2013:2 **Joint Evaluation**

Support to Civil Society Engagement in Policy Dialogue

Uganda Country Report

Sida

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Uganda Country Report
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Joint Evaluation

SUPPORT TO CIVIL SOCIETY ENGAGEMENT IN POLICY DIALOGUE

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Joint Evaluation of

Support to Civil Society Engagement in Policy Dialogue

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Additional Annex H: Case Study Reports

The attached CD-ROM contains:
The Synthesis Report (in English), the Bangladesh Country Report (in English), the Mozambique Country Report (in both English and Portuguese) as well as additional annexes related to the country reports but not included in the printed versions.

Acknowledgements

The Uganda Case Study is one of three undertaken as part of the Joint Evaluation on CSO Engagement in Policy Dialogue, the others being Mozambique and Bangladesh.

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For your generosity, we thank you all.

From The Uganda Country Team

August 2012

Acronyms and Abbreviations

AAA	Accra Agenda for Action
ACC	Anti-Corruption Coalitions
ACCU	Anti-Corruption Coalition of Uganda
ACODE	Advocates Coalition for Development and Environment
ADA	Austrian Development Agency
ADC	Austrian Development Cooperation
AEI	Acholi Education Initiative
ANPCANN	African Network for Prevention of Child Abuse and Neglect
APRM	African Peer Review Mechanism
BFP	Budget Framework Paper
CBMAS	Community Based Monitoring and Accountability System
CBMES	Community Based Monitoring and Evaluation System
CBMT	Community Based Monitoring Tool
CBO	Community Based Organisation
CCEDU	Citizens Coalition on Electoral Democracy in Uganda
CDD	Community Driven Development
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEDOVIC	Coalition for Domestic Violence Prevention
CEDOVIP	Centre for Domestic Violence Programme
CFA	Collaborative Forest Management
CHOGM	Commonwealth Heads of Government Meeting
CLEAR	Centre for Land, Economy and Rights of Women
CODECA	Community Development and Conservation Agency
COPASCO	Coalition of Pastoral Civil Society Organisations
CPI	Corruption Perception Index
CSBAG	Civil Society Budget Advocacy Group
CSO	Civil Society Organisation
CSUP	Civil Society Umbrella Programme
Danida	Danish International Development Assistance
DDP	Deepening Democracy Programme
DEI	Directorate of Ethics and Integrity
DENIVA	Development Network of Indigenous Voluntary Organisations
DFID	Department for International Development (UK)
DFO	District Forestry Officer
DGF	Democratic and Governance Facility
DK	Denmark
DP	Development Partner
DRB	Domestic Relations Bill
DVB	Domestic Violence Bill
DVA	Domestic Violence Act
EA	Environmental Alert
EAC	East African Community
EDF	European Development Fund
ENR	Environment and Natural Resources
EOC	Equal Opportunities Commission
ESCR	Economic, Social and Cultural Rights (Working Group)
FBO	Faith Based Organisation

FGM	Female Genital Mutilation
FHRI	Foundation for Human Rights Initiative
FIDA	Uganda Women Lawyers Association
FOWODE	Forum for Women in Democracy
FWA	Framework Agreement
FWG	Forest Working Group
GBV	Gender Based Violence
GoU	Government of Uganda
HSSP	Health Sector Strategic Plan
HUGGO	Human Rights and Good Governance
HURIFO	Human Rights Focus
HURINET	Human Rights Network
IAG	Inter Agency Forum
IDP	Internally Displace Persons
IEC	Information Education and Communication
IG	Inspectorate of Government
IGG	Inspector General of Government
JLOS	Justice Law and Order Sector
JSR	Joint Sector Review
JTC	Joint Technical Committee
KRC	Kabarole Research and Resource Centre
LABF	Legal Aid Basket Fund
LASPNET	Legal Aid Service Providers Network
LRA	Lord's Resistance Army
M&DB	Marriage and Divorce Bill
M&E	Monitoring and Evaluation
MoGLSD	Ministry of Gender Labour and Social Development
MoLG	Ministry of Local Government
MoWE	Ministry of Water and Environment
MP	Member of Parliament
NAADS	National Agricultural Advisory Services
NAPE	National Association of Professional Environmentalists
NDNSP	National District Networks Support Programme
NDP	National Development Plan
NFA	National Forestry Authority
NGO	Non-Governmental Organisation
NGP	National Gender Policy
NNGOF	National NGO Forum
NPA	National Planning Authority
NRC	Norwegian Refugee Council
ODA	Overseas Development Assistance
PEAP	Poverty Eradication Action Programme
PER	Public Expenditure Review
PET	Performance Expenditure Tracking
PETS	Performance Expenditure Tracking Surveys
PLE	Primary Leaving Exams
PMA	Plan for Modernisation of Agriculture
PPDA	Public Procurement and Disposal Authority
RANNET	Ruwenzori Association of NGOs and Networks
REPA	Rights Equity in Protected Areas
RDC	Resident District Commissioner

Sida	Swedish International Development Cooperation Agency
SWG	Sector Working Group
SDC	Swiss Agency for Development and Cooperation
ToC	Theory of Change
ToR	Terms of Reference
UDN	Uganda National NGO Forum
UGMG	Uganda Governance Monitoring Group
UGX	Uganda shilling (Exchange rate today: (USD 1 = UGX 2,560))
UJCC	Uganda Joint Christian Council
ULA	Uganda Land Alliance
UNHCO	Uganda Network of Health Users/Consumers Organisation
UWA	Uganda Wildlife Authority
UWASNET	Uganda Water and Sanitation Network
UWEZO	Education Network
UWONET	Uganda Women's Network
UWS	Uganda Wildlife Society
VBC	Village Budget Club

Executive Summary

Background and purpose

The Joint Evaluation of Civil Society Engagement in Policy Dialogue commissioned by six international development agencies (Austria, Canada, Denmark, Finland, Sweden and Switzerland) was carried out in the period May 2011 to August 2012. The evaluation focuses on the effectiveness of civil society organisations (CSOs) in policy dialogue. The overall purpose is lesson learning for Development Partners (DPs) in terms of how best to support CSOs in the area of policy dialogue. The purpose of the case studies is to provide in-depth analysis of how CSOs engage in policy dialogue, what outcomes they have achieved and what factors have contributed to them. This report presents the results of the Uganda Country Study, with the main period of fieldwork carried out in two phases September 2011 and February-March 2012. The country study was guided by the overall methodological framework provided for this evaluation. The case studies, selected through a process of consultation comprised:

- Case Study 1: **Governance and accountability,** focused on anti-corruption, with education and health as the key entry points
- Case Study 2: **Justice Law and Order Sector** (JLOS), focused on gender responsive legislation
- Case Study 3: Environment and natural resources sector, focused on **forest management and governance.**

The three cases touch all sections and strata of society in the country. The lack of good governance and the pervasive nature of corruption, the slow progress towards gender responsive development (particularly in regard to women) and the critical loss of the Uganda's forests with the potentially disastrous consequences this has for the environment, climate and future prosperity of both rural and urban populations. The report provides a narrative of the evidence of CSO's current achievements and potential for engagement in the future, together with an assessment of the DPs' strategy in supporting these processes.

Definitions

For the purpose of this report, policy dialogue is defined as in the Accra Agenda for Action (Section 13) as "*open and inclusive dialogue on development policies*". The Agenda further states that "*Developing country governments will work more closely with parliaments and local authorities in preparing, implementing and monitoring national development policies and plans. They will also engage with civil society organisations (CSOs).*" Civil Society Organisations are defined as: All non-market and non-state organisations outside of the family in which people organise themselves to pursue shared interests in the public domain.

Methodology

The methodology was informed by a 'Conceptual Framework' developed during the scoping study phase which challenged the teams to develop an ex-anti 'theory of change' of CSO involvement in policy dialogue. This was done so that the study team might better focus the enquiry, identify appropriate indicators (and key questions) and measure outcomes (summarised in a 'topic guide'). Information was drawn from the extensive documentation available, from respondent interviews and focus group discussions at national, district and community level using a variety of analytical tools including the 'policy cycle' and power cube. The team was successful in gathering information and views from a wide range of stakeholders including individual CSOs; CSO networks; government ministry and agency staff, politicians, the media, community based organisations and DPs.

There were of course limitations and establishing attribution was one of the most challenging elements of the study due to the highly complex interacting forces and actors that come into play in the policy dialogue process. This alerted the team on the need for caution in interpreting reported successes. For most CSOs the Theory of Change concept was not understood and the discussion quite superficial. Very few people, with the exception of CSOs in the natural environment and forestry sectors, were able to clearly articulate the policy dialogue strategies.

Factors affecting the enabling environment

Across all sectors beyond the three case studies, Uganda has a comprehensive legal and institutional framework for citizen participation enshrined in its Constitution (1995), as given in its decentralisation policy and Access to Information Act 2005. However, there are threats and contradictions to these otherwise progressive policies. The Anti-Terrorism Act gives immense power to the security forces which can be used to punish CSOs that challenge policy or question human rights abuses. The Press and Journalists (Amendment) Bill 2010 has prohibitions and limitations on freedom of speech and journalists which attest to the pressures they work under with journalists having to report official sources of information in the public domain rather than using investigative methods. Access to information is too costly for ordinary citizens and there are formidable bureaucratic obstacles to overcome.

The Amendment (2006) to the NGO registration statue which recently became operational has caused most concern. While CSOs were involved in its preparation, they claim their input was largely ignored. The prospect of CSOs having to re-register annually, under the Ministry of Internal Affairs (Internal Security) is seen as a means of controlling CSOs which are perceived as too critical of Government. However, more recently (and after the completion of the field work for this study), Government announced a new NGO policy. At its launch in July 2012 the NGO Forum expressed its hope that overall, the introduction of this new policy, with its framework for engagement, was a step in the right direction.

Looking specifically at the case studies, the governance and accountability sector has a number of relevant legal frameworks and acts on anti-corruption, and space is provided for CSOs to engage in policy formulation though parliamentary proceedings. The act itself is one of the most comprehensive in terms of aiming to combat corruption and

hold Government accountable. The institutional frameworks which include preparation of national and sector plans, the anti-corruption agencies in Government, the budget processes and budget performance report and role of Parliament in the process, all provide opportunities for CSO involvement.

CSOs can and do participate in the policy processes with the Development Network of Indigenous Voluntary Organisations (DENIVA) Civil Society Index report citing an overall intense level of CSO activity. Yet, the study identified a lack of political will to combat corruption, in spite of its declared policy of 'zero tolerance' and increasing hostility to criticism, with in some cases personal threats being made to individuals. CSOs invited to engage in dialogue report that their views are not in fact represented, and that a seemingly open and participatory process is more of a 'token' involvement in the governance sector.

Policy dialogue on gender and women's rights has been on-going for over 30 years. More recently the 1995 constitution made positive provisions for the rights of women, but the view is held that the law still discriminates against women in matters of inheritance, marriage, and divorce and property ownership. In terms of frameworks for CSO engagement, in addition to the provisions of the constitution, the Government created a Ministry of Gender to implement policies. The Ministry has created space for CSOs such as the Uganda Women's Network (UWONET), the Uganda Women's Lawyers Association (FIDA Uganda) and the Centre for Domestic Violence (CEDOVIP). CSOs regard the legislation as generally supportive of their involvement; however, they note the major gaps in addressing the structural gender inequalities and power relations with regard to gender equality in Uganda.

In the forestry sector, the legal framework and Forestry Policy (2001), and National Forestry Plan (2002) are models for the sustainable management of forests. The Plan provided specific space for CSOs to engage in its preparation. The study found that over a ten year perspective, the environment for policy engagement has until fairly recently been positive. However, the particular challenge faced by CSOs is that the official policy on forestry management and the current political agenda are in conflict. Government agencies charged with management of the forests are under-resourced and unable to manage political interference in their affairs. Thus CSOs in the forestry sector are engaged not so much in influencing the official policy *per se* but in defending its implementation. They see their role as preventing political and big business interests from exploiting the country's natural forest resources for short-term gains through increased large-scale commercial cropping, industrial development, coupled with a lack of enforcement of illegal encroachment.

Enabling environment and issues of donor funding

Some observers cite donor funding as a contributory factor in reducing the importance of CSOs as significant players in the country. The Uganda NGO Forum found donor support was producing a proliferation of two types of CSOs, one focusing on urban-based elite advocacy organisations and secondly a membership network or professional association type CSOs, and that DPs have avoided politically oriented groups.

However, while this provides one perspective, DPs themselves have taken action to address these issues directly with Government on CSOs behalf concerned by

the narrowing of the space for CSOs. Some DPs (e.g. Sweden and the Netherlands) have reduced their development assistance in response to the Government's position. Changes in DP funding may also play a role in shaping the enabling environment, with less money going directly to CSOs engaged in policy matters, due to donor harmonisation processes, concerns over value for money and limited or no core funding being made available.

CSO governance and self-regulation

CSOs recognise the importance maintaining their own standards of governance and accountability, amid criticism from Government over their credibility. While this concern may affect only a minority of CSOs, the two main umbrella organisations, NGO Forum and DENIVA have developed a voluntary self-regulation system setting minimum standards of governance. It will be important to review progress with this initiative as well as monitor the standards of governance within the sector.

CSO strategies, effectiveness and outcomes

CSOs adopted a range of strategies, with the more effective including evidence-based research; capacity building, awareness creation and sensitisation; strategic alliances coalitions and networks; social mobilisation and alliances; media advocacy; public demonstrations and petitions; public interest litigation and sponsored private members bills. The study assessed effectiveness both in terms of the key strategies adopted and the outcomes achieved measured as process, intermediate or policy change outcomes.

Preparing and disseminating evidence-based research: This was identified as a key feature of CSO's strategy and ability to influence policy. It was successfully used in gender advocacy, with CSOs collecting information that was used to inform the debate on the enactment of the Domestic Violence Law. The strategy was also successful in the forestry sector in informing the public and the political Government on the national importance of preventing the destruction of the Mabira Forest. The list of documents and references given in this report testify to the high quality of information that Ugandan CSOs are generating.

Capacity building, awareness creation and sensitisation: These are longer term strategies that are used by CSOs to change public attitudes, capacity of public/government institutions, capacity of CSOs and capacities and attitudes of community members on policy issues. Strategies to raise awareness of specific targeted interest groups and communities have been very important in addressing issues that are in the invisible spaces. In Uganda, a number of CSOs have now reinforced this strategic stance, seeing the building of capacity of communities at grass roots level as the key element of their strategy to improve the overall effectiveness of influencing both policy formulation and its implementation. This has been tested and has proved effective in the forestry sector.

Strategic alliances, coalitions and networks: CSOs have been criticised in the past for working individually. However across all three case study sectors, networks, coalitions and networks were being used effectively coordinate the work of individual CSOs. More importantly the formation of a strategic alliance creates a more powerful resource

with which to either advocate for change or to confront Government or other parties where official policy is not being followed.

Examples of coalitions and networks include the Coalition on Domestic violence (contribution to passing of Domestic Violence Law); Uganda Forestry Working Group, UFWG, (success in preventing degazettement of forests, e.g. Mabira); The UFWG prepared a five-year strategic plan in 2011, which is testimony to what networks, when properly organised and funded can achieve. Anti-Corruption Coalition of Uganda, a national network with regional offices (exposed corruption cases throughout the country). There is a range of other issue-based or more permanent thematic-based networks serving the sector.

DPs have recognised the value added from supporting CSO networks. While this has achieved some success, the study findings were that supporting networking processes (networking), rather than assisting the formation of specific networks, would lead to more sustainable networking outcomes.

Other strategies: Demonstrations were found to be effective strategies, but held the risk of becoming violent. They were a used successfully by the gender and women's rights organisations, usually involving the signing of petitions to be handed to the Minister. CSOs in the forestry sector, working with the media organised mass demonstrations, although ultimately successful in terms of assisting in preventing government abuses of forestry policy, they resulted in innocent lives be lost and in mass arrest of activists. The media has been used to raise public awareness about issues that affect people across the entire country, and has been a valuable means of maintaining debates on policy decisions, on increasing awareness and understanding of issues, as well as on influencing policy decisions at local and national levels.

Effectiveness in terms of process, intermediate and policy change outcomes: The framework used by the team to assess the different outcomes in the three case studies, indicated notable achievement in process outcomes comprising the formation of networks and coalitions to support the causes. In the governance, accountability and anti-corruption case study, coalitions were successfully established at national, regional and local levels. Similarly for policy engagement on gender issues, some four coalitions were formed to influence the various legal provisions in domestic violence, sexual offences and marriage and divorce policies. In forestry, two successful networks were established, the Uganda Forestry Working Group and the Forestry Learning Governance Group. Intermediate outcomes identified in the governance, accountability and anti-corruption case study included presentations to Parliament by CSOs on sector spending priorities. Other representatives were co-opted onto health policy advisory committees. In the gender issue case study, increased cooperation between CSOs and Government was improving. All three policy process case studies contributed to policy change outcomes in one way or another, although it was in the gender responsive legislation case study with the enactment of the Domestic Violence Bill, and the success in preventing the degazettement of the Mabira Forest (at least for now), that the work of CSOs was seen as a major contributing factor.

Lessons on DP Strategies

It is estimated that 95% of all funding for CSOs comes from DPs. And as the modalities of funding are rationalised with fewer, more harmonised facilities, CSOs become more

dependent on DP priorities. That is not to say that dialogue does not take place between DPs and CSOs (and indeed this study is an example of this process) but it is a concern for CSOs. At the same time, it is recognized that DPs need well managed, functioning CSOs to ensure that they achieve value for money. Nevertheless, overall donor interest in supporting CSOs seems to be increasing.

Findings from this study suggest a typical role identified for CSOs is programme or thematic area monitoring, as well as capacity building both a national and community level. DPs have provided funds for accountability institutions such as the Anti-Corruption Commission, but they also see CSOs as being able to provide a role in monitoring accountability in Government.

Funding modalities are changing, with individual donors now harmonising their funds within a basket mechanism. For example the Democratic Government Fund, the Independent Development Fund and the Civil Society Fund. This is apparently seen as a platform of assistance, with less direct donor exposure. There is a suggestion that DPs may be moving towards more core funding in the future.

Indirect Support: In addition to providing funds, DPs are able to create more space for CSOs, whereby DPs interact with CSOs and being aware of their (CSO) concerns, are able to articulate these at during 'DP – Government of Uganda' meetings.

CSOs provided their own perspectives on DP support, which they saw as being overly 'programme specific' or linked to a particular 'policy agenda' rather than being concerned with the organisation itself or in CSO capacity building. In a similar vein, there was also a concern that DPs were more interested in working with well-developed CSOs. CSOs observed that capacity building might be a more cost effective route, reducing DP reliance on expensive consultants. It was also suggested that DPs might cut short a particular programme to respond to the DPs changing priorities. While acknowledging the benefits from donor harmonisation, providing a single entry point in the areas of good governance, human rights and accountability it lessened the opportunity for other important issues to be addressed. The requirement for CSOs to be able to respond to competitive proposals again precludes new, less experienced CSOs from participating according to CSO sources.

Role of International NGOs: Typically but not exclusively, a DP will contract an INGO (e.g. Care International or Oxfam International) who in turn will sub-contract or associate with a local organisation. The local CSO is then subject to the management requirements and budget as set by the INGO. It was not possible to examine these contractual relationships in detail, but they may not always be to the commercial or financial advantage of the smaller national CSO. However, incidences were cited where INGOs provided additional support such as capacity building or provided advisors to work with the local CSO on project management for example.

Financial Sustainability of CSOs: It was concluded that for a CSO to be financially viable it needed (a) a source of programme related funding (b) more flexible funding to be used more at the discretion of the national CSO, and (c) some element of core funding to enable at least some of the overhead costs to be covered. This would allow CSOs to be more 'pro-active'. It was outside the remit of this study to consider the financial viability of CSOs, but this surfaced as an important issue during the course of the fieldwork.

Overall conclusions

While spaces exist for many CSOs to participate, the legislation (NGO Act) in its amended form is seen by CSOs as undermining the policy of full and meaningful participation. However, in July 2012 a new NGO policy was announced, and while this is not yet in law it appears to be step in the right direction and has been given a cautious welcome. However, CSOs also continue to face constraints in accessing resources for policy dialogue. The introduction of a multi-party system of government has led to a polarizing of policy dialogue and debates especially where the issues are controversial. Private sector and commercial interests, especially in the forestry sector have led to Government decisions bordering on violation of its own policies and laws. The political interests and political interference in some respects has been in conflict with the set regulations, hence also leading to intimidation of CSOs that may oppose the politician's stand.

In attempting to sum up the relationship between CSOs and Government it is important to distinguish between civil servants (as technical staff) and the political Government (politicians or staff who are political appointees). The relationship with the former has been and continues to be positive. In the case of the latter, there is more ambivalence, when the Government is criticised on controversial matters, on governance or corruption issues. That said, a number of politicians are pro-CSO and very supportive. It remains a complex relationship.

Coalition building: The study concludes that a key success factor in effective policy dialogue was through the formation of coalitions and networks between CSOs, although with the caveat that DPs need to re-focus on networking processes, rather than on network institution building. The flexible and fluid nature of existing networks seems to work well, in spite of its seemingly complex nature. The creation of more formal coalitions between CSOs and Government on the other hand is needed as policy development needs more legitimate opportunities for both parties (Government and CSOs) to interact. The formation of strategic alliances is also seen as important, both in terms of say two CSOs working together as well as vertical alliances with communities or local authorities.

Professionalism and consistency is respected by Government and DPs together with the capacity to collect, collate and communicate evidence-based information, indicating that it is to the advantage of both Government and DPs to ensure that the capacity of CSOs to deliver their services is improved. It follows that CSOs to have the credibility to hold government to account, must themselves ensure they work to the highest standards of professionalism and ethics. Recognising the importance of this issue the Quality Assurance Mechanism (QuAM) initiative was introduced by the NGO Forum which is considered an important step forward.

CSOs already work closely with the media and this has proved a powerful tool for advocacy and for holding government to account and for promoting the work of CSOs. The development of a strategy to enhance this relationship would be a useful next step.

CSO institutional support: The study concludes that to ensure the long-term viability of the CSO community will require a review of current funding mechanisms to provide on the one hand more flexible funding so that CSOs can develop their own long-term vision and programmes, while at the same time seeking means for CSOs to become less dependent on donor support and more able to generate their own funds. While this was outside the direct remit of the study is an important area which needs further research.

1 Introduction

1.1 Introduction to the Country Report

The study is commissioned by members of the Donor Group on Civil Society and Aid Effectiveness, comprising three DPs (Austrian Development Agency (ADA), Danish International Development Assistance (Danida) and Swedish International Development Cooperation Agency (Sida). They have commissioned on behalf of a larger group of bilateral DPs including Canadian International Development Agency (CIDA), Ministry of Foreign Affairs of Finland and Swiss Development Cooperation (SDC) which support the study through their participation in a Reference Group, which also includes Open Forum and BetterAid. The main purpose of the study is to share knowledge on the current state and future of support to civil society engagement in policy dialogue.

This report is the Uganda Country Report. It is one of four main stand-alone study products; three country reports (one each for Bangladesh, Mozambique and Uganda) and a Synthesis Report which provides a meta-analysis which draws on the lessons learned in each country report and combines this with other information sources to provide conclusions regarding current and future support to civil society engagement in policy dialogue.

Primary users of this report are those working for the commissioning DPs in Uganda who may be expected to use the findings and lessons learned in future programming to support civil society engagement in policy dialogue. Secondary users include the CSO community in the country, the Government and wider DPs and international CSOs and INGOs.

The Uganda Country Study was undertaken between July 2011 and March, 2012 by a team of four researchers comprising Hope Kabuchu (Team leader and responsible for oversight of all case studies and DP support) Zie Gariyo (National expert responsible for the governance and accountability case), Charles Abola (National expert responsible for the gender-based legislation case study) and Mike Felton, (International consultant, for the forest management and governance case study).

1.2 The context

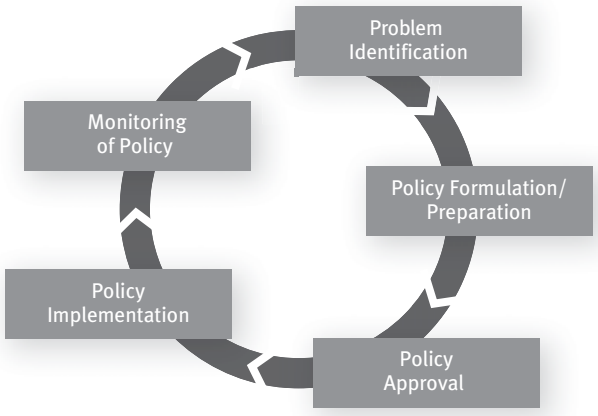
While the involvement of civil society in policy dialogue has a long history particularly in relation to social movements, this role is being increasingly encouraged by DPs. A strong civil society actively engaging with the state is now regarded as an end in itself and a public good, leading to better democratic practice and outcomes. This position is further endorsed in The Accra Agenda for Action in 2008 by heads of multi- and bilateral development institutions and development ministers with the intention "*to accelerate and deepen the implementation of the Paris Declaration on Aid Effectiveness (2005)*".[1] It heralds an important milestone for recognition of the role of civil society and civil society organisations in aid effectiveness. In relation to the promotion of participatory policy dialogue, it pledges that "*Donors will support efforts to increase the capacity of all development actors……parliaments, central and local governments, civil society organisations*

1 http://siteresources.worldbank.org/ACCRAEXT/Resources/4700790-1217425866038/AAA-4-SEPTEMBER-FINAL-16h00.pdf.

(CSOs), research institutes, media and the private sector…..to take an active role in dialogue on development policy and on the role of aid in contributing to countries' development objectives' (Section 13.b). The Agenda also promises to deepen engagement with CSOs as *"independent actors in their own right, whose efforts complement those of governments and the private sector"* (Section 20).

Policy dialogue is defined in the Accra Agenda for Action (Section 13) as "open and inclusive dialogue on development policies". The Agenda further states that "Developing country governments will work more closely with parliaments and local authorities in preparing, implementing and monitoring national development policies and plans. They will also engage with civil society organisations (CSOs)." (13.a) and thereby making explicit that policy dialogue includes all these elements. The following figure clarifies the cyclical nature of this process and postulates that civil society engagement can occur at each of the stages.

Figure 1 Policy Cycle: showing possible entry points for engagement



Invited or claimed spaces: Civil society engagement may be in invited or claimed spaces.[2] Spaces are areas where interaction/engagement and where information exchange and negotiation can occur. They are spaces of contestation as well as collaboration.[3] Invited space includes provided space (sometimes referred to as 'closed space' if it is strictly controlled) such as official parliamentary consultations, as well more open invited space such as public consultations. Invited space is often described as controlled 'from above'. Claimed space, on the other hand, refers to space which civil society creates for itself (or 'from below'), for example through lobbying, campaigning, education, public interest litigation among others. All three spaces for civil society engagement can be found anywhere in the policy cycle but are all expected to result in influencing Government so that policies are inclusive and equitable and Governments become more accountable and transparent to their citizens (i.e. for the common good).

Civil Society and Civil Society Organisations: Although a vibrant civil society is regarded as an essential feature in the democratic life of countries across the globe,[4]

2 Gaventa, J, 2005 Reflections of the Uses of the Power Cube approach for analysing the spaces, places and dynamics of civil society participation and engagement'. CFP Evaluation Series no 4.

3 Cornwall, A and V. S.P Coelho Spaces for change? The Politics of Participation in New Democratic Arenas, 2007.

4 The Siem Reap CSO Consensus on International Framework for CSO Development Effectiveness, June 2011.

its definition still remains contested and variously defined. It is usually regarded as the third sector distinct from government and business.[5] As such it comprises a range of individual and associational activity which may be formal or informal, transient or long-term, collaborative of confrontational. Civil society organisations are defined as:

All non-market and non-state organisations outside of the family in which people organise themselves to pursue shared interests in the public domain. They include a wide range of organisations that include membership-based CSOs, cause-based CSOs and service oriented CSOs. Examples include community-based organisations and village organisations, environmental groups, women's rights groups, farmers associations, faith-based organisations, labour unions, cooperatives, professional associations, chambers of commerce, independent research institutes and the not-for-profit media' [6]

CSO effectiveness: The term emphasises the effectiveness of CSOs as development actors.[7] In terms of policy dialogue it refers to the effectiveness in the processes adopted and outcomes achieved by CSOs in raising the voice of citizens to influence Government action and to hold Government to account. The study also recognises that beyond the organised action of CSOs there is also informal action[8] which must be factored in to consideration of the overall impact of civil society on policy dialogue.

