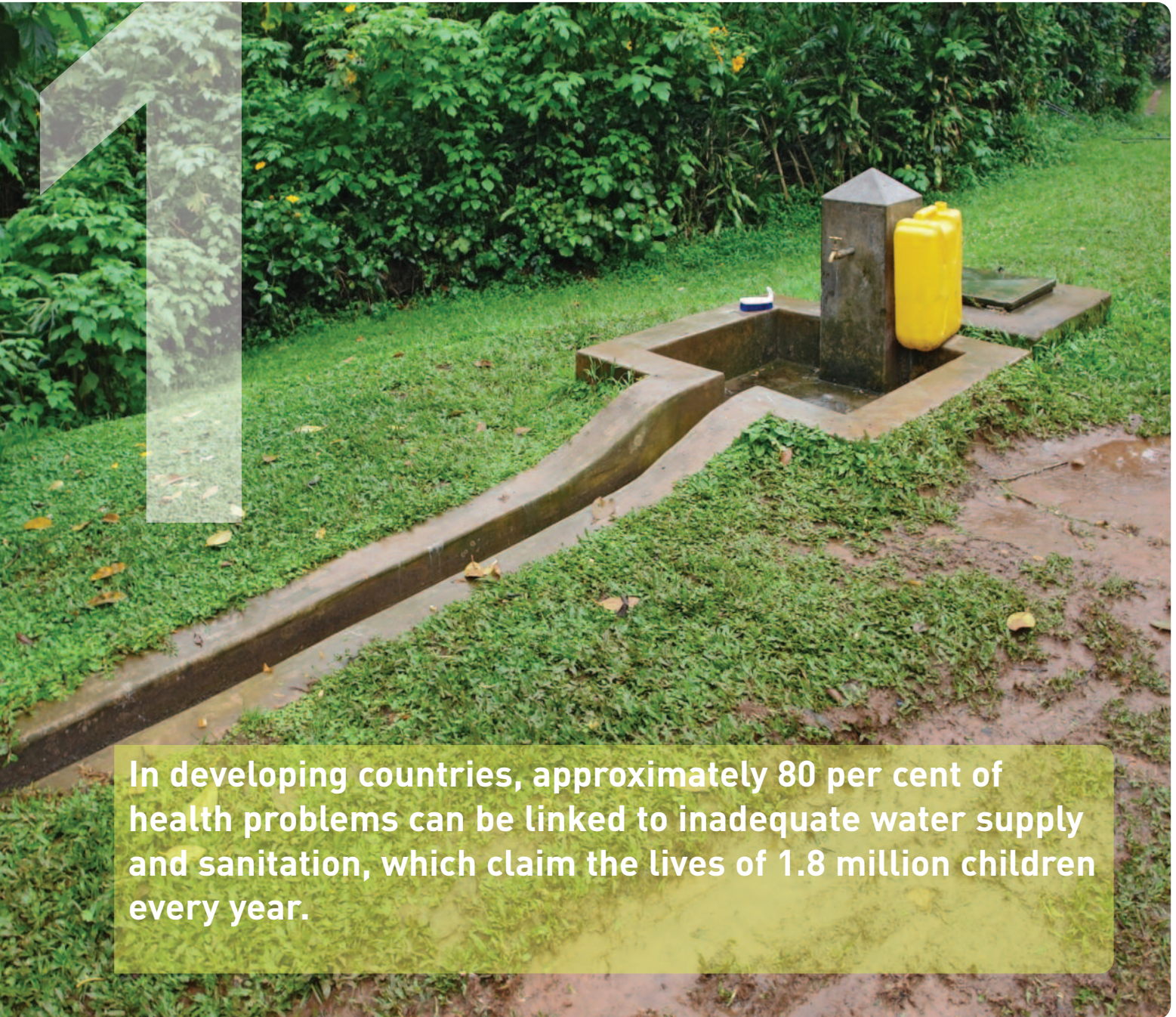
Uganda has placed the fight against corruption high on the development agenda by establishing a range of anti-corruption institutions and strategies. The Uganda National Integrity Survey III, released in 2008 by the Inspectorate of Government, recommended that if Uganda was to make real progress in tackling corruption nationwide, individual sectors would need to undertake sector-specific studies to identify best practice and facilitate scaling-up of anti-corruption efforts. In that year, the Good Governance Sub-Sector Working Group, chaired by the Ministry of Water and Environment, commissioned a Water Integrity Study to establish how citizens in both rural and urban areas,

contractors, private operators, local government officials and staff from the main water utility experience integrity in the provision of water services. The study would also facilitate development of an updated action plan to address integrity risks. This note describes the key ingredients to putting in place a nationwide good governance action plan in Uganda's water sector, the challenges to be overcome and lessons learned to date. The implications for practice are discussed from the perspectives of policy makers, regulators and ombudsmen, development partners, water service providers and civil society actors. This provides guidance for the replication of best practice by stakeholders in other countries and sectors.



The children of coffee growers help de-husk coffee with their family after school. © Brian Longmore/Dreamstime

1. Why focus on transparency, integrity and accountability in the Water Supply and Sanitation Sector?



In developing countries, approximately 80 per cent of health problems can be linked to inadequate water supply and sanitation, which claim the lives of 1.8 million children every year.

A standpipe in the Bwindi National Park in Uganda. © Prill Mediendesign & Fotografie/IStock

Corruption in the water sector places the lives and livelihoods of billions of people worldwide at significant risk. The water sector is facing a severe crisis, exacerbated by corruption (Transparency International (TI), 2008). Approximately 20 per cent of the world's population (1.2 billion people) does not have access to clean water and more than 40 per cent (2.6 billion people) is without adequate sanitation, with devastating consequences for development and poverty reduction. In developing countries, approximately 80 per cent of health problems can be linked to inadequate water supply and sanitation, which claim the lives of 1.8 million children every year. In Africa, it is estimated that an amount equivalent to about five per cent of gross domestic product is lost every year to illness and death caused by unclean water and poor sanitation facilities.

