

OFFICE OF THE CLERK TO PARLIAMENT
28 FEB 2024
RECEIVED
BOX 7178, KAMPALA



THE PARLIAMENT OF UGANDA

**REPORT OF THE COMMITTEE ON PRESIDENTIAL AFFAIRS ON THE
KARAMOJA DEVELOPMENT AGENCY ACT (REPEAL) BILL, 2024**

[Handwritten signatures and initials]

Office of the Clerk to Parliament
February, 2024

1. INTRODUCTION

The Karamoja Development Agency (Repeal) Bill, 2024 ('the Bill') was read for the first time on 20th February, 2024 in accordance with Rule 128 of the Rules of Procedure of Parliament, and referred to the Committee on Presidential Affairs for consideration in line with Rule 129 and report back to the House. The Committee has considered the Bill and hereby reports.

2. BACKGROUND TO RATIONALISATION OF GOVERNMENT AGENCIES AND PUBLIC EXPENDITURE

2.1 Reforms in the Public Sector

The Government of Uganda has carried out several reforms aimed at improving effectiveness and efficiency in service delivery over the years.

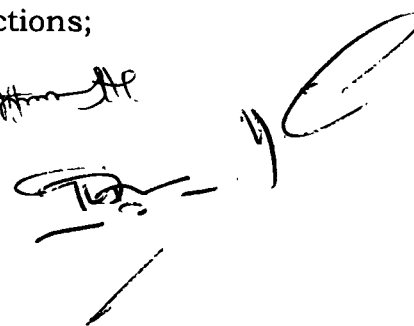
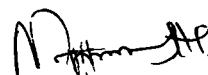
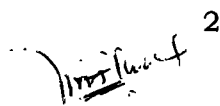
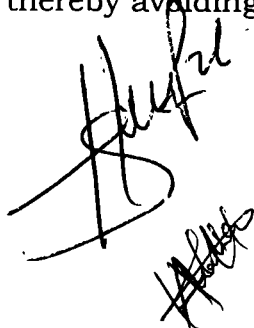
Several agencies were created in different Ministries through Acts of Parliament and statutory instruments with the aim of improving service delivery. In 1987, the Karamoja Development Agency was established to facilitate social, political and economic development of Karamoja subregion.

2.2 Intervention by the President

On 22nd February, 2021 Cabinet, under Minute No. 43(CT 2021), resolved to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure (RAPEX) through merging, mainstreaming and rationalisation of agencies, commissions, authorities and public expenditure and the Karamoja Development Agency is one of the agencies affected by this decision.

This decision is aimed at achieving the following-

- (a) relieve the Government of the financial drain on its resources and the burden of wasteful administration and expenditure;
- (b) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of government agencies and departments and thereby avoiding duplication of mandates and functions;



(c) promote coordinated administrative arrangements, policies and procedures for—

(i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;

(ii) enabling the Government to play its proper role more effectively; and

(iii) enforcing accountability; and

(d) the restructuring and re-organisation of agencies and departments of Government by eliminating bloated structures and functional ambiguities in Government agencies and departments.

Cabinet also approved a roadmap for the implementation process over a period of two and a half years - (from July, 2021/22 to December, 2023). This roadmap was adjusted to commence on 1st July, 2024 under Minute No. 15 (CT 2024) to allow for the finalization of the legal processes.

3. OBJECTIVE OF THE KARAMOJA DEVELOPMENT AGENCY ACT (REPEAL) BILL, 2024

The main objective of this Bill is to give effect to the Government Policy for Rationalisation of Government Agencies and Public Expenditure adopted by Cabinet on 22nd February, 2021 and contained in Cabinet Minute No. 43(CT 2021) through merging, mainstreaming and rationalisation of agencies, commissions, authorities and public expenditure in order to-

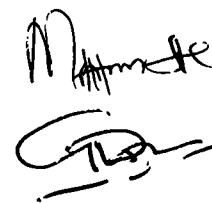
(a) relieve the Government of the financial drain on its resources and the burden of wasteful administration and expenditure;

(b) facilitate efficient and effective service delivery by clearly delineating the mandates and functions of government agencies and departments and thereby avoiding duplication of mandates and functions;

(c) promote coordinated administrative arrangements, policies and procedures for—



3
D. H. M. f.



- (i) ensuring the efficient and successful management, financial accounting and budgetary discipline of government agencies and departments;
- (ii) enabling the Government to play its proper role more effectively; and
- (iii) enforcing accountability; and
- (d) the restructuring and re-organisation of agencies and departments of Government by eliminating bloated structures and functional ambiguities in Government agencies and departments.

