



25 Billion Spent But No Water:

An Information Request
Brings Clean Water to
Communities





Nebbi and **Pakwach** districts can now access safe drinking water and make use thanks to their Social Accountability Icon: **Jerry Kasamba.**

In 2015, the government of Uganda injected sh25 billion in the Alwi dry corridor water project in an effort to improve access to water in 10 sub counties of Nebbi and Pakwach districts. This was an initiative by The Ministry of Water and Environment to supply water to the people of Nebbi and ensure sanitation in the area but this has since failed to be realised in 2018. The project was designed to benefit the people of Nebbi and Pakwach through gravity flow scheme after Vambeco, the contractor handing it over to ministry of Water last year. It was then handed over to Northern umbrella for water and sanitation but their operations failed to reach peoples' expectations of increased water connections in various villages.

Luckily enough for the two districts, mid-2018, the Africa Freedom of Information Centre (AFIC) with support from the Democratic Governance Facility (DGF) under a project 'Improving social service delivery to citizens through open contracting in Uganda' which was intended to improve the livelihood of citizens based on open contracting; community members and members of the civil society were trained on their right to information, access to that information, open contracting and other accountability mechanisms. Community members were also encouraged to file information requests should on key issues they need clarity on regarding service delivery.

It is from these trainings that Kasamba, the motivator at Nile Dove, a civil society organization based in Nebbi district, filled a request to Nebbi District to access the information on the water project. Throughout this story, we share the story of boldness and how the use of the right to access to information has been harnessed to improve service delivery and overall social accountability.

Alwi Dry Corridor Water Supply

The Alwi Dry Corridor Water Supply was deemed problematic because despite the commissioning of the project, it was yet to deliver water to intended beneficiaries.

"This project started in 2015, when the Government of Uganda earmarked sh25billion for the Alwi Dry Corridor Water project in an effort to improve access to water in the 10 sub-counties of Nebbi and Pakwach districts," said Kasamba about the project that is being implemented in the area he calls home.

The Alwi Dry Corridor Water project was an initiative of the Ministry of Water and Environment to supply water to the people of Nebbi and Pakwach pumped out of the Nile, transported to reservoirs and then let out to the end users. It was also meant to ensure sanitation in the area, however, the facility could not operate at optimum capacity.

The project was designed to benefit the people of Nebbi and Pakwach through the gravity flow scheme after VAMBECO, the contractor, handed it over to the Ministry of Water and Environment, in 2017. The

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water ministry then also handed the project over to the Northern Umbrella for Water and Sanitation, but their operations failed to reach peoples' expectations of increased water connections in the affected villages.

Having handed over the facility, communities noted that there was an intermittent water supply immediately after construction and handover in 2017. The project had multiple defects – with broken pipes resulting in leakages and water outflows – due to a poor design and construction. More so, over 300 paid-up water users in Parwath, Payera Okio, Oweko Centre and Payera Ayei villages in Ndhew sub-county had not been connected to water the supply after two years. Generally, the high costs of water made it difficult for the rural communities of Alwi to benefit from the water that had its pipes planted in their land. It is against this background that Kasamba filled an information request.



Kasamba had been one of the beneficiaries of the trainings conducted by the Africa Freedom of Information Centre (AFIC) organised with support from Democratic Governance Facility, (DGF) that was held in October 2018. The training covered Access to Information (ATI) and Open Contracting.

Uganda has an Access to Information Act (ATIA), 2005 but the implementation of this law has been very poor. Lack of access to information has largely been due to lack of political will to reform and implementation of the existing legal framework on access to information, lack of technical capacity of the public servants to implement the law and lack of awareness and capacity of the citizens to demand and use the law to demand for information on public procurement. Limited access to information has exacerbated problems of ghost projects, corruption, collusion, cost escalation, delays and conflict in contracting all of which undermine value for money. The implementation plan for ATIA was made in 2008 and was only valid for five years. Though it was not implemented, the plan has not been renewed. Information officers have not been trained on the ATIA, chief administrative officers (CAOs) at the district level do not have an in-depth understanding of the ATIA, making them less helpful to information officers.

There is always need to provide technical skills and recommendations to procuring entities at district level to strengthen their capacity on implementing the law. There is also limited level of enforcement from the Parliament which do not provide incentive for public institutions to implement the legal framework. Lack of implementation of the law results in limited proactive disclosure and limited responsiveness of public entities towards citizens' information requests. Although there is no specific policy on open contracting in Uganda, the political environment and national priorities support advocacy efforts around open contracting.

Therefore AFIC interested itself in ensuring that citizens and government officials are trained and their capacity built to engage proactively in the process of demanding and supplying services effectively and ensuring value for money. These trainings have enabled several civil society agencies, community monitors and ordinary citizens to understand their right to access information and therefore engage their leaders to provide that information. The government leaders have also been able to appreciate the value of disclosure and engaging citizens in all processes of contracting and displaying information.