Development partners (DPs) support: DP support to civil society engagement in policy dialogue refers to the channel of support (direct, through intermediaries, through budget and sector support) and type of support (core funding, contractual, project support (both targeted and untargeted) as well as non-financial support such as influencing space for policy dialogue).

1.3 Purpose of the evaluation

Although DPs have been actively promoting civil society engagement in policy dialogue for some time, there is little knowledge on the results of this support and the collective effectiveness of civil society efforts. There is also little known about how political will, critical to positive change, is generated and sustained. This study has been commissioned in order to understand both the role of CSOs in policy dialogue and the role of the enabling environment including the role of DP support models aimed at enhancing CSO work in this area.

The overall purpose of the study is 'lesson learning' so that DPs can gain a better understanding of how best to support CSOs in the area of policy dialogue in different types of enabling environments.[9]

5 What is Civil Society? civilsoc.org.

6 Civil Society and Aid Effectiveness, Findings Recommendations and Good Practice, 2009, 'BetterAid' series on aid effectiveness, OECD.

7 See OECD 2010, Civil society effectiveness.

8 CIVICUS notes that action and engagement can take place *'within a neighbourhood or faith based community, online using social media or as a part of spontaneous protest, but is not directly associated with, or behalf of, a formal organisation'* Broadening civic space through voluntary action: Lessons from 2011, CIVICUS.

9 Evaluation of Support to Civil Society Engagement in Policy Dialogue ToR 2.1.

The study "seeks to increase the conceptual understanding of civil society and government interaction in different contexts and circumstances" (ToR 2.2.) as well as evaluate the strengths and weakness of different DPs strategies in terms of efficiency and effectiveness. Specifically the study has the following objectives:

i. Establish an understanding of how CSOs engage in policy development and implementation at different levels (issues, strategies and type of interaction/engagement) including how aspects of the enabling environment (such as power structures, political, social and legal institutions) influence the approaches CSOs chose.

ii. assess how CSOs have contributed to policy dialogue – the relevance, effectiveness and outcomes of their work, and the identification of what works and what does not.

iii. identify the enabling and disabling factors which affect CSO ability and willingness to play an effective role in policy dialogue, including the enabling environment, capacity constraints and other key issues determined during the evaluation. This also includes an understanding of why some CSOs, who given their constituency and profile could be expected to be engaged in policy dialogue and chose not to.

iv. discuss the strengths and weaknesses of different DP strategies both in terms of their efficiency (i.e. transaction costs involved as well as in terms of their effectiveness (i.e. ability to support effective CSO policy dialogue.

v. identify lessons learned and provide recommendations for future support to CSOs in the area of policy dialogue.

The research was expected to take the form of a study (*generating new knowledge around objectives i-iii)* and to adopt a more conventional evaluative process to examine objective (iv) (strengths and weaknesses of donor strategy). This was expected to use the DAC criteria[10] of relevance, effectiveness, efficiency, impact and sustainability as an evaluation guide and was not intended to be confined to the six DPs involved in this study.

Roadmap for this report
Following the introduction (Chapter 1) and methodology (Chapter 2) the report provides a brief overview of the policy processes case studies (Chapter 3). Chapter 4 then examines the context for CS engagement in policy dialogue focusing on the legal and political factors and economic and social factors which determine the enabling environment for policy dialogue engagement.

Chapter 5 describes the policy dialogue in the country context as a prelude to the strategies adopted for engaging in the policy dialogue cycle (Chapter 6) and discusses how relevant, effective and efficient these are using the DAC criteria for Development Evaluation. Chapter 7 reviews DP strategies for supporting CS engagement in policy dialogue. Chapter 8 provides some conclusions and Chapter 9 lessons learned as pointers to the future in terms of both CSO and DP effectiveness.

10 DAC Criteria for Evaluating Development Assistance, OECD.

2 Methodology

2.1 A conceptual framework

Drawing on the ToR and the lessons learned during the inception and scoping phases, a conceptual framework was devised and documented to guide the case study approach and analysis, with the specific aim of providing direction and consistency of approach to the Country Teams during the main study phase. The Conceptual Framework document is given as Annex B with this chapter providing a methodological overview, the selection process for identifying the case studies, information sources, evaluation tools and the role of the Theory of Change in the study. The validity and the study limitations are also described and discussed.

2.2 Methodology overview

The Country Study was divided into an Inception period (Phase1) which included a Scoping Study, followed by the detailed Case Studies (Phase 2). The findings from this study, together with the findings of the other two Country Studies, provide the primary source material for the Synthesis Phase (Phase 3). The objectives, timing and outputs of each phase are given in the following table.

Table 1 Methodological Overview

(How the Uganda Country Study fits in to the overall programme of study)

Phase 1: Inception (including Scoping Study)	**Phase 2: Country Studies (Case Studies of Policy Processes)**	**Phase 3: Synthesis**
Objectives		
• Understand different stakeholders perceptions of policy dialogue • Understand the context for CSO action • Provide recommendations for the policy processes which will provide the most useful insights into what works and what does not • Understand the current portfolio of DP support	• Review the relevance, effectiveness and efficiency of the selected policy processes in Uganda: • Governance & Account-ability, Anti-Corruption • Gender-based legislation • Forest Management and Governance Other case studies conducted in Bangladesh and Mozambique	• Analyse and draw lessons learned from the country case studies • Situate findings within the debate on civil society engagement • Identify cross cutting findings and conclusions • Present findings to broad group of DPs
Timing		
September-November 2011	December 2011-March 2012	May-October, 2012

Phase 1: Inception (including Scoping Study)	Phase 2: Country Studies (Case Studies of Policy Processes)	Phase 3: Synthesis
Main methods		
• In country participatory workshops with CSO representatives • Interviews with key informants in country • Workshops with key stakeholders • Meetings and interviews with DP representatives • Secondary data review	• Review of policy processes • Interviews and focus group discussions with stakeholders • Observation of civil society engagement in action • Review of project proposals, strategies and evaluations • Findings reviewed in validation workshop • Sharing findings with DPs in country	• International sharing workshop in Kampala • Interaction with ICSOs e.g. BetterAid and Open Forum • Meta-analysis
Output		
Inception Report	Uganda Country Report Country reports produced for Bangladesh and Mozambique	Synthesis Report International presentation of the findings

2.3 The case study approach

A case study approach is used to assess policy processes to provide a more holistic understanding of the collective and diverse roles played by different actors within a particular process. The selection of policy processes for the case studies involved a careful consultative procedure based on the relevance of the policy process for the country and development partners as well as diversity of CS action involved in order to provide the best possible basis for learning lessons.

It is important to note that the cases were selected to help identify lessons learned regarding civil society effectiveness in policy dialogue within the policy themes as a whole rather than to examine the specific support of the commissioning DPs. The policy processes comprise a mix of CS action, only some of which is directly related to the specific programmes of the commissioning DPs. The lessons learned therefore cut across all forms of support and cannot be attributed to specific DP action. It is also important to recognise that they are not representative of the 'universe' of CS action which is extremely broad and diverse.

Phase 2 Case studies (policy processes) were selected through a consultative process in Kampala, based on findings of a scoping study, which identified seven key policy issues of concern in Uganda which CSOs have been engaged in the last five years with the following criteria in mind:

- **Range of CSOs** involved (to understand the diversity of CSOs and to ensure at least some of those policy processes finally selected would include 'less usual' CSOs such as Trade Unions, faith based groups, professional associations and diaspora groups)

- **range of CS action** (to review the diversity of action from formal to informal (invited and claimed) so that this range could be captured in at least some of the case studies)

- the **level** at which CS action takes place (to ensure that at least some of the case studies included local, national and international experience and which involved action outside the capital)

- **types of funding modalities** (to be able to choose at least some case studies which would allow review of the benefits and constraints of different modes of funding)

- inclusion of CSOs currently funded by the DP reference group

- the **relevance** of the policy process (to people living in poverty and to the particular country context) i.e. policy processes which are of key importance to development and where CSOs have played a role

- **effectiveness** of the policy process (outcomes achieved bearing in mind that much could also be learned from mixed or poor achievements)

- availability of **documentation** on the policy process.

The details of this selection process can be found in the Uganda Scoping Study Report (July and September 2011). 'Chapter 7, Key policy areas and suggested areas for the case study'. (The Scoping Study can be requested from Danida. Write to eval@um.dk)

2.4 Information sources

For each policy process, a variety of sources of information were identified as follows:

- The key CSOs (regarded as *'movers and shakers'*) as well as others operating in the same context which had not engaged (documentation review of project proposals, evaluations etc, interviews and observation)

- sources of funding and support (DPs, fund managers, INGOs) for engagement in policy dialogue (documentation review of policies, disbursements and evaluations etc., interviews)

- the key government participants to policy dialogue in the selected policy process areas (interviews)

- research institutions, 'think tanks' and CS activists (interviews).

A key feature at this stage was to ensure full stakeholder participation in the process (see Box 1).

Box 1 Stakeholder participation

Following the scoping study and selection of the three policy areas, a stakeholder mapping was done by the team to identify the key players and stakeholders in the selected policy areas at national level and district level. Participants selected included CSOs at national level, INGOs, the media, DPs, Government Ministries, Agencies and Departments (MDAs),[11] Representatives from Parliament, district-based NGOs/CSOs and Community Members through community-based organisations (CBOs). The three districts of Soroti and Lira in North Eastern Uganda and Buikwe District (Mabira area) were mapped as providing good examples where the case studies could be followed-up to the grass roots level. The districts also established the link between national level and district level issues.

Key informant interviews were held in all districts especially with district and sub-county authorities, while Focus Group Meetings were held with community members. In general people at all levels including government representatives were very open in their discussion and forthcoming in giving information.

2.5 Evaluation tools

In order to facilitate a comparison of the analysis done in the case studies and to ensure more analytical rather than descriptive reports the team used common analytical frameworks.

Evaluation Framework: The Case Studies were undertaken using a common Evaluation Framework (see Annex C) comprising eighteen evaluation questions derived from the ToR. The framework detailed specific evidence which would be required to answer the questions.

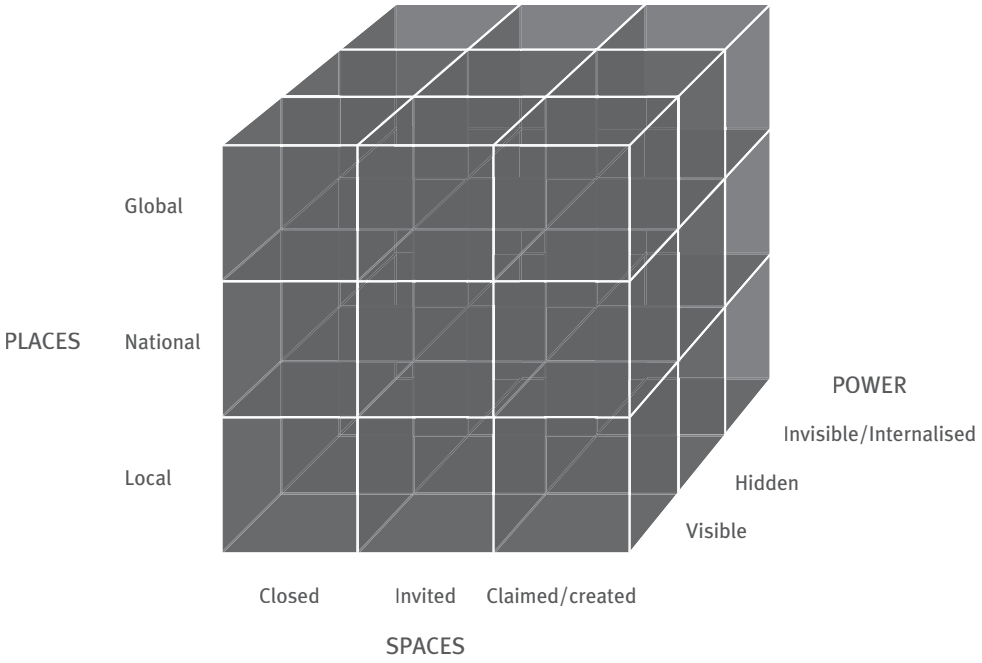
Key evaluation questions: Key evaluation questions were developed along the four main areas of focus of the study on i) Enabling and disabling environment for CSO engagement in policy dialogue and factors affecting their engagement, ii) CSO Effectiveness in relation to accountability and legitimacy, iii) Results and outcomes focused on policy process outcomes and policy changes as well as CSO achievements and; iv) DP Support on Policy dialogue focused on CSO perspectives of DP support, donor perspective of DP support and DP support and enabling factors (see Annex F). The key questions were developed into a generic topic guide for each category of interviews.

The **policy dialogue cycle** tool depicted in Figure 1 was used to help locate entry points for CS action.

11 Government: Included Ministry of Finance, Planning and Economic Development (MFPED), Justice Law and Order Sector Secretariat (JLOS), Ministry of Gender, Labour and Development (MGLSD), Inspectorate General of Government (IGG), Office of the Auditor General (OAG), Ministry of Water and Environment (MOWE), National Forestry Authority (NFA), Directorate of Ethics and Integrity (DEI), and for Parliament, representatives from Budget Office, Public Accounts Committee (PAC), Environment and Naturals Resources Committee and Uganda Women Parliamentarians Association (UWOPA).

The Power Cube: Another key analytical tool used in the study is the Power Cube which provides a framework to analyse how power operates in the spaces and places for engagement. The diagram below provides a graphic representation of the different manifestations of power. The concept of closed, invited and claimed spaces have been explained above. The visibility of power is categorised as i. visible (i.e. the formal rules, structures and procedures which govern engagement), ii. hidden (i.e. the actual influence those engaging have over others within the engagement space) and iii. invisible (i.e. the power dynamics assumed by participants from their socialisation and societal norms). The conceptual framework helped in the analysis of power relations, levels of operation and understanding of spaces for CS engagement.

Figure 2 The Power Cube



Source: Gaventa, 2003

Field observations were carried out and included observation of a variety of CS-State engagements (see Annex D: List of persons who participated in the study).

2.6 Theory of Change as a conceptual framework for the case studies

The study took an evaluative approach based on Theory of Change (ToC). ToC is a based on *programme theory* and is an approach which seeks to understand processes of change beyond the measurement of results to include more explicit reflection on the assumptions behind technocratic causal frameworks. In particular it examines the context, actors and processes of change to support learning about what constitutes effective strategies. Developing ToCs for civil society engagement in policy dialogue work has proved especially challenging as the complex nature and dynamics of both civil society action and its engagement with the State is not amenable to linear logic. The array of formal and informal, consensual and dissenting voices as well as the wide range of different incentives for and interests of policy dialogue stakeholders provides a complex web of interactions where causal relationships are hard to distinguish.

ToC is supposed to provide a flexible framework for critical and adaptive thinking rather than a product.[12] There are many interpretations and visual representations of ToC available in recent literature but the fundamental principles are similar and include the need to understand i. the context, ii. the actors, iii. the desired-for change and iv. the linked events/processes leading to change.

Theory of Change developed for Uganda case studies
The team developed a **ToC** based on the findings from the scoping study. The team's ToC helped to understand CSO policy dialogue in Uganda and the connections between CSO strategies, outcomes and actions, illustrated in Figure 2 below. The ToC has been used to investigate and identify the main goals of the policy issues, the main factors in the enabling environment, the CSO strategies that have been most effective and to map out a checklist of indicators to assist in collecting the evidence, as illustrated below.

The long-term goal for policy dialogue across the three case studies
The 'long-term goal' for policy engagement by CSOs in Uganda identified by the evaluation team across the three policy areas is the ***Attainment of Effective Governance in Uganda.*** The specific policy outcomes per case study are identified as follows:

- Case study 1: Governance and Accountability: Policy Dialogue on **Anti-Corruption, with the goal to** achieve a "A well governed, accountable and corruption free society"

- Case study 2: Justice law and Order Sector: Policy Dialogue on **Gender Responsive Legislation** aimed at "Equal and non-discriminatory legislation in Uganda"

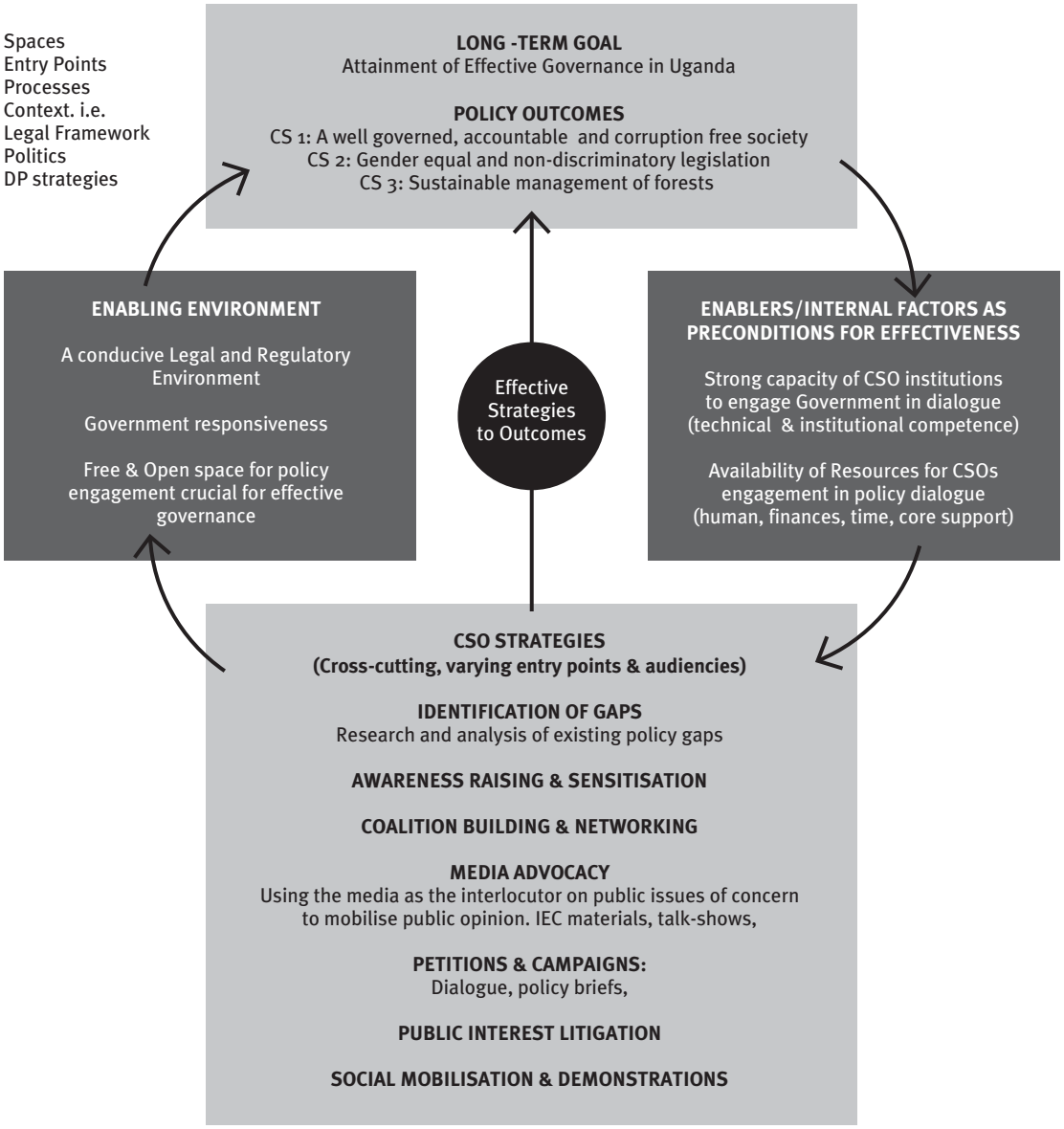
- Case study 3: Natural Resources Management: Policy Dialogue on **Forestry Management/Governance** aimed at "Sustainable management of forests in Uganda"

The practice in the past has been that CSOs work with government-provided spaces which are seen as 'a given' by the constitution and the Local Government Act with provisions that allow all parties to participate in government processes. The team recognised that some CSOs supported government-driven processes and contribute ideas, hoping that the system would change for the better. However, the study found that some CSOs have now realised that for them to be effective and influence change in policy dialogue, they have to work from the grass roots up. The evaluation looked at CSOs operations at national, district and community level and how they work with the media, and other like-minded CSOs in coalitions or networks and policy makers at the different levels, especially the parliament.

Following the findings from the Uganda Scoping Study, the ToC for Uganda policy dialogue is illustrated in the diagram below. The ToC is used in the study to trace how: CSO strategies have contributed to policy outcomes. Individual ToCs have been developed for each case study.

12 Review of the Use of Theory of Change in International Development, Isabel Vogel, April 2012.

Figure 3 Illustration of Theory of Change for CSO Policy Dialogue in Uganda



2.7 Key focus areas for the study

Enabling environment for policy dialogue
The enabling environment is seen as one of the key preconditions that must be in place for the CSOs to operate effectively. Four areas identified as crucial for effective dialogue assessed by the evaluation were:

- The Legal and Regulatory framework
- Political Context: Government responsiveness and extent of open space for policy engagement

- Existence of self-regulation and strong CSO institutions to engage government in dialogue (technical competence, strong institutions). For example, issue based coalitions to provide a supportive environment for CSOs to advance policy issues

- Extent of funding resources for CSOs to engage in policy dialogue are available (human, finances, time).

Effective strategies for CSO engagement
The evaluation looked at the following checklist of strategies for policy dialogue in Uganda, among them:

- Identification of policy gaps through research and analysis of existing policies

- Creating awareness and sensitising people about the issues

- Coalition building on different issues of interest and networking among themselves

- Media advocacy using the media as the interlocutor on public issues of concern to aimed at mobilising public opinion about different areas of interest. They use findings and materials on media talk-shows

- Filing petitions and holding campaigns

- Publication of policy briefs aimed at influencing policy makers

- Court cases filed on behalf of the citizens – public interest litigation

- Social mobilisation especially at community levels and holding demonstrations to express their concerns.

Indicators for policy gains
For each case study, the team set out to identify evidence of contributions made by CSO using guidance of the change outcomes. Attribution is very difficult because there are many players in the field of policy dialogue. The team however noted that in policy dialogue, the advocacy processes are important in contributing to intermediate results. Furthermore, some outcomes may occur after a very long time and may not be measurable during a particular CSO programme.

The team drew up a check list of indicators of long-term policy outcomes and the process outcomes which reflect gains in policy dialogue as indicated below:

Examples of long-term policy changes

1. Pro-poor laws are enacted
2. Percentage of reduction in gender based violations
3. Increased budget allocations to sectors
4. Ruling on Public interest litigation cases (cases won)

Examples of process outcomes identified for the study

1. Participatory pro-poor budgeting processes
2. Increased coalitions building and collaboration among CSOs/CBOs
3. Increased collaboration between CSOs/CBOs and government bodies/agencies
4. Commitment of policy makers to use/advance CSO proposals
5. Prevention of actions that are anti-policy
6. Joint implementation of policy
7. Research-documents-policy briefs, documents, IEC materials, press-releases etc
8. Petitions written and filed/submitted to relevant authorities
9. Public interest litigation cases filed
10. Scorecard processes: community based monitoring – actors become effective together
11. Establishment of commissions of inquiry
12. Institutional reforms/reshuffle/recruitments
13. Effective Participation in invited dialogue spaces
14. Capacity built for CSOs engagement in advocacy.

The team was not limited to, but also used the above short list to identify outcomes of policy dialogue and to collect associated evidence where it exists.

2.8 Study limitations

Evaluation and attribution
Establishing attribution is the most challenging element of any study on policy influencing. Policy and practice change is a result of highly complex interacting forces and actors. Different constellations of actors engage and disengage, work continuously over long periods of time or exploit moments of opportunity and undertake a wide variety of activities to influence change. Tipping points can be reached in a multitude of different ways.

The case studies used ToCs to capture the different elements contributing to change in policy and practice. These helped to ensure that the multiplicity of actions and actors were taken into account when trying to establish attribution and provided a focus for discussion among different actors regarding their relative contributions. However, they also served to highlight how linear and short-term models of change may lead to exaggeration of success as the contribution of others before and in parallel are generally overlooked. This alerted the team to the need for cautious interpretation of reported success in interviews, project reports and evaluations of individual organisations.

Box 2 Challenges for measuring success in policy dialogue

From discussions amongst the team, the extent to which "success" is measured in policy dialogue was found to be challenging. The gathering of "Evidence" is limited because some dialogue processes may last for many years as in the case of the gender dialogue on domestic law which has taken over 40 years in Uganda. For some policies, the outcomes may take years to be realised while for some other laws, the processes may never be completed as seen from the discussions which were stalled or bills withdrawn from parliament. To address this challenge, the team agreed to document important process outcomes, for example the actions taken at each stage of policy engagement. Lastly, the question of "attribution" in a context where many players participate still remains a challenge even for the central participants of CSOs and Government. Our view as a team is that CSOs, Government, the media, the DPs and individuals contribute different building blocks in policy dialogue and irrespective of the importance of a stakeholder in the process success in policy dialogue does not rest on only one participant.

As well as examining impact level outcomes, the teams purposefully examined process outcomes as legitimate markers of achievement. These include legislation, creation of new or expanded participatory space and official platforms for civil society engagement, behaviour and attitude change of service providers and duty bearers.

Limitations found in the three case studies

While the team would have liked to have gone into the studies in more depth, and to have followed-up on different issues arising from the meetings, time was the constraining factor. Some case studies such as forestry governance were well documented, while the gender based legislation has not yet fully documented their processes. The case study on corruption is limited by the inconclusive nature of the policy dialogue process on corruption in Uganda. The capacity of CSO to document the evidence of their success especially in the gender policy dialogue and anti-corruption was more limited. Among the challenges of the study was the difficulty in identifying the contribution of each CSO, because of challenges of attribution in advocacy where many players are involved. To address the challenges of attribution, the evaluation team identified a checklist of indicators facilitate the team to identify the policy gains made by individual CSOs. Even where a CSO led intervention was well documented and researched, with proper analysis, the outcomes specific to a single CSO were not easily visible because most of the policy dialogue outcomes outlive the CSO programme duration and can only be realised over a longer time horizon.

Challenges when introducing the Theory of Change

For most CSOs, the ToC concept was not understood and the discussions often quite superficial, especially because many were not familiar with the framework within which the ToC is developed. The general response was more towards explanation of their purpose, vision of policy dialogue, goals and specific strategies. Very few people expressed a clear strategy or vision, but were rather driven by passion and the strategic links between different elements of their work were not clearly articulated. The exception to this view was in the forestry sector, where strategic planning and organisation of CSOs in the natural resources, environment and forestry sectors is relatively well advanced.

Scope of work
The evaluation inevitably was limited in scope by practical considerations. While having the advantage of examining the complete cycle of policy dialogue it nevertheless was limited by selection of just a few policy processes. All three case studies looked at elements of governance which provided cross-cutting information for comparative purposes.

The time horizon suggested in the ToR was *policy dialogue in the last five years* (see Box 2 above). While this provides information on CSOs currently active and, in particular the 'movers and shakers' identified in the ToR (3.1) it may have constrained the need to view the long-term perspective of change. Many of the achievements have not resulted from recent engagement but from longer term 'drip-drip' actions as well as incremental changes in the enabling environment. This limitation has been mitigated somewhat by the fact that all team members have long-term experience of the country context, civil society participation and CS action.

Validity of findings
Recognising the complex and often politically charged environment in which policy dialogue takes place, the team was cautious about attribution and accepting accounts of processes at face value. They exercised care to triangulate findings in a number of ways:

- Purposeful inclusion of a range of CSOs in each policy process, including 'movers and shakers' as well as those apparently less active
- interviews with Government (supply-side), key informants not connected with CSOs (independent view) and DPs
- document review (especially during Phase 1) including websites, newspaper clippings
- exposure to civil society engagement in action (Annual General Meetings)
- verification workshops with mixed participants representing different stakeholder groups to confirm and extend study findings
- circulation of draft country reports to a variety of stakeholders for comment and further development.

