THE REPUBLIC OF UGANDA

GOVERNMENT’S EFFORTS TO
ACHIEVE GENDER EQUALITY

AS COORDINATED BY THE MINISTRY OF
GENDER, LABOUR AND SOCIAL DEVELOPMENT

A REPORT BY THE AUDITOR GENERAL

APRIL, 2013
10th June, 2013

The Rt. Hon. Speaker of Parliament
Parliament of Uganda
Kampala

VALUE FOR MONEY AUDIT REPORT ON GOVERNMENT’S EFFORTS TO ACHIEVE GENDER EQUALITY

In accordance with Article 163 (3) of the Constitution, I have undertaken a value for money audit on Government’s Efforts To Achieve Gender Equality and hereby submit this report.

My office intends to carry out a follow-up at an appropriate time regarding actions taken in relation to the recommendations in this report.

I would like to thank my staff (Mrs Achom Christine, Mr. Mbabazi Noel, Mr.Kawuki Tonny) who undertook this audit.

John F. S. Muwanga
AUDITOR GENERAL
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ABBREVIATIONS

CSOs  Civil Society Organizations
CEDAW  Convention on Elimination of all forms of Discrimination against Women
DGF  Democracy Governance Facility
EOC  Equal Opportunities commission
FGM  Female Genital Mutilation
GBV  Gender Based Violence
GFPPs  Gender Focal Point Persons
GIZ  Deutsche Gesellschaft fur international Zusammenarbeit
GMS  Gender Mainstreaming
ILO C:111  Discrimination (employment and occupation) convention 1958
ILO C:100  Equal remuneration convention1951
LGs  Local Governments.
MDGs  Millennium Development Goals
MoES  Ministry of Education and Sports
MoFPED  Ministry of Finance, Planning and Economic Development
MoGLSD  Ministry of Gender, Labour and Social Development
MoLG  Ministry of Local Government
MoPS  Ministry of Public Service
M&E  Monitoring and Evaluation
NDP  National Development Plan
NIMES  National Integrated Monitoring and Evaluation Strategy
NGOs  Non-Governmental Organizations
OPM  Office of The Prime Minister
BACKGROUND

The Auditor General is required under Article 163 [3] (a) of the Constitution of the Republic of Uganda to audit and report on the public accounts of Uganda and of all public offices, including the courts, the central and local government administrations, universities and public institutions of like nature, and any public corporation or other bodies or organisations established by an Act of Parliament.

The Auditor-General is also required under Section 13 (1) (b) of the National Audit, Act 2008, to conduct financial, value for money audits and other audits such as gender and environment audits in respect of any project or activity involving public funds.

Article 21(1) of The Constitution of the Republic of Uganda, 1995 (as amended), guarantees equality of all persons under the law in all spheres of political, social and cultural life and the enjoyment of equal protection by the law in all aspects. Gender Mainstreaming is a Government framework initiative for redressing gender imbalances that MoGLSD is mandated to spearhead and coordinate in all sectors.

MOTIVATION

Uganda recognizes gender inequality as a cause and consequence of poverty.\(^1\) The national Development Plan (NDP) identified gender inequality as one of the most binding constraints to growth in the country. Despite the NDP being engendered, glaring inequalities continue to exist among the population.

There are high dropout rates for girls (53.5%) and boys (46.5%) in primary education with a completion rate of 42% and 55% for girls and boys, respectively.\(^2\) There are also gender disparities in secondary enrolment of 45.9% girls and 54 % for boys while in tertiary institutions 43.1% girls were enrolled in comparison to 56.9% boys.

In Uganda, more women are employed as clerks (0.5%) than men (0.4%). Fewer women (1.6%) are engaged in market oriented agriculture than men (2.9%).\(^3\) On the whole, there are more women in low paid occupations than men. A report from the Gender and Productivity survey of the Uganda Bureau of Statistics (2008) states that 46% of all women in the labour force are unpaid and only 18% of men in the labour force are classified under the unpaid category. Furthermore, women representation in Parliament is 34.8% while the men represent 65.2%,\(^4\) which is an inequality in itself.

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2. CSO Alternative Report on Uganda’s implementation of CEDAW September 2010
3. CSO Alternative Report on Uganda’s implementation of CEDAW September 2010 page 28
In addition, whereas Uganda, which is a signatory to a number of regional and international declarations on gender mainstreaming, notably: The East African Community (EAC) Treaty (2000), The Millennium Declaration (2000), The Convention on Elimination of All Forms of Discrimination against Women (CEDAW, 1979), African Union (AU) solemn Declaration on Gender Equality in Africa (2003), the Beijing Declaration and Platform for Action (1995), has made efforts to implement these commitments by various sectors, but there are still imbalances caused by customs, practices.

It is against this background that the Office of the Auditor General deemed it necessary to undertake an audit to assess policies, legislation and other international commitments on gender and establish the role of MoGLSD in coordinating government efforts to achieve gender equality with a view to making recommendations to address the gaps.

KEY FINDINGS

1. According to the Uganda Gender Policy Section 9.0, the time frame for the implementation of the gender policy is 10 years (2007-2017) and a mid-term evaluation of the policy was to be carried out within the fifth year of implementation (2012) to assess the impact of the policy in redressing gender imbalances. It was observed that the Ministry had not carried out a mid-term evaluation of the policy to assess its impact in redressing gender imbalances.

2. It was noted that the Ministry of Gender had developed some guidelines, such as the gender budgeting guidelines and analytical tools for higher and lower local government and had also supported the development of Sector-specific guidelines for the Ministries of Local Government and Public Service. However, the Ministry had not finalised generic gender mainstreaming guidelines from which sector specific guidelines are premised.

3. It was observed that although the Ministry of Local Government, in collaboration with MoGLSD, had developed a gender mainstreaming tool for monitoring Local Governments, the MoGLSD did not develop a nationwide gender monitoring tool for integration within the National Integrated Monitoring and Evaluation Strategy. This rendered monitoring of gender mainstreaming across government institutions difficult.

4. Through interviews with management, it was noted that MoGLSD participated in the ratification of The Convention on Elimination of all forms of Discrimination against Women (CEDAW); Equal Remuneration Convention, 1951 (No. 100); and Discrimination
[Employment and Occupation] Convention, 1958 (No. 111) and the process of their ratification followed the due process. However, MoGLSD did not archive any documentation as regards the ratification process of these gender related treaties and international conventions.

5. It was noted that of all filled Government jobs, only 33% of the positions were held by women while 67% of them were occupied by men. In addition the composition of women in different occupations still remains low. Men dominate the Political and specified officers (88%) and administration (82%). Furthermore, men dominate the technical fields such as Engineering and works with over 94% male, accounts (73%), Audit (80%) and Survey & Architecture (77%) while there are more women in the care fields such as Secretarial (92%) and Housekeeping (55%).

**KEY RECOMMENDATIONS:**

1. The Ministry of Gender should prioritize the review of the policy in accordance with Section 9.0 of the Uganda Gender Policy.
2. The Ministry should expedite the approval of generic guidelines for Gender Mainstreaming as required by the Uganda Gender Policy.
3. MoGLSD should prioritize the development of gender indicators for incorporation into the National Integrated Monitoring and Evaluation Strategy.
4. MoGSLD should endeavour to obtain and keep copies of all gender related treaties ratified by Government, and all documentation relating to their ratification.
5. MoGLSD should liaise with MoPS and MoES to setup strategies to ensure that the education system and affirmative action result in qualified women in the needed job categories to ensure equal access to employment for both women and men.
INTRODUCTION

1.1 BACKGROUND
The Auditor General is required under Article 163 (3) (a) of the constitution of the Republic of Uganda to audit and report on the public accounts of Uganda and all public offices, including the courts, the central and local government administrations, universities and public institutions of like nature, and any public corporation or other bodies or organisations established by an Act of Parliament. The Auditor General is also required under Section 13 (1) (b) of the National Audit, Act 2008, to conduct financial, value for money audits and other audits such as gender and environment audits in respect of any project or activity involving public funds.

Article 21(1) of The Constitution of the Republic of Uganda, 1995 (as amended), guarantees equality of all persons under the law in all spheres of political, social and cultural life and the enjoyment of equal protection by the law in all aspects. Uganda’s commitment to gender equality is therefore embedded in its most supreme law. Gender Mainstreaming is a government framework initiative for redressing gender imbalances that MoGLSD is mandated to spearhead and coordinate in all sectors.

1.2 MOTIVATION
Uganda recognizes gender inequality as a cause and consequence of poverty.\(^6\) The NDP identified gender inequality as one of the most binding constraints to growth in the country. Despite the NDP being engendered, glaring inequalities continue to exist among the population.

There are high dropout rates for girls (53.5\%) and boys (46.5\%) in primary education with a completion rate of 42\% and 55\% for girls and boys, respectively.\(^6\) There are also gender disparities in secondary enrolment of 45.9\% girls and 54 \% for boys while in tertiary institutions 43.1\% girls were enrolled in comparison to 56.9\% boys. However, access by girls to education at all levels is still underpinned by the socio-cultural beliefs and practices which still favors boys’ education to that of girls.

In Uganda more women are employed as clerks (0.5\%) than men (0.4\%). Fewer women (1.6\%) are engaged in market oriented agriculture than men (2.9\%).\(^7\) On the whole there are more women in low paid occupations

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\(^6\) CSO Alternative Report on Uganda’s implementation of CEDAW September 2010

\(^7\) CSO Alternative Report on Uganda’s implementation of CEDAW September 2010 page 28
than men. In fact a report from the Gender and Productivity survey of the Uganda Bureau of Statistics (2008) states that 46% of all women in the labour force are unpaid and only 18% of men in the labour force are classified under the unpaid category. Further still, Women representation in parliament is 34.8% while the men represent 65.2%, which is an inequality in itself.

In addition, Uganda is a signatory to a number of regional and international declarations on gender mainstreaming, notably: The East African Community (EAC) Treaty (2000), The Millennium Declaration (2000), The Convention on Elimination of All Forms of Discrimination against Women (CEDAW, 1979), African Union (AU) Solemn Declaration on Gender Equality in Africa (2003), The Beijing Declaration and Platform for Action (1995). Whereas efforts have been made to implement these commitments by various sectors, there are still imbalances caused by customs, practices and history.

It is against this background that the Office of the Auditor General deemed it necessary to undertake an audit to assess policies, legislation and other international commitments on gender and establish the role of MoGLSD in coordinating government efforts to achieve gender equality with a view to making recommendations to address the gaps.

1.3 DESCRIPTION OF THE AUDIT AREA

1.3.1 GENERAL DESCRIPTION

The Ministry of Gender Labour and Social Development (MoGLSD) and particularly the Directorate of Gender & Community Development is responsible for coordinating Government efforts on gender. To execute its roles, the Department uses two strategies to achieve gender equality: Gender and Development and Women in Development. These two strategies have been implemented through gender specific projects Female Genital Mutilulation and (FGM and GBV) and through mainstreaming gender issues in all government projects, programmes and policies.

Gender Mainstreaming is a Government framework initiative for redressing gender imbalances that MoGLSD is mandated to spearhead and coordinate in all sectors. However, since gender equality is a cross cutting principle across all sectors in the development arena, the implementation of gender mainstreaming is designed to be multi-sectoral. The MoGLSD has the overall responsibility of spearheading and coordinating the implementation of Gender mainstreaming in line Ministries, Departments and other Government Agencies.