While corruption risk in the water sector is manifested in various ways, it can be broadly classified as 'petty' or 'grand'. 'Petty' corruption often refers to corrupt transactions between a service provider's staff and its consumers, such as bribes to speed up new connections to the water network or 'inaccurately' metered water consumption. TI (2008) reports that corruption has the estimated potential to increase the price for connecting a household to a water network by as much as 30 per cent. Meanwhile, 'grand' corruption, typically involves bribery in awarding of large contracts. Recent studies highlight that corruption is widespread in water sector and other infrastructure contracts, with bribes often accounting for 10 per cent or more of the contract value (CoST, 2009). 'Grand' corruption is frequently accompanied by poor quality work that can considerably reduce the useful life of hydraulic infrastructure.

Corruption in the water sector exists within the wider political economy of the nation state. Therefore when analysing corruption risks in the sector, it is useful to refer to broader data, such as TI's Corruption Perception Index (which ranks approximately 180 countries and territories in terms of how corruption is perceived among public officials and politicians).

Doing Business surveys, sponsored by the World Bank Group, also inter alia pose questions on the extent of corrupt practices in doing business.

Global experience demonstrates that corruption in the water sector can be addressed by a strategy based on promoting transparency, integrity and accountability (Gonzalez de Asis et al., 2009).

BOX 1 What are Water Integrity Studies and why are they useful?

Water Integrity Studies can directly help national governments to develop evidence-based strategies to address corruption risks in the water sector. From these, time-bound anti-corruption action plans can be created, which can be monitored using concrete indicators. A Water Integrity Study has two interrelated components:

1. **A Risk/Opportunity Mapping Study** which identifies weaknesses in national and regional institutions, and opportunities for corruption, then develops a set of anti-corruption recommendations;
2. **A National Baseline Survey** which covers all the components, actors, practices and institutions that make up the water sector. It is used to verify major corruption risks as well as confirm the efficacy of the action plan identified under the **Risk /Opportunity Mapping Study**.

Critical to the success of a Water Integrity Study is oversight by a steering committee consisting of leading water sector stakeholders and representatives of key accountability organisations from the sector. The steering committee should be charged with overseeing the implementation of the anti-corruption action plan, including its modification as necessary.

2. Piloting Water Integrity Studies in Uganda



Uganda is one of the few countries in Africa to place corruption in the water sector high on the development agenda by pursuing an explicit anti-corruption strategy in the provision of water supply and sanitation (WSS) services.

School child holding water canister. © Claudia Dewald/IStock

Although Uganda is endowed with rich water resources, the delivery of safe water and sanitation to its citizens is hampered in part by poor governance systems and corruption in rural and urban water services (Water and Sanitation Program and the Water Integrity Network, August 2009). Sixty-five per cent of the population has access to safe water in rural areas, although this includes significant regional disparities and dysfunctional water points. Access ranges from as low as 12 per cent in north-eastern Uganda to more than 90 per cent in the south-west. In urban areas, access to safe water stands at 67 per cent. This breaks down to 74 per cent in large towns, which are under the authority of the National Water and Sewerage Corporation (NWSC), and 53 per cent in small towns. (Uganda Water and Environment Sector Performance Report, 2010).

2.1. INTEGRITY ISSUES IN THE WATER SUPPLY AND SANITATION SECTOR

Uganda is one of the few countries in Africa to place corruption in the water sector high on the development agenda by pursuing an explicit anti-corruption strategy in the provision of water supply and sanitation (WSS) services. In 2006, as part of Uganda's effort to improve integrity within the WSS sub-sector, the Ministry of Water and Environment (MWE) established a multi-stakeholder Good Governance Sub-Sector Working Group (GGSSWG) tasked with recommending specific measures to promote and monitor transparency, accountability and good governance. This process culminated in the creation of a Governance Action Plan to improve transparency and accountability in the sub-sector. However, despite these laudable actions, progress in implementing many of the measures or engaging with other non-state stakeholders was slow and implementation of the action plan missed agreed targets.

One of the key recommendations from TI's *2008 Global Corruption Report: Corruption in the Water Sector* was for the development of specific tools for measuring and diagnosing corruption in the sector. The third National Integrity Survey, conducted in 2008 and commissioned by the Inspectorate of Government (the Government of Uganda's anti-corruption agency), called for sector-specific studies to be conducted in order to combat corruption more coherently.

Against the backdrop of both these publications, the MWE's Water and Sanitation Sub-Sector Good Governance Group initiated a Water Integrity Study in 2008, to better understand corruption in Uganda's water sector. Supported by the Water and Sanitation Program (WSP) and the Water Integrity Network (WIN), this exercise consisted of two complementary studies designed to update the sector's existing anti-corruption action plan: 1) a qualitative Risk/Opportunity Mapping Study of the WSS sub-sector, complemented by 2) a National Baseline Survey on how water consumers, providers, contractors and other stakeholders experience integrity in the provision of water.¹

FIGURE 1 Situating Uganda within Africa



2.2. INSTITUTIONAL OVERVIEW OF UGANDA'S WATER SUPPLY SECTOR

The WSS sector is comprised of a number of institutions as outlined in Figure 2. Several participate directly in the development of policy and the provision of water and sanitation services at national, district and community levels. These include the cross-sectoral Water Policy Committee (WPC) and, within MWE, the Directorate of Water Resources Management (DWRM), the Directorate of Water Development (DWD), and the National Water and Sewerage Corporation (NWSC), which is the largest utility. Several other national-level ministries have important roles that complement the mandate of MWE, which is the line ministry for the water sector. These institutions are overseen by four national oversight agencies broadly responsible for promoting good governance through the elimination of corruption. The agencies collectively work to advance independent oversight of government operations and fair, transparent public procurement.