3 Brief overview of the policy processes

This chapter provides summaries of the three policy processes included in the country study. The full case study detail is provided as an additional annex.[13]

3.1 Summary of Case Study 1: Governance and accountability: Anti-corruption & mismanagement

Policy dialogue issues
Corruption and mismanagement in Uganda, is a major obstacle to good governance and accountability, a concern raised by CSOs, DPs and government officials interviewed during the scoping study. Corruption and mismanagement issues cut across many sectors, institutions at national, district and community levels. The case study focuses on the trends in anti-corruption in Uganda, the enabling and disabling environment, effectiveness of CSO strategies for anti-corruption, the types of engagement, various stages of the policy dialogue and challenges of CSO effectiveness.[14]

Corruption in Uganda is said to be systemic and institutionalised.[15] The World Bank (2005) suggests that as much as USD 350 million (UGX 900 billion) is lost annually in corruption in Uganda.[16] The annual Corruption Perception Index (CPI) of Transparency International (TI) ranked Uganda among the top 50 most corrupt countries in the World, and 20th most corrupt countries in Africa and third in East Africa. The National Integrity Survey Report 2008 by the Inspectorate of Government (IGG) in Uganda identified the police, Ministry of Health, Uganda Revenue Authority, the Courts and the Immigration Department as some of the most corrupt institutions. Although Government of Uganda committed itself to zero tolerance to corruption since 2006, corruption remains a major constraint underlying poor service delivery in Uganda.

Enabling environment and spaces for engagement
The main legal basis for fighting corruption in Uganda is the Constitution of Uganda 1995. Uganda is a signatory to the *United Nations Convention Against Corruption 2003*, and the *Africa Union Convention on Prevention and Combating Corruption 2003*. The *National Audit Act 2008* also gives the Office of the Auditor General (IOAG) independence to fight corruption. Reports of the IOAG and the sessions of the Public Accounts Committee of Parliament are open to the public and give CSOs space for dialogue on anti-corruption issues. Other important laws and regulations include the *Access to Public Act 2005* to give effect to Article 41 of the Constitution of Uganda, and the *Anti-Corruption Act 2009,* which defines corruption of public officers. An Anti-Corruption Court was set up to handle corruption cases. Parliament enacted the *Whistleblowers Act 2010* which gives protection to any person who provides evidence of corruption both in public and private sector. The legislation is supportive of CSOs to initiate dialogue through courts of law. The *Access to Public Information Act 2005* was enacted to give effect to

13 The additional annex can be downloaded from www.evaluation.dk and is also available on the CD-ROM attached to the Synthesis Report.
14 Details are contained in the unabridged version of the report.
15 Government of Uganda (2003), National Strategy to Combat Corruption in Uganda 2003-07.
16 The World Bank (2005), The World Development Report, Washington D.C. This figure is cited in The Uganda Country-Self Assessment Report and Programme of Action, Nov. 2007, p. 242.

Article 41 of the Uganda Constitution 1995. Although there is no regulatory framework for Public Litigation in Uganda, Civil Society Organisations have petitioned courts to demand accountability of public officers.[17] The National Anti-Corruption Strategy (NACS)[18] was developed, with the aim to build the quality of accountability and reduce the levels of corruption in Uganda with a focus on people, systems, organisations and building a culture where integrity is valued and corruption is rejected. Uganda has a highly developed institutional framework to combat corruption, with over eight official anti-corruption institutions.[19] The media in Uganda has become a strong partner with civil society organisations to fight corruption and provides space for public debates.

Challenges to the enabling environment

The lack of political will by Government to combat corruption, according to CSOs, is a major hindrance to CSOs effort to engage effectively in dialogue with state agencies. Lack of concrete action and follow-up on corruption cases, threats and intimidation of CSOs who expose corrupt officials, and threats of legal action against the individual staff of CSOs are major disabling factors for policy dialogue in Uganda. As CSOs become bold and demand accountability and transparency, they are faced with hostility from the politicians. Gaps in the Anti-Corruption Legal Regime render some of the clauses ineffective and have been challenged in court. Interference by the Executive in the functions of the anti-corruption agencies was also cited as disabling. The power and authority of the mandated Institutions of accountability such as the Inspector General of Government (IGG) for example are undermined by delays in appointing specified officers as provided for under the Constitution.

Effectiveness of CSO activity

The long-term goal for CSOs and other institutions engaged in policy dialogue on anti-corruption in Uganda was identified as *"A well governed and corruption-free society in Uganda"*. The policy outcomes expected by CSOs include: Accountable and transparent public officers at central and local government level; well-resourced anti-corruption public institutions effectively combating corruption and; attainment of high quality of delivery of services.[20]

Multiple entry points for CSOs engagement in policy dialogue on anti-corruption in Uganda exist. CSOs have provided inputs in the policy process including: inclusion of an incentive for whistle blowing in the Whistleblowers Act,[21] enforcement of account-

17 ACODE petitioned the Constitutional Court in 2011 to challenge the payment of UGX 20 million to Members of Parliament by Government.

18 NACS entitled the Strategy to Fight Corruption and Rebuild Ethics and Integrity in Uganda (2009-13)

19 These include the Directorate of Ethics and Integrity, Inspectorate of Government (IGG), Office of the Auditor General (AG), the Directorate of Public Institutions (DPP), Ministry of Finance, Planning and Economic Development put in place the budget Monitoring and Accountability Unit (BMAU), Oversight committees of Parliament which include the Public Account Committee (PAC), the Parliamentary Local Government Public Accounts Committee (LGPAC), the Parliamentary Committee on Commissions, Statutory Authorities and State Enterprises and the Legal and Parliamentary Committee.

20 Factors crucial for anti-corruption in Uganda include i) Zero Tolerance to Corruption by government; ii) a comprehensive legal and instructional framework; iii) participation of CSOs in developing and implementation of anti-corruption strategies, iv) having a collaborative process between Government and CSOs and v) the media providing the base for mobilizing the citizen to be vigilant against corruption.

21 Spearheaded by Anti-Corruption Coalition Uganda.

ability requirements for Constituency Development Fund,[22] where very few Members of Parliament (MPs) accounted for the fund. Based on research findings by CSOs, it was found that most MPs spent the fund on personal rather than developmental issues. The CDF has been suspended, while an MP was prosecuted in the Anti-Corruption Court and found guilty of embezzlement and misuse of public funds.[23] Other laws CSOs have contributed to include Good Governance Laws, the Access to Public Information Act 2005, the Anti-Corruption Act 2009, and the Whistleblowers Protection Act 2010. CSOs also participated in the formulation of the National strategy to fight Corruption and rebuild ethics and integrity in Uganda 2009-13, and the Regulatory framework for Oil & Gas, which is currently shaping the debate on the oil and gas.[24]

CSOs contribute to policy monitoring and lesson learning at district level, which are met by mixed reactions from the authorities. At the local level, CSOs have intensified policy dialogue through organising community dialogue meetings, recognised as an important input into the local processes. Establishment of community structures and systems[25] which monitor service delivery and hold officials accountable has strengthened CSO effectiveness. CSOs use a number of tools to monitor quality and delivery of services in Uganda, and have helped to expose the quality of governance and cases of corruption and poor accountability. The tools include Community Based Monitoring and Accountability/Evaluation Systems (CBMA/ES),[26] especially in the health and education sectors, Public Expenditure Tracking Surveys (PETS)[27] and the Local Government Score Card which is implemented in over 25 districts as an accountability tool to compel the local leaders to account to their electorate.[28]

Challenges to CSO effectiveness

Both Government and CSOs do not have a clear understanding of the complexity of corruption, and how to root it out. No diagnostic assessment of the short, medium and long-term effects of corruption from economic, social, political and cultural perspective has been carried out. Without a clear understanding and diagnosis the strategies for policy dialogue will remain obscure. Corruption has become not only endemic but also institutionalised, and is highly entrenched both at Central Government level and Local Government. High public expenditure approved privately has been difficult for CSOs to follow-up. The tendency in Uganda is for Government to spend colossal sums of public money without the approval of Parliament. Without adhering to proper accountability

22 Uganda Debt Network has engaged with Parliament of Uganda to institute accountability mechanisms for the Constituency Development Fund (CDF). The CDF is a UGX 10 million fund given annually to each Member of Parliament by Government, as a grant to initiate development programs in their constituents.

23 MP Bihande representing Bukonzo East Constituency pleaded guilty to a charge of embezzlement and stealing government funds and was fined UGX 2 million.

24 See ACODE Policy Dialogue Series No. 15 201 a Synthesis Report of the Proceedings of the Parliamentary Symposium on Oil and Gas Development in Uganda at www.acode-ug.org.

25 The structures include Community Monitoring Committees (CMS), Gender Budget Committees, Village Budget Clubs, Budget Monitoring Committees (BMC) set up by various CSOs.

26 UDN developed the Community Based Monitoring and Evaluation Systems (CBMES) in more than 13.

27 CSOs have used PETS to track the flow of public resources from the Central Government to the lower level Local Government level, and findings are shared in public dialogues organized by CSOs.

28 The score card provides evidence of performance of leaders and their effectiveness of their roles and functions. Tool used by ACODE.

mechanisms that are in place, CSOs find challenges in keeping up with the trend[29]. The capacity of CSOs to engage full time in policy processes is very limited by the lack of sufficient human, technical and financial resources. Community apathy and unfulfilled expectations, affect CSO effectiveness. Community members may not be willing to speak out due to unfulfilled expectations, low literacy rates which disadvantage Community members who cannot read vital documents as such as Bills of Quantities (BQ), and dependency on community volunteers who may drop out due to unfulfilled expectations.

Assessment of effectiveness of different strategies
Almost all national CSOs engaged in governance and anti-corruption related policy dialogue have carried out evidence-based research and analysis, collect data and evidence working at community level and provide convincing approach to policy dialogue in sectors such as education, health sector and other initiatives in good governance. The CSOs carry out high quality policy analysis and research whose findings are shared with technical officers in line ministries and with the relevant committees in Parliament. In order to enhance their capacity for effective policy engage on governance and accountability, CSOs have formed strategic alliances and networks composed of national CSOs and international NGOs.

DPs support
DPs provide strategic support to CSOs to participate in high level anti-corruption policy dialogues which have enabled the CSOs to intervene strategically. DPs provided funds, information and non-financial support to CSOs, such as raising corruption issues of concern to CSOs, to the Government. Spaces for CSOs dialogue include the national and District Inter-agency forum, and Court Users Forum. Some CSOs also use mobile phones for feedback. Anti-Corruption Coalition of Uganda (ACCU) and its regional affiliates, the regional Anti-Corruption Coalitions have initiated the gender Social Accountability Project, where 80 women per district are given mobile phones to collect information about performance and service delivery and submit it to the central data office at ACCU offices for analysis. It is expected that over 640 women will have participated in the project, and this will help to open dialogue on accountability issues of concern raised by the women.

Conclusion
Anti-Corruption CSOs in Uganda have engaged in policy dialogue at different stages which has made them a key stakeholder in the effort to combat corruption. Anti-Corruption CSOs have wider space for policy dialogue in Uganda. CSOs have benefited from close interaction with DPs who have considerable influence over the policy processes and to open up policy spaces that would otherwise have not been possible. Given that corruption is both endemic and institutionalised in Uganda, CSOs have been unable to consolidate policy dialogue in the midst of intimidation and capacity challenges. CSOs need to review their current strategies that have long-term effect. The capacity gaps identified by CSOs may be minimised not only by acquiring human and financial resources but also by defining clear strategies to keep the dialogue spaces open and by documenting and sharing their experiences from lesson learnt.

29 In January 2011, at the time of elections, a supplementary budget of over UGX 600 billion was requested and passed by Parliament of Uganda. During 2011 the President requested and obtain USD 740 million (UGX 1.7 trillion) without the approval of Parliamentary to purchase five jet fighters for Uganda's Air Force. Some of the supplementary budgets are requested and approved after the money has already been spent.

3.2 Summary of Case Study 2: Dialogue on gender-based legislation

Policy dialogue issues
Ugandan women through various forms of organisations and in the recent past – CSOs – have negotiated spaces with Government and Parliament to repeal, and enact laws that are non-discriminatory to women. This case study was selected because for the first time in Uganda's history, gender based legislations have been enacted over the last five years after protracted policy dialogue by CSOs in partnership with DPs and the National Gender Machinery.

The **Justice Law and Order Sector** (JLOS) in Uganda brings together institutions[30] with closely linked mandates of administering justice and maintaining law and order and human rights. JLOS was formed to respond to chronic systemic constraints that hampered access to justice and service delivery, including inefficiencies and lack of effective procedural guidelines and performance standards in justice delivery institutions, including *significant gender-based discrimination.*[31] Policy dialogue on gender and women's rights in Uganda has been on-going since independence 50 years ago. The struggle for women's emancipation was suppressed between 1971 and 1980 during the days of Idi Amin, and re-emerged between 1980 and 1985 when some form of democratic system started emerging in Uganda. The process was halted by the constant wars. Significant progress has been made since 1986 when the current government assumed power, enhanced by the new Constitution of the Republic of Uganda enacted in 1995. Gender based dialogue has been focused on the enactment of laws to address gaps in sexual and gender based violence, prohibition of Female Genital Mutilation (FGM), marriage and divorce, amendment of the Land Amendment Act, and equal opportunities commission.

Enabling environment and spaces for engagement
The constitution of Uganda provides for recognition of the rights of women, promotes and protects social justice and equality of all Ugandans. Specific articles address, amongst other things: the empowerment and encouragement of active participation of citizens, in governance at all levels and; gender balance and fair representation of marginalised groups. Although the Constitution has positive provisions, the laws in Uganda still discriminate against women and girls on matters of inheritance, marriage and divorce as well as property ownership. The Equal Opportunities Commission (EOC) provided for under the constitution was recently established almost 10 years late, and has not yet had any significant impact. Women's political representation in Parliament and at Local Council level is around 30%. The National Gender Policy (NGP) since 1997 was designed to ensure mainstreaming of gender concerns in the national development process. The Ministry of Gender, Labour and Social Development (MGLSD) was set up, and spearheads the implementation of the Gender policy in sectoral ministries, govern-

30 The government institutions include: Ministry of Justice and Constitutional Affairs (MOJCA); Ministry of Internal Affairs (MIA); The Judiciary; Uganda Police Force (UPF); Uganda Prison Service (UPS); Directorate of Public Prosecutions (DPP); Judicial Service Commission (JSC); The Ministry of Local Government (Local Council Courts); The Ministry of Gender, Labour and Social Development (Probation and Juvenile Justice); The Uganda Law Reform Commission (ULRC); The Uganda Human Rights Commission (UHRC); The Law Development Centre (LDC); The Tax Appeals Tribunal (TAT); The Uganda Law Society (ULS); Centre for Arbitration and Dispute Resolution (CADER) and The Uganda Registration Services Bureau (URSB) Brief outline of relevant policy instruments.

31 http://www.jlos.go.ug/page.php?p=about.

ment plans and programmes.[32] Since its creation, the ministry has been under-resourced and unable to effectively deliver on its mandate of spearheading gender responsive development. The exception is when the Ministry has been supported by DPs.[33] The MGLSD provides space for CSOs to engage in policy dialogue processes on gender.[34] The willingness of most DPs to support the work of CSOs involved in gender and women's rights issues has been very significant in ensuring an enabling environment for policy dialogue on gender issues.

Challenges to the enabling environment

Gender equality constitutes a direct affront to existing power relations in a patriarchal society like Uganda. The current resistance to the Sexual Offences Bill and Marriage and Divorce Bill (M&DB) arises out of the attitudes entrenched in existing social structures, religious beliefs, and cultural beliefs and practices that still do not fully recognise women's rights. While religious and cultural institutions have played an enabling role to pass some laws such as the Anti FGM and Domestic Violence Act, they have constrained the passage of legislation.[35] CSOs reported for example that while the Coalition on the Marriage and Divorce Law was seemingly united as "one", one of their members representing the religious groups submitted opposing views to the Parliamentary Committee denouncing the views of the wider Coalition concerning proposed clauses on Cohabitation. It is vested political interests in the legislation which also tends to slow down progress. According to CSOs interviewed, some politicians may see a policy or law on gender equality as impacting negatively on their future political interests, especially where voters may not support gender equality. Dialogue on policy implementation is constrained by inadequate resource allocation to government departments, for implementation of gender responsive laws. The MGLSD has consistently been underfunded and has limited financial resources to execute its tasks.

Effectiveness of CSO activity

CSO engagement in policy dialogue has been aimed at: changing laws; ensuring that regulations and structures for implementation are in place; and following up on implementation and monitoring progress of implementation of the law. CSOs engaged in this process included Uganda Women's Network, Centre for Domestic Violence (CEDOVIP), Uganda Women Lawyers Association (FIDA) Uganda, Forum for Women in Democracy, (FOWODE) and others to work on GBV Laws, Anti-FGM, Transitional Justice, Domestic Relations, Family Laws and several others. The recent past has seen more focus on Female Genital Mutilation (FGM), Sexual Offences Bill, and others, where donor funding has been prominent.[36] Gender related laws recently enacted include the FGM Act, Domestic Violence Act and the Trafficking in Persons Act. The laws provide a supportive legislative framework for CSO engagement in dialogue. Significant gains in policy dialogue are due to increased networking and coordination between CSOs, relevant government departments and other key stakeholders such as the religious,

32 Contribution of Women in Influencing Legislation and Policy Formulation and Implementation in Uganda (1995-2005), CODSRIA Africa Development, Vol. XXXIV, Nos 3 & 4, 2009, pp. 167-206, Elijah Dickens Mushemeza.

33 Ibid.

34 MGLSD works with CSOs such as UWONET, FIDA Uganda), CEDOVIP and several others to influence policy change.

35 Strong opposition to the M&DB saw Uganda Joint Christian Council (UJCC) moving to petition the Legal and Parliamentary Affairs committee on the day the committee. The UJCC views were contrary to the views of the M&DB Coalition, of which they are members.

36 The support has mainly come from Sweden, Austria, UK, Denmark, Ireland and Norway through support to JLOS and other DP funding mechanisms.

cultural institutions and DPs. CSOs have established vibrant coalitions and networks for a collective voice and actions for policy change.[37] Gains also included setting up the National SGBV Coalition coordinated by the MGLSD to which CSOs are members; the Equal Opportunities Commission Act, 2007; the National Equal Opportunities Policy and; Trafficking in Persons Act, 2010. The Constitutional Court declared some aspects of the divorce law as being unconstitutional for discriminating against women, after a public interest litigation led by FIDA Uganda. CSO proposals have been included in the revised National Gender Policy; the National Action Plan on Women (2007-10); the National Development Plan (2010/11-2014/15); the second Peace Recovery and Development Plan for Northern Uganda; the revisions to Police Form 3; the Ministry of health directive to districts to avail Post Exposure Prophylaxis services to survivors of sexual offences; and the introduction of Gender Budgeting into the Government's budget call circular. Evidence-based research and analysis of policies and laws have facilitated CSO engagement with the Uganda Law Reform Commission. CSOs participation in government task forces and fora gave them opportunities to submit their views directly to formal spaces such as parliamentary committees. Strategies used by CSOs include policy briefs, fact sheets, petitions, and talking points for Members of Parliament. At the community level, CSOs use community petitions and dialogue meetings. Two Joint Programmes on GBV are facilitating implementation of the domestic violence law, in partnership with Government, CSOs and the communities.[38] Regular monitoring of policy implementation is done by a few CSOs. For example, Uganda Women's Network and its members monitor implementation of Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).[39] FIDA Uganda monitors JLOS and gives feedback to law reform processes.

Challenges to CSO effectiveness

The gains in gender equality and women's empowerment have long-term outcomes that need concerted effort over many years. The Domestic Relations Bill (DRB) was first tabled before Parliament on 9 December 2003. It was referred to the Committee on Legal and Parliamentary Affairs by the House and was not brought back to the House until 2 May 2005. The bill has "mutated" into a several bills, including the "Family Law" or Marriage and Divorce Bill, as a tactical move to make it more "acceptable". More contentious areas of policy dialogue in Uganda by CSOs include the Sexual Offences Bill and the Marriage and Divorce Bill, and the HIV/AIDs Prevention and Control Bill. Passage of the M&DB has been delayed due to opposition from some government officials and legislators, and religious/faith based CSOs. These laws had not been passed by the time of this study in 2012. It is often noted that, while Uganda has the best policies and laws in the continent, implementation remains poor.[40] CSO funding for policy dialogue is often short-term, and tied to particular time frames. Policy dialogue on gender issues is a protracted and costly process with results often transcending strategy and programme timeframes. The CSOs interviewed said they slow down their engagements when funding ends and first fundraise for additional funds, hence drawing back CSOs gains in the process.

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37 Examples include the Domestic Violence Bill Coalition and now Domestic Violence Act Coalition, the GBV-PEP Coalition, the Sexual Offences Bill Coalition and the Marriage and Divorce Bill Coalition.

38 GBV Joint Programme Coordinated by MoGLSD and supported by Irish AID and the UN Joint Programme on GBV coordinated by UNFPA and supported by Norway.

39 UWONET produced the CSO Alternative Report on Uganda's Implementation of CEDAW, September 2010.

40 As noted by one multilateral donor partner representative.

Assessment of effectiveness of different strategies

Anecdotal evidence of the Domestic Violence Act, FGM Act, and Trafficking in Persons Act, according to CSOs suggests that the new laws have resulted in a reduction in domestic violence in the community. There are recorded improvements in the manner in which police personnel handle victims of domestic violence. The increasing power by religious (Christian and Moslem) and cultural institutions to influence legislation in the country has stimulated policy dialogue on gender issues. The religious leaders passed a resolution on domestic violence and asked the clerics to condemn violence at every opportunity during prayers. The engagement of religious leaders in policy dialogue by CSOs however has been controversial and contributed to delays of enactment of the Marriage and Divorce Law due to disagreements on proposals to outlaw polygamy and recognition of cohabitation.[41] The involvement of women in cultural institutions, for example the Lango Women's Clan Initiative, facilitated policy dialogue on women's rights.

Coalition building and networking among CSOs/CBOs, and other stakeholders such as DPs and Government has increased CSO effectiveness,[42] and ownership of the process by all involved. According to the MGLSD, CSOs participated in drawing-up the guidelines for the laws to ensure that all issues of concern are included. The DVA Coalition has worked with Uganda Law Reform Commission (ULRC) to translate the Domestic Violence Act into eight languages and the Land Act, and is now training duty bearers. CSOs made a contribution to revisions to police 'Form 3' which allows other medical officers to examine victims of GBV, and sign the form. GBV-PEP Coalition engagement with Ministry of Health led to the directive to districts to ensure that victims of violence can access PEP services. Communities petition their councillors and members of parliament to pass bye-laws, ordinances and laws.[43] Constitutional petitions in relation to bride price and discriminatory provisions in the Marriage and Divorce Bill were introduced by CSOs.

Conclusions

Findings from the study show strong CSO engagement at formulation and adoption, and less involvement in monitoring, especially for newly formulated laws. Financial investment in women and gender related CSOs by DPs has been critical in the success of policy dialogue.[44] Challenges still remain with gender based policy dialogue because gender sensitive legislation has potential to challenge gender power relations. Lack of

41 Muslims and traditionalists would like to uphold polygamy. Recognition of cohabitation before marriage is not supported by the churches, who want the clause removed. Both argue that the law is in violation of the religious principles. CSOs argue that the practice of cohabitation and Polygamy both disadvantage women.

42 Examples of the coalitions established include: the Domestic Violence Act Coalition which initially started as the Domestic Violence Bill (DVB) Coalition; Marriage and Divorce Bill Coalition; Sexual Offences Bill, Anti HIV/AIDS Bill Coalition; GBV-PEP Coalition; and Anti Homosexuality Bill. The DVB and DVA Coalition was spearheaded by CEDOVIP and key members included UWONET and FIDA Uganda.

43 Bye-laws passed include the Kawempe bye-law on domestic violence by CEDOVIP, the Kirewa bye-law on bride price and the Tororo Bridal Gifts Ordinance by MIFUMI.

44 DPs investing in Gender include Sida, Austria, Danida, Irish Aid, DFID, and Norway. Others such as Irish Aid and Danida (in the past) have directly supported the MGLSD to spear-head gender related policies and involve CSOs as partners. Programmes supported include the UN Gender Joint Programme through UN Women (DFID support), UN GBV Joint Programme through UNFPA (Norway supported), GBV Gender Joint Programme with MGLSD & CSOs (Irish Aid supported). In the past, instrumental support came from DFID, Civil Society Umbrella Programme which funded Women's CSOs to engage in pro-poor policy dialogue, and WID/GAD-Danida support to MGLSD which established structures and policy for gender in the country.

gender-disaggregated data to inform policy, planning and resource allocation, still constrains the evidence collection processes. Changing the status quo is a long-term and continuous process, requiring commitment of both human and financial resources and considerable investment in capacity building.

3.3 Summary of Case Study 3: Forest management and governance

This case study explores the role played by CSOs at international, national, district and community level. Specifically the study examines the space in which CSO's working in the environment and natural resource sub-sector operate, their effectiveness and the support provided by DPs.

Policy dialogue issues
A comprehensive programme of reform in the forestry sector by Government dates back to the period 1998 to 2004 with the introduction of a number of important policies on the sustainable management and governance of the 'Permanent Forest Estate' (PFE), which some observers describe as models for other countries. Yet the forest sector in Uganda is in a state of crisis, with Uganda ranked as sixth out of 62 countries in the world with the highest levels of deforestation, due to encroachment, illegal logging and forest clearance for large-scale commercial cropping, which over the period 1990 to 2005 was equivalent to a loss of 27% of the area.[45] This loss of forest has occurred in spite of the policies which provide the legal basis for the major institutional changes initiated under the reform programme. The Policy resulted in creation of the semi-autonomous National Forests Authority (NFA) with responsibility for Central Forest Reserves with the Ministry of Water and the Environment (MoWE) which also has responsibility for regulation and oversight through the Forest Sector Support Department (FSSD). The implementation of forest management outside the Central Reserves has been devolved to District Forest Services (DFS).

Studies[46] show that the organisational reforms have stalled. While the NFA made some significant progress in the early years, its recent performance has been characterised by poor standards of governance and an inability to manage political pressures and a financial crisis, donor partners withdrawing their support, resulting in subsequent lack of any real effectiveness. The other key players, e.g. the Ministry of Water and Environment and District level agencies were never able to carry out their roles effectively.

Enabling environment and spaces for engagement
There is a widely held view among CSOs that the environment to participate in the policy dialogue has, at least until fairly recently, has been positive with some important qualifications. The 2001 Forest Policy provisions in regard to CSOs are further developed in the subsequent National Forest Plan (2002): "*The main instruments envisaged by the NFP to drive changes in institutional relationships include... defining specific roles for NGOs ... strengthening of civil society, by supporting civil society organisations and creating more open processes in government policy-making." (National Forest Plan, Section 6.1) and there is tangible evidence of the Government's positive policy towards CSOs at different stages of the policy cycle (inclusion in the annual joint sector review process).*

45 Uganda's environment and natural resources: Enhancing Parliament's oversight, Uganda Wildlife Society, 2010.

46 Review of the Forest Sector, Uganda; LTS International for Ministry of Water and Environment, funded by Royal Norwegian Embassy, 2010.

However, along with CSOs working in other sectors, there are a number of threats to this otherwise seemingly positive environment. These include the NGO Amendment Act 2006 to require annual re-registration of CSOs, which is seen as a move to restrict and control their activities. At a practical day-to-day level, CSO representatives on government committees expressing alternative views can cause friction. An importantly there is a lack of trust of government implementing agencies at the higher level, who are supposed to be the custodians of the forest, as the same agency is may undermine policies and resources to the detriment of the forest estate. However, the majority of technical staff in the sector are professionals, fully dedicated to the cause of sustainable forest management. CSO engagement is further hampered by the lack of coherence of policy implementation across a number of institutions, fragmented and poorly coordinated agencies and the use of 'political' decisions to override technically sound recommendations.

There is a contradiction between policy and political Agenda: CSOs working in the forestry sector have formulated a clear strategy on engagement including advocacy, lobbying, information dissemination and working with communities on good management practices. However, policy engagement at different stages of the cycle is faced with the challenge that the Government's political agenda for forests is not in line with the current stated policy. The goal and ambition set out in the Forest Policy and National Forest Plan are not being followed. There are concerns that recourse to the law (i.e. challenging government in the courts) may not be fully effective. Thus, engagement on policy matters centres therefore on how CSOs can most effectively deploy their resources.

Effectiveness of CSO activity
Effectiveness is assessed for each of the key stages of the policy cycle, however, given the problems with implementation of the stated policies much of focus of CSOs is at the implementation level. CSOs still operate particularly in the policy formulation stage in the field of climate change, where Uganda does not yet have a comprehensive policy. The CSO targets policy makers, political leaders, Government and DPs. On the other hand attempts to influence budgetary provisions to the forest sector at both national and local level were largely unsuccessful, but efforts still continue to contribute to national and district level planning and budgeting processes.