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8 Parliament chart (2011 – 2016) - Public Relations and information office
9 The Uganda Gender Policy, 2007
1.3.2 REGULATORY FRAMEWORK FOR GENDER

The Constitution of the Republic of Uganda promulgated in 1995, under Article 21 guarantees equality of all persons under the law in all spheres of political, social and cultural life and the enjoyment of equal protection by the law in all aspects. Article 32 of the Constitution further provides for affirmative action in favour of marginalized groups, including women. Uganda is also a signatory to various international conventions and instruments relating to the promotion of gender equality. In addition, the Government has adopted both legal and non-legal strategies to promote gender equity. Furthermore, one of the objectives of the Local Government Act (Cap 243, Section 2c) is to establish a democratic, political and gender sensitive administrative setup in Local Governments.

The Land Act 1998, Section 27 also provides for the rights of women, children and persons with a disability regarding customary land while Section 39 restricts the transfer of land by family members without spousal consent. The National Women’s Council Act 1993, establishes the Women’s council charged with the duty of organizing the women of Uganda in a unified body and engaging the women in activities that are of benefit to them and the nation.

Furthermore the Uganda Gender Policy, 2007 gives a clear mandate to the Ministry of Gender, Labour and Social Development and other line ministries to address gender inequalities within their areas of mandate in order to attain gender equality and women’s empowerment.

The supporting framework for the implementation of Gender Mainstreaming is derived from: the National budget call circular requiring all sectors to mainstream gender in plans and budgets, National Development Plan (NDP) for 2010/11-2014/15, Millennium Development Goal (MDG) three on education which aims at achieving gender equality for all by 2015 and specific gender policies put in place by different sectors.

1.3.3 MOGLSD VISION AND MISSION

The Department of Gender and Women Affairs supports the mission and vision of MoGLSD which are as stated below:-

MoGLSD Vision is:
“A better standard of living, equity and social cohesion.”

MoGLSD Mission is:
“To promote gender equality, labour administration, social protection and transformation of communities.”

1.3.4 OBJECTIVES AND ACTIVITIES

Strategic Objectives of MoGLSD
The strategic objectives of the MoGLSD are to:
1. Enhance effective participation of communities in the development process;
2. Improve the well-being of vulnerable, marginalized and excluded groups;
3. Address gender and rights inequality and women’s empowerment in the development
4. Improve performance of social development institutions to coordinate, implement, monitor and evaluate the social development sector strategic plan at all levels.

1.3.5 ACTIVITIES OF THE DEPARTMENT OF GENDER AND WOMEN AFFAIRS

The Department of Gender and Women Affairs does the following activities:

- Develops and sets policies, guidelines, regulations and standards on matters of gender; and disseminates them to the various stakeholders.
- Carries out capacity building on gender, develops training and other gender reference materials for sectors and Local Governments.
- Carries out advocacy and networking of different structures (GBV, gender and rights), and national committees for International Women’s Day.
- Creates awareness among communities and the public on gender and rights issues.
- Carries out monitoring and evaluation of its activities.

1.3.6 ORGANIZATIONAL STRUCTURE

The MoGLSD conducts its functions and operations through three key directorates within its macro structure of: Gender and Community Development; Labour, Employment, Occupational safety and Health; and Social Protection. It also has four National councils namely: Youth, Women, Children and Disability; National Cultural Centre; National Library; Equal Opportunities Commission; Industrial Court and Uganda Foundation for the Blind. Four Ministers of State hold portfolios for these directorates under the leadership of one cabinet Minister of MoGLSD\(^\text{10}\).

The Directorate of Gender and Community Development has three departments: Gender and Women Affairs, Culture and Family Affairs, Community Development and Literacy. The promotion of Gender Mainstreaming efforts in the MoGLSD is done through the Department of Gender and Women Affairs.

1.3.7 FUNDING

The Department of Gender and Women Affairs is financed by Irish Aid, UN Joint Programme, GOU-UNFPA and Government of Uganda. 97% of the funding of the department is from Development Partners. Table 1 below shows the level of funding for the activities of the Department.

\(^{10}\) Refer to the MoGLSD Organizational Chart in the Appendix IV
Table 1: Funding for the Department of Gender and Women Affairs

<table>
<thead>
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<th>FUNDING SOURCE</th>
<th>FINANCIAL YEAR</th>
<th>Total</th>
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<tr>
<td></td>
<td>2009/10 Shs. '000</td>
<td>2010/11 Shs. '000</td>
</tr>
<tr>
<td>GOVERNMENT</td>
<td>85,500,000</td>
<td>42,750,000</td>
</tr>
<tr>
<td>Development Partners s</td>
<td></td>
<td></td>
</tr>
<tr>
<td>UN JOINT PROGRAMME</td>
<td>984,318,601</td>
<td>984,318,601</td>
</tr>
<tr>
<td>IRISH AID</td>
<td>-</td>
<td>645,740,092</td>
</tr>
<tr>
<td>UNFPA</td>
<td>1,407,351,545</td>
<td>1,076,661,707</td>
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<tr>
<td>Sub-Total (Donor)</td>
<td>1,407,351,545</td>
<td>2,706,720,400</td>
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<tr>
<td>Total</td>
<td>1,492,851,545</td>
<td>2,749,470,400</td>
</tr>
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Source: MoGLSD financial statements

1.4 AUDIT OBJECTIVE

The major audit objective was to assess the extent to which Government complied with policies, legislation and international commitments on gender.

Specific Audit Objectives

The specific audit objectives were:

- To evaluate the implementation of the Uganda Gender Policy.
- To assess the extent to which Government complied with international commitments on Gender.

1.5 SCOPE

The major focus of the audit was on compliance with gender related legislation, international commitments and the Uganda Gender Policy (UGP) 2007 as implemented by the Government of Uganda under the guidance of the Department of Gender and Women Affairs in the MoGLSD with case studies of EOC, MoPS, MoES, MoLG and selected Local Governments that included: Mukono, Masaka, Mbarara, Serere, Soroti, Wakiso, Mpigi, Luwero, Jinja, Iganga for the financial years 2009/10, 2010/11 and 2011/2012.
AUDIT METHODOLOGY

The audit was conducted in accordance with the International Standards on Auditing. The standards require that the audit should be planned in a manner which ensures that an audit of high quality is carried out.

2.1 SAMPLING
Since Gender Mainstreaming is a nationwide Government strategy, and the selected Ministries implement their activities all over the country, simple random sampling without replacement was used to select Ten (10) districts to form the sample for the study. MoPS and MoES were selected with the aid of judgmental sampling due to their relevance to the audit topic as case studies.

2.2 DATA COLLECTION
The following data collection methods were used in the audit:-

Document review
Document review was carried out with a purpose of understanding the legal mandate, general operation, performance and challenges faced by the MoGLSD and the other players in achieving compliance to gender mainstreaming policies, legislation and international commitments. The list of documents reviewed and the purpose for review is detailed in Appendix I.

Interviews
The audit team conducted 59 Interviews at the MoGLSD, MoES, MoPS, in Kampala and selected Local Governments as detailed in Appendix II to corroborate the evidence gathered through document review.
CHAPTER THREE

SYSTEM AND PROCESS DESCRIPTION

3.1 ROLES AND RESPONSIBILITIES OF KEY PLAYERS

Key players in the Ratification process:

Attorney General
The Attorney General issues a clearance certificate allowing Uganda to participate in the signature of a treaty, in case he/she does not see any negative legal implications.

Minister of Gender, Labour and Social Development
The Minister of Gender, Labour and Social Development convenes the inter-ministerial consultation meeting to discuss the merits, de-merits and obligations of a treaty before and after it is signed; s/he also participates in negotiation of the said treaties/Agreements and signs them on behalf of the Republic of Uganda.

The Minister also presents a Cabinet Memorandum to Cabinet or tables a motion in Parliament in accordance with S.2 (b) of the Act, seeking authorization to ratify a signed treaty, based on a recommendation from the Inter-ministerial committee.

Minister of Foreign Affairs
The Minister of Foreign Affairs ratifies a given treaty on behalf of the Republic of Uganda upon recommendation of Cabinet or Parliament as the case may be. S/He then deposits/exchanges the instrument of ratification.

Key players in the process of Gender Mainstreaming:

Ministry of Gender, Labour and Social Development (MoGLSD)
This is the primary Lead Agency tasked with handling gender issues and promoting gender mainstreaming in the country. It is charged with establishing appropriate mechanisms for coordinating gender mainstreaming at the different levels; providing technical support on gender mainstreaming to sectors, institutions, Local Governments, Civil Society Organizations and the private sector; setting standards, developing gender guidelines, disseminating and monitoring their operationalization; providing support to Gender Focal Point Persons, Sector Gender Working Groups and Local Governments with a view to improving their effectiveness; and coordinating the monitoring and evaluation of the Uganda Gender Policy and gender responsive development in the country.

Sector Ministries and Sector Working Groups
Ministries and Sector working groups are supposed to translate the Gender Policy into sector-specific strategies and activities; build capacity of staff in gender analysis, planning and budgeting; monitor and evaluate sector programmes for their impact on gender
equality; commit adequate resources for implementation of gender related activities; disaggregate data and information by sex and gender where applicable; and collaborate with MoGLSD on matters of gender mainstreaming.

Ministry of Finance, Planning & Economic Development
The Ministry of Finance, Planning and Economic Development (MoFPED) is supposed to mobilize, allocate and release resources for gender mainstreaming activities; ensure that the national planning framework (NDP) and all other national policies and sector investment plans are gender responsive; revise the national/local government planning and budgeting guidelines so that gender mainstreaming and gender targeted activities are given priority and visibility in budgets and are adequately funded; monetize the contribution of the care/domestic economy of women’s and men’s contribution in the national accounts; undertake gender audit of sector budgets; collect, document and disseminate gender disaggregated data and information where applicable (UBOS); ensure that growth and investment policies benefit both women and men; collaborate with MGLSD on matters of gender mainstreaming.

Ministry of Local Government
The duties of the Ministry of Local Government are to: ensure that the Local Government development plans, programmes and budgets benefit women, men, boys and girls; monitor gender mainstreaming in Local Governments to ensure that services benefit women, men, boys, girls, people with disabilities and people living with HIV/AIDS; collaborate with MoGLSD on matters of gender mainstreaming; ensure disaggregation of data and information on Local Governments by sex and gender, where applicable.

Higher and lower local Government, and administrative units
These should translate the Gender Policy into Local Government and administrative unit specific strategies and activities; build the capacity of staff and leadership in gender analysis, planning and budgeting; monitor and evaluate Local Government and other programmes for their impact on gender equality; commit adequate resources for implementation of gender related activities; disaggregate data and information by sex and gender where applicable; collaborate with gender and women’s empowerment organizations namely: Women Councils, CBOs and NGOs on matters of gender mainstreaming and women’s empowerment; enact gender specific laws and ensure that the by-laws enacted redress gender-based discrimination; institute and implement affirmative action measures.

Parliament
Parliament is supposed to establish appropriate mechanisms to monitor gender equality and equal opportunities; review ministerial policy statements and budget framework papers for their gender responsiveness; ensure that all legislation is free from gender based discrimination; monitor the implementation of international instruments that promote gender equality and women’s empowerment for example CEDAW; collaborate with MoGLSD on matters of gender mainstreaming.
Gender Focal Point Person
This is an official in a particular Ministry, Agency, Local Government or Government Department charged with ensuring that gender issues are incorporated (mainstreamed) at all stages of an entity’s operations. The Gender Focal Point Person reviews all plans and budgets for gender issues and implications, and monitors and evaluates the implementation and reporting.