The information Request

"The information I requested was about the Alwi Dry Corridor Water Project Feasibility Study and Design of Piped Water Supply Scheme covering Nebbi, Ndhew, Nyaravur, Alwi, Panyimur, Wadelai & Kucwiny Sub Counties in Nebbi district.

"I also requested for the sketch layout of Alwi Dry Corridor Gravity Flow Scheme – locating the reservoir tank and all the taps in the sub counties and Access to Safe Water & Functionality of Facilities as per June 30, 2018 for all the above sub counties," he said.

The information was indeed granted partially and the following was accessed: Water sector policy priority for FY 2018/19 and 2019/2020, the Budget Framework Paper for FY 2018/19 and proposed 2019/2020 and the Access to Safe Water and Functionality of the Facilities as at June 30th , 2018 for the 8 sub counties of Nebbi, Kucwimy, Nyaravur, Parombo, Akworo, Erussi, Ndhew & Atego.

The Goli Border Market Infrastructure Project

Kasamba also received information concerning the border market at Goli.

Named the Great Lakes Trade Facilitation project, the Goli Border Market Infrastructure project in Nebbi district was the other problematic area that Kasamba filed an information request seeking information about the status

of the project. This project is funded by the World Bank Group.

"The Ministry of Trade, Industry and Cooperatives (MTIC) in collaboration with other Government agencies are implementing the Great Lakes Trade Facilitation (GLTF) project focusing on improving regional infrastructure with the aim of removing border constraints to regional trade.

"The Project Development Objective is to facilitate cross-border trade by increasing the capacity for commerce and reducing the costs faced by traders, especially small-scale traders and women, at targeted locations in the borderlands with the Democratic Republic of Congo (DRC)," said Kasamba.

The GLTF project consists of four components: (1) Improving core trade infrastructure and facilities in the border areas, (2) Implementation of Policy and Procedural Reforms and Capacity Building to Facilitate Cross Border Trade in Goods and Services (3) Performance Based Management in Cross Border Administration and (4) Implementation support, Communication, Monitoring and Evaluation.

Of the total of \$79 million from the World Bank, the allocation to the Government of Uganda is \$10million. The counterpart funding from the Government of Uganda is \$3million.

The Border post/ market infrastructure is the largest component of the project and is estimated to cost about 70% of the total budget. Improvements to core infrastructure and facilities will be implemented under two sub-components, one on improving border infrastructure and facilities and the second on establishing border markets.

"Due to what appears to have been a delayed acquisition of a 200-acre piece of land, the project, Goli Border Market Infrastructure in Nebbi District Local Government, was on hold, we were on the verge of losing it to another area if we had not cleared up our act," said Kasamba.

Kasamba says he requested for the information about the arrangements and Environmental and Social Management Frameworks for the project as well as the Budget Estimates for the GLTF Project and the steps the district had taken to procure the said land.

The information request was granted by the Trade and Industry Ministry and he was able to access the Implementation arrangements for the project and ESMF, the Budget Estimates for the GLTF Project, the Environmental and Social Management Framework for Border Post/Market Projects, the Potential Socio-Environmental Impacts of the Border Post/Market infrastructure Component of the GLTF project and the Resettlement Policy Framework.

He also accessed the Potential Land Acquisition and Affected People's list and the Land Asset Classification, Valuation and Compensation. These were key documents that the officers at Nebbi district had never received or at least claim not to have seen before.

In both cases, the Alwi Dry Corridor water project and the Goli Border Market Infrastructure, the requester, with the support of AFIC prepared a policy brief entitled: Challenges to Service Delivery & Budget Transparency Initiatives – CSO Perspective. This brief was presented during the Nebbi District Budget Conference at the Nebbi district council hall on November 9, 2018.

“Another CSO meeting with the RDC - Nebbi Mr. Labeja Bob Williams and his deputy Ms Adiango Rachel was held on November 19, 2018 in the RDCs office. This meeting discussed challenges and joint strategies for improving service delivery, procurement and monitoring of government programmes and projects,” narrated Kasamba.



One of the engineers from ministry of water explains how the affected water to Oweko can be addressed

Actions taken by government

The RDC resolved to keep providing all required information about government projects, programmes and budgets to CSOs, the Government and CSOs also resolved to adopt a joint monitoring approach and sharing of information. In this regard, the RDC and DRDC shared their phone numbers and e-mail with the members of the CSOs.

The District Water Officer also assured members present that the meter readers would be trained/re-trained on proper meter reading and VAMBECO was recalled to correct the defects.

A list of names of paid up customers, but without water supply was shared with the recommendation that they be connected to the water supply as soon as possible was made.

“At a key stakeholders meeting held on November 15, 2018 with the National Water and Sewerage Corporation (NWSC) Managing Director (MD) – Dr. Silver Mugisha, a CSO member, Hon. Paska Acaye presented the water advocacy issues and this caused Dr. Mugisha to direct that sh.1million be given to Paska Acaye to procure a bicycle to help her undertake routine checks and reporting of leaks/defects. Dr. Mugisha also directed that water from NWSC public booths be sold at only sh50 and anybody found selling above this price should be reported to the relevant authorities.

