

**Examining accountability mechanisms in
development projects of Ugandan NGOs:
Comparing the merits of self-regulation,
government regulation and community monitoring**

Ronelle Burger and Trudy Owens

Uganda is an apt application for work on accountability as the government has recently passed a law that will allow it to regulate and audit the sector. At the same time, the main players in the NGO sector have been incited by the government's allegations of widespread corruption in the sector and the associated decline of the sector's reputation to devise an accreditation system for NGOs in an effort to boost the credibility of the sector. The aim is to implement the accreditation system – provisionally named the Quality Assurance Certification Mechanism – at the start of 2008 (Nyanzi, 2007).

The government's attempts to expand its influence over the sector have been prompted by fears of terrorism and reported cases of corruption and opportunistic behaviour in the NGO sector (Kwesiga, 2007; Mohammed, 2007; Wamimbi, 2007). According to the new NGO Registration Amendment Act 2006 a government appointed committee will be able to issue and revoke permits to NGOs (NGO Registration Amendment Act 2006, 2006). Without a permit an NGO will not be able to operate legally. Although the criteria for revoking a permit are not necessarily unreasonable, NGOs are concerned about the ambiguity and fuzziness of the formulation of the legislation (Kwesiga, 2007). Coupled with the lack of recourse to the independent judiciary (those whose permits have been refused can only appeal to the Department of Internal Affairs itself), this is fuelling NGO sector fears that the government may abuse the new legislation to threaten and muffle critical voices (Mohammed, 2007; Nyanzi, 2007).

The NGO sector's fears may not be unfounded: the lack of NGO representation on the decision making committee and the inclusion of representatives from the internal and external security agency have raised suspicions about the government's intentions. Furthermore, there have recently been a number of reports of heavy-handed treatment of NGOs by the government prior to the introduction of this act. Such reports included a government initiated law suit to shut down an NGO associated with one of the opposition parties and a number of early morning security agency raids on NGO offices (*New Vision*, Kwesiga, 2007).

It is plausible that the rapid expansion of the sector along with its recent move into advocacy work could be perceived by the government as a threat to their own position. According to The World Bank estimates there were only 447 NGOs in Uganda by 1992 (1994:21), but at the beginning of 2007 there were approximately 7000 registered NGOs in Uganda according to NGO sector and government estimates. The government contribution to the sector's overall funding pool is relatively small (7% for Uganda vs. 22% for developing and transitional countries and 34% for all 34 countries), which means that it does not obtain much leverage over the sector as the holder of the purse strings.

It should also be noted that the recently observed rapid growth in the sector has followed a spell of high unemployment (Nyangabyaki et al., 2004). Additionally, the lure of this sector

may be stronger than in other countries with equally high rates of unemployment due to the relatively high amounts of private money flowing into this sector: Nyangabyaki et al. reports that Uganda's non-profit sector revenue is marked by an extraordinary high share of private donations, notably including foreign aid. Given these circumstances, it is unsurprising that Fafchamps and Owens (2006)'s empirical study of NGOs in Uganda finds little evidence indicating that NGOs in Uganda are primarily motivated by charitable purposes. While the Ugandan government may have mixed motives, there also appears to be empirical support for the government's concerns regarding corruption, deceit and opportunism in the sector.

In this context of these new developments the authors propose a theoretical model to compare the anticipated outcomes of the new legislation and the peer review accreditation system under a range of scenarios. In addition, the paper maps the incidence of upward and downward accountability in Uganda using representative surveys of the sector in 2002 and 2008.

References

- Fafchamps, M & Owens, T. 2006. Is International Funding Crowding Out Charitable Contributions in African NGOs?, February 2006. Mimeo.
- Kwesiga, J.B. & Namisi, H. 2006. Issues in Legislation for NGOs in Uganda. In Jordan, L & Van Tuijl, P. (eds.) *NGO accountability: Politics, Principles and Innovations*. London: Earthscan
- Kwesiga, J. B. 2007. Interview with Jassy Kwesiga (Director of Development Network of Indigenous Associations) on 13 June 2007.
- Mohammed, N. 2007. Interview with Ndifuna Mohammed (National Coordinator for the Human Rights Network) on 15 June 2007.
- Mukyala, E. 2007. Jinja RDC accuses NGOs of fraud. *New Vision*, 6 June 2007.
- New Vision. 2006. Put donors in the dock for Global Fund money. 15 November 2006.
- Nyangabyaki, B; D. Kibikyo, J-J Barya, S.W. Sokolowski & L.M Salamon. 2004. Uganda. In Salamon, L.M. & S.W. Sokolowski (Eds). *Global Civil Society: Dimensions of the Non-profit Sector, Volume 2*. Bloomfield: Kumarian Press.
- Nyanzi, D. 2007. Interview with Deo Nyanzi (Programme Officer for the Ugandan National NGO Forum) on 14 June 2007.
- Ocowun, C. 2007. Acholi MPs probe NGOs. *New Vision*, 12 June 2007.
- Wamimbi, R. 2007. Interview with Rosemary Wamimbi (Secretary of the NGO Registration Board) on 10 June 2007.