MoGLSD Technical Personnel attached to Ministries
These are technical officers from the MoGLSD attached to each Ministry. Their role is to provide technical backstopping as and when required. They work closely with the Gender Focal Point Persons at all stages of the entity’s activities.

The District Council
This is the supreme body in a district. It is responsible for ensuring compliance of all district activities with government policy.

Accounting officer
Accounting officers at: the Ministry (Permanent Secretary), the District (Chief Administrative Officer) and Sub-county (Sub-county Chief) are the heads of administration and ensure that gender mainstreaming is done during planning, budgeting, implementation, monitoring and evaluation, and reporting.

Technical Planning Committee
This is responsible for review, consolidation and approval of all plans and performance reports received from user departments within the Ministry, Agency or District. It ensures that all plans and performance reports are made in line with the Gender Mainstreaming Guidelines.

The User Departments
The user departments include all the departments in the ministries, agencies, districts and the lower Local Governments which are the final consumers of goods and services. The users make and submit work plans (and also performance reports) to the Technical Planning Committee. They should ensure that these address gender concerns.

3.2 PROCESS DESCRIPTION

RATIFICATION PROCESS
The ratification process may be divided into 6 stages, two of which commence prior to the international adoption or conclusion of a treaty. The foundations of the ratification process are laid prior to the international negotiating process of a treaty. The first two stages outlined below provide the initial forum for the introduction of a proposed treaty to the Government departments which would be responsible for its implementation and as such form part of the ratification process.

1. Inter-ministerial consultations:
Consultations are convened by the Ministry responsible for the implementation of a proposed treaty, to analyse the purpose, draft text (if available) and any other salient features of a proposed treaty before the commencement of international negotiations. This is done within the framework of an adhoc inter‐ministerial committee composed of the stakeholders responsible for the implementation of the proposed treaty. At the conclusion of its deliberations the committee
may recommend Uganda’s participation in the international negotiating process and signature of a proposed treaty.

2. Clearance Certificate: The Ministry responsible for the implementation of a proposed treaty then submits the committee’s recommendation to the Attorney General, seeking approval for Uganda’s participation in the negotiating process and signature of the proposed treaty. The Attorney General’s Chambers consider the legal implications of Uganda’s possible membership of the proposed treaty. The Attorney General may issue a “Clearance Certificate” for participation and signature of the treaty.

3. International Negotiation: Upon receipt of the “Clearance Certificate” the line Ministry then proceeds to participate in the international negotiation process of the Agreement at the conclusion of which the authorized Government official signs the agreement on behalf of the Republic of Uganda.

4. Inter-ministerial consultations: The inter-ministerial committee meets again to evaluate the benefits and obligations that would arise from Uganda’s membership of the treaty and may recommend its ratification.

5. Cabinet/Parliament authorization: On receipt of the recommendation of the Inter-Ministerial Committee, the responsible Cabinet Minister, in accordance with S.2 (a) of the Ratification of Treaties Act Cap 204, presents a Cabinet Memorandum to Cabinet or tables a motion in Parliament in accordance with S.2 (b) of the Ratification of Treaties Act Cap 204, seeking authorization to ratify the treaty. After the consideration of the motion/cabinet memorandum, Parliament/Cabinet may instruct the Minister of Foreign Affairs to ratify the said treaty on behalf of the Republic of Uganda.

6. Ratification: Upon receipt of the instruction from Cabinet or Parliament, the Minister of Foreign Affairs proceeds to draft, sign and deposit or exchange the instrument of ratification.

In practice, the above stages may not be followed as systematically as outlined above, some of the procedures may be carried out concurrently but, ultimately, ratification must be authorized by either the Cabinet or Parliament in compliance with the Ratification of Treaties Act.

GENDER MAINSTREAMING PROCESS

1. Identification of specific gender issues
Through consultative workshops and seminars, specific gender issues that require to be addressed through Gender mainstreaming are identified by the MoGLSD, Line Ministries, Donors, NGOs, CSOs, the public and other stakeholders.

2. Policy Formulation and Legislation
Proposals for gender mainstreaming policies, legislation and best practices to address the identified gaps/gender issues are generated both internally (within Uganda by the line ministries, Donors, NGOs, CSOs and other stakeholders) and externally (through the ratification, adoption and domestication of international commitments on gender).

Overall framework policies, such as: the Uganda Gender Policy (2007), are formulated.
Legislation, on the other hand, is approved by Parliament. The formulated policies and legislation are then disseminated to relevant stakeholders (Ministries, Local Governments, NGOs, and CSOs etc.). The MoGLSD does this by providing printed materials/literature and holding training/sensitization workshops and seminars.

The trained stakeholders (line ministries, agencies and all other stakeholders) then issue sector-specific guidelines/instructions to align their activities with the national policies and the international commitments on gender.

3. Implementation

This involves the assimilation of the policies and gender mainstreaming best practices into the planning, budgeting, implementation, reporting as well as monitoring and evaluation of the activities of stakeholders.

A key link between MoGLSD and other stakeholders is the Gender Focal Point Person (GFPP) model. In this model, MoGLSD attaches a technical officer to each of the sectors to provide technical backstopping when necessary. The respective entities also appoint one of their own staff as a Gender Focal Point Person to liaise with the MoGLSD technical officer, coordinate all gender mainstreaming efforts, provide day-to-day guidance to other entity staff on Gender Mainstreaming, and ensure that gender issues are mainstreamed in all the Ministry’s/Local Government’s activities.

4. Follow-up

The MoGLSD evaluates the performance of the aforementioned stakeholders on the progress of gender mainstreaming activities, through Gender Audits. Through follow-up, critical gaps and challenges are identified and incorporated during the identification stage through the consultative workshops of the stakeholders.
This chapter presents the findings, conclusions and recommendations of the audit. It highlights the various challenges faced by Ministries, Departments and Agencies (MDAs) in mainstreaming gender and suggests recommendations on how gender mainstreaming can be improved.

4.1 COMPLIANCE WITH THE UGANDA GENDER POLICY

4.1.1 MIDTERM REVIEW OF THE UGANDA GENDER POLICY (UGP)

According to Section 9.0 of the Uganda Gender Policy, the time frame for the implementation of the Gender policy is 10 years (2007-2017) and a mid-term evaluation of the policy was to be carried out within the fifth year of implementation (2012) to assess the impact of the policy in redressing gender imbalances.

Through the interviews conducted with the staff of MoGLSD, it was noted that the MoGLSD had not carried out a mid-term evaluation of the policy to assess its impact in redressing gender imbalances. This was attributed to failure by the ministry to prioritize the review activity in its work plans.

Conclusion
Without reviewing the policy, the Ministry cannot assess its progress towards achieving the goal of gender equality and women’s empowerment which is an integral part of Uganda’s socio-economic development.

Management Response
Management acknowledges this recommendation and will undertake to develop the proposal for the review of the UGP that will inform the way forward for its implementation. The draft proposal for the review will be drawn up by December 2013.

Recommendation
The Ministry of Gender should prioritize the review of the policy in accordance with Section 9.0 of the Uganda Gender Policy.

4.1.2 NATIONAL ACTION PLAN FOR THE UGP

Section 7.0 of the policy stipulates that the process and output indicators for Gender mainstreaming shall be periodically designed
and reviewed within the action plan for implementation of the Policy. It is also good practice for an action plan to be drawn up to operationalize any policy, clearly indicating the roles of various players; timelines; targets; reporting, supervision and follow-up mechanisms.

Although management indicated that they have a draft action plan, Audit could not confirm this since it was not availed. Management attributed the failure to develop the National Action Plan to lack of funding. However, from a review of the policy statements, budgets and project work plans, it was observed that the Ministry had not planned for this activity in all the years under review. In addition, there were no clearly spelt-out roles of various players, timelines, targets, reporting, supervision and follow-up mechanisms.

Absence of an action plan may result into uncoordinated implementation of gender mainstreaming activities by sectors. For example, the technical staff at the MoGLSD may spend most of their time implementing specific donor funded projects [Gender Based Violence, FGM, etc] rather than developing policies, guidelines, setting standards and providing technical backstopping to the sectors. This explains why some sector ministries were taking a lead role in developing policies which was supposed to be a prerogative of the MoGLSD. A case in point was the development of a gender lens by the MoPS, which helps officers at the ministry to assess policies, programs and services with a view of promoting gender equality.

**Conclusion**
The Ministry of Gender, Labour and Social Development has not prioritized the formulation of the National Action Plan, and as a result there is minimal supervision, monitoring and evaluation of the progress and impact of gender mainstreaming sector activities.

**Management Response**
A set of recommendations from the review of the UGP will be translated into the actions for the remaining period. The ministry will develop the action plan in accordance with the recommendations to cover the remaining Policy implementation period [2017].

**Recommendation**
MoGLSD should prioritize the formulation of the National Action Plan for the implementation of the national policy on gender in its annual work plans and budgets.

4.1.3 GUIDELINES FOR MAINSTREAMING GENDER

According to Section 6.1 of the Uganda Gender Policy, MoGLSD should set standards and develop gender guidelines, disseminate and monitor their operationalization.

4.1.3.1 DEVELOPMENT OF GENDER MAINSTREAMING GUIDELINES

It was noted that the Ministry of Gender, Labour & Social Development had developed some guidelines, such as, the gender equity budgeting guidelines for higher and lower Local Governments. In addition, the MoGLSD supported the development of sector-specific guidelines for the Ministries of Local
Government and Public Service. However, the MoGLSD had not finalized the development of the generic gender mainstreaming guidelines from which sector specific guidelines are premised.

The failure to finalize the generic guidelines was attributed by some staff to the diversity of the different sectors which made it impractical to come up with generic guidelines. Audit however, established that the MoGLSD did not prioritize this activity in its work plans.

Without generic guidelines, it is difficult to develop and harmonize the sector specific guidelines, which, in turn, could lead to non-implementation or uncoordinated execution of gender mainstreaming activities.

Conclusion
The lack of finalized generic gender mainstreaming guidelines has made it difficult to implement gender mainstreaming and as such gender inequalities in society continue to exist.

Recommendation
The Ministry should expedite the finalization of generic guidelines for Gender Mainstreaming as required by the Uganda Gender Policy.

4.1.3.2 DISSEMINATION OF GENDER GUIDELINES
It was observed that the dissemination of Equity Budgeting (EB) guidelines for Higher and Lower Local Governments (HLLG) had not been adequately done as only one district (Mukono) had a copy out of the 11 districts visited. Management explained that due to limited funding, the dissemination of the guidelines was done during presentations at workshops. However, this was considered inadequate as participants had no reference material back home. As a result of inadequate dissemination of EB guidelines, the annual work plans and budgets of HLLG, for example, in Mbarara and Masaka districts, were not engendered.

A scrutiny of the Ministries’ annual work plans, budgets and Policy Statements revealed that the activity had neither been planned for nor allocated funds for the period under review.

Conclusion
Inadequate dissemination of guidelines continues to impede the implementation of gender mainstreaming.