4. METHODOLOGY

In considering the Bill, the Committee:

- (a) held meetings and received written submissions from stakeholders; and
- (b) reviewed various literature.

4.1 Meetings and written submissions


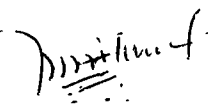
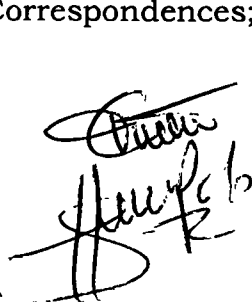
The Committee held meetings with and received written memoranda from the following stakeholders:

- (i) The Ministry er for Karamoja Affairs;
- (ii) The Karamoja Parliamentary Group;
- (iii) The Karamoja Professionals Association; and
- (iv) Local Council V Chairpersons from Karamoja.

4.2 Document review

The Committee made reference to a number of documents including:

- (i) The Constitution of the Republic of Uganda, 1995;
- (ii) The Karamoja Development Agency Act, Cap. 241;
- (iii) The Local Governments Act, Cap. 243;
- (iv) Correspondences;



(v) Cabinet Extracts; and

(vi) Submissions from stakeholders.

5. THE KARAMOJA DEVELOPMENT AGENCY ACT, CAP. 241

The Karamoja Development Agency was created by the Karamoja Development Agency Act Cap. 241. in 1987.

The Agency is comprised of a Council which is the governing body of the Agency. The Council is established under section 2 and consists of—

(a) Permanent Secretaries of the following Ministries—

(i) President's Office;

(ii) Water and Mineral Resources;

(iii) Animal Industry and Fisheries;

(iv) Health;

(v) Planning and Economic Development;

(vi) Education;

(vii) Finance;

(viii) Works;

(ix) Agriculture;

(x) Local Government;

(xi) Defence;

(b) the director;

(c) the chairpersons of Moroto and Kotido district local councils and one councilor from each county; and

(d) persons appointed under subsection (2) and persons co-opted under subsection (3).

Under sub Section 2 (2), the Act allows the President to appoint to the Council up to five persons who, in his or her opinion, are knowledgeable about the socioeconomic affairs of the region. The Council is also allowed to co-opt any representative of a nongovernmental organisation carrying out any

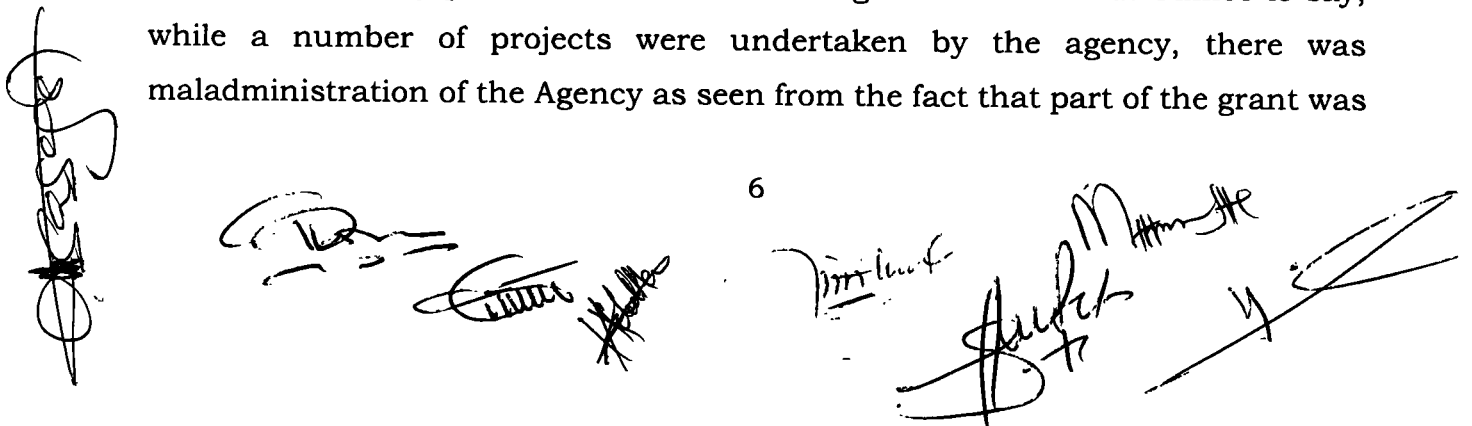
developmental project in the region. The Chairperson of the Council is appointed by the President.

