

THE TRACK NEWSLETTER

Issue 15

INSIDE THIS ISSUE

The Inter-Agency Forum (IAF) storms the Rwenzori region 2

IAF - response to the mis-managed funds in Kabarole 3

Shoddy works in the construction of Kamwenge Administration Block 4

Shoddy works in the construction of Rukunyu maternity ward. 4

Busaru-RAC monitors cause recovery of embezzled NAADS funds 5

Bundibugyo Vs. Ntoroko: how the separation of the two districts catalyzed graft... 6

School Outreach program – taking the anti-graft fight to the youngsters 8

Karugutu monitors cause recovery of stolen VHT T-shirts 9

IAF visit Kamwenge district in the anti-graft campaign 10

The Inter-Agency Forum (IAF) storms the Rwenzori region

For the first time in the history of Rwenzori, the IAF crew stormed the region on invitation by Rwenzori Anti-Corruption Coalition (RAC), with the main objective of addressing some of the key issues that had hitherto failed to be concluded. The visiting team was led by the State Minister for Ethics and Integrity – Hon.Fr. Simon Lokodo, accompanied by representatives from all the arms of the Inter-Agency Forum i.e. the Director for Ethics and Integrity, the Auditor general, Inspector General of Government, Public Procurement and Disposal of Assets (PPDA) Criminal Investigation Department (CID), Director of Public Prosecution (DPP) as well as various officials from the office of the Director of Ethics and Integrity.



Setting off... The IAF crew pauses for a photo with the RAC team

Four districts were visited i.e. Kabarole, Ntoroko, Kamwenge and Bundibugyo. In each district, the team was accompanied by the RAC Executive Director – Ms. Angela S. Byangwa, The Advocacy Officer – Augustine Muthabali, the Communication and Documentation Officer – Victoria N. Busiinge and the Gender officer – Meshach Byomuntura.

The exercise was a memorable one not only for RAC but also, the entire region, as we saw action taken on cases that had stalled for a long time.

The exercise which kick-started on July 8, 2013 saw over thirty issues addressed, with shocking evidence

revealed in the process. Issues responded to included; incomplete staff house at Nyabusokoma Primary school in Ntoroko district, misappropriation of funds to construct Itojo Parish health centre II, shoddy work in the construction of Karugutu secondary school, alleged abuse of office by the manager of Kicwamba united SACCO leading to financial loss, diversion of CDD funds in Nyabani sub-county – Kamwenge district, mismanagement of funds for procuring tree seedlings in Kabarole district, land allegedly given away for installation of Airtel mast in Fort portal municipality funds, encroachment of Butebe forest reserve in Kabarole district, among others.

Many commended RAC for taking such a splendid intervention all

geared at improving service delivery for all.

The minister too, could not conceal his approbation for RAC's contribution to the anti-graft fight in the Rwenzori region. He urged the 'Rwenzorians' to utilize this influential organization to realize the government's call to 'Zero tolerance to corruption.'

In this issue, we bring you a roundup of some of the captivating issues followed up during the IAF visit to the region

The exercise was a memorable one not only for RAC but also, the entire region, as we saw action taken on cases that had stalled for a long time.

IAF - response to the mis-managed funds in Kabarole

Response

In 2011, the Kabarole district Executive committee allocated funds worth 14M for the purchase of tree seedlings for planting in landslide affected areas of some sub counties on the foot of mount Rwenzori in Kabarole district. These included; Katwa, Ntabago, Katebwa, Kabonero, Kitswamba and Karangura.

The funds in question were however allegedly mismanaged by Hon Nyakakana Richard – the then district secretary for production and district Councilor representing Busoro sub county. There were allegations of non delivery of the tree seedlings and forged receipts.

As a result police file GEF 22/2011 was opened at Fort portal police station which did not yield much in terms of progress in investigations. RAC tried to follow up this case for appropriate action and logical conclusion of the case but not much results were yielded.

By failing to fix the recommendations/advice of the DPP on the file for effective prosecution, police failed to do a professional job and it's the reason the matter had stalled. Noted on the file was the issue of failure by police to access copies of payment vouchers to be presented to the



Hon. Richard Rwabuhinga (L) responding to the issues raised in the report

handwriting expert to guide the ruling.