Management response
• The gender budgeting guidelines for higher and lower Local Governments were disseminated through workshops.
• The guidelines for auditing gender mainstreaming in Local Governments were disseminated through the Ministry of Local Government.

Management takes note of this and will endeavour to strengthen its dissemination strategy including budgeting for the activity to address the identified gaps. Dissemination of the final generic guidelines will be guided by a costed strategy.

Recommendation
The Ministry should review its dissemination strategy, with a view of reaching out to all stakeholders.
4.1.4 MONITORING AND EVALUATION OF GENDER MAINSTREAMING

Section 7.0 of the Policy states that the MoGLSD shall be responsible for: coordinating, monitoring and evaluation of the policy within the overall Government monitoring systems and frameworks.

Similarly, section 8.2 states that the monitoring and evaluation of the policy shall be aligned to and integrated within the framework of the National Integrated Monitoring and Evaluation Strategy (NIMES) coordinated by the Office of the Prime Minister. The MoGLSD was therefore required to engender the Government M&E Strategy.

Through interviews, it was noted that the management of MoGLSD did not develop a gender monitoring tool which would be integrated within the NIMES.

At the Local Government level, it was observed that the Ministry of Local Government in collaboration with MoGLSD had developed a gender mainstreaming tool for monitoring Local Governments as shown in APPENDIX VII. This tool is used to assess annual performance of the different Local Governments in line with gender mainstreaming.

In addition, MoGLSD participates in the annual assessments of Local Governments as mandated by the UGP. During the 3 years under review, several officials from MoGLSD formed part of the Local Government Assessment teams.

In spite of the above involvement, audit observed that MoGLSD has not made use of the LG Annual Assessment reports to improve the effectiveness of the Gender Focal Point Persons and Local Governments in mainstreaming gender. A review of the Local Government annual assessment reports showed that some districts repeatedly failed to satisfy the Local Government criteria in gender mainstreaming as shown in Table 2 below.

However, there was no evidence that MoGLSD had intervened in any way to help the Gender Focal Point Persons (GFPPs) and LGs improve their performance. Officers of MoGLSD attributed this to lack of funding and thus Local Governments continue performing poorly in the annual assessment.
### TABLE 2: SHOWING DISTRICTS WHICH REPEATEDLY FAILED TO COMPLY WITH SPECIFIC LG ASSESSMENT CRITERIA ON GENDER MAINSTREAMING

<table>
<thead>
<tr>
<th>S/N</th>
<th>LG ASSESSMENT CRITERIA ON GENDER MAINSTREAMING</th>
<th>REPEATEDLY NON-COMPLIANT DISTRICTS*</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>No sound gender analysis or gender disaggregated data, gender impact analysis, etc.</td>
<td>Koboko</td>
</tr>
<tr>
<td>2.</td>
<td>No strategies to address the gender issues identified in the analysis.</td>
<td>Kaberamaido</td>
</tr>
<tr>
<td>3.</td>
<td>No budgetary allocations to address gender strategies that were raised in district plans.</td>
<td>None</td>
</tr>
<tr>
<td>4.</td>
<td>No evidence that the district/municipality has financed the gender issues identified by DDP during planning, monitoring and mentoring activities.</td>
<td>Koboko</td>
</tr>
<tr>
<td>5.</td>
<td>No evidence that gender specific needs were identified and analyzed during the capacity building needs assessment.</td>
<td>Kapchorwa, Amuru, Moroto</td>
</tr>
<tr>
<td>6.</td>
<td>No specific capacity enhancement strategies and activities for Community Services Department and Gender Focal Point Person in the current FY linked to addressing inequalities between men and women.</td>
<td>Kaberamaido, Masaka, Nakaseke, Kabale</td>
</tr>
<tr>
<td>7.</td>
<td>No skills enhancement training for women, youth and PWD councillors undertaken during the previous FY aimed at reducing the inequalities between men and women.</td>
<td>Hoima, Amuru, Nakasongola</td>
</tr>
<tr>
<td>8.</td>
<td>No gender awareness training (addressing inequalities between men and women) planned for and undertaken during the previous FY.</td>
<td>Amuru, Kaabong</td>
</tr>
<tr>
<td>9.</td>
<td>No evidence that GFPP identified gender issues, designed strategies and mentored other staff on how to deal with inequalities between men and women.</td>
<td>Kapchorwa, Mayuge, Amuru, Kaabong</td>
</tr>
<tr>
<td>10.</td>
<td>No evidence that the GFPP had disseminated gender information (either received from the centre or developed within the LG) to technical as well as political leaders in the LG.</td>
<td>Kapchorwa, Amuru</td>
</tr>
</tbody>
</table>

*Repeated non-compliance is if a particular district failed to comply with a particular criterion in at least 2 out of the 3 years under review. Source: OAG Data analysis

Audit attributed the lack of an engendered Government wide M&E framework to lack of proper coordination between MoGLSD, MoLG and the OPM. Furthermore, the Department of Gender & Women Affairs has 11 staff\(^{11}\), (1 Commissioner, 1 Assistant Commissioner, 2 Principal Gender Officers [PGO] who also serve as project managers of big projects, 2 Principal Women In Development Officers [PWIDO], 2 Senior Gender Officers [SGO], 2 Senior Women In Development Officers [SWIDO] and 1 Women In Development Officer [WIDO], that cannot adequately provide the needed technical support across all the Local Governments. This was caused by the restructuring programme that drastically reduced the number of staff from 25 in 1997 to the current 11 officers.

\(^{11}\) Organisation Structure for the Department of Gender and Women Affairs
Conclusion
In the absence of an engendered Government M&E framework, Government will continue to monitor its programmes with a gender blind lens. The assessment tool used by Local Governments encourages evidence based assessment that is open to manipulation rather than impact analysis of the programmes and projects on gender equality.

MoGLSD has failed to utilize synergies with MoLG to develop interventions that will help Local Governments to improve their performance in the assessments with the aid of these reports.

Management response
The Ministry has been engaging OPM and NPA to integrate gender in the monitoring indicators of annual and semi-annual performance assessments of Government. So far, gender responsive indicators have been agreed upon by the three agencies and will be integrated in the M&E framework of Government.

Recommendations
- MoGLSD should prioritize the development of gender indicators for incorporation in National Integrated Monitoring and Evaluation Strategy.
- The tool should be amended to reflect measurable indicators, for instance, the tool should specify a percentage of the district budget that should be allocated to gender and thus discourage tokenism.
- MoGLSD should use Local Government assessment reports to set up strategies to ensure that assessment findings are used to develop a follow-up mechanism to address the identified gaps.
- Local Government officers and assessors should be trained, sensitised and mentored to enhance the appreciation of gender mainstreaming.

4.1.5 THE GENDER FOCAL POINT SYSTEM
Section 6.1 of the gender policy, mandates MoGLSD to establish appropriate mechanisms for coordinating gender mainstreaming at the different levels and one of the mechanisms established by the Ministry was the designation of Gender Focal Point Persons in sector ministries.

In June 2007, a Cabinet Memo No. 290 (CT 2007) was issued requesting ministries to appoint Gender Focal Point Persons (GFPP) who were to be drawn from the Planning Units or other Departments in the Ministry or Local Government at senior staff level. MoGLSD was also supposed to ensure the facilitation of institutional capacity building in various Government institutions in the country.

Through document review, interviews and inspection, it was observed that:
- MoGLSD designated GFPPs in all line Ministries, but did not designate any in Local Governments. The MoGLSD officials interviewed indicated that this was not their responsibility. As a result, there was no direct link between Local Governments and the MoGLSD in regard to gender mainstreaming.

To bridge the gap, the Community Development Officers (CDO) in the Local Governments took up the role of GFPPs
without proper training. For example, CDOs from the districts visited of Serere, Masaka and Soroti had never interfaced with the MoGLSD officials nor received any training relating to gender. There was no help desk at MoGLSD dedicated for providing guidance to GFPPs throughout the year.

• Some GFPPs interviewed revealed that no incentives were given to them. MoGLSD attributed this to limited funding. As a result, the officers do not feel obliged to carry out gender mainstreaming activities.

• For the years under review, MoGLSD had not trained GFPPs on gender mainstreaming, which MoGLSD attributed to lack of funding. As a result, 90% of the officials lacked adequate skills for gender mainstreaming.

• Inadequate reporting mechanisms for GFPPs were in place as regards gender mainstreaming. Much as the Cabinet memo required them to make quarterly reports on their activities, none of the sector GFPPs interviewed had filed any reports with MoGLSD as required. There was no evidence that MoGLSD had enforced this reporting mechanism.

Conclusion
The MoGLSD had not designed a coordination and training mechanism with GFPPs in all Government institutions and this had impacted on gender mainstreaming efforts in these institutions.

Management response
• The Ministry takes note of the fact that comprehensive training and facilitation to the GFPPs is required. The ministry plans to progressively address these gaps as resources are mobilized. For example, 55 Local Government staff have been supported to obtain a Post Graduate Diploma on Gender and Women Affairs.

Recommendations
• MoGLSD should train GFPPs in all Government institutions.
• MoGLSD should periodically supervise the activities of GFPPs.
• MoGLSD should ensure that GFPPs prepare quarterly reports on the gender mainstreaming activities of their institutions.
• MoGLSD should consider setting up gender committees in every Government institution.

4.1.6 BUILDING CAPACITY IN GENDER MAINSTREAMING
Section 6.1 of the Gender policy mandates MoGLSD to provide technical support on gender mainstreaming to sectors, institutions, Local Governments, Civil Society Organizations and the private sector.

Interviews conducted in the districts visited indicated that two people from Wakiso district had been supported by MoGLSD to pursue a post-graduate diploma in Gender and Women Affairs from Makerere University and the CDO of Mukono had been trained by the Ministry. Officials from the other nine (9) districts visited reported that they had not received any training from MoGLSD during the period under review.

The Management of MoGLSD attributed the inadequate training to insufficient funding which could not enable them carry out continuous trainings of sectors and LGs across the country. This limited training has created a knowledge gap among the
government technical officers, which has resulted in Government officers failing to appreciate the role of gender mainstreaming in relation to economic development and social transformation. However, audit attributed the failure to lack of prioritization by MoGLSD, since there were no clear budgetary provisions for such activities in their budgets.

**Conclusion**
MoGLSD has not built adequate capacity of Local Governments and ministries to conduct gender mainstreaming activities and this has hampered the efforts of these institutions in implementing gender mainstreaming.

**Management response**
The Ministry has activities for capacity building for gender mainstreaming in MDAs. However, capacity building is an ongoing process that will be achieved over time.

**Recommendation**
MoGLSD should sensitize and build the capacity of Sector Ministries and Local Governments in gender mainstreaming.

### 4.1.7 DEVELOPMENT OF GENDER-SPECIFIC STRATEGIES AT VARIOUS LEVELS

According to Section 6.1 of the gender policy, sector ministries, HLLGs and other administrative units are supposed to translate the policy into sector-specific strategies and activities.