The functions of the agency are spelt out under Section 3 of the Act as follows—

- (i) to supervise the general transformation of Karamoja region and
- (ii) bring about rapid economic and social development;
- (iii) to ensure that in the developmental process of Karamoja region, the Karamojong people acquire the necessary skills that will enable them to participate in the solution of the socioeconomic problems of the region;
- (iv) to provide sufficient water in the region for the purpose of developing agriculture and animal industry in the region;
- (v) to promote, diversify and increase the productive capacity of the region;
- (vi) to provide and improve the health and educational facilities in the region;
- (vii) to coordinate all developmental projects that are or are to be carried on in the region; and
- (viii) to carry out any other function which is incidental to the above named functions or is necessary for enabling the agency to fulfill its objectives.

The Committee established that the Karamoja Development Agency remained active for a short period of time because it was majorly supported by Government through a grant of Euros 6 million obtained from the European Economic Community (EEC). This grant enabled the region to have some developments especially in the areas of infrastructure development like schools.

Additionally, the Committee established that mismanagement and disagreements between the managers of Karamoja Development Agency and the European Economic Community (EEC) crippled the agency's functioning when the donors pulled out citing maladministration. The Committee was also informed that only part of the Euro 6 million grant was utilised. Suffice to say, while a number of projects were undertaken by the agency, there was maladministration of the Agency as seen from the fact that part of the grant was

The bottom of the page contains several handwritten signatures and scribbles. On the far left is a vertical signature. In the center and right, there are several horizontal signatures, some of which are crossed out or scribbled over. The signatures appear to be in black ink on a white background.

used to fund capital development as opposed to development projects for which it was intended.¹

The Committee also established that the development budget support of the Karamoja Development Agency from Government ended in 2006, however, Government continued to pay the salaries of staff.

According to the Minister, the Agency had 33 staff as at 2006 and out of this number, two staff of the Agency were moved to the Ministry of Karamoja Affairs on contract basis to oversee the estates of the Agency and are being paid by the Ministry. The Minister informed the Committee that as at May 2007, UGX 119,107,710/= was the financial requirement for severance packages to compensate the former staff of the Agency. The current financial requirement for payment of terminal benefits of staff of Agency was not provided to the Committee by the Minister.

The Committee was informed by Hon. David Pulkol, a former Minister of State for Karamoja Affairs between 1994-96, that in 1996, he froze the activities of the agency temporarily as a means to bring back donors' confidence and created two temporary institutions;

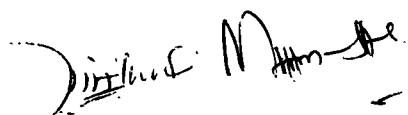
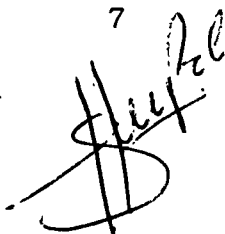
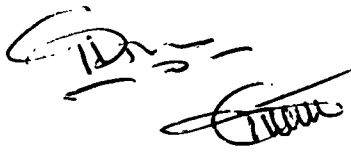
- (a) The Karamoja Taskforce for software activities; and
- (b) The Karamoja Projects Implementation Unit (KPIU).

6. OBSERVATIONS AND RECOMMENDATIONS

6.1 Clause 4 & 8: Repeal of the Karamoja Development Agency Act Cap. 241 and Dissolution of the Karamoja Development Agency

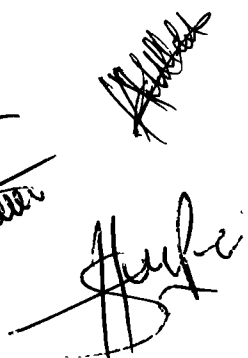
Clause 4 & 8 of the Bill seek to repeal the Karamoja Development Agency Act, Cap. 241; and to dissolve the Karamoja Development Agency respectively.

¹ Masiko, N. M, 1996. An Evaluation of the Performance of the Karamoja Development Agency: 1987 to 1995.