Implementation stage: The main lesson from the study is that in this sector there are strong polices, but weak governance, poor implementation and lack compliance with the laws and regulations in the forest sector. This contradiction has resulted in much of the engagement with policy makers focusing on several fronts to support the implementation of forestry policy and national plans. While many of these follow traditional forms of 'supportive' engagement, CSOs have also in a number of cases resorted to more confrontational measures. There are a number of documented cases of CSOs challenging government over proposed degazettement of forest areas (e.g. the case of land in Mabira and Kalangala Forests, where part of the forest was to be turned into turned into sugar cane and oil palm plantations.

Monitoring and evaluation: The third stage in the policy cycle, monitoring and evaluation and lesson learning, is an area where CSO can make a significant contribution, with much of what is written and documented by the CSOs in forestry governance is in the area of monitoring and evaluation. Published documents provide an evidence-based commentary on the results and impact of government programmes at national and local level. They also monitor and provide information on community activities and the action of private forest owners and commercial (investor) interests.

CSOs have also carried out a self-assessment appraisal of CSOs is documented in the 'Environment and Natural Resources Civil Society Organisations Performance Report, 2010/2011'. Whilst not particularly rigorous in terms of a self-assessment, the review provides an excellent window into the work of CSOs in the ENR sector, and builds on the collaborative efforts of Government and civil society to work together for development.

Assessment of effectiveness of different strategies

Capacity building of community based organisations: CSOs are involved in a range of policy implementation initiatives with CSOs working with local government agencies and communities in implementing the forest management programmes, with a focus on capacity building and empowerment of communities. While it is not possible to give an objective assessment of the outcome of these interventions, documentary information backed up with interviews with CSOs and government agencies indicate that CSOs provide virtually the only means of effectively interacting with communities on forest policy implementation. The overriding challenge is however the politicisation of the management of forest resources and the undermining of professional decisions of the technical staff in the agencies.[47] A number of CSOs which initially relied on networking arrangements now focus on capacity building of local communities in the areas of conservation and local area development. They hope that this will strengthen community capacity to demand for accountability in forestry governance.

Networks and coalitions: The CSOs in the forestry sector operate as individual entities or with a membership to one of the principal alliances, e.g. the Uganda Forestry Working Group (UFWG), comprising CSOs, individuals, academic organisations, and government agencies. UFWG is seen as a platform where stakeholders in the forestry sector come together to influence development and independently monitor the implementation of the National Forest Plan (NFP). UFWG has an effective secretariat, a clear strategy for the group (as set out in the 2011 Strategic Plan) and a membership comprising a group of highly professional people, formed around a joint aim of improving forestry policies, management and governance through policy dialogue process. The Group has deliberately stayed away from formal registration for strategic reasons, to remain as a lose network which gives safety against intimidation, at the same time, allows them greater flexibility to work together. This does not appear to limit their ability to secure DP contracts.

CSOs, the media and civil society and the campaign to save the Mabira Forest: One of the most high profile cases where civil society challenged the Government was the "Save Mabira Crusade" organised by UFWG in 2007 to prevent the degazettement of Mabira Forest (some 50 km to the east of Kampala) to use the land for sugar cane. National Association for Professional Environmentalists (NAPE) was one of the member organisations working at the forefront of the campaign although such strategies are not without personal risk to those engaging in more direct means of engagement. The Mabira case is well documented, involving CSOs, the media as well as government and parliamentarians. The scale of the national and international campaign did halt the plans, but continued encroachment and illegal tree felling continue to degrade the resource through permits issued by government. That aside, the power of civil society and the media in Uganda was clearly evident in this case.

47 Section 3.1.5, Environment and Natural Resources Civil Society Organisations Performance Report, 2010/2011.

Peaceful means through dialogue: Policy dialogue takes place at local and national levels with politicians and policy makers. Engagement with technical staff in the government agencies is also very important and indeed welcomed as the government agencies find themselves partly dependent on the professional resources of CSOs for data collection, M&E, writing of policy briefs and for CSOs to engage with the communities on the implementation of programmes. Some CSOs, especially the international CSOs have a specific policy to promote policy dialogue and try to solve issues through peaceful means. CARE Uganda while initially focusing on issues of wildlife management on case by case basis, have widened its scope to include the issues of forest governance nationally. Among the CSOs themselves, there were a number of examples of the 'invited space' for policy dialogue which have been effectively used by CSOs. Environment Alert, ACODE and others are participating in the on-going policy debate on Uganda's role in combating climate change. They have produced briefing papers on key challenges and issues for consideration in policy development.[48] NGOs in the sector are regularly invited to attend government committees. CSOs also take initiatives to invite parliamentarians to participate in meetings and briefings and the Forest Governance Learning Group[49] was cited as taking a lead in this process.

Public interest litigation: The Forest Governance CSOs have used Public Interest Litigation to seek legal redress to protect the Citizens and get justice especially where dialogue has failed or as a strategy to accompany dialogue. Public interest litigation has been spearheaded by CSOs such as ACODE with their knowledge of environmental law. The CSO works on behalf of other CSOs in the network and they are supported by the coalitions along the way.

Box 3 An example of public interest litigation

Butamira Forest was licensed for sugar cane to a large Ugandan corporation. The Government and the company ignored the fact that the community had been issued permits to plant trees, whose permits were overridden by the permit issued to the sugar cane company which took over the forest area and cut down the trees planted by the communities. A CSO (ACODE) filed a case on behalf of 300 community members and won in court, with a court ruling that that the Company Permit was null and void and did not comply with the law.

CSOs, said that they will use both policy dialogue with government and the courts of law to continue the process of saving the forest. In the Butamira Case, the Government and sugar company have completely ignored the court ruling and continued with the plantation. According to the CSOs interviewed, the company was protected by the present Government, and that the protection would continue for as long as the government stays in power.

Evidence-based research: has been an important entry strategy for CSOs in policy dialogue work. The forestry sector has a more refined and professional approach to policy dialogue and rely heavily on research findings to produce any credible arguments. Several case studies, research papers and programme assessments have been carried out in the ENR sector. Anecdotal evidence obtained during the study, suggests that this resource is essential to both technical staff in the main government agencies at both national and district

48 Climate change in Uganda. Insights for long-term adaptation and building community resilience; Environmental Alert July 2010.

49 The Forest Governance Learning Group is facilitated internationally by the International Institute for Environment and Development and is convened by ACODE.

level. Research is also seen as vital by MPs who said that it was crucial for scrutinising governance of the agencies and of the forestry sector in general. There are also examples where the Ugandan President himself has been 'positively' influenced by CSO briefing documents.

Media Advocacy: The media has been a key partner and interlocutor on issues of forestry governance in Uganda. During the FGD with the media, they mentioned that they deliberately sought out CSOs to work with them on the Mabira Forest issue in order to "frustrate" the government plans to 'give away' the forest.

DP support

Funding of CSOs is typically linked to specific programmes, and thus while providing an 'invited space' may not be the space the CSO wants to engage in. CARE, (along with the Uganda Wildlife Fund) were seen as one of the few CSOs where DP funds specifically provided funding facilities that could be drawn down in a relatively flexible way, so that the CSO had the freedom use funds when it saw an opportunity to do so.[50]

Lessons and conclusions

Mismatch between policies and practice: A key feature of the working environment and challenge for CSOs in forestry is the mismatch between what is a comprehensive set of policies for safeguarding the forest and the reality of rapid deforestation. Both a lack of funds and the politicisation of the agencies responsible for forest management is the key contributor to the current crisis most frequently cited by stakeholders as responsible for undermining effective policy implementation.

Community empowerment: CSOs have tried to fill the resource gap in the government agencies, by providing information to the communities and citizens and providing them with the skills on how engage with duty bearers. However, this process needs to go further if forests are to be managed sustainably. Empowerment of community level organisations to directly manage the forest resources in their localities is seen as the main strategic goal which CSOs need to pursue. This would imply a shift in responsibility to the communities and the individual forest owners so they are empowered to take on the task of holding the government agencies and private sector to account, while working in an effective (and more equal) partnership with those agencies which are mandated to safeguard and manage the forest resource in the country.

Strengthening the capacity of national and local level networks: CSOs recognise they will require support across a number of fronts:[51]

- Improved coordination and networking amongst different CSO organisations;
- improved information dissemination; improved and sustained funding of CSOs; and
- a need to focus on parliamentary committees and to tackle governance and budgetary allocations.

As above, CSOs have also recognised the need to carry out a sustained programme of engagement with communities in key forest areas.

50 Rights and Equity Protected Areas Programme (REPA II), 2009-13.
51 UFWG strategic plan 2011-16.

4 Key aspects of an enabling environment

4.1 Introduction

This chapter focuses on the enabling environment for CSO engagement in policy dialogue, and describes the major legal and political context as well as the factors affecting their engagement in policy dialogue. For *"civil society to flourish it requires a favourable enabling environment, which depends upon the actions and policies of all development actors – donors, governments and CSOs themselves."*[52] For the purpose of this evaluation we understand the 'enabling environment' as one of the key parameters defining the space for policy dialogue, opportunities and challenges within which CSOs participate. The chapter identifies the enabling environment factors that have affected CSO engagement in policy dialogue.

4.2 Legal and political environment

Constitution: Uganda has a comprehensive legal and institutional framework for citizen participation in policy formulation, enshrined in the Constitution of the Republic of Uganda 1995 and in subsequent legislation such as the Local Government (Amendment Act) 1997.[53] The Constitution spells out the mandate of CSOs to participate and influence policy formulation on behalf of the citizens. Article 38(1) provides that "*Every citizen has a right to participate in the affairs of Government, individually or through his or her representative in accordance with the law*." Article 38(2) further provides that "*Every Ugandan has a right to participate in peaceful activities to influence the policies of Government through civic organisations".* The Constitution sets out the obligations of citizens in holding government accountable. Article 17(i) of the Constitution provides that "*It is the duty of every citizen of Uganda to combat corruption, misuse and abuse of public office*."

Decentralisation Policy: Article 176 of The Constitution (as amended) 1995 provides that "*The system of local government in Uganda shall be based on the district as a unit under which there shall be such lower local government and administrative units as Parliament may by law provide. 176 (2) provides that the following principles shall apply to the local government system.*" When the Constitution was enacted in 1995 there were 39 districts increasing to 112 in 2010. To give effect to the decentralisation policy and the provisions of the Constitutions that oblige them to consult with citizens, Section 35(1) of the Local Government (Amendment) Act 1997 provides that "*The District Council shall be the planning authority of the District".* Section 25(2) provides that *"The District Council shall prepare a comprehensive and integrated development plan incorporating plans of lower level local government for submission to the National Planning Authority, and lower Local Governments shall prepare plans incorporating plans of lower Councils in their respective areas of jurisdiction*." In practice, however, very little consultation is undertaken to collect the views and priorities of the citizen at the grass roots. The creation of districts poses a challenge for both public expenditure management and for availing technical, human

52 OECD 2010: Civil society effectiveness.

53 Article X of the National Objectives and Directive Principles of State Policy of the Republic of Uganda Constitution 1995 provides that "The State shall take all the necessary steps to involve the people in the formulation and implementation of the development plans and programmes which affect them."

resources to delivery services effectively.[54] It leads to the multiplication of counties, sub-counties and parishes. Given that the districts are dependent on the central Government for over 90% of their resources, small, under-resourced districts have challenges coping with service provision.

The Access to information Act 2005: In 2005 Parliament enacted the 'Access to Public Information Act' whose purpose among others is to: a) promote an efficient, effective, transparent and accountable government; b) promote transparency and accountability in all organs of the state by providing the public with timely, accessible and accurate information; and c) empower the public to effectively scrutinise and participate in government decisions that affect them. Article 41(1) provides that "*Every citizen has a right to access information in the possession of the state or any other organ one agency of the State except where the release of the information is likely to prejudice the security or sovereignty of the State or interfere with the right to the privacy of any person.*" In spite of the provisions of the Act, CSOs believe that access to information is still a bureaucratic hurdle which is lengthy and costly. For instance, applicants are required to pay UGX 20,000 to file an application requesting information.[55] This would tend to deter poor citizens from accessing information at local level and impede their participation in decision making.

The CSO landscape and relationship with Government

The CSOs landscape presents what is seen as a mixed picture, however, with an *"overall intense level of CSO activity*".[56] CSOs in Uganda range from community organisations, coalitions and networks on thematic issues or geographical location, faith-based organisations, political and social organisations and more recently the cultural institutions and other forms of organising. A study by DENIVA reveals that CSOs are constituted by a large number of "community groups in form of CSOs such as NGO Networks, Coalitions, Trade Unions and other forms of collaborative bodies" such as urban based professional groups.[57] Other organisations which actively engaged in policy dialogue include the Private Sector Associations, Lawyers Associations, Teachers Associations, Women Doctors Association, Media Women Association and to a limited extent, the Journalists Association.

Citizen participation in CSOs, according to the study, appears extreme, characterised by membership of community and mutual help groups.[58] The same study points out that "volunteering to CSOs is prevalent" among the population, with reasons "linked to Uganda's history of civil strife and repressive regimes". The study, however, points out that this may not "necessarily mean an activist political environment". The CSO relationship with government is seen as ambivalent, with both seeing their role as collaborative rather than confrontational (DENIVA: 2006). Moreover, the study observes that government contracts CSOs to deliver services at district level. According to the study,

54 It is estimated that with the current creation of districts, the number will continue to increase, and Uganda Parliament has over 360 Members of Parliament. Each district has a woman representative, a district Chairperson and councillors. Each district is supposed to have a district hospital yet some sub-counties do not yet have a health centre III. Each sub-county is supposed to have at least one secondary school and technical vocation school. Yet some sub-counties lack fully equipped and staffed primary schools.

55 Interview with Patrick Mwine, HURINET Programme Officer for Advocacy, Research and Communication.

56 DENIVA 2006, CIVICUS Civil Society Index Report.

57 Ibid.

58 Ibid.

CSOs strengths are recognised, which include proximity to the beneficiaries, competent staff and diverse skills that are offered to the community. Advocacy is seen as increasingly becoming recognised by government as a legitimate area of work by CSOs.[59] However, it is observed that advocacy work is also highly donor driven (Ibid), and the CSOs highly donor dependent. Government, according to the study has remained ambivalent on what constitutes allowable advocacy activities for CSOs, especially when they 'stray' into what is seen as the political arena (DENIVA 2006). According to the study findings, the environment for CSOs is more disabling than enabling, especially in areas of political and civil rights, information rights, and press freedom. The study notes however that 'trilateral meetings' are regularly held between DPs, CSOs and Government.

4.3 Challenges in the enabling environment

The challenges for CSOs engagement in policy dialogue in Uganda mainly relate to the legal framework, which according to CSOs threatens CSOs operations through salient and ambiguous clauses. For example, while the policy framework allows for CSO participation in government processes, especially at a technical level, and while the government has not actively applied the negative legal provisions, provisions of the overarching law and policy governing the NGO operations has led to self-censorship by CSOs. According to the CSOs, a number of laws (see next chapter) cause the greatest fear for CSOs that Government could use them to curtail CSO operations in policy dialogue.

Ambiguous and controlling clauses in the Laws

CSOs worry about the enactment and implementation of a series of legislations proposed by Government that might affect their work. The clauses in the *Anti-Terrorism Act 2002*, are ambiguous and put immense power in the hands of security officers. For example, Section 7(2) states that *"a person commits an act of terrorism who for purposes of influencing the government or intimidating the public or section of the public and for a political or religious or social or economic aim or who ..."*[60] CSOs have challenged this section as subject to various interpretations which could be used to intimidate CSOs engaged in policy dialogue to influence Government.[61] A petition was filed by CSOs in the Constitutional Court in April 2009 to challenge the Act. According to HURINET, the act is likely to be used to punish critical CSOs that challenge or question the policy decisions of Government or the violations of human rights by government agencies. Other legislation with implications and a threat to citizen freedoms and rights, which CSOs have advocated against include i) *The Anti-Homosexuality Bill 2010* and the *HIV/AIDS Control Bill 2009.* Another proposed law feared is the *Public Order Management Bill, 2009* which poses serious challenges to Ugandans in the exercise of their fundamental freedoms and human rights of assembly and association, guaranteed by the 1995 Constitution and in several regional and international human rights instruments. Likewise *The press and Journalists (Amendment) Bill 2010,* has limits on the freedom of speech. It has been described by Amnesty International in the following manner:

59 Ibid.
60 Anti- Terrorism Act 2012, Section 7 (2).
61 HURINET, Quick Analysis of Uganda's Anti Terrorism Act 2002.

"The Press and Journalist (Amendment) Bill 2010 contains wide-ranging and ill-defined powers enabling the authorities to revoke the license of a media organisation if it publishes material deemed to be "prejudicial to national security, stability and unity," or which is "injurious to Ugandan relations with new neighbours or friendly countries;" causes "economic sabotage" or breaches any of the conditions imposed by the license."[62]

Contradictions in the laws, and Government perception of CSOs

In 2008 Uganda Government, through the Office of the Prime Minister (OPM) and with the support of the European Union embarked on developing an NGO Policy. The policy was approved by Cabinet and became operational in 2010. The broad aim of the NGO Policy is "*to set a framework, that strengthens the relationship between the NGO sector and Government and enhance capacities and the effectiveness in the areas of service delivery, advocacy and empowerment….ultimately, a stronger NGO sector should contribute to the institutionalisation of a culture of civic inclusiveness and participation as well as mutual accountability by all stakeholders in the important processes that affect the lives of citizens at different levels".*

While the NGO Policy was developed in consultation with CSOs in Uganda, all CSOs interviewed complained that their proposals and suggestions were largely ignored. The major concern for CSOs is that the NGO registration in Uganda is still seen as a security issue. For example, while the NGO Policy was spearheaded by the OPM, the NGO Registration Board is under the Ministry of Internal Affairs which is responsible for the police, prisons and immigration departments. This would tend to suggest that government views NGOs as a security matter, while the OPM which is the leader of Government Business and Coordinates all government ministries sees them as a development vehicle. Ironically, the government defines NGOs as "any legally constituted, private voluntary grouping of individuals or associations involved in community work which augment government work but clearly not for profit".[63] This contradiction is at the centre of the controversial NGO Registration (Amendment) Act 2006 Cap. 13.

In 2006 Parliament enacted the *NGO Registration (Amendment) Act 2006,* which is contested by the CSOs because the provisions are seen as constraining CSOs operating environment. Under the law, *NGO Registration Statute 1989,* the mandate for registration of the NGOs lies with the NGO Registration Board under the Ministry of Internal Affairs (Internal Security). CSOs also argue that the composition of the NGO Registration Board[64] according to the Statute has mainly representatives from the intelligence agencies, Internal Security Organisation (ISO) and External Security Organisation (ESO). CSOs lodged a petition in the Constitutional Court in 2009 challenging the provisions of the act as a violation of constitutional rights, which has not yet been heard.[65] NGOs in their Consolidated NGO Memorandum for the Review of the NGO Act expressed concern that: "Regulations providing for District and sub-county NGO monitoring Committee which is composed of security organs,"…will continue to enforce

62 Amnesty International: (http://www.freemedia.at/regions/africa/singleview/4844/)

63 Definition by the Uganda Ministry of Internal Affairs: http://www.mia.go.ug/pagex.php?p=reg_local.

64 The NGO Registration Board has 14 Statutory Representatives and none is an NGO/CSO.

65 The hearing of the petition has been postponed twice because the Constitutional Court lacked quorum in both cases. New dates for the hearing are yet to be fixed.

the fear that government continues to look at NGOs as a security threat …and considers such provisions as disturbing aspects of the NGO policy and NGO Law in Uganda."[66]

Government nominated a new NGO board, which is seen as more friendly to CSOs. Through the new board, Government is making inroads to open dialogue on NGO policy. However, according to CSOs, Government's commitment is still in question. More so because the NGO Board is under-resourced and does not have the capacity to reach out and monitor all CSOs and their activities. This has led to mutual suspicion about transparency and accountability between government and CSOs.

While the CSO burden of regulation may be due to mutual suspicion between Government and CSOs that has led to stringent provisions in the NGO Amendment Act (2006), the regulation challenges in Uganda are not only peculiar to the CSO sector alone. According to a study of sixteen sectors on government business licensing, the administrative burden of complying with licensing requirements represents 3.49% of GDP or UGX 725.5 billion annually (About USD 300 million of which 57% is fees and 43% administration burden).[67] The study reveals that Uganda has 87 licensing laws and 174 regulations, and 18 steps for formalising a business. Many CSOs and NGOs are registered by the same regulations – both as business companies limited by guarantee under the Company Act and with the NGO Registration Board using the NGO Registration Statute.

A complex political environment

Uganda has since 2006 been governed under the multi-party political dispensation.[68] The opposition is very much a minority and relatively weak. Under multi-party dispensation, agreements are made and agendas set in party caucuses that are not accessible by CSOs. The scenario tends to limit the space and independence of the CSOs and limits them in their operations as their agenda may be misunderstood as partisan depending on who supports it. The CSOs' involvement in policy dialogue and advocacy that involved monitoring government performance has meant that they may be misunderstood as sympathisers of the opposition or advancing the agenda of the opposition, especially if they are too critical of Government.

Furthermore, there are still challenges among politicians in learning to agree on issues even within different parties. CSOs agenda on policy dialogue is often misunderstood hence some CSOs have seen the use of obstructive tactics to restrict full freedom of association. The role of CSOs in politics is also contested and misunderstood by political parties. CSOs are criticised for overlapping views and interests with political parties, for example the *"claim to be a conduit for aggregating citizens' interests"* and *"the role they both play in holding Government accountable"*[69] is questioned. The paper suggests that CSOs can reduce the overlap between CSOs and political parties in two ways. One way is

66 These views are contained in the NGO Memorandum titled "Towards a Supportive Legal Environment for Publicly Accountable NGOs in Uganda: A Consolidated NGO Memorandum for the Review of the NGO Act CAP 113 (as Amended).submitted, June 2011.

67 MFPED, Report on Uganda Business Licensing Reforms, By Business Licensing Reform Committee of Ministry of Finance, Planning and Economic Development, March 2012.

68 The return to multi-party politics came after 20 years under a non-party system of National Resistance Movement (NRM), which later registered the party as the NRM party. Since 2011 elections, the ruling party has 316 MPs and the opposition has about 59 out of a total of 375 parliamentarians.

69 Uganda NGO Forum, Civil Society and Politics, A Niche for Civil Society Organisations in the Revived Multi-party political System in Uganda, 2007, Working Paper No.1, Arthur Larok.

to reduce unnecessary polarisation and antagonism. The underlying aim and objectives of both and how this defines the nature of their actions and interest aggregation in the policy process may be different. Political party interests on the other hand aim at *"fault seeking to gain advantage over the ruling power"*. Secondly, comparison of the comparative advantage of political parties and CSOs indicates that CSOs champion "*participatory approaches*" and may be "*better positioned to generate citizen's views and target specific policy making agencies in government*", while political parties "*seek to govern the whole political parity*" (UNGO Forum, 2007).

CSOs at the local level have expressed ambivalence on the role of Local Government Officials in the control and direction of what CSOs can and cannot do. In January 2012, two NGOs in Karamoja sub-region, BRAC and Samelian Purse were banned from operating in the sub-region by the local government officials under unclear circumstances.[70] In an interview with one of the Local CSOs in Soroti, it was noted also that the Resident District Commissioner (RDC) of the one of the districts had a habit of 'talking ill' of the CSOs in the local media. Another RDC in a separate district had started issuing his own registration certificate to CSOs which is not provided for under the NGO registration. The CSOs responded by refusing to invite him to their functions and activities.[71]

4.4 Economic and social environment

Issues of donor funding

Some observers cite donor funding as a contributory factor in reducing the importance of CSOs as significant players in the country. According to the Uganda NGO Forum analysis, Donors have mainly promoted the proliferation of two types of NGO/CSOs (UNGOF, 2007).[72] Firstly, advocacy organisations that are mainly *"urban based and elite run and managed, formed by individuals often exclusively run by them, most vocal on policy and occasionally in the political arena"*. According to the view, this type of CSO is preoccupied with "*advocacy on all sorts of issues in governance, including human rights, anti-corruption, poverty eradication, children, women, environment etc*". The second type of CSOs that has been popular for donor support is the Membership Network or Professional Association type of NGO, with membership of either individuals or NGOs in the first category. The Networks also tend to be pre-occupied with thematic issues such as education, children, women, agriculture or may be broad base focused. The paper argues that DPs and INGOs have shied away from supported "*political oriented CSO groups*", in preference for "*technocratic policy processes and the dynamic of relating with the state summed up in the rhetoric of 'partnership*".[73] Hence, the paper argues that in order to maintain the 'comfort zone' of donor funding, the CSOs have remained politically disengaged and insignificant.

The funding terrain

The funding terrain in Uganda has also been changing. DP support in Uganda has mainly been through bilateral arrangements with the Government which gets the bulk of DP funds through various modalities such as general budget support (now reducing),

70 The Act by the Local Council alleged that the CSOs have no evidence to show on the ground from their activities.

71 Stakeholder interview, Soroti District.

72 Uganda NGO Forum, Civil Society and Politics, A Niche for Civil Society Organisations in the Revived Multi-party political System in Uganda, 2007, Working Paper No.1, Arthur Larok.

73 Ibid.

sector support and project support. DPs have a small percentage of their support going to CSOs in different thematic areas. CSO support is characterised as being short-term project support with limited or no core funding and with a defined agenda. The increasing demand for Value for Money and the economic challenges in DP countries has also meant that DPs have to cut costs of delivery, and hence, have less inclination to work with CSOs directly. As part of the rationalisation process, there is now a tendency for increased DP harmonisation of strategies allowing for establishment of CSO funding 'baskets' or facilities with a clearly defined agenda**.**

CSO governance and self-regulation

Although Uganda has over 10,000 officially registered NGOs, the exact number of operational NGOs is not known.[74] Because of the large numbers and spread of locations, CSOs and NGOs are difficult for the under-resourced Government NGO Board to monitor. The sector faces criticism from Government and some sections of the public because of the behaviour of a minority of CSOs which have been implicated in corruption. For example, a number of NGOs were involved in the misuse and diversion of funds for the Global Fund for Malaria and TB.

CSOs also face criticism over their credibility and people may question their mandate to represent the citizens of Uganda. Two main coordinating bodies, the National NGO Forum and DENIVA are membership umbrella CSOs that have some links to their members. Led by the two coordinating bodies, DENIVA and NGO Forum, CSOs adopted a Quality Assurance Mechanism (QuAM) to help govern the integrity of CSOs/NGOs.

Provisions of QuAM require subscribing CSOs to adhere to a set of good governance and accountability principles to improve relationships with decision makers and local leaders. The QuAM established a set of minimum standards;[75] however, it is a voluntary undertaking with no enforcement mechanism in place. The QuAM does not enjoy the support of most national networks that are not members of DENIVA or NGO Forum which diminishes it value and effectiveness. The discussions with national networks during this study revealed that CSOs were not obliged to mention how they relate with the QuAM. Neither are the CSOs obliged to sign up to the QuAM minimum standards. Most CSOs do not have common criteria for maintaining values and agreed standards, and cannot be regulated by the QuAM.

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74 Ministry of Internal Affairs: http://www.mia.go.ug/pagex.php?p=reg_local

75 NGO Regulating themselves: The NGO Quality Assurance Mechanism (QuAM), DENIVA and NGO Forum. Among the guiding principles are the following:

1. The NGO is registered with the National NGO Registration Board or, in the case of an NGO network, it is either registered with the NGO Board or with the relevant district authorities. The candidate NGO will be able to produce an up-to-date registration certificate or evidence showing that renewal of a certificate has been solicited and is pending.
2. Has written and shared vision, mission/goal, objectives and values (or equivalent).
3. Has an office and address.
4. Has a development-oriented, non-partisan agenda, fostering citizens' rights.
5. Has laid-down governance and reporting structures, with am governing body whose members meet regularly as a governing body whose members are regularly appointed or elected, in accordance to its constitution and generally accepted practices.
6. Actively avoids any conflict of interest among members, staff, and board members.
7. Does not condone any misconduct by its members, staff, and or board members.
8. The involvement of the members in its policy-making processes.
9. Adheres to Generally Accepted Accounting Principles and Standards.

5 Policy dialogue

5.1 Understanding of 'policy dialogue' in the country context

Policy dialogue in the context of this evaluation is a broad concept which different stakeholders understand and interpret in different ways. For foreign governments and donors, policy dialogue often refers to the (formal) dialogue at government level. For country stakeholders, policy dialogue refers to both dialogue between Government and civil society and within civil society (horizontal and vertical), as identified in the Uganda Scoping Study. The process and nature of policy dialogue involves on-going negotiation of ideas, relations and power; thus, it is a process for establishing legitimacy, for mutual learning and for influencing. The process and nature of policy dialogue also means that it extends beyond "policy making" into implementation, review and monitoring and revision of policies. This chapter presents the understanding of policy dialogue by the CSOs interviewed and stakeholders.