It was noted that the majority of sector ministries, HLLGs and other administrative units had not translated the policy into specific strategies and activities for implementation, as shown in **Table 3** below:

<table>
<thead>
<tr>
<th>Institution</th>
<th>Compliant</th>
<th>Non-compliant</th>
<th>% Non-compliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sector Ministries</td>
<td>3</td>
<td>13</td>
<td>81.25</td>
</tr>
<tr>
<td>Higher Local Governments</td>
<td>0</td>
<td>All</td>
<td>100</td>
</tr>
<tr>
<td>Lower Local Governments</td>
<td>0</td>
<td>All</td>
<td>100</td>
</tr>
</tbody>
</table>

*Source: OAG Analysis*
As shown in Table III above, only three (3) out of the sixteen (16) Sector Ministries had developed sector-specific strategies for the implementation of the policy by the time of audit (December, 2012). The compliant ministries were: the Ministries of Education and Sports, Water and Environment, and Agriculture.

No single Local Government (Higher or Lower) had developed sector-specific strategies for the implementation of the UGP.

During the audit, the Local Governments attributed the failure to develop with gender specific strategies to lack of funding. However we observed that the local governments and institutions had also not planned and budgeted for the development of the gender specific strategies.

Conclusion
Sector Ministries and Local Governments did not prioritize the formulation of gender specific strategies as required by the UGP at their different levels and this has hampered their efforts of carrying out gender mainstreaming activities.

Management response
The Ministry takes note of this recommendation and will endeavor to ensure that the required actions are included in the UGP Action Plan.

Recommendations
- MoGLSD should sensitize Sector Ministries and Local Governments on their obligations regarding the development of sector-specific strategies.
- Sector Ministries and Local Governments should prioritize and expedite the development of gender specific strategies as required by the UGP.

4.1.8 THE EQUAL OPPORTUNITIES COMMISSION

Articles 32 (3), (4) and 21 of the Constitution of the Republic of Uganda, 1995 (as amended) requires Parliament to make laws to establish the Equal Opportunities Commission (EOC) and provides for the equal treatment of women and men.

The EOC was established in 2006 to give effect to the Constitution and to address the plight of vulnerable and marginalized groups, including women. The EOC Act 2007 empowers the Commission to challenge laws, policies, customs, and traditions, among others, that discriminate against women at all levels.

Through interviews and document review, it was noted that the EOC has not begun performing its roles and obligations as provided for in the Constitution and the EOC Act 2007. The audit attributed this to the following:
The Board is not fully constituted as per Section 5(1) of the EOC Act 2007. To date (December 2012), the Board is composed of only 4 members instead of 5. The vice chairperson of the Board has not been appointed. The Management of the Commission attributed this to the delay in the vetting of the nominated individual by Parliament. The lack of a fully constituted Board poses legal implications for the Commission in carrying out its functions.

Furthermore, the EOC Act 2007 section 11(1) provides for the appointment of a secretary to the Commission in consultation with Public Service Commission. However, since inception, the Commission has not had a substantive Secretary. There have been two acting secretaries with the latest merely shouldering the responsibilities of the secretary as per letter dated 27th July 2012 by the Chairperson to the Board. Although management explained that a secretary to the Commission had been recruited in September 2012, at the time of audit (December 2012), which was 4 months after recruitment, she had not yet reported to office.

In the absence of a substantive secretary, carrying out of policy decisions and day to day administration and management of the affairs of the Commission may be hampered.

In addition, since its inception in 2006, the Commission was only allocated a vote in February 2013, which is yet to be operational. The Commission is currently being funded through subventions under the MoGLSD.

The EOC has an approved structure of 40 staff, but only 13 staff had been recruited and one officer was on secondment from the Accountant General’s Office. 7 of the recruited staff were support staff. The Management of the Commission attributed this to lack of funds to recruit the required staff and reluctance of people to work with the Commission due to the low public service pay structure. The unfilled organizational structure has contributed to the low pace of operationalizing the Commission.

**Conclusion**

The EOC has not been fully constituted and this hinders its ability to handle the challenges related to the equal treatment of women and men, which in turn affects the main streaming of gender issues in Government institutions. To date (December 2012), Government has spent Shs. 1,012,355,754 into the establishment of the Commission and has also partnered with DGF and GIZ who have committed funds to the tune of shs.3.1 billion to strengthen the EOC to implement its mandate. This funding may be put to waste unless deliberate efforts are made to fully operationalize the Commission.

**Management response**

Vote 124 has been created for EOC and will be operational in FY 2013/2014. This is an ongoing process depending on financial availability.

**Recommendations**

- MoGLSD should engage Parliament on the vetting of the 5th member of the Commission to ensure that it is fully constituted.
- The Commission should ensure that all its approved structure is filled to enable it conduct its responsibility effectively.
4.2 INTERNATIONAL COMMITMENTS ON GENDER

To assess Government compliance with international commitments on gender, we reviewed the ratification process and tested compliance with key audit areas in the Convention on Elimination of all forms of Discrimination against Women (CEDAW) and five selected instruments relating to labour and education. These instruments included: Beijing Declaration and Platform for Action 1995; Equal Remuneration Convention, 1951 (No. 100); and Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Millennium Development Goal: 3 and the Dakar Declaration, 2000.

4.2.1 RATIFICATION OF INTERNATIONAL COMMITMENTS

Section 2 of The Ratification of Treaties Act, Chapter 204, spells out that treaties relating to armistice, neutrality or peace; or those requiring an amendment of the Constitution should be ratified by a resolution of Parliament. All other treaties not in the above category are ratified by Cabinet.

According to MoGLSD, all conventions ratified after 1995 should have gender concerns addressed and MoGLSD should be involved in the process of ratification. Such conventions included: The Convention on Elimination of all forms of Discrimination against Women (CEDAW); Equal Remuneration Convention, 1951 (No. 100); and Discrimination (Employment and Occupation) Convention, 1958 (No. 111).

From interviews with management, MoGLSD participated in the ratification of the above international commitments and the process of ratification followed the due process.

However, MoGLSD did not archive any documentation as regards the ratification process of these gender related treaties and international conventions.

Conclusion

There is no documentation relating to the ratification process of the treaties and this may impact on their implementation and review.

Management response

- CEDAW was ratified by Uganda Government in 1985.
- ILO conventions No. 100 and No. 111 were ratified by Government on 2nd June 2005.

The Ministry of Gender, Labour and Social Development spearheaded the process of consultation for the ratification that culminated into a Cabinet Paper that was presented by the Minister of Gender, Labour and Social Development.

- Ministry of Foreign Affairs as mandated by the ratification of treaties Act 204 signs, seals, deposits and keeps copies of all treaties ratified by Government.

Recommendation

MoGLSD should endeavour to obtain and keep copies of all gender related treaties ratified by Government, and all documentation relating to their ratification.
**4.2.2 THE CONVENTION ON ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW), 1979**

Article 2 sub section (a) of CEDAW gives state parties the obligation to embody the principle of equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle. Furthermore, Article 2 Sec (b, f) of CEDAW obliges state parties to adopt appropriate legislation and take all appropriate measures to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women.

It was noted that Article 21 of the Constitution of the Republic of Uganda, 1995 (as amended) addresses many of the human rights standards set out in CEDAW.

Uganda has made positive progress in passing laws that promote and protect the rights and status of women, such as the Land Act Amendment (2004); The Employment Act (2006); the Equal Opportunities Commission Act (2007); the amendments to the Penal Code prohibiting defilement of girls and boys (2007); the Domestic Violence Act (2010) which criminalizes violence in a domestic setting; the Prohibition of Female Genital Mutilation Act (2010); the Prevention of Trafficking in Persons Act (2010); and the International Criminal Court Act (2010) which criminalizes sexual exploitation of women during conflict situations.

However it was observed that, there were still a number of laws that were still in progress as listed:

1. The Marriage and Divorce Bill (MDB) which has raised debate over issues such as marital rape, polygamy and cohabitation. The lack of a comprehensive law to address women’s property rights during marriage and at its dissolution therefore continues to present challenges to the attainment of equality and equity between men and women.
2. The Sexual Offences Bill which is vital in addressing the rising cases of sexual offences is yet to be passed by Parliament.
3. The HIV/AIDS Prevention and Control Bill.
4. The Land Act 1998 was amended in 2004 to include provisions (Sec 40 on Spousal Consent) that increase protection of rights of women to own, use and inherit land. However, the sections fall short of recognizing co-ownership of land between spouses. The co-ownership clause was relegated to the proposed law on MDB, with the result that women will have to wait until the MDB is passed into law to have their co-ownership rights to land recognized.

In the absence of these laws, customs and practices which constitute discrimination against women and other disadvantaged groups will continue.

**Conclusion**

Whereas, Uganda has a gender-responsive Constitution and several human rights laws in place, the delayed enactment of some laws has perpetuated the continued violation of women’s rights.

**Management response**

The Domestic Relations Bill was split into two Bills in 2009, namely: The Marriage and
Divorce Bill (2009), which is currently before Parliament for debate and consideration, and the Administration of Muslim Personal Law Draft Bill (currently with the Uganda Law Reform Commission for consultations with the Muslim community).

The Ministry takes note of the need for continuous engagement with Parliament to promote the enactment of laws that address gender inequalities and marginalization of women.

**Recommendations**

- MoGLSD should continue engaging Parliament to expeditiously enact the Marriage and Divorce Bill, the Sexual Offences Bill and the HIV/AIDS Prevention and Control Bill;
- MoGLSD should raise the awareness of legislators about the need to give priority attention to legal reforms in order to achieve equality for women and compliance with the State party’s international treaty obligations.

**4.2.3 COMPLIANCE WITH SELECTED COMMITMENTS ON LABOUR**

ILO C: 111 Discrimination (Employment and Occupation) Conventions 1958

Article 2 of the Discrimination (Employment and Occupation) Convention (C 111) obliges every state party to undertake to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating discrimination based on sex, among others.

In addition, Objective 3 of the Uganda Gender Policy also aimed at strengthening women’s presence and capacities in decision making for their meaningful participation in administrative and political processes.

Through document review, it was observed that Uganda ratified the C 111 in June 2005 and then approved and adopted the Equal Opportunities Policy (July 2006) aimed at promoting equality in, among other areas, the employment sector. However, of all filled government jobs, only 33% of the positions were held by women while 67% of them were occupied by men. It was further noted that, the composition of women in different occupations still remains low. Men dominate the Political and specified officers (88%) and administration (82%). Furthermore, men dominate the technical fields such as Engineering and works with over 94% male, accounts (73%), Audit (80%) and Survey & Architecture (77%) while there are more women in the care field, such as, Secretarial (92%) and Housekeeping (55%).