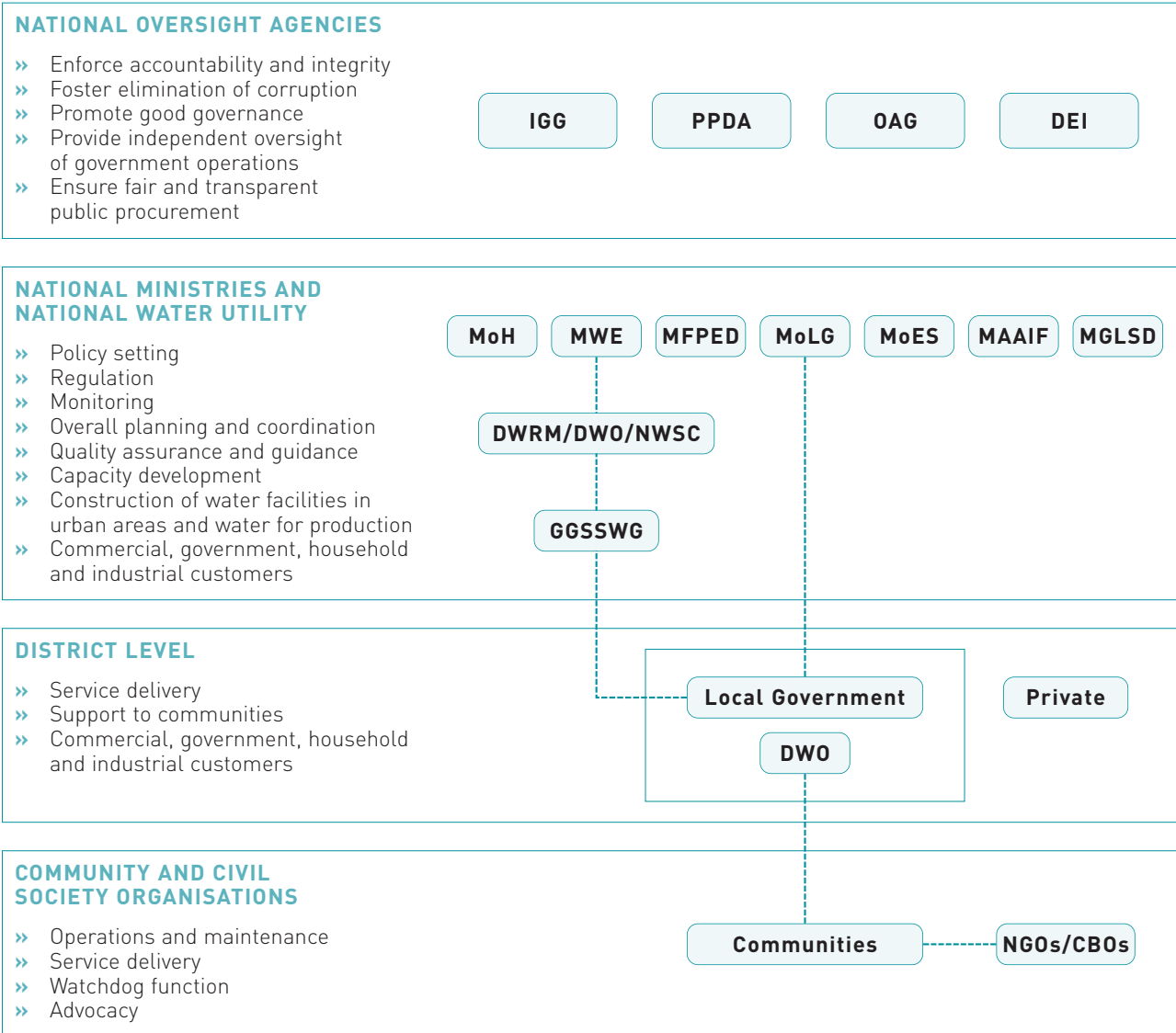


Ladies at a market, Kampala, Uganda. © Frank van den Bergh/Istock

Private water suppliers, the majority coordinated through the Association of Private Water Operators (APWO), manage piped water services in small towns and rural growth centres. More than 200 NGOs work in the sector, of which approximately 150 are coordinated at the national level through the Uganda Water and Sanitation NGO Network.

The sector is funded by the Government (via the Ministry of Finance, Planning and Economic Development), by revenue generated by water and sewerage service provision, and by development partners through loans, grants, and earmarked and general budget support.

FIGURE 2 Water Sector Institutional Framework



KEY:

| | | | |
|--------|--|-------|--|
| CBO | Community-based Organisation | MFPED | Ministry of Finance, Planning and Economic Development |
| DEI | Directorate of Ethics and Integrity | MoH | Ministry of Health |
| DWO | Directorate of Water Development | MGLSD | Ministry of Gender, Labour and Social Development |
| DWRM | Directorate of Water Resources Management | MoLG | Ministry of Local Government |
| GGSSWG | Good Governance Sub-Sector Working Group | MoWE | Ministry of Water and Environment |
| IGG | The Inspectorate of Government | NWSC | National Water and Sewerage Corporation |
| MAAIF | Ministry of Agriculture, Animal Industry and Fisheries | OAG | Office of the Auditor General |
| MoES | Ministry of Education and Sports | PPDA | Public Procurement and Disposal of Assets |

2.3. WATER INTEGRITY STUDY IMPLEMENTATION

Risk/Opportunity Mapping Study

The overall objective of the mapping study was to assess risks and opportunities to promote good governance in the Ugandan WSS sector, based on existing data, legislation and interviews with key informants. In particular, the study sought to identify weaknesses in the legal and institutional framework governing the sector which provide opportunities for corruption to arise.

The study focused on:

- » identifying corruption risks at both macroeconomic and sector levels
- » identifying institutional and legal bottlenecks in fighting corruption effectively
- » analysing accountability relationships and incentive structures
- » documenting anti-corruption best practice
- » mapping key sector stakeholders for potential anti-corruption partnerships
- » making specific recommendations on strengthening integrity through a revised action plan to improve transparency and accountability.