The Committee notes that Cabinet took a decision to repeal the Act in 2012 under Min. 188 (CT 2012) where it approved the Principles of the Bill. The Committee further notes the submission by the Hon. Minister for Karamoja Affairs that the decision to repeal the Bill was part of the broader move by Government to rationalize government agencies and that a number of policy changes had taken place that had rendered the Act redundant including:

- i. The Establishment of the Minister responsible for Karamoja Affairs** in 1988 under the Office of the Prime Minister to coordinate and monitor the implementation of policy, government projects and programmes with a view to giving affirmative action to the region;
- ii. The Enactment of the Local Governments Act Cap. 243** which decentralised political, administrative, planning, Financial and decision making powers from the central government to the District Local Governments. By this Act, local governments in Karamoja took over the responsibilities of implementation, supervision, and monitoring of projects and programmes in the region earlier vested in the KDA by the KDA Act;
- iii. The Office of the Prime Minister**
In 2005, Government, under Article 108 A of the Constitution mandated the Office of the Prime Minister (OPM) to coordinate and implement government policies and programmes across Ministries, Departments and agencies (MDAs) and other public institutions. The OPM has since been assigned by H.E. the President to manage special programmes and ensure affirmative action in the northern and north eastern regions while the Ministry responsible for Karamoja Affairs implements programmes for the Karamoja sub region.



iv. Karamoja Integrated Disarmament and Development Programme (KIDDP)

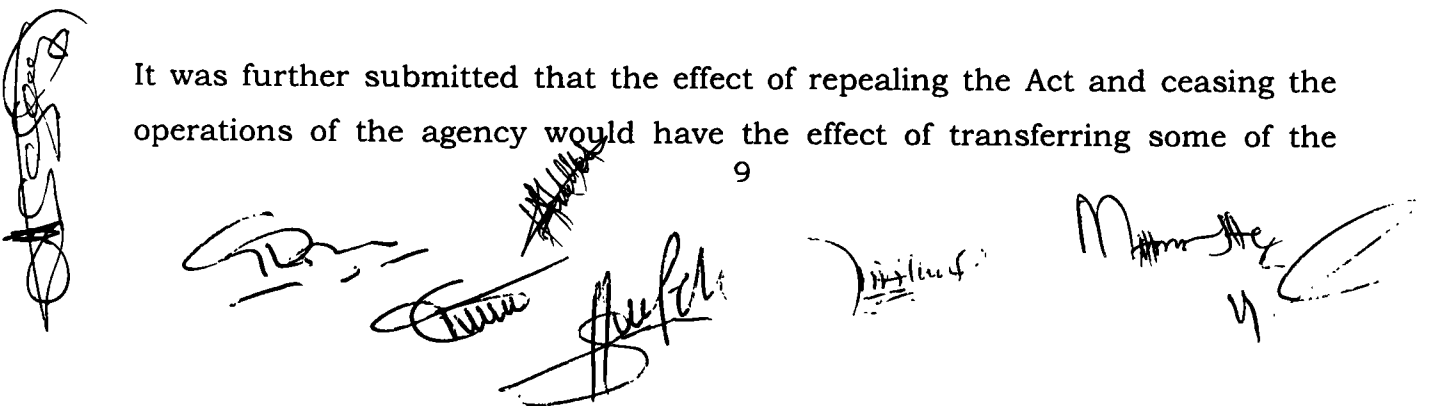
In 2007, government developed the Karamoja Integrated Disarmament and Development Programme (KIDDP), now the Karamoja Integrated Development Programme (KIDP), as a framework through which recovery and development interventions in Karamoja are implemented. The overall coordination of the KIDP was being done by the OPM through the Karamoja Affairs Office with support of sector ministries and development partners. The National Planning Authority was in the final stages of reviewing KIDP for consideration by Cabinet and Parliament as a development framework for the Karamoja sub region.

Members of Parliament from Karamoja as well as the Karamoja Professionals Association submitted that repealing the Act and thereby dissolving the Karamoja Development Agency would be detrimental for a number of reasons including:

It was submitted that Karamoja was a region that required affirmative action given that it was lagging behind in many areas including education and health, and KDA was an agency that could best achieve this transformation

KDA was not a strain on the treasury given that the agency had not been receiving any funding from government over the years. Moreover, whereas at the time KDA was in operation there were challenges such as insecurity, poor infrastructure and few educated people from Karamoja which affected the operations of the KDA, these challenges had been addressed through disarmament, the provision of infrastructure, and an increased number of professionals. All these conditions were in place for KDA to properly operate and the professionals would play a role in the KDA.