Details of gender analysis in employment opportunities are indicated in Table 4 below:
TABLE 4: SHOWING THE PUBLIC SERVICE STAFFING LEVELS BY GENDER AND CATEGORY

<table>
<thead>
<tr>
<th>Job Category</th>
<th>% Male</th>
<th>% Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Political and specified officers</td>
<td>88</td>
<td>12</td>
<td>1,817</td>
</tr>
<tr>
<td>Administration</td>
<td>82</td>
<td>18</td>
<td>5,851</td>
</tr>
<tr>
<td>Human resource management</td>
<td>60</td>
<td>40</td>
<td>525</td>
</tr>
<tr>
<td>Accounts</td>
<td>73</td>
<td>27</td>
<td>4,224</td>
</tr>
<tr>
<td>Audit</td>
<td>80</td>
<td>20</td>
<td>812</td>
</tr>
<tr>
<td>Engineering and works</td>
<td>94</td>
<td>6</td>
<td>1,293</td>
</tr>
<tr>
<td>Planning</td>
<td>86</td>
<td>14</td>
<td>597</td>
</tr>
<tr>
<td>ICT</td>
<td>68</td>
<td>32</td>
<td>155</td>
</tr>
<tr>
<td>Records</td>
<td>59</td>
<td>41</td>
<td>1,796</td>
</tr>
<tr>
<td>Veterinary</td>
<td>86</td>
<td>14</td>
<td>1,954</td>
</tr>
<tr>
<td>Research</td>
<td>81</td>
<td>19</td>
<td>812</td>
</tr>
<tr>
<td>Education</td>
<td>65</td>
<td>35</td>
<td>152,781</td>
</tr>
<tr>
<td>Social development</td>
<td>61</td>
<td>39</td>
<td>1829</td>
</tr>
<tr>
<td>Secretarial</td>
<td>8</td>
<td>92</td>
<td>2546</td>
</tr>
<tr>
<td>Survey and architecture</td>
<td>77</td>
<td>23</td>
<td>282</td>
</tr>
<tr>
<td>Police</td>
<td>93</td>
<td>18</td>
<td>26,551</td>
</tr>
<tr>
<td>Prisons</td>
<td>75</td>
<td>41</td>
<td>6,144</td>
</tr>
<tr>
<td>Office management</td>
<td>58</td>
<td>42</td>
<td>391</td>
</tr>
<tr>
<td>Procurement</td>
<td>74</td>
<td>26</td>
<td>711</td>
</tr>
<tr>
<td>National resources management</td>
<td>84</td>
<td>16</td>
<td>820</td>
</tr>
<tr>
<td>Law enforcement</td>
<td>86</td>
<td>14</td>
<td>287</td>
</tr>
<tr>
<td>Trade and tourism</td>
<td>87</td>
<td>13</td>
<td>247</td>
</tr>
<tr>
<td>Foreign service</td>
<td>69</td>
<td>31</td>
<td>168</td>
</tr>
<tr>
<td>Broadcasting</td>
<td>63</td>
<td>37</td>
<td>312</td>
</tr>
<tr>
<td>House keeping</td>
<td>45</td>
<td>55</td>
<td>196</td>
</tr>
<tr>
<td>Aviation</td>
<td>95</td>
<td>5</td>
<td>118</td>
</tr>
<tr>
<td>Policy</td>
<td>67</td>
<td>33</td>
<td>43</td>
</tr>
<tr>
<td>Immigration</td>
<td>69</td>
<td>31</td>
<td>226</td>
</tr>
<tr>
<td>Support staff</td>
<td>82</td>
<td>32</td>
<td>29,093</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>67</td>
<td>33</td>
<td>271,854</td>
</tr>
</tbody>
</table>

Source: Ministry of Public Service guidelines for mainstreaming gender in Human resource management April 2011

The Ministry of Public service attributed the low numbers of women in Public Service to fewer women applying for jobs and the fact that fewer women possessed the requisite technical skills and the society’s perception that certain jobs are meant for women while others are for men. For example, during the phase of women empowerment to join politics, society perceived it as women getting out of their traditional role of leading from behind.

However Audit has have also established that there is no deliberate and coordinated approach to
achieving gender equality in employment due to the existing gender blind human resource systems.

The implication of the above figures is that women have disproportionate access to income, social benefits and economic freedom, which has led to the continued marginalisation of women.

**Conclusion**

With only 33% female employees in public service, women are still the disadvantaged group when it comes to access to employment in Uganda. However, gender disaggregated data was not been provided to measure the trend of both men and women in the public service over the scope of the audit.

The MoGLSD or MoPS have not utilized the available information to develop the interventions needed to increase the access to employment by women, especially in technical and well-paying job categories.

**Management response**

- The evaluation of affirmative action will inform its re-design to have specific strategies that will ensure equitable access to employment.
- MoGLSD conducts awareness sessions to policy makers about the gaps in employment.

**Recommendations**

- MoGLSD should develop early detection mechanisms to identify such inequalities with the human resource and facilitate the development and coordination of appropriate interventions to address employment inequalities.
- MoGLSD should liaise with MoPS and MoES to set up strategies to ensure that the education system and affirmative action result in qualified women in the needed job categories to ensure equal access to employment for both women and men.
- MoGLSD should sensitize the society to raise awareness of equal opportunities for jobs.

**Beijing Platform for Action 1995**

The Strategic objective (G:1) of Beijing Platform for Action requires Governments to take up measures that ensure that women have equal access to and fully participate in power structures and decision making. Section 190 (a) of the Platform specifically stipulates provides that:

1. Governments should commit themselves to establishing the goal of gender balance in Government bodies and committees, as well as in public administrative entities and in the Judiciary.
2. Governments should set specific targets and implementing measures to substantially increase the number of women with a view to achieving equal representation of women and men, if necessary through positive action in all Government and public administrative positions.

Through interviews with the management of MoPS, it was observed that although the Government was implementing a fair competition policy on recruitment for all officers of Government, Government had not set specific targets aimed at achieving equality in decision making positions as per Section 190 (a).

As a result, inequalities still existed in decision making positions. An analysis of the
salary scales in public service revealed that there were more men (78%) in senior management level (U1), and 84% in middle management level (U2 – U3) as compared to 22% and 16% of women, respectively as illustrated in the Table 5 below.

**TABLE 5: SHOWING COMPOSITION OF THE PUBLIC SERVICE BY GENDER AND MANAGEMENT LEVELS**

<table>
<thead>
<tr>
<th>Salary Scale</th>
<th>% men</th>
<th>% women</th>
<th>Total Government employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Management Level (U1)</td>
<td>78</td>
<td>22</td>
<td>808</td>
</tr>
<tr>
<td>Middle Management Level (U2-U3)</td>
<td>84</td>
<td>16</td>
<td>4,180</td>
</tr>
<tr>
<td>Graduate and Diploma Entry Level (U4-U5)</td>
<td>72</td>
<td>28</td>
<td>59,973</td>
</tr>
<tr>
<td>Lower Level (U6-U8)</td>
<td>65</td>
<td>35</td>
<td>206,893</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>67</td>
<td>33</td>
<td>271,854</td>
</tr>
</tbody>
</table>

Source: Ministry of Public service guidelines for mainstreaming gender in Human resource management April 2011

The MoPS attributed this to failure by many women to apply for higher management positions, early retirement of women due to family pressures and failure by the majority of women to upgrade their education qualifications.

Further analysis of staff composition in the Public Service revealed gender inequality as indicated in Table 6 below:

**TABLE 6: SHOWING GENDER COMPOSITION IN DECISION MAKING POSITIONS IN PUBLIC SERVICE**

<table>
<thead>
<tr>
<th>GENDER</th>
<th>PS</th>
<th>Directors</th>
<th>Deputy Directors</th>
<th>Commissioner</th>
<th>Deputy Commissioner</th>
<th>Assistant Commissioner</th>
<th>Under secretary</th>
<th>CAO</th>
<th>Town Clerks</th>
<th>Registras</th>
<th>Deputy CAO</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTALS</strong></td>
<td>23</td>
<td>8</td>
<td>21</td>
<td>11</td>
<td>4</td>
<td>4</td>
<td>93</td>
<td>23</td>
<td>12</td>
<td>7</td>
<td>161</td>
</tr>
<tr>
<td><strong>%</strong></td>
<td>74</td>
<td>26</td>
<td>66</td>
<td>34</td>
<td>50</td>
<td>50</td>
<td>50</td>
<td>80</td>
<td>20</td>
<td>66</td>
<td>50</td>
</tr>
</tbody>
</table>

Source: OAG Analysis

As a result, some of the decisions made in Government institutions may not adequately address gender issues since the majority of women are not part and parcel of the decision making process.
Conclusion
Women in the Public Service do not have equal access to managerial positions as men and hence do not fully participate in the power structures and decision making process. There is less top management voice on gender related issues in institutions.

Management response
• The Ministry notes the recommendation but the Public Service Commission considers merit as its guiding principle for recruitment. For the constitutional commissions/bodies the target is set by the Constitution at one third of membership.

Recommendations
• Government should come up with interventions to encourage women to apply for higher management positions and further their education.
• Government should set specific targets with a view of achieving equal representation of men and women in areas of management and decision making.

ILO C: 100 Equal Remuneration Convention, 1951
Article 2 of the Equal Remuneration Convention, 1951, mandates state parties to establish methods for determining the rates of remuneration, and ensuring the application to all workers of the principle of equal remuneration for men and women workers for work of equal value.

It was noted that the country’s legislation is in line with the above requirement.
1. Article 40 Section (b) mandates government to ensure equal payment for equal work without discrimination;
2. The Employment Act, 2006 Section 6(6) states that the Minister and the Labour Advisory Board shall, in performing their duties, seek to give effect to the principle of equal remuneration for male and female employees for work of equal value.
3. Section 6(7) of the Employment Act, 2006 requires that every employer pays male and female equal remuneration for work of equal value.
4. The same principle is further enshrined in the Public Service Standing Orders, 2010, which states, in Section 8 (3), that it is Government’s obligation to “ensure equal pay for work of equal value.”

According to the Ministry of Public Service officials interviewed, MoPS ensures adherence to the above principle within Government by applying the same salary scale for officials of the same rank, irrespective of sex. However, it was noted that there is still a challenge in the public service whereby the different government institutions, independent of the MoPS, pay their employees differently for work of equal value. For example, Chief Executive Officers, Human resource officers, Accountants, drivers and office attendants are paid differently in different institutions. This challenge is not only with government institutions, but also with the private sector. Employees in
different companies doing the same jobs are also paid differently. There is wide disparity in salaries between employees in the public and private sectors.

The current disparities in salaries has reduced the morale of public officers in institutions that pay less than “other public civil service” hence leading to the poor service delivery in the public service.

**Conclusion**

The huge pay gap between officers employed in government institutions who perform the same tasks continues to undermine Uganda’s commitment to the Equal Remuneration Convention 1951.

**Management response**

As part of the transformation of the Public Service, the Ministry of Public Service has proposed to Cabinet the formation of the Salaries (Review) Commission and Cabinet has in principle agreed to it.

The MoGLSD has put in place a Minimum Wages Board which will study the possibility of having minimum wage payment for various categories of employment and advise Government on the minimum wage.

**Recommendations**

- MoGLSD should work hand in hand with MoPS to ensure compliance with the Equal Remuneration Convention, 1951 to avoid the pay gaps in the public service through advocacy and sensitization of the relevant institutions, such as, parliament.
- Government and all stakeholders should work towards the establishment of the law on minimum salary payment and harmonization of salary payments for equal work value across all government institutions and the private sector.

### 4.2.4 COMPLIANCE WITH SELECTED COMMITMENTS ON EDUCATION

The Principle of equality between men and women and the right of every Ugandan to access education are enshrined in Articles 21 and 30 of the Constitution of the Republic of Uganda respectively.


It was noted that Uganda has made positive progress in the advancement of gender equality and empowerment of women and girls in education through:

1. Universal Primary Education
2. Universal Secondary Education
3. 1.5 points affirmative action for female students joining university
4. The formulation of “The Gender in Education Sector Policy 2010”
5. Establishment of the National Gender Taskforce

Despite the above interventions that have been put in place by the MoES in collaboration with other partners in the education sector, challenges to gender equity in the sector still persist.
Primary Education
It was noted that Uganda has met the target of achieving gender parity at primary level. Through analysis it was established that the number of female and male pupils was approximately the same (50%) over the years as shown in the table below.