5.2 CSOs and forms of policy dialogue

Definition of Policy Dialogue by CSOs and stakeholders
Typology of CSOs in Uganda involved in policy dialogue include faith-based organisations (FBOs), NGOs, the media, cultural institutions and associations, CS organisations set up by like-minded individuals, professional organisations and individuals.

Policy dialogue on the other hand is defined for purposes of the study as: "*the involvement of CSOs and the influence they have on the Government's agenda*", according to the ToR. CSO dialogue includes the development and implementation of policies and strategies at national and local level that would hold governments to account. Perceptions about policy dialogue in Uganda, among the CSOs interviewed differed from one organisation to another. Some see policy dialogue from the viewpoint of policy development and implementation at different levels, while others describe policy dialogue in relation to the organisational processes for example actions taken by CSOs during the dialogue process. See Box 4 below for the views.[76]

76 Some perceptions are from interviews with FOWADE, Action Aid, Environmental Alert, HURINET, FOWADE, ACODE & UWONET during the Scoping Study.

Box 4 Some Definitions of Policy Dialogue by Ugandan CSOs and Stakeholders interviewed

Varying Definitions and description of Policy Dialogue by Stakeholders in Uganda

- Organising round table forums with policy makers to discuss pertinent policy issues.
- Participating in legislative drafting and contributing alternative reports on Uganda's implementation of its obligations.
- Engaging with policy makers on issues as they emerge. Having a collective voice on pertinent policy issues and presenting evidence to the policy makers.
- Presenting Position papers to Government or to contribute to on-going policy formulation.
- A transparent, participatory and inclusive process that incorporate issues of others and ensures responsiveness in government processes.
- A process that allows Government to utilize alternatives views from CSOs, and to strengthen service delivery and democratic processes.

Uganda CSOs Definition: Source, Uganda CSO Study Scoping Study Report: 2011.

Different forms of policy dialogue

Policy dialogue according to CSOs includes the structured communication between CSOs and different levels of government (often referred to as "vertical dialogue") and also includes communication between CSOs themselves (often referred to as "horizontal dialogue"). Policy dialogue in Uganda happens at every stage of the policy development process. The policy development processes in which CSOs have been involved comprise three main stages namely: Policy formulation (determination and description); policy realisation (implementation and dissemination); and policy learning (monitoring and evaluation).[77]

Policy dialogue happens at the point of interaction between CSOs and governments at the various stages of policy development and implementation. Dialogue is held for the purposes of exchanging knowledge and experience with the aim to have the best public policies. Often, CSO perceptions are linked to the extent of interaction with Government at the different levels, the nature of work done by the CSO, geographical location (national and local levels), and whether the dialogue took place at official platforms or were spontaneous and non-official. CSO policy dialogue takes various forms, depending on the issue and the entry point for dialogue and includes: Proactive policy dialogue, Spotlight, Reciprocal Policy Dialogue, and Indirect Policy Dialogue as set out in Annex F.

Each of the three case studies presented in this report have looked at CSO engagement in policy dialogue in the different policy development stages. Each case study is discussed more comprehensively below.

77 Ibid.

5.3 Power relations and spaces for policy dialogue in Uganda

Power and power relations are a major part of the enabling environment for CSOs policy dialogue. These relationships also define the spaces for policy dialogue, and how CSOs can effectively use this space to achieve their goals. The study uses the concept of space (invited, claimed and closed) to analyse the power relations useful for policy dialogue. Power in Uganda exists in four main recognised forms, visible power, hidden power, invisible power and latent power, all of which may influence the various spaces identified.

Based on findings from the three case studies, the Table 2 illustrates the power and power relations existing in the environment for policy dialogue in Uganda, the power centres, the dialogue spaces and their characteristics, and the strategies that have been used by CSOs to operate within the spaces and address the different forms of power.

Table 2 Power in the policy dialogue environment

Power centres across the 3 case studies	Identified dialogue spaces & characteristics	Cso strategies effective across the case studies
Visible Power		
Parliament The Courts of Law The Cabinet Executive Presidency Donors (Multilateral)	Invited Spaces (Submissions to parliament committees, briefs may be Contested, SWG)	Research & analysis Policy briefs/position papers Influence in technical & decision making spaces Public interest litigation
Hidden Power		
Politicians Political parties RDCs/District Security Private sector interests DPs (bilaterals) Security Agencies	Uninvited spaces such as Sector Working Groups, Government Committees, may be contested, exposed by media & other politicians	Media debates Research & advocacy Public debates Community sensitisation Participation in contested spaces
Invisible Power		
Social structures Religious, social, cultural beliefs & practices Patriarchal structures Religious structures Cultural/traditional structures Community groups	Contested Spaces May be subtle Resistance May be hostile Realisation of change may be long-term	Education & awareness creation Sensitisation programmes Community drama Community meetings/Barazas IEC Materials, petitions Participatory research Media advocacy

Power centres across the 3 case studies	Identified dialogue spaces & characteristics	Cso strategies effective across the case studies
* Latent Power (Added by the For Uganda Study original Power Analysis Matrix)		
Public spaces People power that may lead to mass action May include crowds leading to "Mob justice" or lawlessness	Public space that may be dormant or suppressed. May be peaceful but the reaction may be sporadic & volatile, out of control (e.g. Mabira Forest demonstrations, Buganda Kingdom riots both which that led to loss of lives)	Public demonstrations Peaceful walks Mass action/closure of shops Call for boycott of products

Visible power: The most visible power in Uganda which CSOs interacted with and targeted in policy dialogue was the high level category of power centres that include the Parliament, the Courts of Law, the Cabinet, and the Executive including the Presidency. Additionally, some CSOs interacted with the multilateral donors based in Uganda and financiers of big projects at international level (for example the World Bank), which have strong influencing power.

The spaces for dialogue are given as a constitutional right and are provided for by law, such as the Local Government Act. From the study findings, it was clear that CSOs participated in policy dialogue in formal government meetings and processes and were provided with space to make contribution in their right as CSOs. The CSOs presented technical materials for submission, for example to Joint Sector Review meetings, during the National Development Plan (NDP) development process, and other parliamentary committees as needs arose.

The visible spaces in some respects could however be contested based on the sensitivity of the issues under discussion. CSOs cited examples where they have been side lined by government officials with their topics being removed from the agenda, thus disallowing them space to present their views. Likewise, CSOs have evidence of incidents where their views have been taken up and incorporated in government documents and processes (as was described in the case studies). For example, CSOs have been cited by government officials, DPs and other CSOs as having been instrumental in influencing the inclusion of forestry and gender as fundamental drivers for national development as given in the current NDP.

The CSO strategies that have been effectively applied in the visible power arena included identification of policy gaps through research and analysis, policy briefs and position papers. These documents have been used by policy makers allied with CSOs to provide input and support their arguments, for example during parliamentary debates.

Where spaces of influence have narrowed and been closed in visible power areas, CSOs have used public interest litigation to challenge issues that may not be resolved through dialogue. Examples where CSOs have gone to court are cited in the Forestry Governance Case Study (Butamira Forest and Mabira Forest degazettement), and CSOs challenge of divorce law (Case Study on Gender Based Legislation). Other court cases have been filed by CSOs to challenge the negative elements of the enabling environment, for example the court challenges of the NGO Act and the Anti-Terrorism Act.

The hidden power spaces that are closed off to CSOs: As illustrated in the table above, the holders of 'hidden power' include individual or groups of politicians with 'vested' interests, political parties, private sector interests and the DPs, especially the bilateral partners of government. Bilateral partners wielded power in areas where they provide specific support for various sector support initiatives. Over the years, bilateral donors have made substantial investment in governance and accountability sectors, health and education, justice law and order, and Natural Resource Management/Forestry sectors. DPs tend to have substantial influence over the direction and detail of support in these areas and examples were cited where CSOs had worked with DPs to open up dialogue spaces with Government on matters that were of concern to CSOs, for example the NGO Registration Act.

At the district level, the Resident District Commission (RDCs) have 'hidden power' which they tended to wield over CSOs. RDCs and security agencies such as the District Internal Security Officers or Sub-county Security Officers were seen by CSOs as critical in determining the extent of the environment enabling at district level.

The dialogue spaces occupied under the hidden power centres could be considered as contested and uninvited spaces. CSOs tend to get information after exposure by the media or other politicians, as highlighted in the anti-corruption case study. According to the case study, the anti-corruption debates are classic examples which often followed exposure by the media. The dialogue spaces were often not very visible but often contested. For example, issues related to high public expenditure such as funds given to MPs by Government and funds given by private sector to politicians or public servants, corruption scandals etc., are usually exposed by the media. Two examples include the lack of accountability of the UGX 20 million constituency monitoring fund allocated to each Member of Parliament which was exposed late in the process, and the parliament approval of UGX 103 million for each MP to buy a vehicle. CSOs used indirect messaging through public dialogue, research and analysis and the media debates, to pass on messages to these spaces they may not reach directly. According to CSOs, the spaces may also be characterised by lack of accurate information, and attempts to silence the dialogue with tactics such as bribery, secrecy and intimidation. Forestry governance has been an example where hidden power is at play and counteracting policy dialogue on policy implementation. The debate has also shown politicians and private sector investors as the major power blocks, who advance agendas that may contradict government policies.

Invisible power: The invisible power centres are more subtle, which many CSO find more difficult to address. These include ingrained social, cultural, and religious spaces. They often have beliefs, norms and practices that are so ingrained that their spaces are difficult to penetrate. In the Gender and Forestry Case Studies, it was apparent that CSOs have

recognised these power centres and have targeted them with special strategies to get them on their side in order to have successful policy dialogue.

Gender-based policy dialogue had the most intense interaction with invisible power centres, especially on issues of culture such as polygamy, divorce and marriage. The forestry sector had some specific interaction where cultural and religious institutions (particularly in case of the attempted degazettement of Mabira Forest and the hydropower project at Bujagali Falls) played a critical role in policy dialogue. Although the invisible power spaces may be subtle, they are highly-contested spaces, characterised by resistance and sometimes hostility. The realisation of policy outcomes may also be long-term.

The CSO strategies used in the recent past in Uganda in the Forestry and Gender debates recognised the importance of 'invisible power' and deliberately targeted the institutions that wield this power. For example, CSOs successfully worked with cultural and religious institutions to be proactive on issues of specific gender issues such as Domestic Violence and Female Genital Mutilation (FGM) and advocacy on forestry issues. There is also a move by the religious bodies to pronounce on anti-corruption and governance issues, which has brought them into direct public exchange with the Presidency, with the latter arguing that religious and cultural leaders have no business in governance issues and should therefore stick to their mandate. CSOs strategies for engagement in the invisible spaces have included education and awareness campaigns, sensitisation programmes such as community drama, community meetings and participatory research and methodologies aimed at changing attitudes.

Latent power: The latent power in Uganda as existing in public spaces, and the kind of power that is held by the people 'People power' has characterised Ugandan society historically and may arise from high levels of public awareness or frustration. According to studies by Afro Barometer, Uganda exhibits "*one of the highest densities of associational life of any of the countries surveyed*". With about 80% of those surveyed having attended a public meeting in the previous year, 60% having raised an issue, compared to 44% Africa average.[78] Further the study also reveals a high level of organisation with numerous umbrella bodies, networks and coalitions, where a study in Eastern Uganda alone showed that *"… 60% of the NGOs interviewed belonged at least to a network of sorts either at the national, regional or district level, and that more than 80% of the districts have at least one district NGO Forum".* The groups rally around issues such as civic education, peace for Northern Uganda, HIV/AIDS, anti-corruption, environment and many others. At the individual level, the analysis in the study also reveals a high level of citizen participation with a median of fifteen hours per month contribution of unpaid labour by respondents, in community based initiatives, *"reflecting the nature of Civil Society with the large number of community groups and organisations."*[79] The survey revealed that 81% of respondents provided support beyond their immediate family to the community on an unpaid basis, and that *"volunteers constitute close to 50% of the manpower available to the CSO sector"*. In a single Parish surveyed in Southwestern Uganda, *"every local adult resident was a member of the traditional stretcher group"*, (Ibid, on Care 2002). Accordingly, the organised citizen groups include drinking groups, burial associations, women's groups, Parent Teacher Associations, service committees for water points, health centres and many others. Uganda also has a high level of political mobilisation at household level where every household and member of the population belongs to a Village Local Council.

78 DENIVA, June 2005, Civicus Civil Society Index Project, Civil Society in Uganda: at the Crossroads?

79 Ibid.

While the public spaces may be seemingly dormant, they sometimes get awakened by issues that have been under dialogue between CSOs and Government. The CSO strategies have been to mobilise public demonstrations and peaceful walks. In the past, this form of power has led to mass action, for example the protests for Mabira Forest. The Mabira case included people boycott of Lugazi Sugar and closure of shops by the traders association. While CSO strategies may be primarily aimed at peaceful mass action, the public reaction may be unpredictable and sporadic, and may be volatile and get out of control. The latent power has in the past been characterised by running battles with police and security agencies, and has led to lawlessness and violence, for example 'mob justice' by crowds.

6 CSO strategies on policy dialogue

This chapter assesses the strategies used by Civil Society across all three case studies in policy dialogue, especially those which have been effective and frequently applied. The more effective strategies include evidence-based research; capacity building, awareness creation and sensitisation; strategic alliances coalitions and networks; social mobilisation and alliances; media advocacy; public demonstrations and petitions; public interest litigation and sponsored private members bills. These strategies may be used in some dialogue processes more than others depending on the policy issue and the stage in the policy cycle.

6.1 Effectiveness of CSO strategies on policy dialogue

Effectiveness of evidence-based research

Box 5 Examples of Tools and Structures used in Policy Dialogue

Tools for monitoring service delivery
- Community Based Monitoring and Evaluation System (CBMS)
- Public Expenditure Tracking Surveys (PETS)
- Score Cards
- Red Card-Green Cards for the Media

Community Structures for monitoring policy implementation
- Community Monitoring Committees
- Budget Monitoring Committees
- Village Budget Clubs
- Village Health Teams
- Health Management Teams
- Maternal Health Monitors
- School Management Committees
- Child Rights Clubs

Evidence-based research is growing in importance as a strategy which has been effectively used by CSOs to develop issue points for policy dialogue. For example, gender advocacy CSOs invested resources and time in collecting Gender Based Violence research and data, and generated the statistics that were used to inform the debate for enactment of the Domestic Violence Law. Evidence-based research has been used to inform the forestry governance debate, especially in preventing the degazettement of Mabira Forest. For example, CSOs such as Nature Uganda and Environmental Alert under the Forest Working Group (FWG) commissioned studies to inform the nation about the importance of Mabira Forest for the biodiversity and ecosystem of the Lake Victoria Basin. Some of this evidence informed the clauses for the construction of Bujagali Hydropower project agreement with the World Bank, which were used to argue the case to maintain the gazetted status of the forest. CSOs have also used research and analysis and prepared publications to inform the national budget process. The CSOs involved include NGO Forum, (on pro-poor budget processes), EA and ACODE on Environmental Governance and policies, FOWADE on gender budgets, UWONET, CEDOVIP and GBV Coalition

on Gender Based Violence, Reproductive Health Network on Health Services and Reproductive Health Products, UDN and ACCU on Accountability amongst others. CSOs annually conduct an analysis of the budget using government data, to provide a respected and credible evaluation for use in counteracting or challenging the government position. CSOs also work in cooperation with national institutions on data and research. Examples include the Uganda Bureau of Statistics and Economic Policy and Research Centre. Some CSOs carry out independent research in partnership with other CSO's on policy dialogue matters. For example, research carried out by the Uganda Land Alliance (ULA) and Oxfam UK revealed evidence that a forestry company that had been allocated land for tree planting in Uganda was planning to displace families in the area. As a result of the evidence and CSO advocacy, the company financing was withdrawn and the project halted. CSOs in Uganda have also carried out public consultations and research and published findings on a regular basis before election year, led by CSO Networks especially the National NGO Forum and DENIVA. The document, named the "Citizens Manifesto" has been published every election year since 2006, based on consultation with the citizens across the nation to collect views on expectations of political parties and leaders commitments to good governance. The Citizen's Manifesto is a petition to commit political parties and parliament to various issues such as HIV/AIDS, anti-corruption and others, and is usually monitored by CSOs to assess government commitment to the needs of the citizens. The Citizen's Manifesto has been successful in raising important questions, sometimes controversial among politicians and the public encouraging them to be more critical, and demanding accountability of the leaders. In some cases government officials have used these critical demands to label CSOs as anti-government, or to accuse them of representing foreign interests and wanting to undermine the achievements of Government.

Effectiveness of capacity building, awareness creation and sensitisation
Capacity building, awareness creation and sensitisation are longer term strategies that are used by CSOs to change public attitudes, capacity of public/government institutions, capacity of CSOs and capacities and attitudes of community members and policy makers on various policy issues. Strategies to raise awareness of specific targeted interest groups and communities have been important in addressing issues that are in the invisible spaces. The strategies for changing minds and behaviour have widely used materials and campaigns, for example in the development of the Anti-FGM law, Sexual and Gender based Violence, Civic Education, changing cultural practices and attitudes towards gender equality, health education especially reproductive health and HIV/AIDS, and negative attitudes towards women.

These strategies are also used in public education, for example on government programmes, civic education and on thematic areas such as benefits of sustainable management of the environment, anti-corruption, and access to services such as education and health and legal services. In the case of forestry, awareness and sensitisation has been used by CSOs to help communities understand the benefits of forests and how they can be sustainably used. The challenge with the strategy is that monitoring its effectiveness is very difficult given the time needed to change attitudes and to produce quantifiable results. In another example of sensitisation, while the Anti-FGM Act and the Domestic Violence Law are laws may be enacted and legally in force, continuous sensitisation is necessary during implementation of the law to help people understand the provisions, as well as change their behaviour. The study found that as Government closes dialogue spaces on important issues (especially on governance and accountability),

CSOs are aware that sensitisation and awareness creation for communities at grass roots will in future become a very important strategy.

The key message here, according to CSOs interviewed across the three case studies is that training and capacity building, for example in advocacy skills, have been used to build public awareness on important governance and accountability issues, so that the communities themselves, rather than CSOs, are directly engaged in policy dialogue with Government, and are able to influence changes in governance practices at grass roots level. For example, the community monitoring structures set up by CSOs such as Uganda Debt Network for Poverty Action Fund Monitoring, Kabarole Resource and Research Centre monitoring resource use, FOWODE and others on monitoring budgets at local level have been successful because of the CSO investment in the community capacity. The community members trained by CSOs are able to analyse official plans, understand budgets, track expenditure, negotiate with leaders and hold them accountable as well as write reports of findings and share them with the public. In a further example, the communities living around Mabira Forest reported that their attitude towards the forest has changed after capacity building from CSOs, and that the community is now better equipped to defend the forest and link good forestry management to the sustainability of their livelihoods.

Effectiveness of building strategic alliances, coalitions and networks
In the past, CSOs were criticised for working individually, for not being organised and with only occasional contributions towards policy dialogue processes. However, the last five years have seen CSOs move from working in an ad hoc manner to deliberately engaging in joint actions through coalitions and networks on various policy issues to increase their voice and effectiveness in communicating the policy concerns. Each of the strategy components are elaborated below and summarised in Table 3.

Table 3 Coalitions, Networks and their Effectiveness (from the three Case Studies)

Coalition/Network	Effectiveness of the Strategies
GENDER LEGISLATION Case Study • Coalition on Domestic Violence Bill • Coalition on Domestic Violence Act • Sexual Offences Bill Coalition • Marriage & Divorce Bill Coalition	• Successful dialogue leading to passing of Domestic Violence Law, Anti-FGM Law. • Have actively led to influencing development of Sexual Offences Bill and Marriage & Divorce Bill.
FOREST GOVERNANCE Case Study • Uganda Forestry Working Group • Uganda Forestry Learning Governance Group	• Success in prevention of degazettement of Forests, especially Mabira Forest • Built awareness of communities close to forests to resist abuse of forestry policies
ANTI-CORRUPTION Case Study Anti Corruption Coalition of Uganda and respective regional Coalitions i.e. • Rwenzori Anti-Corruption Coalition • Teso Anti-Corruption Coalition • Apac Anti-Corruption Coalition	• Exposure of corruption cases throughout the country. • Monitoring implementation of government projects from national to local levels • Monitoring implementation of policies especially quality of service delivery

Coalition/Network	Effectiveness of the Strategies
CROSS-CUTTING CSO GOVERNANCE & ACCOUNTABILITY Coalitions	• Critique & contribute ideas to budget processes
• Civil Society Budget Advocacy Group	• Monitoring implementation of governance process
• Democracy Monitoring Group	• Influence budget increases in health & social sectors
• Reproductive Health Supplies Advocacy Network	• Enactment of Access to Information Act
• Coalition on Access to Information	

Coalitions: CSOs interviewed confirmed that working in coalitions has led to several successes in policy dialogue and advocacy (see above table). For example, the Coalition on Access to Information, according to CSOs, brought together human rights and anti-corruption CSOs, which in turn led to the passing of the Access to Information Act, 2005. The Coalition on the Domestic Violence Bill brought together CSOs working on women's rights and elimination of sexual and gender-based violence, who through effective engagement in dialogue, contributed to the enactment of the Domestic Violence Act, 2010. Following this achievement, these CSOs formed the Domestic Violence Act Coalition which is monitoring policy implementation.

Working groups: CSOs in forestry have formed the Forestry Working Group which is a strategic alliance that helps them to address strategic and controversial issues in a more collective manner. According to the CSO members, the group is deliberately maintained as a loose coalition so that individual member organisations are not put in the spotlight. This approach was based on their experience of pursuing controversial issues in the past, which in some cases led to intimidation of individual member organisations. The loose coalition also has the advantage that it can come together or disband quickly. The coalition is able to engage with decision makers at national levels, religious leaders, and cultural leaders. But they have moved strongly towards empowering CBOs as a more effective route in influencing policy dialogue, after recognition that the real power to prevent abuse of policies in forestry rests with the people in the immediate vicinity of the those forests.

Effectiveness of social mobilisation, public demonstrations and petitions
At community level, CSOs have developed partnerships and alliances with communities, and supported the establishment of structures or strengthened existing formal community based structures such as Village Health Teams and School Management Committees. The community members are volunteers who monitor policy implementation and government programmes to ensure effective service delivery. The communities are trained in tools to monitor and report quality of delivery, as well as to increase their confidence to demand information and accountability from public officials. In the case of Mabira Forest, CBOs adjacent to the forest were involved in direct lobbying and negotiation with parliament and government not to degazette the forest for sugar cane plantation. ACODE for example, worked with communities and local leadership in Karamoja and stopped the degazettement of Pian Upe, an isolated wetland in the semi-arid Karamoja which is the only source of grazing pasture for the pastoralist communities in Karamoja. An independent study by CSOs indicated that the project would dry up Lake Opeta if the wetland was degazetted in order to grow commercial flowers. The people gained increasing awareness of the link between the wetland and the water in the lake and

the implications for their livelihoods if the lake dried. Better equipped to communicate their concerns, the project was abandoned by Government and the investor.

Public demonstrations and petitions: These have been used by CSOs in situations where the public dialogue has stalled or CSOs want wider attention from the public. They have also been used where there has been extreme abuse and injustice in the system. Gender and women's rights organisations have organised public demonstrations as part of a call to action on abuse of women's rights and domestic violence following cases of wife murder or release of suspects. The demonstrations will usually carry a signed petition that is handed over to a senior official or decision makers, for example the Speaker of Parliament or a minister. More recently, CSOs have used more sophisticated means of petitioning, which include the use of the internet to gather support in the country and internationally. There is also increasing use of SMS media to communicate with the public, holding of debates on television and information dissemination through newspaper articles and press releases.

Demonstrations were found to be effective strategies, but held the risk of becoming violent. In the Forestry Case Study, CSOs organised a peaceful demonstration, which got out of control and turned into a violent protest in which innocent lives were lost. The demonstrations also became sporadic and resulted in running battles with police, and in the surrounding of some CSO premises. The Executive Director of NAPE for example, was arrested and imprisoned on charges of terrorism following the campaign on Mabira Forest. More recently, the CBOs adjacent to Mabira organised peaceful walks at the local level and participated in radio programmes and public hearings to save the forest. These CBOs have been trained and 'empowered' by CSOs engaged in policy advocacy to engage directly in dialogue with government as part of the deliberate shift by CSOs towards local level engagement. Likewise, they said they have also realised that petitions do not bring immediate results so several strategies must be applied.

Public dialogue: CSO strategies to mobilise individuals, the public and communities include public participation in public dialogues and integrity pacts. Public Dialogue has also been used as a strategy to mobilise public opinion on public issues such as specific anti-corruption debates, national budget, political processes, gender rights etc. At the community level, a system of public accountability has been developed through organising community dialogue or what is now popularly known as '*Ebimeza',* or '*barazas*' the community 'round tables' to engage communities expressing their voice on issues of concern such as education, health services, security and service delivery. Service providers, government officials, duty bearers and other leaders are invited to participation in a panel to answer public questions. The public and community dialogues help to exchange information, teach the public and increase exposure of different viewpoints including Government, opposition party and individual views.

Integrity pacts: These are official alliances with individuals, mainly leaders who sign commitment documents called 'Integrity Pacts' developed by CSOs. Integrity Pacts are statements of commitment to agreed values signed by leaders and decision makers. CSOs have used Integrity Pacts as a system of demonstrating the leaders' support and commitment to principals advanced for the common good in specific areas, for example on good governance and quality leadership.

Use of media advocacy

Use of the media in policy dialogue cuts across all CSO strategies at all levels and entry points of policy dialogue in the three case studies on gender, anti-corruption and forestry governance. The media has been used as a source of information or 'scoops' on pertinent issues, as a partner in addressing policy issues, as a medium for advertising and advocacy and as an interlocutor of debates between the CSOs, the public and government information. The media has become a powerful tool through which CSOs share and validate evidence for policy advocacy. CSOs will often call press conferences to give statements on issues of concern. At the same time the media has become an important source of information in exposing some of the issues that CSOs follow up in advocacy. Media exposure has forced politicians to take more interest in issues when they come to public attention, in either a positive or a negative manner. For example, exposure of corruption cases and the forest governance issues has been first exposed in the media. CSOs working on gender issues have targeted the media with training and awareness-creating interventions to win them over to their side and help advance the gender agenda. For example, the media was an important ally in the exposure of domestic violence cases and sexual abuse, especially defilement[80] of minors. CSOs have held training programmes and set up incentive mechanisms to reward media organisations and individuals who advance their cause.

The media is influential to both Government and politicians and may stimulate immediate action once issues are raised including cases of corruption. Parliament has also on several occasions been reactive to media reports and demanded explanation from Government. Again, this was true for the case of Mabira Forest, with the Save Mabira crusade also using SMS text messages on mobile phones which were quickly circulated to the public. In this case the media was used to urge the public to boycott sugar produced by the Kakira Sugar Company which was at the centre of the controversy to turn the forest into a sugar plantation. Uganda Media Women's Associations used a mechanism of distributing transistor radios to women's listening groups to sensitise them on women's rights and provide them with information on several developmental issues and government programmes. The CSOs also used internet based petitions with national and international outreach to collect signatures, which they used to petition government to stop the forest degazettement. However, with over 240 radio stations operational throughout the country, the biggest outreach is done through community radio stations.

In summary, the media has been used to raise public awareness about issues that affect people across the entire country, and has been a valuable means of maintaining debates on policy decisions, on increasing awareness and understanding of issues, as well as influencing policy decisions at local and national levels.

Public interest litigation and sponsored private members bills

CSOs in Uganda have successfully used public interest litigation to seek legal redress in situations of public interest where there is violation of laws or policies especially by Government, or where a law is discriminatory and does not provide justice to a section of the citizenry. Public interest litigation cases have been filed by CSOs where dialogue has stalled, where dialogue has failed to produce the desired results, where dialogue is not a solution or in cases where there is need to put an immediate halt on a violation, for example evictions of citizens.

80 Under Ugandan law, defilement refers to sexual molestation of children 18 years and below. The media has exposed cases of children as young as three months to 12 years sexually molested.