To identify the main areas of opportunity for corruption, the mapping study examined how the sector is regulated, including an assessment of external accountability agencies' capacity to provide effective oversight of water institutions. In addition, it reviewed weaknesses in relation to procurement; the extent of political interference in the allocation of water projects; the capacity of local governments to implement water and sanitation projects under the decentralised system; and the ability of civil society and international development partners to hold the government to account.

National Baseline Survey

To validate and substantiate the Risk/Opportunity Mapping Study, a quantitative baseline integrity survey was conducted, focusing on experiences of corruption among water service providers and consumers. The survey demonstrated that baselines are useful not only for the data they generate, but also the potential they have to promote awareness among policy and decision-makers of citizen satisfaction with government services. In addition, such studies are important for monitoring and evaluation, as baseline surveys can be used to measure change over time.

The baseline survey involved structured interviews based on seven tailored questionnaires, conducted with respondents from seven target groups:

- » urban households
- » rural households
- » local government officials
- » water authorities
- » the National Water and Sewerage Corporation
- » private water operators
- » private contractors

The Uganda Bureau of Statistics was consulted to ensure representative samples.

All questionnaires were translated into multiple local languages and pre-tested, and the interviewers were trained in interview techniques by the Inspectorate of Government. The survey was administered and managed by a Ugandan consulting company.

National Action Planning Workshop

In September 2009, following completion of the studies, a two-day National Water Integrity Workshop was held in Uganda's capital, Kampala. More than 100 stakeholders validated the findings of the studies and jointly agreed on selected recommendations to update the Ugandan Government's existing anti-corruption action plan. Participants included the Minister of State for Water, senior MWE leadership, representatives from anti-corruption and oversight agencies, local government officials, utility staff, local and international civil society and development partners.

Delegates drafted an umbrella statement, supported by the action plan, to guide enhanced accountability in the sector over the coming three years. Participation by senior Ugandan government officials ensured that discussions were meaningful, that proposed actions were endorsed and that follow-up at all levels of the water services sector would take place. The diversity and position of Ugandan actors participating in the workshop was a critical factor in building ownership of the plan's development and implementation.

Presentations on global and local anti-corruption best practice provided opportunities for participants to learn and exchange experiences of how to improve integrity in the water sector. The workshop also provided a platform to build and deepen partnerships among the government, civil society and the private sector, as well as to follow up existing work to promote good governance in the sector.

Sector Endorsement

During the annual Joint Sector Review held in October 2009, the action plan was approved by the Water and Sanitation Sector Working Group, the highest decision-making body in the sector charged with providing policy and resource allocation guidance. In line with requirements, sub-sectors are now reporting progress on the plan (known as the Uganda: Water Supply and Sanitation Good Governance Action Plan) on a quarterly basis.

BOX 2 Why should a government address water integrity?

There are numerous salient reasons why a government addresses corruption in the water sector, including:

- » Improved service delivery and accountability to citizens, especially to poor people.
- » Attraction and retention of resources for the sector from the government and development partners.
- » Reduced corruption helps original budget targets to be met and contributes to the achievement of the UN Millennium Development Goals.
- » Proven leadership, through openly tackling corruption at sector level, which encourages other sectors and countries to follow suit.
- » Improved status and reputation in the eyes of the public.

3. Summary of key findings and recommendations



Services and investments have been targeted towards affluent communities, at the expense of poor people.

Housing along open sewer system, Kampala, Uganda. © Frank van den Bergh/IStock

The study findings (see Box 3A and 3B) demonstrated that inadequate integrity in the Ugandan water sector has resulted in loss of investment; exploitation of contractors; compromised professionalism; contracts issued for personal gain rather than on the basis of competence or merit; resources lost through poor quality and incomplete works; and political

interference. As a result, services and investments have been targeted towards affluent communities, at the expense of poor people.

To counter these malpractices, a number of key recommendations were proposed for the revised anti-corruption plan (see Box 4).

BOX 3A Primary findings of the Risk/Opportunity Mapping Study

The Risk/Opportunity Mapping Study highlighted:

Risks

- » According to TI's Corruption Perception Index 2008, Uganda scored 2.6 out of 10, indicating a high propensity for corruption countrywide.
- » There is an impressive institutional and legal accountability framework in place, but a huge gap between this and levels of implementation.

Opportunities

- » MWE has demonstrated commitment to combat corruption by establishing a multi stakeholder, Good Governance Sub Sector Working Group and by putting in place an good governance action plan. MWE has also undertaken research through,

for example regular value for money studies, a Tracking Study for the Water and Sanitation Sector Cost Variation, and a Fiduciary Risk Assessment for the Water and Sanitation Sector.

- » The National Water and Sewerage Corporation (NWSC), as one of the main institutions in the urban water sector, was rated in the Third National Integrity Study as the one of the best institutions by the Ugandan public in terms of quality services. The NWSC leadership has demonstrated commitment to fighting corruption and stands as an island of excellence in this respect.
- » The media in Uganda operate relatively freely and there is increasing recognition of the role of civil society.