It was further submitted that the effect of repealing the Act and ceasing the operations of the agency would have the effect of transferring some of the

The bottom of the page features several handwritten signatures and scribbles. On the far left is a vertical scribble. To its right are several distinct signatures, including one that appears to be 'M. M. M.', another that looks like 'M. M. M.', and a large, stylized signature on the right side. There are also some smaller, less legible marks and scribbles scattered across the bottom.

functions of the agency to the district local governments which had challenges of their own and hardly have sufficient resources to implement their own programmes. It was difficult to imagine how they could implement the functions of another agency.

Furthermore, the leadership submitted that despite the existence of the Office of the Prime Minister, the Ministry for Karamoja Affairs and Local Governments in the Karamoja sub region, the implementation of all the programmes in Karamoja sub region has not been efficient.

When the attempts to repeal the Act came in 2012, the people of Karamoja vehemently rejected the proposals for repeal and instead proposed an amendment of the Act.

It was further submitted that KDA, if revived, would play the role of coordinating the activities of development across all districts, a role which the Ministry for Karamoja Affairs has not succeeded in doing given its limited staff and light presence in Karamoja. An example was given of how the Ministry of Agriculture, Animal Industry and Fisheries and the Ministry of Water and Environment were in conflict regarding the construction of a dam in Karamoja and it was submitted that had the Agency been involved, it would have helped in resolving the disagreement.

The Committee took note of the submissions from the Hon. Minister and the leaders from Karamoja and notes the following:

The Karamoja Development Agency had been in abeyance for over 20 (twenty) years. Moreover, the Committee takes cognisance of the fact that during that time, the Ministry for Karamoja Affairs was playing the roles that had to be played by the KDA. Further, Sections 30 and 31 and the Second Schedule to the Local Governments Act provide for a wide range of services that are performed by local governments. These same services include those that were the preserve of the KDA.

The Committee further notes that whereas there were several schools constructed during the time that the KDA was active, it was not true that there was no development attained during the time KDA was in abeyance. The Committee observes that the socio-economic transformation of Karamoja was not only hinged upon the existence of KDA and will not cease with the repeal of the Act and dissolution of the KDA.

The Committee further observes that whereas the existence of the KDA was not a strain on the national treasury for several years, its continued existence runs counter to the objective of the government to restructure and re-organise agencies and departments of Government by eliminating bloated structures of Government and functional ambiguities in Government agencies and departments.

The Committee further notes that even without the existence of the KDA, donor support was still coming into Karamoja and there were several developments that have been put in place. All donor funding is coordinated by the Office of the Prime Minister.

Whereas there are inter-ministerial disagreements relating to some projects such as dams in Karamoja, it cannot be concluded that had the KDA been in existence, these would not have arisen, or that KDA would have resolved them. The Office responsible for addressing such matters is the Office of the Prime Minister which is constitutionally mandated to coordinate different Ministries.

The Committee also observes that whereas the Professionals from Karamoja sub region desire to be the implementers of all the programmes in the Karamoja sub region, the relevant laws have already provided for the relevant implementers as elaborated above. The Committee recognizes the formidable force of the professionals as an achievement to the country, however, the repealing will not stop them from being engaged by Government through consultative meetings.

The Committee also recognizes the engagement of the earlier engagement of the Karamojong professionals through the establishment of the Karamoja Taskforce

for software activities and this administrative arrangement is not affected by the repeal.

The Committee notes that the solution to the problems in the Office of the Prime Minister and the Ministry for Karamoja Affairs and the District Local Governments in Karamoja sub region is not to revive the Agency but the entities must improve and ensure effective implementation.

Recommendation

The Committee recommends that the Karamoja Development Agency Act Cap. 241 be repealed and that the Karamoja Development Agency be dissolved.