NWSC was ready to take over the management of Alwi Dry Corridor Water Project as soon as all the legal restrictions had been resolved and water users and leaders were asked to officially request in order to avoid legal hurdles as was the case with Parombo.

What do we learn from Kasamba's story?

It was learned that information requests gave the citizens the confidence to provide well-structured and comparative based feedback on public procurement issues, feedback was useful to government entities and it was considered for redress, the media play an important role in reporting on citizens' issues and feedback which amplified advocacy effort for government action and local government stakeholders are key influencers to provide feedback to the district and central government institutions.

"Such cases built trust between civil society and government official to invest time and effort in joint monitoring of public procurement activities," stated Kasamba.

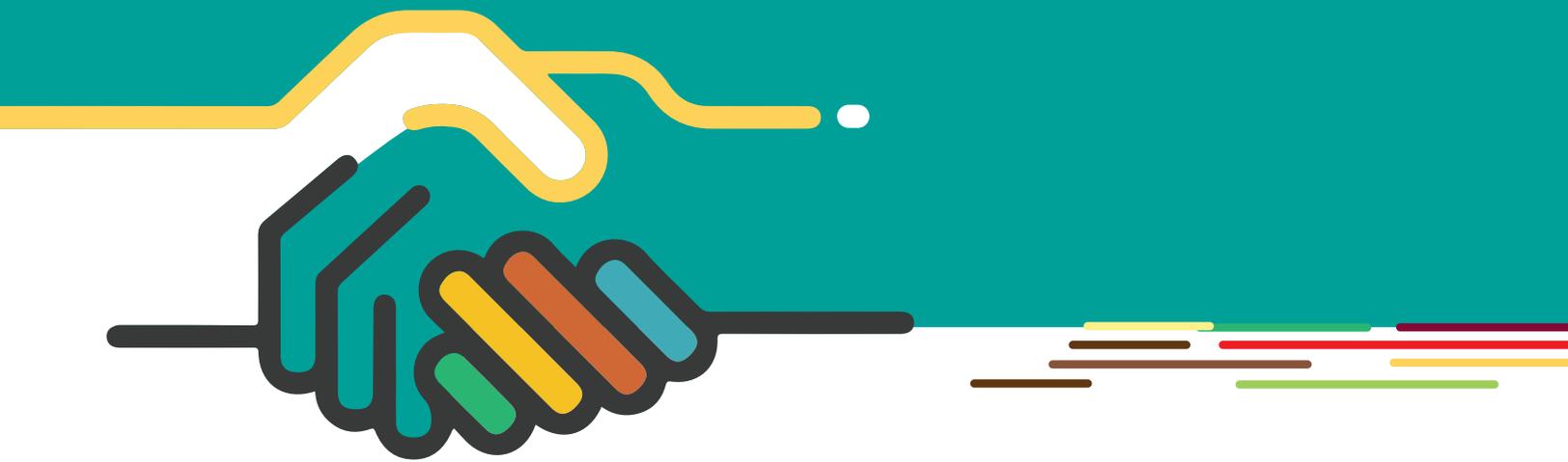
In the case of the Goli Border Market Infrastructure, a district resolution to earmark 500 acres of land for Goli Cross-Border Market was passed by the District Council. CSOs in Nebbi are still engaging the District with more proposals like the need to conduct a quick on-spot service survey to ascertain current water users satisfaction level with requirements for rural water supply system of ACDWSP in regard to: adequacy of water quantity; convenience; and, reliability; to work together with the district leadership of Pakwach and Nebbi – as well as the sub county leaders and water board members – to undertake a Water Users Signature Mobilization and Petition to Ministry of Water and Environment, Directorate of Water Development and Natural Resources, Committee of Parliament – requesting NWSC to take over management of ADCWSP as requested by the MD – NWSC Mr. Silver Mugisha. More so, for the District Chairpersons LC V of Nebbi and Pakwach can spearhead this process – with full support of the RDCs, AFIC and other CSOs.

Nebbi district leaders are required to critically study the Resettlement Policy Framework and Land Asset Classification, Valuation and Compensation Guidelines for the

Project and follow through accordingly especially in regard to; Understanding World Bank safeguards policies, Compensation of affected persons due to land acquisition and displacements, Land asset classification, valuation and compensation and Preparation and implementation of the RAPS.

Also, Nebbi district is to work with the GLTF Steering Committee and Technical Working Group to come up with a clear, detailed budget estimates and earmarked land compensation – including for all project affected persons.

Indeed with more icons like Kasamba, citizens have hope that service delivery will be effective and there will be value for money from what government and development partners spend. His story helps us understand that information requests give the confidence to citizens to provide well-structured and comparative based feedback on public procurement issues and that feedback is useful to the government entities and are considered for redress actions. The media in all its forms plays an important role in reporting on citizens' issues and feedback which amplify advocacy effort for government action. Moreso, local government stakeholders are key influencer to provide feedback to the district and central government institutions. This case indeed built trust between civil society and government official to invest time and effort in joint monitoring public procurement activities.



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