BOX 3B Primary findings of the Baseline Study

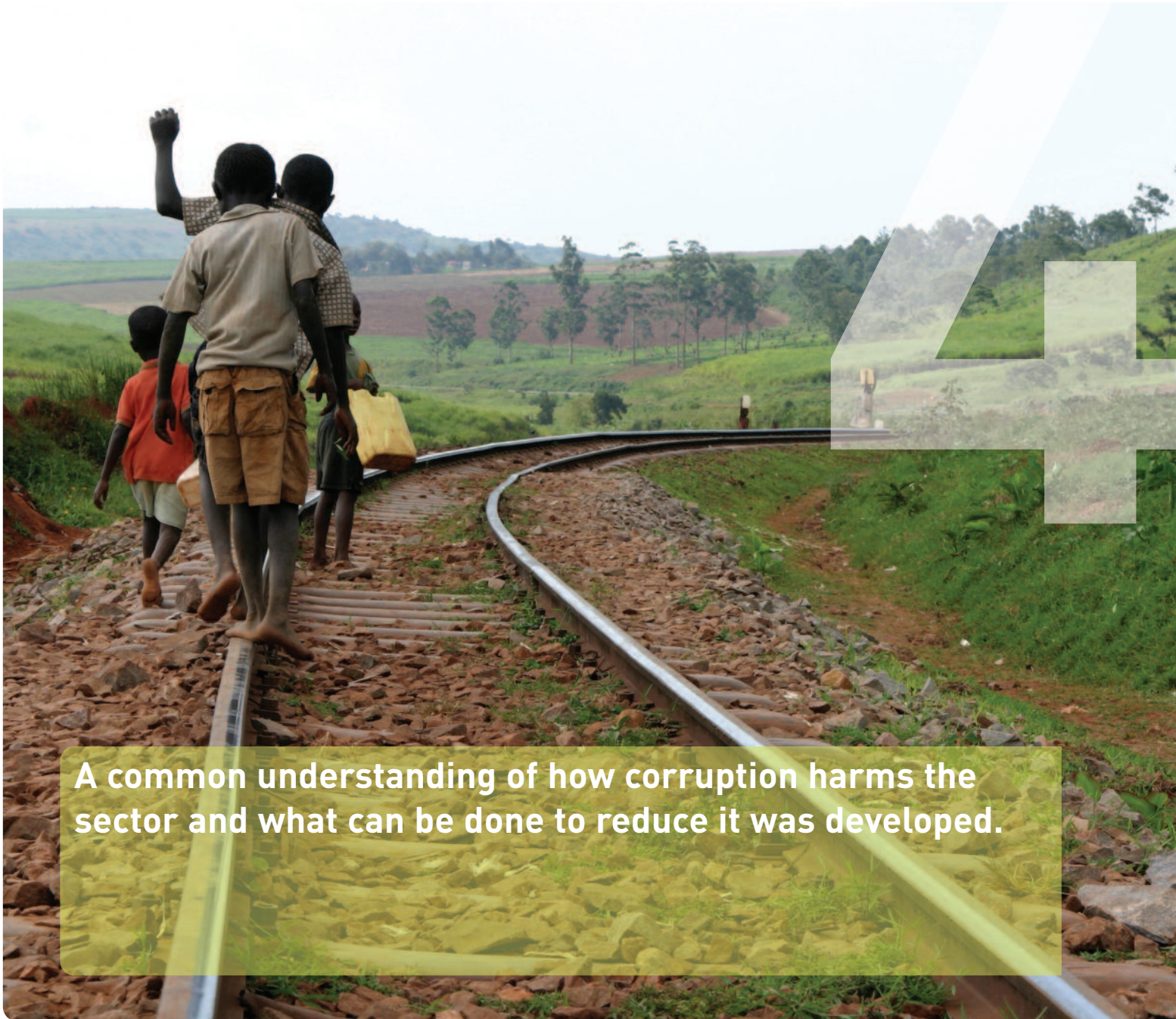
The Baseline Study confirmed:

- » The pervasiveness of ‘grand’ corruption in Uganda’s water sector. This finding was confirmed by the Surveys of Private Contractors (PCs) and Private Operators (POs):
 - » According to the PCs interviewed, the average bribe related to contract award was 10 per cent.
 - » According to the POs interviewed, the average bribe needed to win PO management contracts was also reported as 10 per cent.
- » The pervasiveness of ‘petty’ corruption in Uganda’s water sector. This finding was confirmed by the Survey of Urban Households served by the National Water and Sewerage Corporation (NWSC) and POs:
 - » 58 per cent of PO customers and 56 per cent of NWSC customers knew of somebody who had paid a bribe to get a meter bypassed.
 - » Bribes to speed up access were more common under POs (69 per cent) than NWSC
- » For urban consumers, the implementation of the connections policy for new consumers sometimes involves corruption. This finding was confirmed in the Survey of Urban Households:
 - » 46 per cent of all respondents had paid extra money for connections.
- » For rural consumers, Water User Committees are perceived as corrupt and non-functioning. This finding was confirmed by the Survey of Rural Households:
 - » 90 per cent did not trust that their committee used the maintenance fee correctly.
- » The award of management contracts to private operators to run the WSS systems in small towns is subject to political interference. This finding was confirmed in the Survey of POs:
 - » More than 80 per cent of the interviewees reported that political interference ranged from ‘common’ to ‘very common’ in the award of management contracts.

BOX 4 Integrity Study main recommendations

- » Strengthen political will to ensure integrity in the water sector at all levels.
- » Introduce independent regulation functions to remove conflicts of interest in oversight agencies.
- » Strengthen corporate governance of urban water providers.
- » Enforce MWE sector guidelines to local government and ensure high-quality rural water supply facilities.
- » Build the capacity of civil society organisations, development partners and the media to monitor and hold the sector to account.
- » Build local government capacity in contract handling and management.
- » Support the right to information and adoption of consumer charters and innovative outreach programmes.
- » Improve procurement and contract management processes.
- » Adopt the use of Integrity Pacts – a signed promise between the government and bidders that neither side will offer, demand or accept bribes during the bidding for and execution of contracts.
- » Strengthen and formalise links between the water sector and integrity institutions, including the Public Procurement Development Authority, the Directorate of Ethics and Integrity and the anti-corruption courts. This should be done through joint training, and whistleblowing and outreach initiatives.

4. Outcomes and next steps



A common understanding of how corruption harms the sector and what can be done to reduce it was developed.