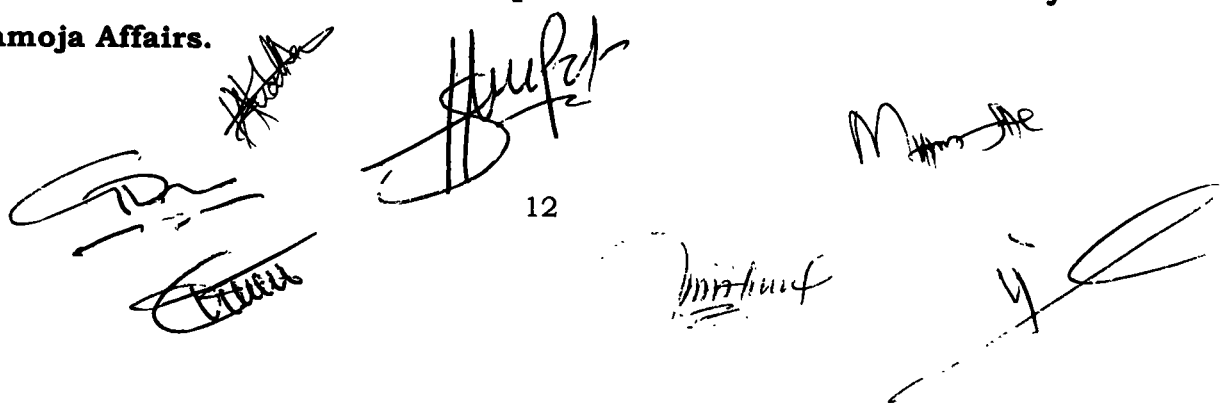
6.2 Clause 5: Karamoja Local Governments to Perform functions of the Agency

The Committee observes that the overall intention of the Review and Rationalisation of Government Agencies and Public Expenditure includes, among others, the elimination of embedded duplications and overlaps. The Committee further notes that the Local Governments Act contains a range of functions to be performed by district local governments, and that the Ministry and local governments has been carrying out several functions of the Karamoja Development Agency.

The Committee further notes that while the Clause provides that the Ministry for Karamoja Affairs shall coordinate and supervise the local governments in Karamoja, this is not indicated in the head note.

Recommendation

The Committee recommends that head note of Clause 5 be amended to include the coordination and supervision roles of the Ministry for Karamoja Affairs.



12

The bottom of the page features several handwritten signatures in black ink. There are approximately seven distinct signatures scattered across the lower half of the page. In the center, the number '12' is printed.

6.3 Clause 6: Staff of Agency

The Committee is in agreement with Clause 6 of the Bill that the staff of the Agency be paid their terminal benefits in accordance with the terms and conditions of their service, and that the staff of the Agency may be redeployed to serve in the public service subject to the availability of positions.

The Minister for Karamoja Affairs informed the Committee that there have never been any attempts to settle the terminal benefits of staff of the Agency, even though Government stopped paying their salaries in 2006.

The Committee observes that there was no evidence submitted to the Committee to indicate that the proper procedures for termination of the employment of the staff of the Agency were followed. The Minister, in fact, apologized to the Committee for the manner in which the Agency staff were handled.

Furthermore,, the Committee was informed by the Minister that severance allowances of the former staff as at May 2007 amounted to UGX 119,107,710/= which was the financial requirement to compensate the former staff of the Agency, which information the Committee could not verify since the Minister did not provide sufficient evidence of the number of staff and the terminal benefits due to them as requested by the Committee.

It is thus the observation of the Committee that the staff of the Agency were not properly laid off. The Committee observes that the severance allowances as cited by the Minister cannot be the only terminal benefits accruing to the staff of the Agency.

Recommendation

The Committee recommends that the Office of the Prime Minister and the Ministry of Karamoja Affairs in collaboration with the Ministries of Finance, Planning & Economic Development; and Public Service promptly compute

and settle the terminal benefits of all the former staff of the Karamoja Development Agency.

6.4 Clause 7: Property, assets, and liabilities of the Agency

The Minister for Karamoja Affairs informed the Committee that in the interim, the Ministry in liaison with other Ministries, Departments and Agencies will put in place measures to protect KDA assets before coming into force of the Act. She indicated that some of the assets include land and houses which are being occupied by District Local Government Staff.

The Members of Parliament from the Karamoja Parliamentary Group indicated fears that the assets of KDA are being transferred to individual persons.

The Committee observes that at the time of creation of KDA, the region had only two districts as opposed to the current nine districts therefore, the Ministry for Karamoja Affairs should provide custody, ensure proper utilisation and safety of the assets.

The allegations from the members of the Karamoja Parliamentary Group should be verified and appropriate actions taken.