TABLE 7: SHOWING THE GENDER COMPOSITION AT ENROLMENT IN PRIMARY SCHOOLS FOR THE PERIOD (2005 -2011)

<table>
<thead>
<tr>
<th>YEAR</th>
<th>Male</th>
<th>Female</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>2005</td>
<td>3,642,568</td>
<td>50%</td>
<td>3,581,311</td>
</tr>
<tr>
<td>2006</td>
<td>3,692,242</td>
<td>50%</td>
<td>3,670,696</td>
</tr>
<tr>
<td>2007</td>
<td>3,779,338</td>
<td>50%</td>
<td>3,758,633</td>
</tr>
<tr>
<td>2008</td>
<td>3,987,160</td>
<td>50%</td>
<td>3,976,819</td>
</tr>
<tr>
<td>2009</td>
<td>4,096,355</td>
<td>50%</td>
<td>4,096,912</td>
</tr>
<tr>
<td>2010</td>
<td>4,179,187</td>
<td>50%</td>
<td>4,195,400</td>
</tr>
<tr>
<td>2011</td>
<td>4,039,734</td>
<td>50%</td>
<td>4,058,443</td>
</tr>
</tbody>
</table>

Source: MoES Data

The attainment of parity at Primary School level was the result of Government commitment to Universal Primary Education (UPE) that was introduced in 1996.

It should, however, be noted that much as there seems to be gender equality in enrolment at primary education, the equality is greatly distorted as pupils progress to the secondary education level. The number of pupils completing primary seven and those joining senior one is very low compared to the initial enrolment as shown in Table 8 below:

TABLE 8: SHOWING TRANSITION OF STUDENTS FROM PRIMARY ONE TO SENIOR ONE

<table>
<thead>
<tr>
<th></th>
<th>Gender</th>
<th>P1</th>
<th>P7</th>
<th>S1</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>Male</td>
<td>859,343</td>
<td>256,599</td>
<td>95,904</td>
</tr>
<tr>
<td></td>
<td>Female</td>
<td>853,077</td>
<td>223,352</td>
<td>82,902</td>
</tr>
<tr>
<td>2006</td>
<td>Male</td>
<td>883,827</td>
<td>247,735</td>
<td>110,469</td>
</tr>
<tr>
<td></td>
<td>Female</td>
<td>879,457</td>
<td>220,703</td>
<td>98,392</td>
</tr>
<tr>
<td>2007</td>
<td>Male</td>
<td>918,399</td>
<td>244,796</td>
<td>149,327</td>
</tr>
<tr>
<td></td>
<td>Female</td>
<td>913,730</td>
<td>225,476</td>
<td>128,623</td>
</tr>
</tbody>
</table>
Secondary Education
As noted in the preceding paragraph, the gender equality in enrolment at secondary level is distorted as shown in Table 9. On average, only 47% of the students who enrol for S1 are female, while 53% are male.

**TABLE 9: SHOWING ENROLMENT OF STUDENTS IN SECONDARY SCHOOL FOR THE PERIOD OF (2005 - 2011)**

<table>
<thead>
<tr>
<th>Year</th>
<th>Male</th>
<th>Female</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>2005</td>
<td>400,814</td>
<td>55%</td>
<td>327,748</td>
</tr>
<tr>
<td>2006</td>
<td>443,716</td>
<td>55%</td>
<td>370,371</td>
</tr>
<tr>
<td>2007</td>
<td>517,254</td>
<td>54%</td>
<td>437,074</td>
</tr>
<tr>
<td>2008</td>
<td>589,358</td>
<td>54%</td>
<td>499,386</td>
</tr>
<tr>
<td>2009</td>
<td>648,014</td>
<td>54%</td>
<td>546,440</td>
</tr>
<tr>
<td>2010</td>
<td>654,971</td>
<td>53%</td>
<td>570,721</td>
</tr>
<tr>
<td>2011</td>
<td>574,295</td>
<td>47%</td>
<td>636,575</td>
</tr>
<tr>
<td>TOTAL/</td>
<td>3,828,422</td>
<td>53%</td>
<td>3,388,315</td>
</tr>
</tbody>
</table>

Source: MoES Data
Transition (P7-S1, S4-S5)

The bar chart below (FIGURE 1) shows that at different levels of transition: (from P7 to S1; then S4 to S5), a larger number of female students drop out of school than their male counterparts. After P7, 44% of female students did not continue to senior one (S1), while the drop-out rate for male students stood at 42%. The drop-out rate from S4 to S5 stood at 56% and 54% for female and male students respectively.

However, the same figure shows that in the course of their ‘O’-level education (S1-S4), more male than female students drop out of school.

Business, Technical, Vocational Education and Training (BTVET)

After P7, S4 and S6, some pupils/students join BTVET institutions and others go on to join university after S6.

Analysis of Ministry of Education and Sports (MoES) data showed that the gender disparities at tertiary levels of education are the most glaring, as shown in the graph below (FIGURE 1).

The graph illustrates that the enrolment gap between males and females in BTVET institutions has remained almost constant, with females accounting for an average of only 20% compared to their male counterparts who have consistently constituted about 80% of the student population in these institutes. At this rate, keeping all factors constant, Uganda will still be a long way from meeting the target of achieving gender parity in BTVET institutions by 2015.

FIGURE 1: A LINE GRAPH SHOWING GENDER COMPOSITION IN BTVET INSTITUTIONS

Source: OAG Analysis

The documents reviewed attributed the disparities in the numbers of male and female students at Secondary and Tertiary levels of education to early (teenage) pregnancies and marriages; absence of gender sensitive sanitation facilities in schools; long distances to schools; teachers’ attitudes to the needs of the learners; conflict and wars; preferential treatment for boys, as opposed to girls,
in accessing education; family responsibilities; sickness; sexual harassment in the communities and at school; among others.\(^\text{12}\)

The above cultural and socio-economic factors generally affect girls more than boys and result in higher dropout rates among the former, at almost all levels, resulting in continued disparities, which in turn affects the attainment of gender equality in the society.

**Conclusion**

Unequal outcomes for men and women in the education sector ultimately have implications for the achievement of gender equality and empowerment in society as a whole and this further influences who gets what positions of responsibility in the future developments.

**Management response**

Management takes note of this shorting coming and will continue to engage with the Education Sector on implementation of Gender provisions in Education Sector Policy (2009).

**Recommendation**

Government should continue strengthening its efforts of "education for all" and address the challenges that lead to high school dropout rates at all levels of the education sector.

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John F. S. Muwanga

AUDITOR GENERAL
GLOSSARY OF TERMS

**Gender based discrimination**, is a distinction made on the basis of sex, race, religion, disability, etc. This leads to exclusion of group’s people and individuals and/or preference being given to others.

**Gender mainstreaming**, is a conscious approach of an organisation to take into account gender equality concerns in all policy, programme, administrative and financial activities as well as organisational structures and procedures. It’s based on a political decision to work towards and finally achieve the goal of gender equality within the organisation thus contributing towards gender equality in the respective society. It involves applying a variety of measures, providing resources (financial, human, time, information) and ensuring a process of learning and transformation.

**Gender responsive**, is the ability of an individual or agency, to take into accounting the social relations of women and men as well as differences in their needs in any undertaking or decision.

**Gender sensitivity**, is being conscious of the different situations and needs of women and men, throughout the decision-making process. It entails the ability to recognize the differences in perception and interests between males and females arising from their different social position and different gender roles.

**Women’s Empowerment**, is the process of enhancing women’s capacity to take charge of their own development, the process involves enabling women to make their choices, have a say in decisions that affect them, ability to initiate actions for development, change in attitudes, and increased consciousness of equal access to and control of resources and services in order to take charge of their opportunities.

**Gender Equity**, is fairness and justice in the distribution of resources, benefits, and responsibilities between men and women, girls and boys in all spheres of life.

**Gender Issue**, is a point of gender inequality that is undesirable and requires intervention. It results from some form of gender discrimination or oppression. A Gender issue arises when there is inequality, inequity or differentiated treatment of an individual or a group of people purely on the basis of social expectations and attributes.

**Gender relations**, are principally about power. The term gender relations refer to those dimensions of social relations that create differences in the positioning of women and men in social processes. Through gender relations, men are often given greater capacity than women to mobilize a variety of resources and cultural roles. Gender relations consist of social distribution of space, the norms governing the space, and the social, political and economic
Rights. Hence, gender relations entail the ways in which a culture or society defines entitlements, responsibilities and identities of men and women in relation to one another.

Gender Identity, is our own conception of being male or female and of the roles that we consider should accompany that conception of ourselves. This conception often arises from our individual attributes, as well as society’s definition of one’s conduct, roles, perceptions and expectations. Gender identity is strongly based on the cultural set up of specific societies. One can be identified with either a masculine identity or a feminine identity.

Gender and equity budgeting, is a type of resource allocation that includes analysis of public revenues and public expenditures from a gender and equity perspective. This means that the budgetary implications for, and impacts on, women and girls, compared to men and boys, are considered and equity budgeting does not produce a separate budget but is an analytical tool applied to mainstream budgetary processes.

Affirmative Action refers to preferential treatment measures for redressing inequalities or imbalances in accessing resources, power or opportunities. It is a commitment, but of temporary nature.

Gender, is the social and cultural construct of roles, responsibilities, attributes, opportunities, privileges, status, access to and control over resources and benefits between women and men, boys and girls in a given society.

Sex, refers to biological characteristics that make an individual male or female. Sex differences are God given, universal and unchangeable.

Sex roles, arise from the biological differences between women and men and cannot be changed. Pregnancy is an example of a sex role for women, as only women have the ability to bear children.

Gender roles, are the socially constructed and defined responsibilities for example, child rearing is a female gender role rather than a female sex role as it can be done equally by men or women. Unlike sex roles, gender roles are not universal and differ in different places and from time to time. They are also changeable and interchangeable.

Gender Division of Labour, is the allocation of different tasks, responsibilities and activities to women and men in households, communities and society considered socially and culturally appropriate. Gender roles arise from gender division of labour.

Gender Needs, are requirements that arise from people’s positioning in society, determined by the socially constructed attributes. Gender needs are normally classified as either practical or strategic.
Practical Gender Needs, (PGN) are the immediate requirements for addressing an existing problem related to socially ascribed roles and responsibilities. If these were met, the lives of women and/or men would be improved without changing the existing gender division of labour or challenging women’s subordinate position.

Strategic Gender Needs, (SGN) arise out of the analysis of women’s position relative to that of men. If SGN are addressed, the existing relationship of unequal power between men and women is transformed. Intervention at the level of SGN challenges the existing gender division of labour and the position of men relative to that of women. In the Ugandan context, intervention at the level of SGN may include promoting women’s ownership of land.

Gender equality, is the ability of men and women, boys and girls to enjoy the same status and have equal opportunity to realise their potential to contribute to socio-cultural, economic and political development. It can be captured in three dimensions equality in capabilities as in education and health levels; opportunities to utilize capabilities to earn incomes and live to full potential; and agency which is the ability to influence outcomes.

Women in Development (WID)
WID is a concept, which denotes an approach that advocates for women targeted interventions within the mainstream of development so as to improve their condition.