Children in Uganda go off to fetch water; this may mean walking for many kilometers. © Duncan Purvey/ISTock

4.1 Main Achievements

Although it is early to draw final conclusions, it is clear that the overall process of conducting a Water Integrity Study in Uganda has contributed to more than just the revised action plan in the sector. So far, three main outcomes have been achieved:

- » First, the attempt to document the extent of water-related corruption through a baseline survey led to open acknowledgement by top policy makers of corruption as a problem for the sector.
- » Second, the inclusive and participatory manner in which the studies were undertaken contributed to wide ownership of the findings. In addition, a common understanding of how corruption harms the sector and what can be done to reduce it was developed.
- » Finally, the workshop provided a unique forum for frank public discussion regarding corruption between stakeholders who rarely share the same table. Since corruption is multi-faceted and involves many diverse actors, this cross-sectoral, multi-stakeholder dialogue was an important mechanism for effecting change.

If sustained, these three achievements will continue to build integrity and reduce the level of tolerance for corruption.

4.2 Key challenges to date

Despite important achievements, key challenges still need to be addressed in order to maximise success:

Civil society capacity Civil society in Uganda is weak and has little capacity or confidence to hold the government to account. This is particularly true for water sector NGOs, most of which are engaged in service delivery rather than playing a watchdog role. Uganda's civil society weakness is further exacerbated by the poor links between water sector and governance NGOs. The fact that water sector NGOs obtain a considerable share of their funding from the government further threatens their independence and may have prevented them from playing a more meaningful role in the overall process. Therefore one of the key recommendations of the Water Integrity Study was to build the capacity of NGOs to monitor and better hold to account the water sector.

Communication and media strategy An independent media is a critical tool in the fight against corruption. However, in order to manage interaction with the media effectively, a comprehensive communication and media strategy is needed. Such a communication strategy should make explicit which information should be made publicly available, when and to whom, for example, through press releases, press conferences or the development of media-friendly materials in local languages for dissemination by radio and in the print media. In Uganda, the absence of such a strategy led to sensationalized, negative reporting in the press, although in fact a lot had been done to take the sector forward.

Lack of political will Apart from the National Water and Sewerage Company which has actively pursued and dismissed personnel involved in petty corruption, one of the challenges that persists is the absence of sustained, high level political will in the fight against corruption. Political will is evident when the country's leadership verbally denounces corruption, not only dismissing errant officials, but allows them to face prosecution. When found guilty, seriousness is shown when such officials are barred from holding public office within the sector or elsewhere in future. Raising the political will to fight corruption in the sector is one of top priorities within the GGSSWG action plan.

4.3 Key ingredients for success to date

National ownership and an enabling environment

The enabling environment and support for this work backed up by the national anti corruption strategy and provided by the MWE, as demonstrated through the existence of the Good Governance Sub Sector Working Group, created an excellent forum for involving key stakeholders from government, the private sector and civil society, and for obtaining their buy-in to the process right from the beginning. The leadership within the government, as shown by the chairman of this group, was also critical to winning support from the top leadership of the Ministry. Similar arrangements may not yet exist in other countries. Even in favorable contexts such as Uganda, it took a lot of time to bring these issues to the table and to talk about them in the open.

Relevance Undertaking a well-designed Water Integrity Study is an important tool for developing anti-corruption strategies in the water sector. However, success depends not only on the content of such studies, but also on their process and timing. These include setting up a multi-stakeholder group to oversee the preparation and implementation of the study. If not well-anchored within the government, the study can easily be refuted and its impact minimised.

Non-confrontational approach Tackling corruption is a challenging and difficult task that can potentially endanger the relationship between governments, development partners and other stakeholders. The Good Governance Sub Sector Working Group which comprises a diverse range of stake holders, led the initiative which reduced the risk that individuals or organizations would feel unjustly targeted. In Uganda, this challenge was mitigated by a variety of factors, such as the engagement of diverse stakeholders to own the findings of the Water Integrity Studies, as well as the non-confrontational approach employed. No 'naming and shaming' took place and the focus was on identifying institutional weaknesses rather than individual cases of wrongdoing. This is based on a belief that in order to improve integrity and effect change over time, maintaining the trust of all parties is critical. In addition, the positive concept of promoting integrity in the water sector, rather than explicitly combating corruption, was an integral feature of the strategy in Uganda, in order to engage diverse actors. Anti-corruption actions are sensitive, and without new and improved strategies, combating corruption will remain challenging.