Recommendation

- 1. The Ministry for Karamoja Affairs should provide custody and ensure proper utilisation and safety of the assets of the Karamoja Development Agency.**
- 2. The Office of the Prime Minister should investigate the allegations that some of the assets of the Karamoja Development Agency have been transferred to individual persons and take appropriate action.**



7. CONCLUSION

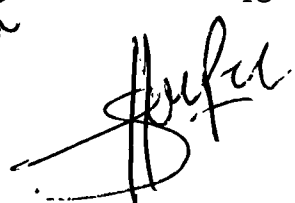
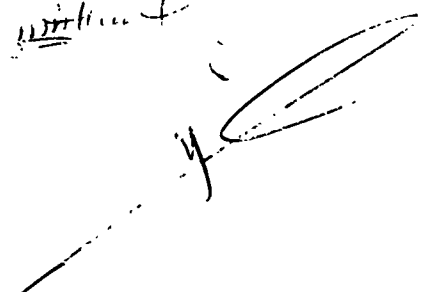
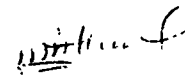
The Committee appreciates the Review and Rationalisation of Government Agencies and Public Expenditures and its various aims including the move of government to, among others, eliminate bloated structures and functional ambiguities across Government Institutions. As highlighted above, the enactment of the Local Governments Act shifted the functions of the Agency to local governments, and the Ministry for Karamoja Affairs plays a supervision and coordination role.

However, the Committee observes that the implementation of the programmes in the Karamoja sub region by the Office of the Prime Minister, the local governments and the Ministry for Karamoja Affairs are a challenge therefore affecting service delivery. The Committee recommends that the Office of the Prime Minister and the relevant Ministries must ensure improved service delivery in the region.

The Committee is in agreement with mandating the Ministry for Karamoja Affairs to provide the overall coordination and supervision of local governments in Karamoja, it is critical that the Ministry is strengthened to properly undertake this role.

Lastly, the Committee is of the strong opinion that the matter relating to the payment of the terminal benefits of the former staff of the Agency is expeditiously handled, given that their services were terminated without payment of their terminal benefits.

I beg to move.



**PROPOSED AMENDMENTS TO THE KARAMOJA DEVELOPMENT AGENCY
ACT (REPEAL) BILL, 2024**

CLAUSE 3: PURPOSE OF REPEAL OF CAP.241

For Clause 3 of the Bill is substituted the following—

“3. Purpose of repeal of Cap.241

The purpose of repealing Cap.241 is to—

- (a) dissolve the Karamoja Development Agency;
- (b) transfer the functions of the Agency to the local governments in Karamoja sub region; and
- (c) empower the Ministry to coordinate and supervise the local governments in carrying out the functions of the dissolved Agency.”

Justification

To include in the purpose of the Bill, the dissolution of the Karamoja Development Agency which was left out.

**CLAUSE 5: KARAMOJA LOCAL GOVERNMENTS TO PERFORM FUNCTIONS
OF AGENCY**

For Clause 5 of the Bill is substituted the following—

“5. Karamoja Local Governments to perform functions of Agency

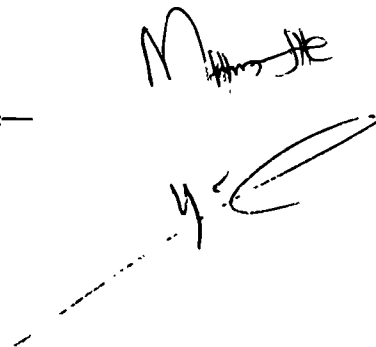
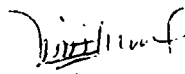
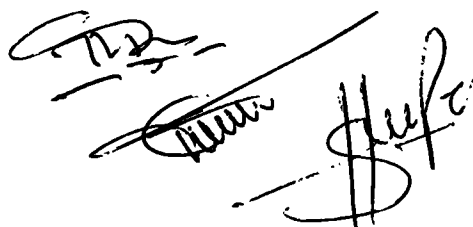
The Local Governments in Karamoja sub region shall perform the functions of the dissolved Agency.”

Justification

For clarity, to split Clause 5 into two provisions one relating to the roles of the Ministry and the other relating to the roles of Local Governments in order to clearly demarcate the roles of the Ministry and Local Governments in relation to the dissolved Agency.

INSERTION OF NEW CLAUSE

Immediately after clause 5, insert the following new clause—



“Ministry to coordinate and supervise Karamoja local governments

The Ministry shall, in liaison with other relevant central Government agencies, coordinate and supervise the local governments in performing the functions of the dissolved Agency.”