Gender and Development (GAD) is an approach that affirms and supports women’s equal role in development. It also questions the direction of development, advocates for structural transformation, and insists on the transformation of gender relations. GAD does not mean a de-emphasis on women; rather its goal is women’s empowerment and equality of women and men in the reproductive as well as productive spheres.
### APPENDIX I DOCUMENTS REVIEWED

<table>
<thead>
<tr>
<th>Document</th>
<th>Purpose [s] of review</th>
</tr>
</thead>
</table>
| National Gender Policy                                                  | • To identify the framework of gender mainstreaming with government ministries agencies and local governments.  
• To identify the mandate of the MoGLSD in mainstreaming gender  
• The roles played by the different stakeholders                                                                                                                                 |
| Annual work Plans and budgets [09/10, 10/11, 11/12]                    | • To identify if gender issues are incorporated                                                                                                                                                                         |
| The Organogram for MoGLSD                                               | • To identify the different structures within the ministry                                                                                                                                                            |
| Ministerial policy Statements for MoGLSD [09/10, 10/11, 11/12]         | • To identify the Mission, Vision and objectives of the MoGLSD                                                                                                                                                      |
| NDP                                                                     | • To identify priority areas of action at the National, Sectorial, District and Community levels.                                                                                                                                 |
| SDIP 1 & 2                                                             | • Level of inequalities that women (33%) tend to be more than men (30%). This is more severe for widows (34%) including people living in households, which are headed, by widows.                                             |
| International Commitments on Gender (CEDAW, C100, C111, BFA, Dakar Declaration) | • To understand the commitments that signatories are required to make (as detailed in Appendix V) in order to formulate audit assessment criteria.                                                                 |
| Guidelines for Auditing Gender Mainstreaming in Local Governments       | • To identify the key indicators used by MoLG in the monitoring of gender mainstreaming                                                                                                                                  |
| Gender Budgeting guidelines and Analytical tools for higher local Governments | • To identify best practice for Gender responsive budgeting                                                                                                                                                            |
| The Constitution of the Republic of Uganda, 1995                        | • To establish the mandate of MoGLSD  
• Establish its view to gender mainstreaming, affirmative action and equality as a whole.  
• To identify related Law reforms like the LG Act (Cap 243), Land Act (Cap 227), Land Acquisition Act (Cap 226) and the NAADS Act                                                                 |
| District Development Plans                                             | • To identify the gender issues that they intend to address in their plans and programmes                                                                                                                                 |
| Monitoring and evaluation reports for ministries, Agencies and LG       | • To identify the progress of gender mainstreaming in the line ministries                                                                                                                                               |
| Evaluation of Gender outcomes in Poverty Eradication Action Plan (PEAP) 1997 - 2008 | • To establish the extent to which gender outcomes established in the PEAP had been realised.                                                                                                                                 |
| CSO Alternative Report on Uganda’s implementation of CEDAW September 2010 | • To establish the extent to which the Government of Uganda has implemented the key requirements of CEDAW.                                                                                                                                 |
| Parliament chart (2011 – 2016) - Public Relations and information office | • To establish the gender composition of the Legislative arm of government as at December, 2012                                                                                                                                 |
### APPENDIX II: INTERVIEWS CONDUCTED

<table>
<thead>
<tr>
<th>Unit</th>
<th>Designation</th>
<th>Purpose of the Interviews</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>MoGLSD</td>
<td>To ascertain/get:</td>
</tr>
<tr>
<td></td>
<td>Permanent Secretary</td>
<td>• To obtain a general background/Overview of Gender mainstreaming</td>
</tr>
<tr>
<td></td>
<td>Director/ Commissioners of Gender and women Affairs</td>
<td>• To understand the activities of the department and also designate a contact person for the Audit</td>
</tr>
<tr>
<td></td>
<td>Principal Gender Officers/ Women in Development Officers</td>
<td>• To obtain an understanding of gender mainstreaming</td>
</tr>
<tr>
<td></td>
<td>CAO/Institutional Head</td>
<td>• How gender mainstreaming is done across government ministries and Local governments</td>
</tr>
<tr>
<td></td>
<td>Planner</td>
<td>• Challenges in gender mainstreaming</td>
</tr>
<tr>
<td></td>
<td>CFO</td>
<td>• Monitoring and evaluation function</td>
</tr>
<tr>
<td></td>
<td>PPO</td>
<td>• To gain an understanding of how Gender mainstreaming is done during the planning, monitoring and evaluation processes</td>
</tr>
<tr>
<td></td>
<td>GFPP/CDO</td>
<td>• To gain an understanding of how Gender mainstreaming is done during the Budgeting and payment process</td>
</tr>
<tr>
<td></td>
<td>To understand how gender mainstreaming is done in the Human resource department during Recruitment and training.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>To gain an understanding of the role of the GFPP in leading the gender mainstreaming process within the district.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>To understand the coordination and reporting mechanism, support and facilitation between the GFPP and the MoGLSD</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX III: MACRO STRUCTURE FOR THE MINISTRY OF GENDER, LABOUR AND SOCIAL DEVELOPMENT

Macro structure for the Ministry of Gender, Labour and Social Development

Minister

- Minister of State for Labour, Employment and Occupational Safety
- Minister of State for Social Protection and Gender
- Minister of State for Children, Gender and Social Development
- Permanent Secretary
  - Internal Audit
  - Planning Unit
  - Policy Analysis Unit

Directorate of Gender and Community Development
- Community Development and Literacy
- Culture and Family Affairs
- Gender and Women Affairs

Directorate of Social Protection
- Disability and Equality
- Equity and Rights
- Youth and Children Affairs

Directorate of Labour, Employment, Occupational Safety
- Labour Inspector & Relations
- Occupational Safety and Health
- Employment Services
APPENDIX IV: MACRO STRUCTURE FOR THE DEPARTMENT OF GENDER AND WOMEN AFFAIRS.

Organisation Structure for the Department of Gender and Women Affairs: Program 11

Support Staff
- Personal secretary (6U41)
- Steno-Secretary (6U51)
- Drivers (6U81)
- Office attendant (6U81)

Details of the departmental Structure including Staff list as of 30th June 2011

<table>
<thead>
<tr>
<th>No</th>
<th>Post Title</th>
<th>Scale</th>
<th>Appr Post</th>
<th>Filled Post</th>
<th>Vac. Post</th>
<th>Name of Incumbent</th>
<th>Sex</th>
<th>Status</th>
<th>Salary Per Year</th>
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<tbody>
<tr>
<td>1</td>
<td>Comm</td>
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<td>1 1 0</td>
<td>Krashmare E.</td>
<td>F</td>
<td>Conf</td>
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<tr>
<td>2</td>
<td>AG</td>
<td>U2E</td>
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<tr>
<td>3</td>
<td>POO</td>
<td>U2L</td>
<td>2 2 0</td>
<td>Ekapu N. J.</td>
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<tr>
<td>4</td>
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<td>2 2 0</td>
<td>Mabuya M.</td>
<td>M</td>
<td>Cont</td>
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<td></td>
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</tr>
<tr>
<td>5</td>
<td>RDO</td>
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<td>2 2 0</td>
<td>Mabula Kapinga</td>
<td>M</td>
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<tr>
<td>6</td>
<td>RDO</td>
<td>U3L</td>
<td>2 2 0</td>
<td>Kaparujir A.</td>
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<td>7</td>
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</tr>
<tr>
<td>8</td>
<td>WDO</td>
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<td>Mwawuwa S.</td>
<td>F</td>
<td>Conf</td>
<td>7,549,863</td>
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<tr>
<td>9</td>
<td>Personal/Sec</td>
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<td>Vacant</td>
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<tr>
<td>10</td>
<td>Steno/Sec</td>
<td>U5L</td>
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<td>11</td>
<td>OA</td>
<td>U8U</td>
<td>1 1 0</td>
<td>Okwunwu Salome</td>
<td>F</td>
<td>Conf</td>
<td>2,015,782</td>
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<tr>
<td>12</td>
<td>Driver</td>
<td>U8U</td>
<td>1 1 0</td>
<td>Vacant</td>
<td></td>
<td></td>
<td>2,015,782</td>
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<tr>
<td>Sub Total</td>
<td>15 13 2</td>
<td></td>
<td></td>
<td>148,477,307</td>
<td></td>
<td></td>
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<td></td>
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</tr>
</tbody>
</table>

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### APPENDIX V: INTERNATIONAL INSTRUMENTS/ PROTOCOLS IN GENDER

<table>
<thead>
<tr>
<th>No.</th>
<th>PROTOCOL NAME</th>
<th>YEAR</th>
<th>WHAT THE PROTOCOL IS ABOUT</th>
<th>DATE SIGNED</th>
<th>DATE RATIFIED</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Millennium Development Goals. (MDGs)</td>
<td>2000</td>
<td>Two out of the eight MDG goals, namely goals 3 and 5, represent a global commitment to addressing gender issues that affect women directly. Addressing gender equality and women’s empowerment is therefore central to the attainment of the MDGs.</td>
<td>2000</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Beijing Declaration and Platform for Action (BPfA)</td>
<td>1995</td>
<td>The BPfA is one of the key instruments that Uganda is utilising for gender mainstreaming, as it provides tangible strategies and activities. It aims at advancing the empowerment of women in relation to women’s human rights and it also provides a platform for international norms and standards of equality between men and women.</td>
<td>1995</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Elimination of All Forms of Discrimination Against Women (CEDAW),</td>
<td>1979</td>
<td>The CEDAW seeks to ensure against Discrimination or exclusion of women from development and sets out the right of women to participate in political, economic and social life. The protocol also seeks to eliminate all forms of discrimination against women. The parties to this protocol are required to take appropriate measures to modify or abolish laws, regulations, customs which constitute discrimination against women.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### APPENDIX VI

**LOCAL GOVERNMENT ASSESSMENT CRITERIA FOR GENDER MAINSTREAMING**

<table>
<thead>
<tr>
<th>S/N</th>
<th>ASSESSMENT CRITERIA</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>District Development Plan reflects sound gender analysis including disaggregated data, gender impact analysis, etc</td>
</tr>
<tr>
<td>2</td>
<td>District Development Plan reflects strategies to address the gender issues identified in the analysis</td>
</tr>
<tr>
<td>3</td>
<td>Annual budget reflects budgetary allocations to address gender strategies that were raised in district plans</td>
</tr>
<tr>
<td>4</td>
<td>Evidence that the district/municipality has financed the gender issues identified by DDP during planning, monitoring and mentoring activities</td>
</tr>
<tr>
<td>5</td>
<td>Evidence that gender specific needs were identified and analysed during the capacity building needs assessment</td>
</tr>
<tr>
<td>6</td>
<td>Specific capacity enhancement strategies and activities for Community Services Department and Gender Focal Point Person in the current FY linked to addressing inequalities between men and women</td>
</tr>
<tr>
<td>7</td>
<td>Skills enhancement training for women, youth and PWD councilors undertaken during the previous FY aimed at reducing the inequalities between men and women</td>
</tr>
<tr>
<td>8</td>
<td>Gender awareness training (addressing inequalities between men and women) planned for and undertaken during the previous FY</td>
</tr>
<tr>
<td>9</td>
<td>Evidence that Gender Focal Point Person identified gender issues, designed strategies and mentored other staff on how to deal with inequalities between men and women</td>
</tr>
<tr>
<td>10</td>
<td>No Evidence that the Gender Focal Point Person has disseminated gender information (either received from the centre or developed within the LG) to technical as well as political leaders in the LG</td>
</tr>
</tbody>
</table>