- *Forestry Governance Case Study:* Butamira Forest in Busoga, licensed for sugar cane to Kakira Sugar Company (Madivani Group). Yet, Government had issued permits to the community to plant trees, which they had done. Their permits were cancelled. The company took over the forest area and cut down the trees planted by the communities and planted sugar cane. A case filed by ACODE on behalf of 300 community members was won in court, which ruled that the Company Permit was null and void and did not comply with the law. By the time the court case was finalised, the trees had been cut down. Subsequently, the company and Government have ignored the court ruling and continued with the plantation.

- *Anti-Corruption and Forestry Governance:* Another high profile Public Interest Litigation is on Prevention of Government to Degazette Mabira Forest. The case has asked the Court to put a temporary injunction on any allocation of the forest and challenges the provisions that give power to Government to degazette the forest. No ruling has been made on the case yet, because CSOs have strategically put a hold on it. According to the CSOs concerned, they will use a two-pronged approach that will also include policy dialogue with government to halt the process. The Forestry Governance Learning Group and other CSOs met with the President and presented him with the facts and studies arguing the case for the need to preserve the forest.

- *In the Gender Legislation Case:* The Divorce Law in Uganda was challenged through a Public Interest Litigation Case sponsored by CSOs engaged in policy dialogue on gender rights. The case challenged the grounds[81] for divorce which were discriminatory against women and favoured men. The Court has since ruled that the law is discriminatory and should be repealed. This case has set a new precedent for grounds for divorce. However, due to delays in government systems, no new Marriage and Divorce Law has been written, hence the CSO engagement and demand for the enactment of a new Law. CSOs hope that the proposed Marriage and Divorce Bill will provide a positive outcome and will integrate the provisions in the ruling of the Public Interest Litigation Case on divorce.

While public interest litigation can be a powerful strategy for CSOs, it is a costly exercise and can take a long time to be resolved. Other challenges include the fact that while CSOs may win the cases, the court ruling may not be respected or enforced as seen in the case of Butamira Forest described above. CSOs have attempted to advocate for a Private Members Bill in Parliament, in the case of the Access to Information Bill. However, introducing a bill is an expensive venture and government can only accept it if it has the accompanying guarantee that funds will be allocated for implementation once the law is passed.

81 Under Ugandan Law, men have different grounds for divorce from women. Adultery is a ground for divorce for both men and women. However, for men, adultery is interpreted as having a sexual relationship with only a married woman and a sexual relationship with an unmarried woman is not interpreted as adultery for men. For a woman, adultery is interpreted as having a sexual relationship with a man that's not her husband, married or unmarried. While a husband has to prove only one ground to get a divorce, a wife has to prove adultery plus other grounds such as desertion, negligence, torture etc.

6.2 Legitimacy and accountability

This section explores whether the CSO engagement in policy dialogue is supported by their mandate, who they represent and the extent to which they are accountable to their constituencies and how they obtain legitimacy to speak on behalf of the people they claim to represent.

In Uganda, CSOs participation in policy dialogue is seen by CSOs as a constitutional right. Those interviewed were aware of and mentioned the Constitutional Provision (1995 Constitution of Uganda) which recognises CSOs legitimacy and importance in the development process. Furthermore, they also mentioned the Local Government Act. Both central and local government institutions recognise the contribution of CSOs in the social, economic and political development of the country. The National NGO Policy observes that:

"NGOs have been a major contributor to Uganda's social, economic and political development.[82] *Their contribution is evident in the Social Development Sector including education, health, water and sanitation, environment management, infrastructure development and host of other important areas that impact the quality of life of Ugandans."*

However, an undercurrent of mutual suspicion between NGOs and Government still exists, especially on policy directions that CSOs may critique or disagree with. While officially government policies and principles of participation recognise CSOs as partners of Government, Government officials have publicly questioned the legitimacy of the NGOs as representatives of the poor and marginalised people. Some CSOs have been labelled as agents of foreign interests because of external funding provided by DPs. Examples include cases where CSOs have recommended the repeal of laws that undermine women's dignity, such as polygamy. Some officials of government, religious and some cultural leaders questioned the CSO mandate and legitimacy in claiming to represent the interests of Ugandan women. According to the views, the proposed policy changes were instigated by 'elite women' who did not consult the masses. Natural Resource advocacy CSOs have also been labelled as advancing foreign agenda or 'terrorist' tendencies where they criticise Government where it deviates and undermines official policy by proposing to degazette Mabira Forest for example.

Some local government officials during the study indicated that CSOs are themselves not accountable. One district official put it as follows: "*CSOs do not want to share their budgets and plans with the Government. The money they spend is public money. The Government should know what it is being used for and where it is being spent."*[83] Some CSOs have also not been accountable, and transparent to their constituents. Critics have noted that some CSO leaders lead high-spending life-styles, and yet criticise high spending within Government.

CSOs legitimacy is questioned because of the lack of structured accountability mechanisms for CSOs for horizontal and vertical accountability. Vertical accountability would necessitate CSOs being accountable to their leaders, the Government and the communities and the wider public. Horizontal accountability is accountability of CSOs to each other and the CSOs holding each other accountable. However, some stakeholders hold

82 Government of Uganda (2010), The National NGO Policy: Strengthening partnership for development.

83 Field interview, in Soroti and Lira.

the view that CSOs accountability is mainly to their donors and less to Government and the communities and citizens they 'represent'. Government officials argue that the NGO Policy and NGO Amendment Act were aimed at ensuring some form of order and structure into the sector.

To attempt to improve the CSO governance, a group of CSOs with support of DPs have developed the NGO Quality Assurance Mechanism (QuAM) aimed at strengthening vertical and horizontal accountability, which would increase credibility in the sector. Under the leadership of the national NGO Forum and DENIVA, the QuAM is a potentially useful governance tool to which CSOs voluntarily subscribe, and which can be used to weed out 'quack' NGOs which would not pass the test. The qualifying CSO would receive a QuAM clean bill of health. DENIVA is the lead agency while the National NGO Forum is the fiduciary agency for implementation of the QuAM. QuAM has been criticised by CSOs as providing a basis for government and DPs to qualify the CSOs based on whether they adhere to the expected good governance practices and standards.[84] CSOs have not fully embraced the QuAM and it is yet to roll out fully across the country. Implementation of the QuAM and roll out is a very expensive and administrative exercise that would require increased capacity and monitoring to ensure compliance.

Effectiveness in terms of process, intermediate and policy change outcomes: The framework used by the team to assess the different outcomes in the three case studies, indicated notable achievement in process outcomes comprising the formation of networks and coalitions to support the causes. In the governance, accountability and anti-corruption coalitions were successfully established at national, regional and local levels. Similarly for policy engagement on gender issues, some four coalitions were formed to influence the various legal provisions in domestic violence, sexual offences and marriage and divorce policies. In forestry, two successful networks were established, the Uganda Forestry Working Group and the Forestry Learning Governance Group. The Governance, accountability and anti-corruption case study CSOs made presentations to Parliament on sector spending priorities and were co-opted onto health policy advisory committees. On the gender issue case study, increased cooperation between CSOs and Government was noted. All three policy process case studies contributed to policy change outcomes in one way or another, although it was in the gender responsive legislation case study with the enactment of the Domestic Violence Bill and the success in preventing the degazettement of the Mabira Forest, that the contribution of CSOs was seen as a major contributing factor. CSOs did make a contribution to the Access to Information Act in the governance and anti-corruption case study (see Table 4 below).

84 The QuAM is a voluntary mechanism and does not have enforcement mechanism to compel all the CSOs to subscribe to it. However, both Government and DPs seem to be buying into the idea. The first phase of the initiative was rolled out with funding from Deepening Democracy Programme (DDP), the predecessor to the Democracy Governance Facility (DGF) currently being set up by DPs as a CSOs basket fund.

Table 4 Summary of CSO achievements and outcomes in policy process case studies in Uganda

Country/ case study	Process Outcome	Intermediate Outcome	Policy Change Outcome at formulation stage	Policy Change at Implementation & M&E stages	Unexpected results
Uganda					
Governance, account-ability and anti-corruption	Networks/Coalitions Anti-corruption: Coalitions formed to enhance effectiveness: Anti-corruption coalition (ACCU) established working at national, regional and local levels	CSOs under the CSBAG network umbrella, made numerous presentations to Parliament on sector spending priorities; CSOs attend the annual Public Expenditure Review as invitees	Contribution to Access to Information Act	CSOs contribute to the Health sector budget formulation process; Official at MOH attributes increased spend on maternal health care to CSOs Monitoring of government processes	Not available
	Education: Forum for Education NGO established to head up Education for All (EFA)	CSOs (e.g. UHNHCO) co-opted as members of Health Policy Advisory Committee		In Health Sector, National CSOs (sometimes with INGOs) use service delivery projects a basis for engaging in policy dialogue; Also share their strategic plans with District Local Government and incorporate CSO budget into District budget.	
	Civil Society Budget Advocacy Group	Forum for Education NGOs is member of Education Sector Consultative Committee		No policy change resulting from survey: Education Sector: A CSO in conjunction with National NGO Forum conducted first country-wide education survey to assess performance. However this was not accepted by the Ministry and therefore no policy change resulted	

Country/ case study	Process Outcome	Intermediate Outcome	Policy Change Outcome at formulation stage	Policy Change at Implementation & M&E stages	Unexpected results
Gender Responsive legislation: Overall Objective to eliminate laws that discriminate against women	Increased level of net-working and cooperation between CSOs: • Coalition on Domestic violence bill; • Coalition on Domestic Violence Act • Sexual Offences Bill Coalition • Marriage & Divorce Bill Coalition	Improved collaboration between CSOs and government departments	Active influence on legislation by CSOs: • Domestic Violence Bill enacted 2010; note DPs acknowledged contribution of CSOs • Sexual Offences Bill and Marriage and Divorce Bill	CSOs facilitate implementation by improving awareness of new legislation	Not available
Forest management and governance	Effective networks/ coalitions established: Uganda Forestry Working Group; Uganda Forestry Learning Governance Group		National Forest Policy (2001) developed in consultative manner including with CSOs Success in Prevention of degazettement of Forests, especially Mabira Forest	Communities empowered by CSOs to resist abuse of forestry policy	

7 Development Partner strategies

Introduction
Civil society organisations in Uganda are highly dependent on foreign funding. It is estimated that 95% of all CSO funding comes from Development Partners (DPs). This factor defines the parameters of a relationship, where CSO's may be seen as dependent on donors' strategic priorities if they are to receive funding. This is now more of an issue as there are fewer individual funding opportunities with the introduction of a harmonised donor funding approach. At the same time, well-functioning CSOs are becoming increasingly important to DPs in order to provide an independent, qualified responses to the Government of Uganda through their demands for good governance; monitoring government service delivery as well as undertaking service delivery contracts – which is by far the most widespread activity of donor supported CSO's. A review of the strategies of the DP's as given below assesses the key features and common trends in the DP-CSO relationships over the past few years.

7.1 Types of DP strategies and funding channels

CSOs supported for monitoring implementation of DP supported programmes: The trend indicates that most DPs utilise CSOs in monitoring the implementation performance of their sector programmes. This typically leads to a focus on capacity development at national as well as local level. The DPs are increasingly concerned about the (lack of) accountability and Government's seemingly reduced commitment to anti-corruption measures. This is particularly problematic since an increasing part of overall overseas development assistance (ODA) to Uganda is provided through general budget support or budget support to particular sectors. This gives more scope to Government in the way they spend the funds, compared with the more traditional programme or project funding approaches.

Strengthening government institutions: DPs have also provided substantial institutional support to public regulatory institutions or authorities such as the Inspectorate of Government (IG); Anti-corruption commission etc. Despite this, and their reporting and exposure, there is still a lack of accountability as described in Case Study 1. The DPs increasingly expect CSOs to provide the expertise and resources to step in to assess and monitor government accountability.

Increased harmonisation of funding channels: DP channels of support for CSOs are becoming more harmonised and moving away from own funding mechanism within their Embassies or agencies, with a move towards multi-donor basket-funding with broader mandates. Examples of this include the Democratic Governance Fund (DGF), the Independent Development Fund and the Civil Society Fund. The DGF has the mandate to support the legal sector, human rights and accountability. The DP's position is that the DGF was created to provide a platform for more effective assistance, with less direct donor exposure. The DGF will provide a common format for applications and reporting. This is expected to reduce the CSO's time and administration of donor funds, as they will be able to submit a single report (with a common format) and will have to account to one facility instead of submitting reports and financial documents to several donors.

The new funding modalities have the advantage that the potential for duplicate funding of CSOs by DPs will reduce. It is also understood that DPs are moving towards provision of core funding to CSOs. As indicated in this study, CSO's major constraint has been that DPs have been supporting programme related assignments, in which core funding costs are not eligible for reimbursement, putting at risk the longer term viability and sustainability of the substantial and extensive body of CSO resources that currently exist in Uganda.

7.2 How DPs influence the space for effective CSO policy dialogue

DP consultation with Government: All DPs in Uganda organise formal gatherings to discuss different development issues in the country. The meetings are held as DP Group meetings or Sector Working Group meetings which are comprised of Government and CSO actors. DPs and CSOs cited incidents where they have held meetings to discuss CSO perspectives on various subjects and issues of concern. In this way DPs are able to present CSO concerns to Government in their consultations. Both DPs and CSOs see this as an effective mechanism for facilitating CSO engagement with Government, with a recent example being the case of the amendments to the NGO Act.

Reduction of ODA to Uganda: DPs are increasingly concerned about the narrowing space for CSOs and government response to problems and concerns expressed by CSOs on corruption and narrowing of CSO space for dialogue. Because of these concerns, some DPs, for example Sweden and the Netherlands reduced their development assistance contribution to Uganda. Netherlands reduced support to JLOS and other DPs such as Sweden withdrew their General Budget Support programme. The DPs are also concerned that the Government was not doing enough to strengthen democracy in the country.

Challenges in DP countries: The difficult economic challenges in the DP countries have impacted on the level of funding being provided to Uganda, according to some DPs. Changes in governments in DP countries have led to a reduction in development aid amounts in some countries and changing thematic priorities. Uganda has over the past five years steadily increased its own domestic financing. The proportion of donor support as an overall percentage of the National Budget has diminished from close to half of the national budget to about 25%.[85] The proportional reduction is also caused by increased Government revenue generally as well as by streamlining the revenue collection mechanisms of the Uganda Revenue Authority. It is now Government policy to use external resource resources only where there is clear benefit. A further factor is the discovery of oil reserves which over time are expected to substantially increase government revenue. This may in turn lead to reduced DPs influence on policy dialogue, as Government becomes less reliant on external funding. According to some DPs and CSOs, the expectation of oil revenue by Government is likely to result into a triple jeopardy for policy dialogue- i) decreased DP's influence on Government, ii) decrease in CSO space for policy dialogue and iii) decrease in DP capacity to mediate with Government over CSOs space.

85 Government of Uganda's Finance Budget 2012-13, and Background to the Budget, FY 2012/2013. June 2012. Uganda will finance 75% of the budget and aims at raising up to 25% from external aid, in 2012-13, http://www.finance.go.ug/

7.3 CSO perspective of DP strategies

Demands for sustainability: One of the DP's interviewed remarked that: *"We do not want to give CSOs money for a long time because, they will become donor dependent."* Similar views were often repeated during discussions with DPs. CSOs are aware of this perception by DPs that CSOs must be financially sustainable, and yet CSOs are 'not for profit' organisations and do not generate their own resources like government or the private sector. Many of the CSOs contacted during the study voiced opinions summarised as:

- DPs are highly selective in their support.
- They want to support programmes, but not human resources.
- They want to support specific projects but not core support of the organisation or sufficient operational costs for the project they support.
- They demand separate reports that consume a lot of time to prepare and yet.
- They also demand impact from the insufficient funds that they may give for the project, many of them short-term.

Financial sustainability is clearly an area for concern for many CSOs. The same issue featured strongly during the Stakeholder Workshop for the Study.[86] The participants cited the need for both flexibility in funding and provision of core funding to build institutions, to allow CSOs to pursue their strategic agendas in relation to policy engagement.

Lack of core funding: CSOs also pointed out that DP strategies have constrained the majority of CSOs because of lack of core funding support and investment in institutional growth. They argue that while DPs provide considerable resources to Government of Uganda (which already generates revenue and income from taxes, tariffs etc.), in comparison, they provide meagre resource to CSOs. According to one CSO, DPs would "rather pay a lot of money to hire consultants, rather than provide resources for recruitment of technically competent staff for the CSOs". Furthermore, one CSO interviewed pointed out that DPs and INGOs have made local CSOs a shopping ground for recruiting competent CSO Staff, give them lucrative jobs at the DP offices and pay them better. CSOs also said that DPs often criticise CSOs that they lacked capacity to analyse and engage in policy dialogue, and yet they did not want to support CSOs to hire competent staff and pay them well.

Most CSOs interviewed said they relied mainly on funding provided for specific programmes, projects or activities. A minority of CSOs indicated that their programme funding was sufficiently flexible to allow then to manage the funds according to their own strategic agenda. There were no examples of CSOs currently receiving core funding, although in some cases it had been provided in the past.[87] This lack of core funding does severely challenge CSOs, who unlike consultancy firms (which would add a margin to fees to cover overhead and profit), would be seeking to cover project costs plus a proportion of direct overheads or administrative costs. For CSOs on the other hand,

86 Stakeholder Workshop for the Study held on 28th February 2012 at the Protea Hotel.
87 The Uganda Wildlife Society (UWS) has in the past received core funding from USAID.

the costs associated with the maintenance of the office, core staff, the writing of unsuccessful proposals, etc. in most cases go unfunded.

DPs tendency to 'bask in reflected glory' of successful CSOs: According to some CSOs, DPs were also more likely to engage with CSOs that are already well established, and frequently overlooked newer organisations, or those with an emerging idea. According to the CSOs, some DPs prefer to associate with successful CSOs because the results may be quickly seen, or the success of the CSO may be attributable to the DPs support, even when the DP has come late into the picture. CSOs were able to name a few organisations they perceived as popular with DPs or those that DPs promote in the various sectors, especially in Forestry Governance, Gender Based Violence lobby and on anti-corruption issues.[88] This tendency, according to some CSOs has led to the collapse of some of the CSOs after the funds are stopped or donor interests have changed. Accordingly, some CSOs popular with donors have also collapsed because they grow faster than they should and often collapse due to incapacity to manage the rapid growth.

Changes in DP countries influencing partnership with CSOs: CSOs perceive DPs as having a tendency of moving with 'development trends' and shifting interests based on changes in their own countries and less on developments in Uganda. One example was cited, where a DP decided to cut off funding for CSOs before the contract period was over, because of change in national priorities in the DP country. Others DPs, according to some CSOs, introduce new terms and conditions, and demands in already existing contracts, for example, demands for extra reporting requirements, new value for money parameters and several others.

Donor harmonisation double edged: On the question of donor harmonisation, the perspective of CSO's is mixed. CSOs interviewed observed that many DPs have demanded the use of their own reporting format, separate bank accounts and some demand separate audited accounts. The demands for servicing individual DPs, according to those CSOs affected, weigh heavily on the time and administrative overheads of the organisations. Some CSOs and DPs interviewed noted, however, that donor harmonisation, especially as designed within donor baskets in Uganda, should lead to reduction of transaction costs for CSOs because a CSO would be required to negotiate and report to one party, instead of the several donors.

Generally, donor harmonisation, according to some CSOs is seen as a 'one point entry' which primarily serves the convenience of the donors. DP harmonisation is following a trend where DPs have pre-selected the thematic areas of importance to them and established joint funds against a limited menu of support. The current trend, according to CSOs is for DPs to emphasise areas of governance, rights and accountability in Uganda. Major DPs in Uganda, for example have set up the DGF, whose emphasis is on the broad areas of Governance,[89] with the objective of strengthened democratisation, protection of human rights, access to justice, peaceful co-existence, and improved accountability in Uganda. The potential for improving the effectiveness of DP funding through a joint fund mechanism is acknowledged by CSOs. However, CSOs also have some reservations that too much streamlining by DPs will leave out many CSOs whose interests may not match DP interests. Another CSO reservation is that the CSOs may be driven by the DPs agenda given that the funding is earmarked thematically. Furthermore,

88 The CSOs are not named in the study in order to protect their privacy.

89 The DGF has three main component areas i) Deepening Democracy, ii) Rights Justice and Peace, and iii) Voice and Accountability.

small CSOs and NGOs with good ideas may be unable to access funds because of lack of capacity to respond successfully to calls for proposals.

A few CSO leaders interviewed had a perception that with increasing donor harmonisation in Uganda, the potential for agenda setting is very high. Likewise the increased power of the DPs over the CSOs is acknowledged by CSOs because of the perceived influence of collective funders of the DGF. Hence, it is unclear whether the harmonisation will necessarily strengthen CSO power and autonomy or make them less empowered and dependent on DPs. Some CSOs recommended that DPs should make available a funding window to support innovative ideas of CSOs that may not fit in the set parameters for harmonised funds. DPs such as Austria, Denmark and Ireland have retained some funds where they provide support directly to CSOs on strategic areas, for example on women empowerment or HIV. For example, Austria has continued to provide direct support to gender related and Women Empowerment CSOs, Ireland provides support directly to CSOs for a GBV Joint Programme in partnership with the Ministry of Gender, UK supports some Women's Organisations through UN Women.[90]

7.4 Role of INGOs and UN Agencies

The International Northern NGO's work in Uganda is typically based upon programmes and funding negotiated at DP headquarters. As is the established practice, many INGOs and UN Agencies do not implement the programmes directly, but work with national institutions and CSOs to carry out the services or support being provided. Thus INGOs such as Care International, Oxfam International, NRC, Save the Children, Diakonia, Horizon 3000 and Red Cross work in various parts of the country in partnership with local organisations. In this case the local branch will implement programmes as mutually agreed. Often, the INGOs programme bias is towards the development priorities set in the country of origin. However, INGOs recognise of course that these priorities need to be aligned to the National Development Plan goals. Thus the parties will have entered into some form of earlier dialogue with Government. On a positive note, INGOs often provide other forms of assistance to local CBOs in addition to funding, for example technical assistance inputs from individual northern advisors to help local CBO's in providing better services as well as capacity building processes within the project management arrangements.

90 DFID funds a four-year programme through UN Joint Programme on Gender Equality, through UN Women, which supports some women's organisations on issues of gender policy dialogue, and strengthening women's organisations and networks.

8 Overall conclusions

Overview
While spaces exist for many CSOs to participate, the amendment to the legislation in 2006 (NGO Act) was seen by CSOs as undermining the policy of full and meaningful participation. However, in July 2012 the Government announced a new policy which NGO umbrella groups have cautiously welcomed. This policy is not yet law, but it could well improve the climate of the relationship between the two parties and as discussed further below the relationship is in any case seen to be gradually improving.

However, CSOs continue to face many challenges and the present situation is characterised as one where CSOs have difficulties in accessing resources for policy dialogue and in addressing the existing policy gaps. The introduction of a multi-party system of government has led to a polarizing of policy dialogue and debates especially where the issues are controversial. Private sector and commercial interests, especially in the forest sector have led to government decisions bordering on violation of its own policies and laws. The political interests and political interference in some respects has been in conflict with the set regulations, hence also leading to intimidation of CSOs that may oppose the politician's stand. The three case studies, all provide a basis for the analysis on the enabling environment, CSO strategies on policy dialogue, and the DP strategies for supporting CSOs in Uganda.

The Case Study on Governance and Accountability with a focus on anti-corruption is complex, characterised as a situation where CSOs are struggling to sustain a meaningful level of policy dialogue engagement. On the other hand, in Case Study 2, after more than 30 years of advocacy by CSOs and intense policy dialogue, gender responsive legislation has seen some positive strides in the enactment of key legislation. However, policy dialogue on gender related legislation still remains complex due to the controversial nature of gender equality proposals that are being negotiated on matters such as marriage, divorce, polygamy, cohabitation and property sharing.

Forestry governance related policies and legislation in Uganda, according to Case Study 3 were developed with active participation of CSOs as acknowledged by Government, CSOs and DPs. While the national forestry related policies, frameworks and legislation are seen as very progressive, the major entry point for CSOs policy dialogue has been in monitoring implementation of the practice on the ground, which is a major challenge for all because of the contradictions between policy and practice. Policy dialogue on forestry issues often creates tense scenarios for CSOs, with these organisations being in effect on constant watch to restrain and reign in on Government to stop its own policies being undermined through issuing of licences (some illegal) for the degazettement of forests in favour of commercial interests.

Complex environment but evidence of a positive relationship in certain areas
In spite of the concerns given above, over the last five years there is evidence of CSOs being able to build up a positive relationship with Government, with elements of mutual respect and mutual benefit on invited dialogue spaces, especially in policy formulation and policy implementation. This relationship may well improve as result of the new NGO policy announced in July 2012 (as referred to above). Examples of achievement cited in the study include the enactment of the gender related laws and CSOs participa-

tion in several policy processes such as budget monitoring and tracking and development of anti-corruption legislation, discussed under the various case studies.

Even where CSOs have achieved some successes, the situation remains complex and challenging. For example, in the area of gender-related policy dialogue, CSO dialogue has been more relevant and effective due to the Government's interest in developing a policy related to the protection of women and girls' rights being to take action to prevent Female Genital Mutilation. Even so the fundamental gender issues still remain controversial and spaces narrow when gender power relations are threatened. Thus, the momentum in policy dialogue built up over the years by gender advocates has been undermined and debate stalled on laws that challenge the power relations and the status quo between men and women in Uganda, especially laws relating to rights in marriage and divorce, economic and property rights. There is continued decline in interest for gender-based dialogue, and attention to gender from Government. For example, the Domestic Relations Bill was withdrawn from the floor of Parliament and fragmented into several laws, including what is now the debate on the Bill on Family Law. Low levels of financing for the gender related programmes have also characterised the situation over the last five years. National policies seemed to have 'drifted away' with a general feeling that women have realised the level of equality they want through affirmative action in the political arena (women at 30% in Parliament) and that no more action is required. In spite of this, DPs support to gender policy dialogue has been consistent, although with limited national coverage.

Signs of a more ambivalent relationship

There are signs however that the CSOs and the 'political' Government relationship in the recent past may be becoming increasingly ambivalent. On one side the spaces are characterised by close cooperation and mutual respect in invited spaces and what is seen as safe spaces for discussion of technical policy issues. On the other side characterised by a growing mutual distrust between Government and CSO, with each party questioning the motives of either in policy dialogue, especially in monitoring policy implementation for example in the forestry case study. The legal framework in some areas studied such as Governance and Accountability, is very clear and has numerous laws and acts on anti-corruption, which were developed with participation of CSOs. The Anti-corruption institutions continue to claim openness and commitment to fight corruption, for example the Directorate of Ethics and Integrity (DEI) and the Office of the Inspector General of Government as well as the Parliament through Public Accounts Committee (PAC). Anti-Corruption Coalitions of CSOs have been established in Uganda at National level and Chapters opened at local and regional levels in the districts. CSOs have access to all the spaces in the institutions to contribute to policy dialogue. Parliamentary proceedings continued to provide more democratic space for CSOs to engage and present their voices through them, and provide opportunities for information sharing. The medium of CSOs engagement with parliament has included evidence-based policy briefs to support parliament debate, and dialogue with the various committees of parliament. On the other hand, there is less openness and willingness for MPs to open democratic debate and dialogue on their constant strain on public expenditure through their increase of parliamentary benefits and allowances and emoluments.

While spaces have been open for CSO participation on platforms offered by Government, according to the CSOs, the spaces for dialogue between Government and CSOs are narrowing on issues where CSOs disagree with or strongly criticise government. The controversial issues , raised by the case studies include issues of public spending,

political governance for example discussion of presidential term limits, questioning government decisions concerning private sector investments such as in the case of government proposal to degazette and natural forest for a sugar cane plantation. Thus, the most controversial policy dialogue between CSOs and Government has been on issues of forestry governance in the last five years. The legal framework is in place and what is seen as a model for sustainable management of forests, the National Forest Policy 2001, was developed in a consultative and participatory manner. However, since then, the role of CSOs dialogue has been on safeguarding the policy and preventing the abuse of policy by government practices. DPs have been very active in supporting the forestry sector in Uganda, with some CSO support for policy dialogue. The sector has been hit with crises over threats for degazettement of protected forests, deforestation and corruption and commercial interests for plantation agriculture. Forestry sector responsibilities fall in various government Ministries and institutional and agencies such as the National Forestry Authority (NFA), Uganda Wild Life Authority (UWA), the Districts and Ministry of Water and Environment. In the recent past, the major donors for forestry have pulled out of support to the sector due to the institutional challenges faced concerning the governance of the sector. These challenges have also provided opportunities for CSOs to engage in policy dialogue often with contradictions arising out of the conflict between the technical agenda that is not aligned to the political and commercial agendas.

