

# Equal Opportunities Commission

## The Equal Opportunities Commission releases Findings on Gender and Equity Compliance in the Plans and Budgets of Government Institutions for FY 2016/17



The Equal Opportunities Commission is a body corporate established by the Equal opportunities Commission Act, 2007 in accordance with Article 32(3) of the Constitution of the Republic of Uganda to give effect to the State's constitutional mandate to eliminate discrimination and inequalities against any individual or group of persons on the ground of sex, race, colour, ethnic origin, tribe, creed, religion, social or economic standing, political opinion, disability, gender, age or any other reason created by history, tradition or custom.

The mandate of the Commission is to enforce compliance with legislation, affirmative action and inclusion into government programmes by all on the basis of equal opportunities. As one of the measures to fulfil this mandate, His Excellency the President of the Republic of Uganda accented to the Public Finance Management Act 2015, on the 23<sup>rd</sup> of February 2015,

With this law in place, the Commission is mandated to assess Budget Framework Papers, Ministerial Policy Statements and the National Budget for Gender and Equity Compliance.

### This mandate is articulated under;

- sections 9(6) (a) and (b) concerning Budget Framework Papers which states that, the Minister shall, in consultation with the Equal Opportunities Commission, issue a certificate
  - certifying that the Budget Framework Paper (BFP) is gender and equity responsive; and
  - specifying measures taken to equalize opportunities for women, men, persons with disabilities and other marginalized groups.
- Section 13(11) (e) (i) and (ii), concerning the National Budget stating that a certificate shall be issued by the Minister responsible for Finance in consultation with the Equal Opportunities Commission
  - certifying that the budget is gender and equity responsive; and
  - Specifying the measures taken to equalize opportunities for men, women, persons with disabilities and other marginalised groups
- Section 13 (15) (g) stipulating that a certificate shall be issued by the Minister responsible for Finance in consultation with the Equal Opportunities Commission;
  - certifying that the policy statement is gender and equity responsive;
  - specifying measures taken to equalize opportunities for men, women, persons with disabilities and other marginalised groups;

This financial year (2015/2016), the Commission started operationalizing this law by assessing 16 BFPs and 90 MPSs. Of the 16 BFPs, 14 met the Gender and Equity compliance requirements and 2 failed i.e. Ministry of Energy and Mineral Development and Ministry of Trade, Industry and Cooperatives. Of the 90 MPSs assessed, 67 met the minimum requirements, 23 did not pass the minimum requirements, 37 MDAs submitted their MPSs after the deadline and 8 never submitted at all. These include:

- Kampala Capital City Authority
- Ministry of works and Transport
- Uganda National Roads Authority
- The Road Fund
- The Law Development Center
- Ministry of Local government
- Treasury Operations
- The Parliamentary Commission

### The assessment was focused on 4 sections of the MPSs and BFPs;

- Vote Past Performance
- Vote Medium Term Plans
- Vote Plans and Allocations for FY 2016/2017
- Gender and Equity Vote Performance issues

The commission examined the extent to which the MPSs and BFPs have taken care of Gender and Equity in an effort to ensure same treatment or consideration for women, youth, People With Disabilities, ethnic minorities and older persons in the enjoyment of rights and freedoms, attainment of access to social services or the participation in social, cultural, economic and political activities regardless of sex, age, race, color, ethnic origin, tribe, birth, location, creed, social or economic standing, political opinion or disability.

As this was the maiden assessment, the pass mark for Gender and Equity Assessment was placed at 40% to provide for progressive learning in the planning and budgeting processes.

### The two tables below illustrate the performance MPSs assessed

**Table 1: Votes that met the minimum Gender and Equity Compliance requirements**

Vote	Score
1. Vote 018_Ministry of Gender Labour and Social Development	98%
2. Vote 004_Ministry of Defence	88%
3. Vote 133_Directorate of Public Prosecutions	86%
4. Vote 014: Ministry of Health	84%
5. Vote 124_Equal Opportunities Commission	82%
6. Vote 013_ Ministry of Education Science Technology and Sports	80%
7. Vote 102_Electoral Commission	72%
8. Vote 105_Law Reform Commission	69%
9. Vote 176_Naguru Referral Hospital	69%
10. Vote 145_Uganda Prisons	68%
11. Vote 114_Uganda Police Force	65%
12. Vote 003_Office of the Prime Minister	65%
13. Vote 003_Ministry of Public Service	65%
14. Vote 106_The Uganda Human Rights Commission (UHRC)	64%
15. Vote: 006_Ministry of Foreign Affairs	62%
16. Vote 169_Masaka Referral Hospital	62%
17. Vote 007_Ministry of Justice and Constitutional Affairs	60%
18. Vote 173_Mbarara Regional Referral Hospital	59%
19. Vote 172_Lira Regional Referral Hospital	59%
20. Vote 019-Ministry of Water and Environment (MWE)	59%
21. Vote 175_Moroto Referral Hospital	59%
22. Vote 174_Mubende Referral Hospital	58%
23. Vote: 012 Ministry of Land Housing and Urban Development	57%
24. Vote 008_Ministry of finance Planning and Economic Development	57%
25. Vote 143_Uganda Bureau of Statistics	57%
26. Vote: 002_State House	55%
27. Vote 163_Arua Referral Hospital	55%
28. Vote 107 Uganda AIDs Commission Secretariat	54%
29. Vote: 149 Gulu University	54%
30. Vote: 111: Busitema University	53%
31. Vote 022_Ministry of Tourism, Wildlife and Antiquities	53%
32. Vote: 020 Ministry of Information and Communications Technology	52%