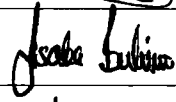
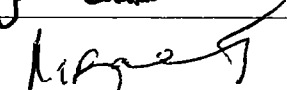
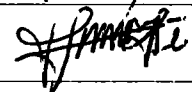
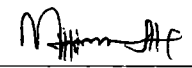
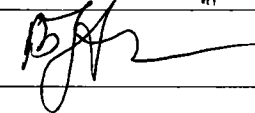
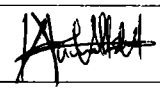
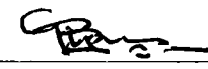
Justification

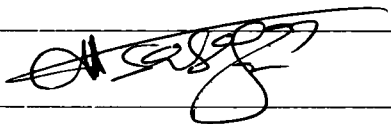
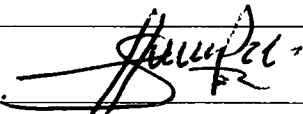
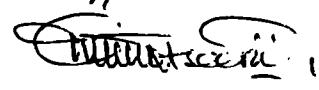
A consequential amendment arising from the split of Clause 5 into two provisions, one relating to the roles of the Ministry and the other relating to the roles of Local Governments in order to clearly demarcate the roles of the Ministry and Local Governments in relation to the dissolved Agency.



A collection of handwritten signatures and initials in black ink, scattered across the lower half of the page. The signatures are stylized and difficult to decipher, but some appear to include the letters 'M' and 'K'. There are also some scribbled-out marks and a large, vertical signature on the left side.

**MEMBERS OF THE COMMITTEE ON PRESIDENTIAL AFFAIRS WHO
SIGNED THE REPORT ON THE KARAMOJA DEVELOPMENT AGENCY ACT
(REPEAL) BILL, 2024**

No	NAME	CONSTITUENCY	PARTY	SIGNATURE
1	Hon. Ababiku Jesca C/P	DWR-Ajumani	NRM	
2	Hon. Kabashirira Naome D/CP	Rushenyi County	Ind	
4	Hon. Nsaba Buturo	Bufumbira East	NRM	
5	Hon. Kibaju Naome	Sheema North	NRM	
6	Hon. Twalla Fadil	Tingey County	NRM	
7	Hon. Lokoru Albert	Tepech	NRM	
8	Hon. Mamawi James	Adjumani East	NRM	
9	Hon. Kamukama Benjamin	Ruhaama West	NRM	
10	Hon. Adome Francis Lorika	Moroto	NRM	
11	Hon. Auma Helen Wandera	Busia	NRM	
12	Hon. Busingye Peninah	Elder Persons	NRM	
13	Hon. Kabuura Derrick	Ishaka Municipality	NRM	
14	Hon. Mawanda Micheal	Igara East	NRM	
15	Hon. Taaka Agnes	DWR-Bugiri	NRM	
16	Hon. Otukol Sam	Pallisa	NRM	
17	Hon. Keefa Kiwanuka	Kiboga	NRM	
18	Hon. Obigah Rose	DWR-Terego	NRM	
19	Hon. Kasolo Robert	Iki-Iki-	NRM	
20	Hon. Nyeko Derrick	Makindye East	NUP	

21	Hon. Ssegirinya Muhammad	Kawempe South	NUP	
22	Hon. Kawalya Abubaker	Rubaga North	NUP	
23	Hon. Ssasaga Isaias Jonny	Budadiri East	FDC	
24	Hon. Oneka Lit Denis Amere	Kitigum Municipality	FDC	
25	Hon. Okot Peter	Tochi County	DP	
26	Hon. Asecra Stephen Itaza	Buhaguzi East	Ind	
27	Hon. Acora Nancy	DWR Lamwo	Ind	
28	Hon. Kagwangye Stephen	Bukanga County	Ind	
29	Hon. Chemutai Everlyn	DWR Bukwo	Ind	
30	Hon. Lagen David	Rushenyi County	Ind	
31	Hon. Maj. Gen. Henry Masiko	UPDF		
32	Hon. Karubanga Jacob Ateenyi	Kibanda South County	NRM	



THE REPUBLIC OF UGANDA

A MINORITY REPORT ON THE COMMITTEE ON PRESIDENTIAL AFFAIRS ON
KARAMOJA DEVELOPMENT AGENCY ACT (REPEAL) BILL, 2024

BY LOKORU ALBERT (MP)

FEBRUARY 2024

A handwritten signature in black ink, appearing to read "Lokoru Albert", with a long horizontal flourish extending to the left.