CSOs have become more vocal in demanding for good governance and accountability on social, economic and political governance issues. Because of the constant demands from CSOs for transparency, Government has also increasingly made pronouncements and launched investigations of some CSOs, questioning their motives, and whether CSOs genuinely operate in the interest of Uganda or are agents of foreign parties. Ironically as CSOs increase demands for accountability which would support government to curb the negative practices, the environment of CSO operations is seen by CSOs as becoming more stringent. A key factor influencing CSOs effectiveness discussed in the report is the NGO regulation which CSOs say limits their scope of operation. The regulation is seen by CSOs as restrictive of their freedoms and right to operate freely in the environment. The legal framework has changed to demand for tighter control of CSOs by the NGO Law and regulations, and hence constraining CSO effectiveness. Hence, many CSOs said they had resorted to self-censorship for survival and expressed fear of a scenario where the law could be used against them to curb their operations.

In attempting to sum up the relationship between CSOs and Government it is important to distinguish between civil servants (as technical staff) and the political Government (politicians or staff who are political appointees). The relationship with the former has been and continues to be positive. In the case of the latter, there is more ambivalence, when the Government is criticised on controversial matters, on governance or corruption issues. That said, a number of politicians are pro-CSO and very supportive. It remains a complex relationship.

DP support

While some DPs continued to facilitate CSO engagement in policy dialogue, the momentum for CSO support among some DPs was decreased over the last five years due to DP internal funding challenges and changes in funding modalities for development cooperation in the DP countries. Financing channels for policy dialogue in the last five years have changed from individualised support of CSOs to more harmonised support of a select number of CSOs by a select group of DPs. DP support has been targeted on specific priority issues such as monitoring pro-poor policies, governance and human rights issues. The DP strategies were seen by CSOs as having constraining funding modalities, especially with respect to investment in CSOs institutional growth. The funding has been characterised by short-term project support with limited core funding and what is seen by CSOs as a defined agenda, hence reducing CSO opportunities for innovation. CSOs said they mostly received project support, which made CSOs more vulnerable and less likely to have any lasting impact in policy dialogue. Developments in the DP countries and changes in the supported priorities and strategies were said to have constrained CSOs. For example, many DP have downsized their staff to a bare minimum, resulting in less inclination by DPs to work with CSOs directly.

The role of DPs is growing and changing with increased DP harmonisation of strategies has changed from individual forms of CSO support, to joint donor basket funds. More recently in Uganda, the smaller basket funds have merged into very large multi-donor funding facility such as the being the Democratic Governance Facility (DGF) discussed earlier in the report. The multi-donor funds now allow for dedicated funds for CSO in the country, and helps CSOs to reduce the administration of working with several donors, as well as avail them of ready funds to implement their programmes. While this is seen as positive by both CSOs and the donors, CSOs also argue that too much donor harmonisation will reduce opportunities for diversification of donor support by CSOs.

The relationship between DPs and CSOs is seen as getting closer, with increasing DP openness to address CSOs disabling factors in the environment such as lack of adequate funding and closing of CSO spaces. The DPs have been responsive on CSO concerns of funding, for example, the major CSOs funding facility recently set up by donors, the DGF will also provide institutional support to CSOs and have more of a programmatic approach rather than a project approach to funding. DPs role in facilitating CSO policy dialogue also included information sharing on policy issues that would facilitative dialogue with government. As seen from the case studies, DPs have also increasingly supported CSOs in raising issues of CSO concern to government in the dialogue spaces that may be closed to CSOs. Some of the issues where DPs have added to voices of CSOs include anti-corruption issues, political and human rights issues and the need to have a facilitative NGO legislation.

9 Lessons learned

Based on examples of CSO engagement in policy dialogue and drawing on successes, and challenges in relation to policy processes, a number of lessons are presented below, arising out of the interviews and from the study's analysis. While the study was not required to provide recommendations, the lessons learned will provide reflection points for the parties involved to develop a way forward on the critical issues raised.

9.1 Lessons for CSOs and Government at country level

Overcoming governance concerns among CSOs – the QuAM initiative
The lack of transparency and accountability by a section of CSOs has had a negative impact on CSO capacity to influence policy dialogue process, because they are seen as having no moral authority to hold Government accountable. The argument from both Government and DPs has been that CSOs need to clean out corrupt and untrustworthy elements, hence, the introduction of the QuAM initiative. CSOs continue to ask Government to be more transparent and accountable yet there are a number of incidences where their own governance practices fall short of acceptable standards. While it may be argued that such cases are uncommon and tend to happen with the so called 'brief case CSOs', it still serves to undermine the effectiveness of CSOs demand for accountability from government. CSOs therefore need to be more transparent and open about their work and allow for scrutiny by all stakeholders, including Government. This would enhance the CSOs credibility, autonomy, and protection as well as cohesion amongst CSOs and good governance. The QuAM is a step in this direction.

Horizontal and vertical linkages crucial for effective dialogue
Vertical linkage: As noted above evidence and credibility are key ingredients of successful policy dialogue. Where CSOs have allied with communities that they serve, they have been able to collect the factual information that builds a convincing case for their suggestions to the policy development process. In addition, a strategic alliance with district and national stakeholders and networks also plays a crucial role in meaningful engagement in policy development processes. Working with local level alliances increases the evidence base for advocacy and strengthens credibility of findings during the policy dialogue with Government.

Horizontal linkage: Networks and coalitions enhance the power and authority of CSOs in policy dialogue engagement, with evidence suggesting they have been a key factor leading to several successes in policy dialogue and advocacy in Uganda. The study found that where success had been achieved by CSOs in policy dialogue, this was mainly a result of working through coalitions established for a specific purpose although looser networks, e.g. the Forestry Working Group (FWG) have also been successful in this regard. Examples of coalitions discussed in the report include the *Coalition on Access to information* that brought together human rights and Anti-Corruption CSOs leading to the enactment of the Access to Information Act, 2005. Another is the *Coalition on Domestic Violence Bill* that brought together CSOs working on women's rights and elimination of sexual and gender based violence that effectively engaged in dialogue leading to the enactment of the Domestic Violence Act, 2010.

Working with the media: Working with the media to share and validate evidence used in policy formulation with local communities, contributes to success of policy dialogue. The media can be a useful means of reporting findings back to grass roots level, especially where research covered a wide geographic area. The media is influential both at local and national level, and often may set the agenda for discussion and stimulate action from Government. In policy dialogue, CSOs may provide the voice of those not in a position to speak out. CSOs also become the voice that presents findings back to these people. The media has also promoted CSO success stories, and thus helped boost CSO credibility. The media is a valuable means of maintaining debates, forcing research to be taken into account in policy discussions, and increasing awareness and understanding of issues, on both national and international scale. This is especially beneficial if CSOs feel policy-makers are not taking them seriously. It is undeniable that politicians are forced to take more interest in issues when they come to public attention, in either a positive or a negative manner. In spite of the important role already played, there is potential for the media to expand its role as a convenient and highly efficient disseminator of CSO information.

Mutual collaboration between Government and CSOs

The recently launched NGO Policy (July 2012) is seen by CSOs as a step in the right direction (albeit with some qualifications[91]) overcoming some of the earlier concerns expressed in this report. It was developed following protracted contributions by CSOs to the dialogue process. Likewise, the ability of CSOs to successfully influence policy dialogue processes will depend on a favourable regulatory framework. Since policy dialogue takes place between Government and CSOs, CSOs play the role of bridging the gap between the State and private citizens, while the Government exists to ensure the welfare of citizens. Because of their closeness to the lower echelons of society, CSOs understand better how evidence can contribute to pro-poor policy processes. Government has the mandate and resources to ensure that pro-poor polices are developed and implemented. As such the development of policies needs to embrace the contributions of both parties, and from a critical mass of CSOs for the policies to be legitimate. Development of a mechanism for institutionalising and regularising the CSO to Government relationship, which was based on mutual respect and accountability, would be useful in strengthening policy dialogue for the common good. Government will need to create spaces in which CSOs feel safe to negotiate knowing that all are contributing to the same goals of developing the country. CSOs and Government need to work together as partners to strengthen both their legitimacy and credibility in policy dialogue processes.

Importance of evidence-based research: Government officials, DPs and CSOs acknowledged that a high level of professionalism, consistency, and factually-based evidence are respected in policy dialogue. Some CSOs have over the years focused on specific areas and developed strong competence in research and policy analysis earning them respect by government. Examples of such CSOs mentioned include ACODE, Uganda Debt Network, National NGO Forum, Uganda Land Alliance, CEDOVIP and actors in the women's movement such as Uganda Women's Network. The CSOs provide well researched position papers on particular issues. Their opinions are based on evidence and they present a number of proposals, which policy makers can consider. Uganda Debt Network, for instance, argues that Government has usually taken up 80% of their

91 The NGO Forum stated its most worrisome concern was that MoUs would have to be signed by government departments at all levels, even where NGOs had no representation (Source: NGO Forum Website).

proposals on the budget, although they may not be publicly acknowledged. ULA also notes that over 80% of their proposals to draft six of the land policy had been taken up by Government, while proposals from CSOs in the Sexual Offences Law and GBV were taken up by Government.

CSO capacity
The level of CSO capacity is a critical factor for effective policy engagement, which can either promote or undermine the credibility of CSOs. Capacity encompasses many aspects, from policy advocacy skills to technical knowledge, research skills, and availability of the resources necessary to support an organisation. Capacity to collect, collate and communicate evidence in the most constructive and compelling manner is of great importance in policy advocacy, and is key to the success of any dialogue process. A great number of CSOs lack this capacity and rely on others to play this role. While acknowledging that capacity development takes time, CSOs argue that Government and indeed DPs needs to be more accommodating to CSOs, while CSOs should also be more aware of the available research and make better use of it in policymaking. There are examples which illustrate this lesson: In the case of the networks lobbying and advocating with the National Agricultural Advisory Services, NAADS, e.g. the Coalition for Effective Extension Delivery and Gender Alliance on NAADS, there is evidence to suggest that this has led to an increase in women's participation and more voices of farmers in decisions at local level. However, other CSOs without adequate capacity have failed to influence NAADS or impact on its policy[92].

9.2 Lessons for DP strategies

The lessons draw on the debate on programme specific funding, flexible funding and core funding for CSOs. Funding mechanisms that provide core support to CSOs lead to longer-term sustainability and strengthens CSOs while project support impacts negatively on CSOs, undermining CSO sustainability and institutional growth. Core funding on the other hand has enabled CSOs to build the capacity necessary for effective engagement in policy dialogue. The CSOs that have had longer term core support from DPs have grown stronger and more effective in policy dialogue. The CSOs are able to recruit policy and advocacy expertise and undertake research to inform policy development processes. Core funding spread over a number of years makes it possible for CSOs to follow a process and maintain consistency and a sustained programme of dialogue. For CSOs to remain financially sound, sustainable and adequately resourced, funding would be needed in three main areas:

- Programme related funding from a DP or government agency seeking particular services which the CSO could provide

- A flexible source of funding which would provide the CSO with the opportunity to decide how and when it can be used in its policy engagement activities, and

- An element of 'core funding' to enable the overhead costs to be covered (office, administration, utility legal and insurance costs etc.).

92 CSO Capacity for Policy Engagement: Lessons Learned from the CSPP Consultations in Africa, Asia and Latin America Overseas Development Institute, Working Paper 272.

It is important that DPs are aware of the funding mechanisms that impact negatively on CSOs in terms of their ability to act as effective players in policy dialogue processes. While direct CSO support may be preferred by national CSOs, DPs own country policies and dynamics may be the determinants of the actual mechanisms of support. Harmonised multi-donor funding facilities offer opportunities for supporting policy dialogue. However, caution should be exercise so that the harmonised approaches are not leading to DPs setting their own agendas. CSOs mentioned the likelihood of negative implications of harmonisation such as lock out of CSOs who may not meet the set criteria for the tagged thematic and geographical focus of the big funds.

Non-financial support to CSOs by DPs is as important as financial support. DPs have an opportunity to enter into dialogue and mediate on spaces that may not be accessible to CSOs. DP dialogue with Government offer an opportunity for discussion and resolution of issues of concern that CSOs may not be able to put themselves. Sharing of useful policy information between DPs, CSOs and Government facilitates CSOs effectiveness in dialogue at all stages of the policy cycle.

DP support to CSOs will need to be focused on well targeted policy dialogue approaches that create results. Deliberate programming for policy dialogue by CSOs has made policy dialogue work for CSOs, helping them not to be reactive to situations, but have sufficient readiness to react with credible information. The use of targeted advocacy tools such as CBME, Score Cards and Citizens Manifestos have helped to collect and provide the evidence required for policy influence. Evidence-based research provided issue points for policy dialogue while tools and Community based Structures provided the platform for communities to monitor policy implementation. CSO strategies that strengthen the capacity of the target group to use these tools to monitor policies, puts the power in the hands of citizens to demand for accountability and better service delivery by duty bearers. The formal and informal dialogue structures and coalitions of CSOs have been more effective and create a larger voice for CSOs and enhance their potential to be influential rather than them acting as individual CSOs. DPs support of CSOs monitoring of government policy and programs strengthens service delivery.

Other targeted approaches of CSOs that have made inroads into the policy process include public dialogues which offer a platform for public debate by all parties involved, media advocacy which facilitates social mobilisation, public demonstrations and petitions, public interest litigation which use the courts of law for mediation on issues that cannot be solved through dialogue an and sponsorship of the private members bills.

Annex A Summary ToR for Uganda

Joint donor evaluation of Civil Society Engagement in Policy Dialogue
ToR for Country Case Study UGANDA

1 Background and Context

The detailed Terms of Reference (ToR) for conducting the in-depth case studies in Uganda as one of the three country studies providing an independent evaluation of civil society engagement in policy dialogue, draws on the findings of the Ugandan Scoping Study conducted in July 2011 whose main aim was to provide contextual information necessary to make a well-informed choice of policy initiatives for the country case study. These ToR also take cognisance of the experience and findings of the parallel case studies being carried out in Uganda and Mozambique.[93]

2 Objectives

The purpose of the case studies (as set out in the study ToR) is to provide an in-depth understanding and analysis of the relevance, efficiency and effectiveness issues, covering how CSOs engage in policy dialogue, what outcomes they have achieved and what factors have contributed to them.

3 Scope

The overall objectives of the study inform the scope of the case study phase which is outlined below (and in Annex 1 Evaluation Questions):

The main focus of the evaluation is **the effectiveness of CSOs in policy dialogue and the outcomes achieved**. The case studies will further explore the enabling and disabling conditions and the strengths and weaknesses of DP policies and strategies. It is recognised that the study is complex and is both an evaluation exercise as well as a 'study' of the situation on the ground, which aims to generate new knowledge and ideas. The ToR are explicit in highlighting the importance attached to analysis of the findings ahead of reporting, which will include conclusions on lessons learnt and on recommendations. The consultants have taken account of this in the work planning.

Specifically, the evaluation focuses on the following key themes:

- **CSO effectiveness**: What are the ways in which CSO engagement in (country) policy dialogue is most effective – and what does this mean for how this can be facilitated in the future?[94]

- **What outcomes can be identified from engagement in policy dialogue** – and what have been the factors contributing to them.

93 A separate paper on "lessons learned from Mozambique case study" has been made available to the country team before hand.

94 The term "CSO effectiveness" emphasises the effectiveness of CSOs as development actors (see OECD 2010, Civil society effectiveness).

- **Enabling and disabling conditions**: What are the enablers and barriers to CSO engagement (at country level) – and how could they be addressed?

- **DP policies and strategies**: How can DPs most effectively support and facilitate (directly and indirectly) increased civil society engagement at country level?

4 Selection of priority Case Studies

Based on the assessment of a long-list of policy processes and discussions during the Scoping Exercise, three policy processes emerged as areas of particular relevance to the policy dialogue environment in Uganda, discussed in the Reference Group and finally endorsed by the Evaluation Management Group.

- **Governance and Accountability**: Anti-Corruption and mismanagement: There has been intense dialogue and one can find data and good lessons as elaborated in the Scoping Study.

- **Justice and Gender responsive dialogue** – (gender responsive & human rights): Human Rights and Justice was a broad theme under **Justice Law and Order Sector** identified by the Scoping Study. Within this, policy dialogue has been on several areas including transitional justice, gender responsive legislation etc. It was agreed to narrow down the scope and focus on gender responsive legislation. There have been some gains in this area and lots of CSO engagement, leading to the passing of several piece of legislation over the last five years – i.e. Domestic Violence Act, Anti Female Genital Mutilation and several other laws that are still under discussion.

- **Forest Management:** Government, private sector and community governance responsibilities and cooperation. This will be a Mini case study focused on the experiences of dialogue on forestry management especially Mabira Forest and the public interest litigation.

The **field work** will be conducted at national level and in Soroti and Apac and Mabira, Buikwe Region.

5 Sources of information

The team will use various sources of information (including documents and interviews) to ensure a good spread and avoid biases.

6 Case study tools

The Conceptual Framework for Case Study Analysis includes a number of tools for case study analysis. In addition to interviews and group discussions, the team is expected to use the following tools as part of the participatory analysis. **Theory of Change** to analyse how CSO strategies have contributed to policy outcomes. **SWOT or force field analysis** to identify the factors that have affected CSO engagement in policy dialogue Key factors will be **identified**. And **Short "reality checks"** by visiting other organisations, communities etc.

7 Work calendar

The work for the Uganda Case Study will be undertaken in three phases:

- Preparation and Planning: December 2011 to 3rd February 2012
- Case Study Assessments and stakeholder consultations: 6th February to 29th February
- Analysis, synthesis and report preparation: 1st March to 18th March (submission by 19th March)
- An integral event during this process will be the holding of a national workshop, planned for Tuesday February 28th at Hotel Protea, starting at 9 am.

Annex B Conceptual Framework

Conceptual framework for case study analysis

1 Overview

This evaluation revolves around three key issues:

- **CSO effectiveness**: What are the ways in which CSO engagement in (country) policy dialogue is most effective – and what does this mean for how this can be facilitated in the future?[95]

- **Enabling and disabling conditions**: What are the enablers and barriers to CSO engagement (at country level) – and how could they be addressed?

- **DP policies and strategies**: How can DPs most effectively support and facilitate (directly and indirectly) increased civil society engagement at country level?

The following figure shows the three main elements, the concepts that are used to analyse them and the linkages that will be investigated through this study.

The key concepts that have been studied during inception (indicated in blue) include:

1. CSO strategies to engage in policy dialogue

2. Policy dialogue

3. Outcomes of policy dialogue

4. Enabling and disabling conditions affecting CSO effectiveness.

The key linkages which will be investigated through case studies during the main phase (shown in red) include:

a. Key enabling and disabling factors and how they affect CSO choice of strategies

b. Policy dialogue: How CSOs access and use the space for policy dialogue? and What entry points they use into policy cycle?

c. What are the successes and failures of CSO engagement in policy dialogue? and What are the (process) outcomes with regard to policy change?

Below, we present the key concepts for this evaluation, and then explain how we will investigate the linkages between them through the case studies. Since most of the evidence for this evaluation is collected through case studies the use of checklists

95 The term "CSO effectiveness" emphasises the effectiveness of CSOs as development actors (see OECD 2010, Civil society effectiveness).

and standardised reporting formats is critical to enable comparative analysis during the synthesis stage. We therefore developed detailed typologies and checklists for analysis of the key concepts which will help us to identify common features across case studies. The checklists are presented below.The framework for analysis of DP policies and strategies (7 Cs) is presented separately. The evaluation will look at DP support from different angles: From a general perspective, whether DP policies and strategies (in principle) support effective CSO engagement in policy dialogue; and from a country perspective, whether DP support practices enable (or perhaps prevent) a more effective role of CSOs.

2 Key concepts

2.1 CSO strategies to engage in policy dialogue

Based on suggestions from CIDA during inception and other sources[96] we have developed a typology of CSO engagement in policy dialogue. The typology contains a number of strategies, which CSOs use – directly or indirectly – to influence policy makers. This includes highly visible strategies, like advocacy, campaigning and demonstrations, but also less-visible strategies, such as networking and evidence-based studies. Policy dialogue is often perceived as direct engagement between CSO and government only, but there are other ways (particularly highlighted by Northern CSO consulted during inception) through which CSO contribute to policy processes, for example through training, education, community mobilisation and projects that are piloting innovative practices. Donors often tend to focus on the formalised dialogue, which is more visible to them, but country stakeholders emphasised that it is often the informal forms of dialogue that are effective. Checklist 1 shows the different forms of CSO engagement, clustered into four main types.

96 OECD 2010: CS effectiveness and adapted from ODI 2006. Policy engagement – How CS can be more effective.

Checklist 1 Typology of CSO engagement in policy dialogue

Typology of CSO engagement in policy dialogue (as used during scoping studies)	Questions for case study analysis
Direct & formalised dialogue • Advocacy and campaigning • Participation in sector or PRSP planning • Monitoring, reporting, social accountability • Evidence-based studies and research	How effective are these strategies on their own and in combination to achieve policy change? Relevant evaluation questions: EQ6, EQ11,
Direct & informal dialogue • Ad-hoc communication at central level • Ad-hoc communication at local level • Insider lobbying • Networking and coalition building • Demonstrations and mass action • Policy analysis and debate	
Indirect contribution to dialogue • Information, education and training • Projects piloting innovative practices • Community mobilisation for feedback and advocacy	
No dialogue • Community mobilisation for policy implementation (no feedback mechanisms included) • Service delivery	

We used this typology to identify the main types of dialogue (formal and informal) that will be covered through the case studies. For example, the Mozambique study selected "Budget Planning and Monitoring" as a case for direct and formal dialogue, and "Dissemination of the law on violence against women" as a case for direct and informal dialogue.

The case studies will revisit the typology in order to determine which strategies (on their own or in combination) have been effective in influencing policy dialogue.

2.2 Policy dialogue

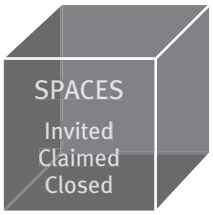
Policy dialogue is a broad concept which different stakeholders understand and interpret in different ways. For foreign governments and donors, policy dialogue often refers to the (formal) dialogue at government level. For country stakeholders, policy dialogue both refers to dialogue between government and civil society and within civil society. The Uganda Scoping Study thus distinguishes between "vertical" and "horizontal" dialogue.

It is important to understand the process nature of policy dialogue. Policy dialogue involves ongoing negotiation of ideas, relations and power; thus, it is a process for establishing legitimacy (as pointed out by the Uganda study), for mutual learning and for influencing. The process nature of policy dialogue also means that it extends beyond

"policy making" into implementation, review and revision of policies. The ToR for this evaluation thus demand a study of policy dialogue throughout policy development *and* implementation.

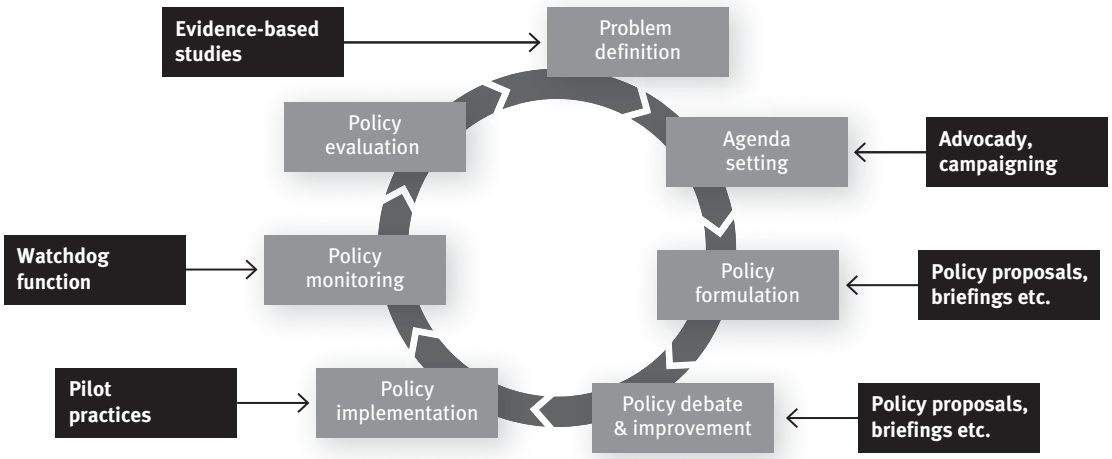
In the context of this evaluation, dialogue is understood as a way of influencing policy processes. In order to review the linkages between policy dialogue and policy processes, the evaluation uses two main tools: The **policy cycle tool** is useful to conceptualise how policy processes work and what the entry points for influencing are. The **power cube tool** and the concept of space which it contains are useful to analyse the power relations that define the space for policy dialogue. The use of these tools can help to explain why CSO engagement has been effective (or not).

The **power cube tool** can help to explain how CSOs have been able to access and use spaces for influence (and power), such as policy dialogue. The power cube distinguishes between invited, claimed and closed spaces for participation. The conceptual aspects (and terminology) of the power cube are useful to map the inclusiveness of spaces for CSO participation. But the nature of policy processes transcending several spaces are often difficult to capture within the categories suggested by the power cube.



The **policy cycle tool** describes the phases of policy development and implementation at iterative process (see figure below). Effective CSO strategies use various entry points into the policy cycle to influence policy processes.

Figure 4 Possible CSO entry points into policy cycle tool



2.3 Outcomes of policy dialogue

For the case studies it is important to break down the concept of influence into (intermediate) outcomes from specific CSO strategies that can already be observed and long-term policy changes. Intermediate (process) outcomes are important to trace CSO influence in policy dialogue. In some cases it may be possible to link policy changes, like the adoption of new policies or the implementation of policies, directly linked to CSO inputs, e.g. through provision of policy papers of proposals that have been taken up. In other cases, CSOs only had an indirect influence, e.g. through framing issues or raising awareness through media campaigns. However, in most cases it may only be possible to measure intermediate (process) outcomes of CSO strategies. Intermediate outcomes leading to more effective engagement of CSOs in policy dialogue include strengthened organisational capacity, strengthened alliances and strengthened base of support. In the checklist below we present the possible outcomes of CSO strategies. The checklist will serve as guidance for the identification of (intermediate and policy change) outcomes through the case studies.

Checklist 2 Measuring influence – Possible outcomes of CO engagement in policy dialogue[97]

Intermediate (process) outcomes	Inputs into policy dialogue	Change outcomes
Strengthened organisational capacity • Improved management including transparency and accountability • Improved capacity to communicate messages • Increased voice and demands for accountability • Increased participation in civil society-state space **Strengthened alliances** • Increased number of partner supporting an issue • Improved level of collaboration • Improved harmonisation of efforts • Increased number of strategic alliances **Strengthened base of support** • Increased public involvement in an issue • Changes in voter behaviour • Increased media coverage • Increased awareness of messages among specific groups • Increased visibility	**Direct Inputs into policy dialogue** • Research • "White papers" • Policy proposals • Lessons from pilots projects • Policy briefings • Watchdog function **Indirect inputs into policy dialogue** • Setting an agenda • Framing issues • Media campaign	**Policy changes** • Policy development • Policy adoption • Policy implementation • Policy enforcement **Shift in social norms** • Changes in awareness of an issue • Changes in perceptions • Changes in attitudes and values

97 Adapted from Jane Reisman et al. A guide to Measuring advocacy and policy, Organisational Research Services, 2007.

2.4 Enabling and disabling conditions affecting CSO effectiveness

For "civil society to flourish it requires a favourable enabling environment, which depends upon the actions and policies of all development actors – donors, governments and CSOs themselves."[98] For the purpose of this evaluation we understand "enabling and disabling conditions" as the key parameters defining the space for policy dialogue and the opportunities for CSOs to participate. The Scoping Study have conducted a systematic review of dimensions the defining the enabling environment in the context of case study countries, based on documents review and using the checklist below. The extent to which these conditions affect CSO engagement in policy dialogue varies between countries. It will therefore be important to document the key barriers and enablers for CSO effectiveness in a way that allows comparative analysis during the final synthesis. We therefore use a structured reporting framework to document findings, based on the checklist below. The case studies will revisit the analysis of the enabling and disabling conditions done during the scoping studies in order to identify the factors that have affected CSO engagement in policy dialogue. Based on this analysis, the final synthesis will then elaborate the common and differing elements that present barriers to an effective role of CSOs.