**Table 2: Votes that did not meet the minimum Gender and Equity Compliance requirements**

Vote	Score
1. Vote 168_Kabale Referral Hospital	36%
2. Vote 010_Ministry of Agriculture, Animal & Fisheries	35%
3. Vote 303_National Curriculum Development Centre	34%
4. Vote 155_Uganda Cotton Development Organization	32%
5. Vote 116_National Medical Stores	32%
6. Vote 148_Judicial Service Commission	32%
7. Vote 301_Lira University	31%
8. Vote 128_Uganda National Examinations Board	30%
9. Vote 150_National Environment Management Authority (NEMA)	30%
10. Vote 134_Health Service Commission	28%
11. Vote 308_Soroti University	28%
12. Vote 162_Butabika Hospital	27%
13. Vote 153_Public Procurement and Disposal of Public Assets Authority	26%
14. Vote 137_Mbarara University	26%
15. Vote 302-Uganda National Meteorological Authority	25%
16. Vote 157-National Forestry Authority (NFA)	25%
17. Vote 141_Uganda Revenue Authority	25%
18. Vote 112_Directorate for Ethics and Integrity	20%
19. Vote 159_External Security Organization	19%
20. Vote: 156 Uganda Land Commission	15%
21. Vote 132_Education Service Commission	14%
22. Vote 110_Uganda Industrial Research Institute	11%
23. Vote 154_Uganda National Bureau of Standards	11%

Vote	Score
33. Vote 120_National Citizenship and Immigration Control	52%
34. Vote 160_Uganda Coffee Development Authority	52%
35. Vote 151_Uganda Blood Transfusion Services (UBTS)	52%
36. Vote 103_Inspectorate of Government	51%
37. Vote 152_NAADS Secretariat	50%
38. Vote 170_Mbale Referral Hospital	50%
39. Vote 171_Soroti Referral Hospital	49%
40. Vote 123_Rural Electrification Agency	47%
41. Vote 115_Uganda Heart Institute	47%
42. Vote 147_The Local Government Finance Commission(LGFC)	47%
43. Vote 167_Jinja Referral Hospital	47%
44. Vote 127_Muni University	46%
45. Vote 113_Ministry of Internal Affairs	46%
46. Vote 136_Makerere University	46%
47. Vote 164_Fort Portal Referral Hospital	46%
48. Vote 131_Office of the Auditor General (OAG)	44%
49. Vote 125_National Animal Genetic Resources Centre and Data Bank,	44%
50. Vote 142_National Agricultural Research Organization	44%
51. Vote: 138: Makerere University Business School	43%
52. Vote: 001_Office of the President	42%
53. Vote 139_Kyambogo University	42%
54. Vote 114_Uganda Cancer Institute	42%
55. Vote 117_Uganda Tourism Board	41%
56. Vote 165_Gulu Referral Hospital	41%
57. Vote 162_Mulago Hospital Complex	41%
58. Vote 307_Kabale University	41%
59. Vote 108_National Planning Authority	40%
60. Vote 121_Dairy Development Authority	40%
61. Vote: 026 National Information Technology Authority - Uganda	40%
62. Vote 101_Judiciary	40%
63. Vote 021 East African Community	40%
64. Vote 146_Public Service Commission	40%
65. Votes 201-236_Missions Abroad	40%
66. Vote: 140 Uganda Management Institute	40%
67. Vote 166_Hoima Referral Hospital	40%



Ms. Sylvia Muwebwa Nabatanzi.  
CHAIRPERSON

Through this assessment process the commission observes that the PFMA 2015 is one strong and deliberate measure taken by the Government of Uganda towards inclusive growth and development.

There is still a knowledge and skills gap among development actors as far as Gender and Equity mainstreaming in development is concerned- no wonder there are a number of MDAs that are still below the provided pass mark of 40%

In light of the foregoing, the EOC recommends as follows

- All institutions that passed the minimum requirements be issued with a compliance certificate by Ministry of Finance and their budgets considered by Parliament.
- Under Section 78 (1) of the PFMA 2015, it provides that the defaulting and non-compliant entities be enjoined to make reports to Parliament, explaining

their non-compliance and in accordance with section 15 (4) (b) of the Equal Opportunities Act 2007, the Commission has powers to recommend to or order any institution, body, authority or person to adopt or take particular steps or action which in the opinion of the Commission will promote Equal Opportunities.

Therefore the Commission recommends the budgets of the respective institutions that did not comply be put in abeyance and not passed, pending appropriate review to meet the compliance requirement, or a satisfactory explanation referred to herein above.

3. Government should allocate more financial resources to the commission for effective and efficient implementation of this grand mandate.

**Management**