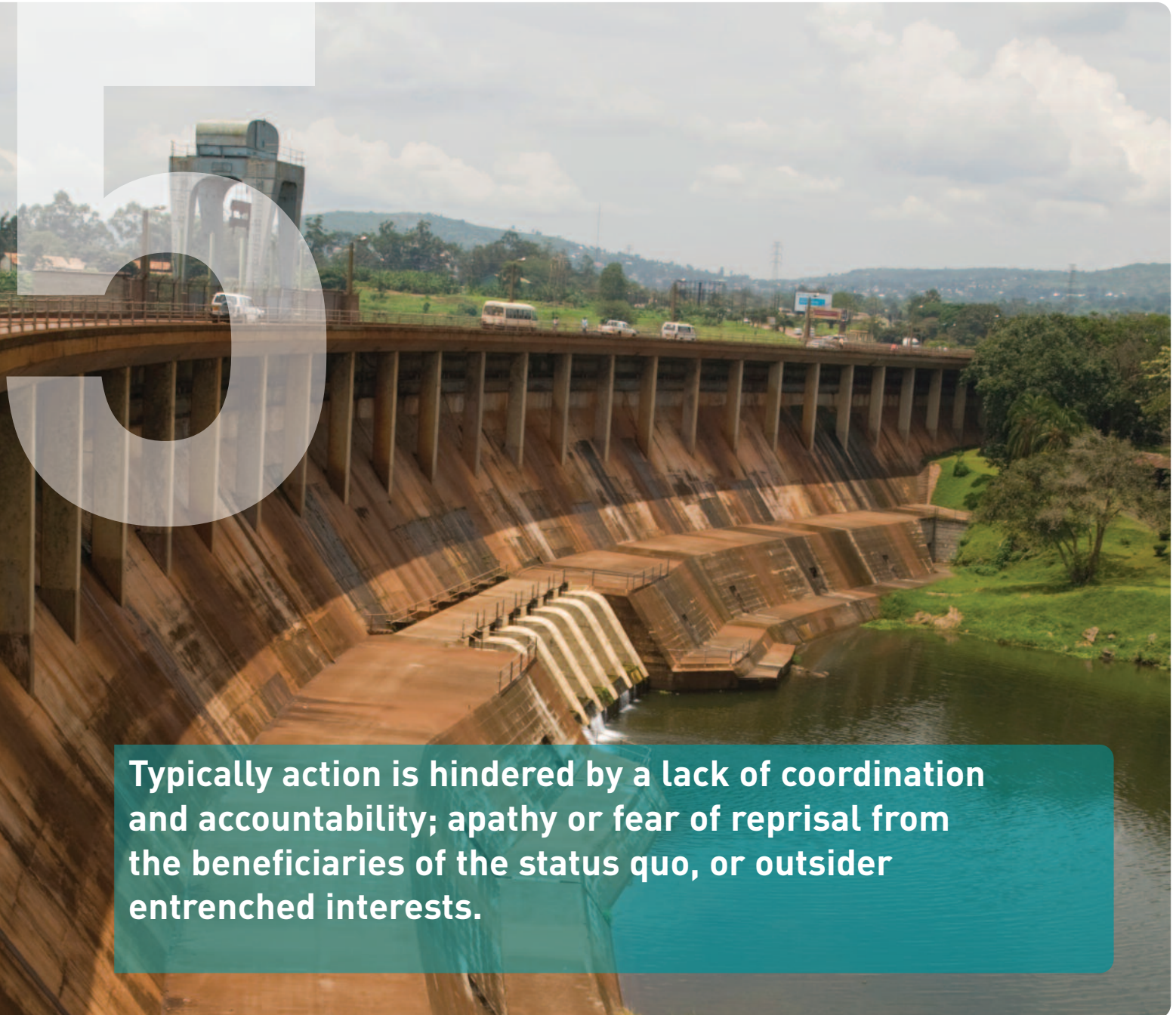
Sufficient time and human resources Accurately measuring corruption is complex, and results can be refuted; this is often the case with governance assessments based primarily on public perceptions or when assessments have been undertaken exclusively by external actors. In addition, contributions from experts may be questioned due to perceived subjectivity or bias. Therefore the quality of the methodological process and the manner in which results are communicated is crucial if the results are

to be accepted by an array of actors. Within the Ugandan process, this demanded dedicated staff with considerable time and resources, not only to oversee the survey design and subsequent analysis, but also to communicate the process to stakeholders, to ensure it was participatory and inclusive.

Partnership The entire process benefited from partnership within the GGSSWG whose members comprised the Ministry of Water and Environment (chair), the National Water and Sewerage Corporation, the Inspectorate of Government, various local private sector and civil society organizations, WIN and WSP. The partnership also benefited from the expertise brought on board by the Uganda Bureau of Statistics. Each organisation was able to tap into its respective networks and skills in order to support and advance the process. WSP experience and established relationships with the Government provided a critical entry point for WIN, whose specialised technical expertise on water integrity and survey design was key to the overall success of the programme.

Development partner engagement and support As with most development projects and programmes, international development partner support is critical. Development partners, whether bilateral or multilateral, provide important financial and political support and resources to in-country initiatives. Ongoing dialogue with these agencies is essential, not only to achieve long-term goals, but to ensure a harmonised sector approach, rooted within national government strategy. In Uganda, international development partners fund a considerable portion of the national budget and are influential partners in relation to the country's development agenda, and this role proved to be valuable during the water integrity process. Apart from providing financial support and being active participants at the workshop, the development partners also played a critical role by applauding the government for its efforts and by encouraging it to maintain momentum. The Development partners and GoU have accepted to include the follow of the implementation of the revised action plan in the Joint Budget Framework (JBSF)/Joint Assessment Strategy (JAF).

5. Implications for sector stakeholders and practice



Typically action is hindered by a lack of coordination and accountability; apathy or fear of reprisal from the beneficiaries of the status quo, or outsider entrenched interests.

Dam on the White Nile, Jinja, Uganda. © Klaas Lingbeek- van Kranen/IStock

The representatives, stakeholders and partners in the water and sanitation sector at the 2009 Kampala Water Integrity Workshop acknowledged that corruption is real and that it was hurting the sector. In a joint closing statement they asserted that corruption had in many ways hampered sector growth and damaged the trust of ordinary citizens. They further agreed that the battle was too big for any one stakeholder to win alone, and that it would need to be tackled jointly by government, service providers, anti-corruption bodies, civil society, contractors, the media, development partners and the general public.

In spite of this commitment, the danger remains, as is often the case with difficult tasks, that the promise inherent within the GGSSWG action plan is not fulfilled. Typically action is hindered by a lack of coordination and accountability; apathy or fear of reprisal from the beneficiaries of the status quo, or outsider entrenched interests. This section discusses the implications of implementing the action plan and suggests how stakeholders can ensure that the momentum gained by the Water Integrity Studies and the newly endorsed action plan is not lost.

5.1. POLICY MAKERS

There is a traditional proverb that says 'a fish begins to rot from the head', which implies that leaders are accountable for corruption that occurs under their watch, and if they do not tackle it, directly implicated. For this perception not to apply to water sector policy makers, their leadership and commitment need to be unquestioned. The ministry responsible for water affairs should embrace its leadership role and regularly communicate progress in implementing the GGSSWG action plan. By setting up the GGSSWG and launching an action plan with the public, the ministry took a first step in promoting accountability around this difficult topic. It will make further progress by partnering with anti-corruption institutions, giving priority to the larger risks in procurement and contract management processes, implementing sanctions on corrupt individuals or firms, enforcing sector guidelines in both rural and urban services, and removing existing

conflicts of interest by separating functions of policy formulation, implementation and regulation. All these steps are elaborated in the action plan.