98 OECD 2010: Civil society effectiveness.

Checklist 3 Enabling and disabling conditions[99]

Enabling and disabling conditions for CSOs (as used for scoping studies)	Questions for analysis of case studies
• **Legal and judicial system** and related mechanisms through which CSOs or their constituencies can seek legal recourse • **Democratic** parliamentary system and opportunities for CSO to build alliances with members of parliament • **Power and power relations** (between CSO and Government; relations between CSOs and citizens, CSOs and other CSOs and the private sector) • **Measures** to promote philanthropy and corporate social responsibility • Mechanisms to ensure the promotion and protection of the **rights** to expression, peaceful assembly and association, and access to information • CSO-specific policies such as **CSO legislation and taxation regulations** including charitable status provisions • Regulations and norms promoting CSO transparency and accountability to their **constituencies** • Access to **funding** (and role of donors); ability to mobilise resources (financial, skills, people, in kind contributions) • Ethnic and social issues, economic structures • CSOs own capacity and commitment	Whether certain aspects of the enabling framework can explain the success or failure of CSO strategies. (EQ15)? How elements of the enabling framework define the space for policy dialogue. To what extent DP strategies address critical aspects of the enabling framework in order to support an effective CSO role in policy dialogue (EQ 16)?

3 Establishing linkages through case studies

3.1 A "practical" theory of change for case studies

After the conceptual building blocks have been established (through the scoping studies), the case studies will focus on interrogating the linkages between CSO strategies on policy dialogue and policy change outcomes. The case studies will make use of existing documentation to the extent possible; however, we expect that the linkages will mainly be assessed on the basis of information derived from stakeholder interviews and focus groups. Analysis therefore needs to be systematic and involve steps for crosschecking and verification.

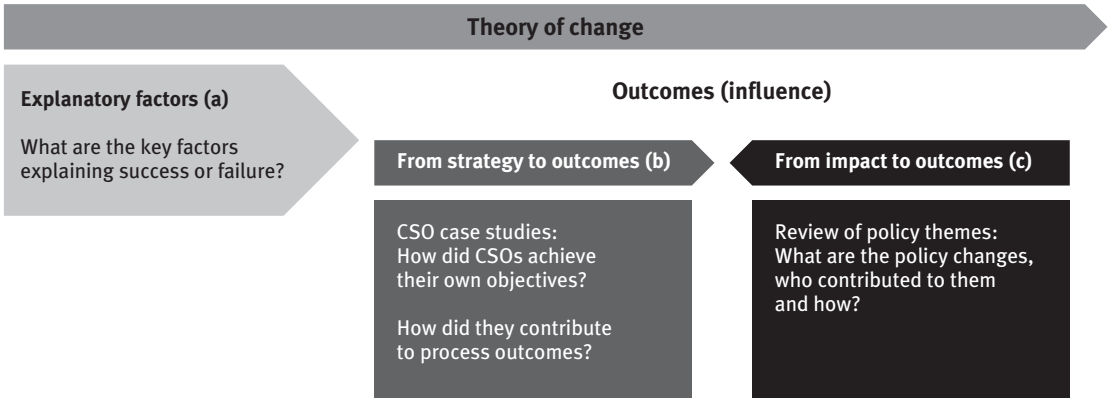
The purpose of the case studies will be to provide an in-depth analysis of how CSO strategies have contributed to policy outcomes. One challenge in measuring influence through policy dialogue is that organisations often claim to be influential (also to justify the support they receive) and that the evidence to support these claims often relates to low-level outcomes or even outputs. Furthermore the very nature of policy work, involving multiple interventions by numerous actors and a wide range of external factors,

99 Based on Advisory Group 2008, p. 17-18; Jacqueline Wood & Real Lavergne. 2008 Civil Society and Aid Effectiveness.

complicates the analysis of causality and attribution. It will therefore be critical to establish **plausible links between CSO strategies and policy change**. This will be done through a "practical" theory of change, which we will develop through a participatory process involving various stakeholders and sources to enable crosschecking and verification.

The theory of change is a technique to structure our understanding how CSO strategies have contributed to policy outcomes. As a visual tool the theory of change depicts the pathways that lead from specific activities of individual CSOs to wider policy changes, thus establishing causal linkages through interactive stakeholder analysis.

A "practical" theory of change



A major aspect in developing the theory of change is to test the plausibility of perceptions (and claims) around policy dialogue outcomes, using a two-way approach:

- Working forwards **from strategy to outcomes (b)**: We review CSOs and their achievements vis-à-vis objectives and any evidence on outcomes achieved. This will be done through meta-analysis of the available data in CSO reports, using the checklist on outcome indicators above (see Checklist 2). Claims about outcomes and impacts made in the documentation can be cross-checked through interviews and focus group discussions. Simultaneously the team will also assess what issues led to identified policy changes by a process of tracing and uncovering the steps through which outcomes have been generated, exploring how and why decisions or practices were executed and what the role of the different stakeholders were in that process. This will be done through the process analysis tool.

- Working backwards **from impact to outcomes (c)**: This means we identify key policy changes (impacts) and identify the role that CSOs have played in it. As a first step we will review the available literature (studies, evaluations etc.) to establish wider policy changes. We will then interrogate any linkages between those changes and the outcomes that CSOs have achieved through group discussions, which involves a wider range of (non CSO) stakeholders, including representatives from government, think tanks etc. We will use force field analysis as a tool to understand the dynamics of change and the role different actors have played in it.

Factors affecting CSO effectiveness (a): The final element of the case study analysis will be the identification of factors that have affected CSO engagement in policy dialogue. Naturally, this part of the analysis will be done in conjunction with the analysis of CSO

strategies and outcomes (c). Key factors will be identified through CSO focus group discussions, using participatory tools, such as SWOT or force field analysis. Based on our initial understanding for documents review and scoping studies we have identified key factors explaining CSO effectiveness, which are presented in the table below. Checklist 4 includes presents key factors for consideration during the case studies, some of them directly linked to the "enabling conditions" (space, government attitude); others are CSO-related factors (CSO legitimacy, capacity and networks). The case studies will use these (and any additional factors identified during the study) to construct a theory of change around the issues that have been influenced by CSOs.

Checklist 4 Factors explaining CSO effectiveness[100]

Factors affecting CSO engagement in policy dialogue	Questions for case study analysis
Factors relating to the enabling conditions:	What are the key factors influencing whether CSO engage in policy dialogue (EQ 14)? What are the main enabling and constraining factors that affect CSO engagement (EQ 15)? To what extent have DP support strategies addressed these factors (EQ 15)?
Spaces for policy dialogue • Transparent, accessible and inclusive space • Regular and systematic opportunities for participation, covering all stages of policy process • Shared principles, including recognition of the value of each stakeholder group's voice, mutual respect, inclusiveness, accessibility, clarity, transparency, responsibility and accountability	
Government • Attitudes and behaviour • Capacities, skills and knowledge	
Factors relating to the policy process itself:	
Policy issue and process: • Nature of the policy issue (e.g. how controversial) • Timing of policy process • Access to information	
CSO internal factors:	
CSO legitimacy, capacity and networks • CSO strategic clarity and focus on opportunities • CSO capacities, funds and knowledge • CSO Strategic alliances and networks • CSO sound evidence and analysis • CSO legitimacy	

Analysis, crosschecking and verification: The final analysis will bring together the various elements of the case studies, establishing a plausible link between CSO strategies, policy dialogue and outcomes. As part of the final analysis the evaluators will use ana-

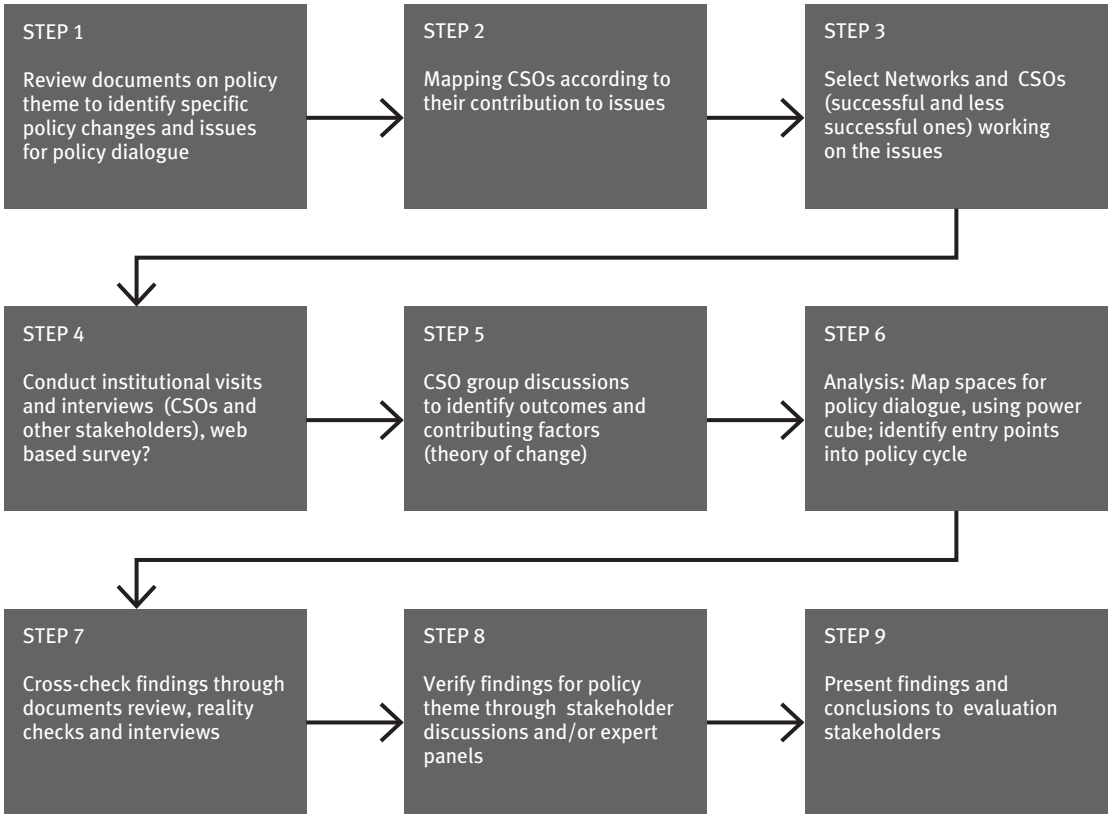
100 *Adapted from Jacqueline Wood and Real Lavergne. 2008. Civil Society and Aid Effectiveness – An exploration of Experiences and Good practice, p. 11;* ODI 2006. Policy engagement – How CS can be more effective, p. 15-16.

lytical tools, such as power cube and policy cycle tool, to analyse the various elements that contribute to CSO effectiveness. The power cube will be used to analyse the inclusiveness of spaces for policy dialogue; the policy cycle tool to determine which entry points CSOs have used to influence policy dialogue. The analysis will be done during the final verification workshops, which will include a wider range of stakeholders, including representatives from government, media, INGOs and academics. During the final verification and feedback workshops the team will also present their theories of change for the selected policy areas for verification by a wider group of stakeholders.

3.2 Process for case studies

Case studies will be conducted through nine steps which are illustrated in the figure below.

Figure 5 Process for case studies



Annex C Evaluation Framework

Evaluation questions	Indicators (specific *evidence required*)
2. **Enabling environment** for CSO engagement in policy dialogue and key changes over the past five years within case study countries? 2.1 The legal, political and financial freedoms of CSOs and how they have changed over the last 5 years 2.2 The relationship between Government and civil society in practice – including the power dynamics at play and how this has changed over the last five years 2.3 Key issues determining the enabling environment	• Analysis of factors that contribute to CSO effectiveness in the country context • Changes of the last five years • Analysis of power relations and how these affect the space for policy dialogue • **Use Checklist 3!**
Level 3 (Case studies) – CSO effectiveness	
CSO strategies: 6. How do the CSOs (selected for case studies) engage in policy dialogue (within the chosen policy areas)? 6.1 What strategies are used by CSOs to achieve their objectives on policy dialogue? 6.2 What is the scope of policy dialogue? What does it cover? 6.3 To what extent do CSO use networking or cooperation with other CSO as part of their strategies? Is there an advantage in having joint NGO platforms or does this rather dilute their impact on agenda setting? 6.4 What is the intervention logic behind the CSO strategies/approach? What do they want to achieve and how?	• Types of CSO strategies (see Q4) **(Use Checklist 1)** • Theories of change for case study CSOs (Phase 2) • Analysis of policy dialogue space as part of the case study (Phase 2) • Whether NGO networks and platforms are effective for policy dialogue

Evaluation questions	Indicators (specific *evidence required*)
Accountability and Legitimacy: 7. To what extent is CSO engagement in policy dialogue supported by their mandate? 7.1 Whose interests do CSO engaged in policy dialogue represent? How do they obtain legitimacy? 7.2 To what extent are CSOs engaging in policy dialogue accountable to their constituencies? How transparent are CSO procedures and operations? What are the feedback mechanisms? 7.3 How do CSOs obtain legitimacy to speak for the people they claim to serve or represent? To what extent are CSOs' political demands supported by "numbers" (size of constituencies)?	• Whether the CSOs' mandate supports engagement in policy dialogue • Whether there the CSOs are accountable to their constituencies on their engagement in policy dialogue • Whether the CSOs have established feedback mechanisms with their constituencies • Whether CSOs have the "critical mass" to support their political demands • Whether CSOs present the interests of poor and marginal groups
Results (Process outcomes and policy changes): 11. How effective are the CSOs in asserting **influence** on Government (at national and local level) through policy dialogue? How effective are CSOs in influencing policy change? How effective in holding government accountable for policy the implementation?	• Extent to which policies changes occurred in selected policy areas • Evidence that CSOs have been substantially engaged in policy dialogue • Evidence that CSOs contributed to policy change in selected policy areas • Evidence that CSOs are holding government to account for the implementation of policies • **Use Checklist 2!**
Results: 12. How effective are the CSOs in achieving their own specific **policy objectives?**	• Evidence that CSOs achieve their stated policy objectives • Cases where CSOs failed to achieve their objectives (and why)
Results: 13. What were the **unexpected results** of policy dialogue?	• Evidence that CSOs have achieved results beyond their stated policy objectives
Enabling and disabling factors: 14. What are the **factors** influencing whether CSOs engage in policy processes or not? Why are some CSOs who – given their constituency and profile could engage in policy work – not doing so?	• Key factors (drivers, breakers) influencing CSO engagement in policy processes • Practices that have enabled CSO outcomes in policy dialogue

Evaluation questions	Indicators (specific *evidence required*)
Enabling and disabling factors: 15. What are the main **enabling and disabling factors** that affect the relevance and effectiveness of CSOs in policy dialogue, both in general and in relation to CSOs own goals and objectives? (E.g. what role do aspects of the enabling environment, CSO capacity, resource constraints and degree of networking play?)	• Analysis of enabling and constraining factors affecting CSO strategies and results • **Use Checklist 4!**
Level 4 – DP support on policy dialogue (country level)	
DP support: 17. How responsive are DP strategies to the priorities of the CSOs and what role did this play in the effectiveness of CSOs?	• Lessons (and examples) on responsive support; lessons (and examples) on responsive support: what worked and what didn't?
DP support: 18. What value do specific support strategies add? In particular, what value does support provided through different channels (Northern CSOs, local CSOs) add? What value does DP engagement in policy dialogue add?	• Whether DP strategies support diversity of CSOs • Whether DP strategies support learning, innovation and focus on results • Whether partnerships with Northern CSOs provide opportunities for networking, dialogue and information sharing?
DP support: 8. What is the relevance of **DP support** vis-à-vis CSO priorities on policy dialogue? 8.1 What do DPs perceive as the main needs of CSOs, particularly in relation to policy dialogue? 8.2 To what extent has DP support been driven by CSO demands? 8.3 To what extent does DP support respond to changing conditions for policy dialogue? To what extent is DP support informed by sound contextual analysis? 8.4 To what extent do DPs pursue their priorities through support of CSO engagement in policy dialogue (whose agenda)? Or where relevant: do what extent do Northern CSOs pursue their agenda through cooperation with local partners (who sets the agenda)?	• Whether DP support is aligned to CSO priorities (priorities evidenced through CSO internal strategies, planning and communication) • Whether DPs are responsive to CSOs demands • Evidence of DP analysis and response to changing framework conditions • Cases where CSO priorities changed in response to DP support • Whether DPs (or Northern CSOs) pursue their strategic priorities through CSO support in policy dialogue
DP support: 16. To what extent have **DP support strategies** addressed the enabling and constraining factors that CSO face?	• Evidence that DP strategies have addressed those enabling and constraining factors

Annex D Persons Met

CASE STUDY 1 GOVERNANCE & ACCOUNTABILITY, ANTI-CORRUPTION

CSOs

Robinah Kaitiritimba, Executive Director, Uganda Network of Health Users/ Consumers Organisation (UNHCO)
Gilbert Musnguzi, Capacity Building officer, Anti-Corruption Coalition Uganda (ACCU)
Patrick Tumwebaze, Executive Director, Uganda Debt Network
Justus Rugambwa, Executive Director, Development Network of Indigenous Voluntary Associations (DENIVA
Fred Mwesigye, Executive Director, FENU
Richard Ssewakiryanga- Executive Director, National NGO Forum
Arthur Bainomugisha, Director, Research, ACODE
Benson Ekwe, Executive Director, Public Affairs Centre Uganda
David Okello, Project officer, Teso Anti-Corruption Coalition
Oriokot Francis, Ag. Programme Director, Teso Anti-Corruption Coalition
Kiyai Jane, Programme Officer. Teso Anti-Corruption Coalition
Okello Amos, Project Officer, TEDDO, Soroti

Government

Hon. Kassiano E. Wadri, Chairperson, Public Accounts Committee, Parliament of Uganda
Angela Bafokuzara, Deputy Director, Ethics Education, Directorate of Ethics and Integrity
Smith Byakora, Principal Inspectorate Officer, Inspectorate of Government
Ongetho Poul Maxwell, Director, Corporate Support Executive, Office of the Auditor General
Sulaiman Kiggundu, Principal Economist, Parliamentary Budget Office, Parliament of Uganda
Monica Mudondo, Technical Monitoring Officer, Ministry of Finance, Planning and Economic Development
Dr. Francis Runumi\Commissioner, Health Policy Planning, Ministry of Health
Godfrey Arnold Dhatemwa, Commissioner, Education Planning Department, Ministry of Education

DPs

Sam Kajoba, Senior Programme Officer, Royal Norwegian Embassy
David Okello, Programme Officer, (Voice and Accountability), Democracy Governance Facility
Cate Najuma, Programme Executive, Irish Aid
Daniel Muwolobi, Governance Advisor, Irish Aid

Local Government
Dr. Okadhi Charles Stephen, District Health officer, Soroti District
Etoyu Michael, District Education Officer, Soroti District
James Acela, Chairperson LC3, Soroti
Ojur Paul, Vice-Chairperson, Soroti District
Grace okello Sec. Community Based Services
Aceng Theopista, Assistant Community Development Officer, Lira Sub-County
Mr. Abwola Jasper, Senior Education Officer, Lira District Local Government
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CASE STUDY 2 GENDER BASED LEGISLATION

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Simon Opado Otija, Vice Chairperson & Secretary for Children Women & Youth

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Catherine Imede, Soroti Catholic Diocese Integrated Development Organisation
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Esther Ilenyo Omiat, Teso Women Peace Activists
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Annex F Case Study Process and Tools

Topic Guide for Uganda Country Case Studies (February 2012); based on Evaluation Framework (revised Nov. 2011) for Study of Civil Society Engagement in Policy Dialogue

	Study questions	Indicators (specific *evidence required*)
	ENABLING AND DISABLING ENVIRONMENT	
1	**Enabling environment** for CSO engagement in policy dialogue and key changes over the past five years within case study countries	
	1.1 How would you describe the legal, political and financial freedoms of CSOs at the present time (in relation to this case study)?	• Analysis of factors that contribute to CSO effectiveness in the country context
	1.2 How have they changed over the last five years?	• Changes of the last five years
	1.3 How does the relationship between Government and civil society work in practice – including the power dynamics at play for this case study?	• Analysis of power relations and how these affect the space for policy dialogue
	Note: Use this section to explore concept of invited/ uninvited space etc.	
	1.4 How this has changed over the last five years?	
	1.5 What are the key factors determining the enabling environment in relation to (this case study)?	
2	**Enabling and disabling factors affecting whether CSOs engage in policy dialogue**	
	2.1 What are the **factors** influencing whether CSOs engage in policy processes or not?	• Key factors (drivers, breakers) influencing CSO engagement in policy processes
	2.2 Why are some CSOs NOT engaging in policy dialogue work (given their constituency and profile)?	• Practices that have enabled CSO outcomes in policy dialogue

	Study questions	Indicators (specific *evidence required*)
	CSO EFFECTIVENESS	
3	**Accountability and Legitimacy:**	
	Explore the question; to what extent is CSO engagement in policy dialogue supported by their mandate in this sector/case study?	
	3.1 Whose interests do CSO engaged in policy dialogue represent? Who are the constituents in this case study? 3.2 How do you obtain legitimacy to work in this sector? 3.3 To what extent are CSOs' political demands supported by "numbers" (size of constituencies)? 3.4 To what extent are you (as CSOs engaging in policy dialogue) accountable to your constituencies? 3.5 How transparent are your CSO procedures and operations? Evidence. 3.6 What are the feedback mechanisms? What evidence to support this?	• Whether the CSOs' mandate supports engagement in policy dialogue • Whether there the CSOs are accountable to their constituencies on their engagement in policy dialogue • Whether the CSOs have established feedback mechanisms with their constituencies • Whether CSOs have the "critical mass" to support their political demands • Whether CSOs present the interests of poor and marginal groups

	Study questions	Indicators (specific *evidence required*)
	RESULTS AND OUTCOMES (Process outcomes, policy changes and policy outcomes):	
4	Explore how effective are the CSOs in asserting **influence** on Gvernment (at national and district level) through policy dialogue? Use the POLICY CYCLE Tool to capture responses at different stages	
	4.1 List and describe current policy dialogue activities/ events (a) this year, and (b) over past five years activities by the three main policy cycle stage (as in Scoping Study): • Policy formulation • Policy implementation • Monitoring & Evaluation/lesson learning Note: A policy dialogue activity could cover more than one stage. 4.2 Formulation: What role has the CSO played in defining the shape and content of the policy (e.g. policy briefs) 4.3 How effective has the CSO been in influencing policy change? Provide evidence. 4.4 Implementation: How effective is the CSO on influencing the implementation of policies? 4.5 How has this been achieved? What has been achieved? What results? 4.6 Monitoring: How effective is the CSO at monitoring and evaluating the implementation of the policy? 4.7 And what has been achieved? Provide evidence. 4.8 How effective is the CSO in holding government accountable for policy implementation? 4.9 What were the **unexpected results** of policy dialogue?	• Extent to which policies changes occurred in selected policy areas • Evidence that CSOs have been substantially engaged in policy dialogue • Evidence that CSOs contributed to policy change in selected policy areas • Evidence that CSOs are holding Government to account for the implementation of policies
5	**Achievement of CSO's own policy objective**	
	5.1 Do you have a Strategy document which sets out your CSO's objectives in terms of engaging in policy dialogue? 5.2 How effective is the CSO in achieving its own specific **policy objectives?** Note: Obtain copy of Strategic plan and related action plans etc.	• Evidence that CSOs achieve their stated policy objectives • Cases where CSOs failed to achieve their objectives (and why)

	Study questions	Indicators (specific *evidence required*)
	DONOR PARTNER SUPPORT ON POLICY DIALOGUE	
6	**CSO perspective of DP support:**	
	6.1 What role did DP support play in making your policy dialogue more effectiveness? 6.2 Provide examples of support? What worked and what did not? 6.3 How responsive are DP strategies to your priorities? 6.4 What examples of policy dialogue activities which had NO donor support (both successful and not successful)?	• Lessons (and examples) on responsive support; Lessons (and examples) on responsive support: what worked and what didn't?
	6.5 What value do specific support strategies add? 6.6 In particular, what value does support provided through different channels (Northern CSOs, local CSOs) add?	• Whether DP strategies support diversity of CSOs • Whether DP strategies support learning, innovation and focus on results • Whether partnerships with Northern CSOs provide opportunities for networking, dialogue and information sharing?
7	**Donor perspective of DP support:**	
	7.1 What is the relevance of **DP support** vis-à-vis CSO priorities on policy dialogue? 7.2 What do DP perceive as the main needs of CSOs, particularly in relation to policy dialogue? 7.3 To what extent has DP support been driven by CSO demands? 7.4 To what extent does DP support respond to changing conditions for policy dialogue? To what extent is DP support informed by sound contextual analysis? 7.5 To what extent do DPs pursue their priorities through support of CSO engagement in policy dialogue (whose agenda)? Or where relevant: do what extent do Northern CSOs pursue their agenda through cooperation with local partners (who sets the agenda)?	• Whether DP support is aligned to CSO priorities (priorities evidenced through CSO internal strategies, planning and communication) • Whether DPs are responsive to CSOs demands • Evidence of DP analysis and response to changing framework conditions • Cases where CSO priorities changed in response to DP support • Whether DPs (or Northern CSOs) pursue their strategic priorities through CSO support in policy dialogue
	DP support and Enabling factors 7.6 To what extent have **DP support strategies** addressed the enabling and constraining factors that CSO face?	• Evidence that DP strategies have addressed those enabling and constraining factors

Annex G Typology of CSO Engagement in Policy Dialogue

Checklist 1 Typology of CSO engagement in policy dialogue

Typology of CSO engagement in policy dialogue (as used during scoping studies)	Questions for case study analysis
Direct & formalised dialogue • Advocacy and campaigning • Participation in sector or PRSP planning • Monitoring, reporting, social accountability • Evidence-based studies and research **Direct & informal dialogue** • Ad-hoc communication at central level • Ad-hoc communication at local level • Insider lobbying • Networking and coalition building • Demonstrations and mass action • Policy analysis and debate **Indirect contribution to dialogue** • Information, education and training • Projects piloting innovative practices • Community mobilisation for feedback and advocacy **No dialogue** • Community mobilisation for policy implementation (no feedback mechanisms included) • Service delivery	How effective are these strategies on their own and in combination to achieve policy change? Relevant evaluation questions: EQ6, EQ11,

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Sida

Austrian Development Cooperation

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Synthesis report

Antonie de Kemp (IOB), Jörg Faust (DIE), Stefan Leiderer (DIE)

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Elisabeth Picard, Viorica Craievschi Toarta, Ovidiu Voucu

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2013:1 Joint Evaluation of Support to Civil Society Engagement in Policy Dialogue

Synthesis report

The evaluation is commissioned by members of the Development Group on Civil Society and Aid Effectiveness, comprising three development partners; Austrian Development Cooperation (ADC), Danish International Development Assistance (Danida) and Swedish International Development Cooperation Agency (Sida). They have commissioned on behalf of a larger group of bilateral development partners including Canadian International Development Agency (CIDA), Ministry of Foreign Affairs of Finland and Swiss Agency for Development Cooperation (SDC) which support the evaluation through their participation in a Reference Group, which also includes Open Forum and BetterAid.

2013:2 Joint Evaluation of Support to Civil Society Engagement in Policy Dialogue Uganda Country Report

Uganda Country Report

The evaluation is commissioned by members of the Development Group on Civil Society and Aid Effectiveness, comprising three development partners; Austrian Development Cooperation (ADC), Danish International Development Assistance (Danida) and Swedish International Development Cooperation Agency (Sida). They have commissioned on behalf of a larger group of bilateral development partners including Canadian International Development Agency (CIDA), Ministry of Foreign Affairs of Finland and Swiss Agency for Development Cooperation (SDC) which support the evaluation through their participation in a Reference Group, which also includes Open Forum and BetterAid. Commissioned by Sida, Danida and AfDB

Support to Civil Society Engagement in Policy Dialogue - Uganda Country Report

The Joint Evaluation of Civil Society Engagement in Policy Dialogue commissioned by six international development agencies (Austria, Canada, Denmark, Finland, Sweden and Switzerland) was carried out in the period May 2011 to August 2012. The evaluation focuses on the effectiveness of civil society organisations (CSOs) in policy dialogue.
The overall purpose is lesson learning for Development Partners (DPs) in terms of how best to support CSOs in the area of policy dialogue. The purpose of the case studies is to provide in-depth analysis of how CSOs engage in policy dialogue, what outcomes they have achieved and what factors have contributed to them. This report presents the results of the Uganda Country Study, with the main period of fieldwork carried out in two phases September 2011 and February-March 2012. The country study was guided by the overall methodological framework provided for this evaluation.

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