The GGSSWG is a demonstration of policy makers' recognition of their interdependence on the anti-corruption skills of non-sector government agencies, NGOs and development partners. The outputs of the action plan will be as much an indicator of policy makers' willingness to be influenced and to change, as it will be of the motivation and effectiveness of non-governmental and cooperating partners in the GGSSWG, and members of the overall water sector working group.

5.2. WATER REGULATION

Currently, in contrast to Uganda's electricity sector, there is no independent regulator for the water sector. The action plan calls for a road map for moving sector regulation from within the MWE to an independent regulatory agency to oversee services in cities and small towns. The independent regulatory unit within the ministry would do well to advocate for this road map to be in place by the end of the second year, while implementation should be pushed by members of the GGSSWG.

The GGSSWG action plan prioritises this as an important step to promoting good governance in the sector. Its essence is separating the roles of policy makers, service providers and regulation. Regulation should protect consumers from abuse by institutions with exclusive power; guard the sector from arbitrary government action and promote economic efficiency. It would guide sector standards, provide a channel for citizen complaints and act as an impartial referee: balancing, judging and adjudicating various stakeholder interests. This demands decision-making without ulterior motives. For this reason, the ministry providing services cannot regulate itself. An established regulatory agency, with an independent budget that provides security of tenure for professional staff, is needed. Its employees would then be free to make and enforce unpalatable though necessary decisions to take the sector forward.

5.3. DONORS AND INTERNATIONAL DEVELOPMENT PARTNERS

Donors are partners with government and, by extension, its citizenry. By supporting the implementation of the good governance action plan they are protecting citizens' interests, especially those without voice and influence. Donor partnership in the sector can help in two ways. Firstly, it can sustain attention to the implementation of the action plan at policy level within working groups and bilateral dialogue. And it can promote local demand for good governance by supporting the role played by civil society.

5.4. UTILITIES, LOCAL GOVERNMENT AND DECENTRALISED IMPLEMENTING UNITS FOR RURAL AREAS

The Water Integrity Studies indicated that the priority for governance transformation at decentralised levels is the adoption of modern management practices. These include performance contracts, service provision agreements and licences with incentives and enforceable sanctions. Although these actions involve the local government, small towns and urban service bodies, initiation is the mandate of higher tiers of government. Within local power, however, is the establishment of forums to enable stakeholder discussion around plans, budgets and progress, and of mechanisms for representation and participation by citizens and other stakeholders. These ensure that citizens' voices, especially of poorer people, are channelled and acted on. Finally local level institutions will need to build public confidence by developing anti-corruption plans to guide staff using standard codes of conduct, and demonstrate zero tolerance for corruption by dismissing wayward personnel.

5.5. CITIZENS, INTERNATIONAL AND LOCAL CIVIL SOCIETY, AND COMMUNITY-BASED ORGANISATIONS

Rarely have sector anti-corruption and good governance goals been so clearly articulated and publicised as was the case in Uganda. Beyond this, a host of international, regional and national commitments support the case for the GGSSWG action plan's implementation. Important policies are beyond national legislation. Examples include the United Nations Convention against Corruption, the African Union Convention on Preventing and Combating Corruption, the Constitution

of Uganda, the Uganda Anti Corruption Act, 2009, the Uganda Access to Information Act and the Uganda National Anti Corruption Strategy.

In spite of this, one sobering finding from the Uganda Corruption and Risk Assessment is that an enabling policy framework does not lead to action where there is no political will. Civil society must respond to the realisation that its role goes beyond small-scale service delivery, in a sector that at district level spends many times the average Civil Society Organisation (CSO) annual budget. Instead, CSOs should focus on raising the profile of political action against corrupt practices in the water sector. They should invest in understanding and using evidence to object to practices that reduce returns on investment, allow unfair allocations and neglect poor people, and mismanage sector resources. CSOs will also need networks that engage grassroots communities and in general strengthen citizens' voices to create the political will for change from the ground upwards.

The GGSSWG action plan elaborates five steps to increase CSO capacity – a demonstration of sector commitment to recognising and exploiting the potential of the CSO role in catalysing good governance. The action plan elaborates measures to enhance CSO ability to work collectively, improve skills in advocacy, enhance access to and understanding of sector information, and ensure they are taken seriously by improving CSO's own internal transparency and accountability. CSOs must take advantage of these GGSSWG commitments to ensure that the action plan is used to uphold the state-provider-citizen compact.

5.6. CONCLUSION

While this process is ongoing and has faced various challenges, it has nonetheless been highly constructive in practice and for learning. A diverse range of stakeholders, including government, civil society, the private sector and development partners, have all played key roles and developed an important sense of ownership in the design and implementation of the Water Integrity Study and subsequent action planning. This programme has exemplified an entrepreneurial spirit, involving unique collaboration among all partners, which has promoted an innovative mechanism to tackle corruption and promote integrity in the water sector.

REFERENCES

CoST, 2009. The Construction Sector Transparency Initiative. London, CoST Secretariat, PricewaterhouseCoopers LLP.

Gonzalez de Asis, Maria, Donal O'Leary, Per Ljung and John Butterworth, 2009. Improving Transparency, Integrity and Accountability in the Water Supply and Sanitation Sector. Washington, DC, The World Bank.

Transparency International, 2008. Global Corruption Report 2008: Corruption in the Water Sector. New York, Cambridge University Press.

Winsor Consult Ltd, August 2009. *Baseline Survey on Integrity in the Uganda Water Supply and Sanitation Sector* (Executive Summary and Main Report). Water and Sanitation Program and the Water Integrity Network.

Water and Sanitation Program and the Water Integrity Network, August 2009. UGANDA: Risk/Opportunity Mapping Study on Integrity and Accountability in the Water Supply and Sanitation Sector (Executive Summary).



Boy in canoe, Bunyonyi Lake Uganda. © Dmitry/Dreamstime



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