According to the Kabarole District Chairperson – Hon. Richard Rwabuhinga, mistrust of police by the district authorities affected the investigations, as they feared to let go of the crucial documents to be reviewed. It was feared that once the original documents were released, they could be lost or tampered with and therefore the office of the CAO chose to hold onto them tightly, although when put to task by Hon. Lokodo, Mr. Rwabuhinga admitted that this was wrong. The chairman further admitted that letting a politician take charge of procurement was wrong.

On the other hand, Hon. Mashuruko Joseph, the district councilor of Karambi insisted that there was foul play right at the beginning of the process. First and

foremost, the District Executive Committee overlooked council's advice – not to use force on account. Although force on account is a legal procedure, it was not yet passed by the time the alleged crime was committed.

According to Detective Kamugisha who was heading the anti-corruption desk during the period under question (2009 – 2011), the police tried its best to have this case concluded. However, the police was on several occasions defeated by the district bosses. Detective Kamuntu revealed the various steps he undertook in search for real answers:

Step one: He visited the places where the trees were allegedly bought from, talked to the nursery-bed owners and these revealed that each seedling cost 100 Uganda Shillings yet according to the receipts, each tree seedling was allegedly purchased at Ug.Shs.

400/=, resulting into a record 300Million difference.

Step Two: Police requested for a statement from the LCV chairperson and the CAO that they had suspended Hon. Nyakana but all this was in vain.

Although the DPC was allowed to view the documents in question, he was never allowed to take them away – another hamper in the investigation process.

In view of the above hindrances, detective Kamugisha compiled a report which he submitted to the regional CID and IGG offices in Fort Portal, as well as CID and IGG headquarters in Kampala.

Action taken

Having listened to all the details of the case, the following resolutions were drawn:

- The office of the auditor general advised that the police report together with all the supporting documents be retrieved and submitted to CIID to support the investigation process.

- The DPP advised that the scope of investigation should be widened to consider all the suspects in question including Hon. Nyakana, the CAO, the forestry officer, the cashier and the DEC.

- In conclusion, it was resolved that the police, the CAO and the chairman avail all the necessary documents to CIID and have the report out in two weeks, to which the CIID agreed.

Shoddy works in the construction of Kamwenge Administration Block

The Town Council block constructed through local revenue at a cost of 35m was shoddily done, with cracked floors and ceiling. According to the Kamwenge town clerk – Mr. Monday Kakyomya, he was aware of the shoddy works but when he attempted to obtain answers from the district engineer – Mr. Muganzi Apollo he was informed that the cracks in the floor and the peeling wall were as a result of the high water table and the soft nature of the soils upon which the hall had been constructed. The engineer further gave such excuses that the land in question was formerly a

burial ground, although this was challenged by some of the community members who have lived in the area for some time, saying that the burial ground was completely different from that where the council hall was constructed.

Upon these wrongful claims, the Minister directed the police to arrest the engineer for failing to do his work right. The engineer was thus arrested and put behind bars.

An audit into this matter was recommended; the town clerk was instructed to work with the CIID to investigate the case

Shoddy works in the construction of Rukunyu maternity ward.



The monitoring crew gazing at the ward ceiling at Rukunyu HCIV

The contract sum for the maternity ward was confirmed to be 138,000,000 Uganda Shillings. However, various defects were observed, ranging from the size of the labor suit which seemed abnormally small, broken door and window shatters, poor drainage system, cracked floor with no tiles and above all, the maternity ward was being used as a general ward for both male and female patients.

According to the health center in-charge – Ms. Winifred Rurangara, the size of the facility was determined by the ministry of health who provided the design in 2003, and that it is the same design that was used for all the health center IV's. Although

she was not around at the time the construction was started, Winifred said that the contractor had been instructed to rectify the problem before payment of his retention fee for defects liability.

The district engineer was thus tasked to respond to the queries raised, for it seemed as though he had neglected his duty of periodic monitoring as the contracts supervisor. The question everyone was raising was 'what have you done as the district engineer to have the contractor penalized for his negligence?' Although he claimed to have retained the defects liability fees, the minister challenged him, saying that the 5% retention fee is too small to have the defects fixed. Also,

there is a tendency for contractors to run away before rectifying the defects because the retention fee is usually too small to compel them fix the major defects.

The other issue of concern was about the distance between the health unit and the latrine. The in-charge responded to this, saying that there were plans to construct another building between the health unit and the latrine, and that is why this space had been left vacant. Because most districts don't have site plans, there is a tendency of constructing at any available space without plan since these are at times awarded by government without prior site visits.



Hon. Lokodo and the Rukunyu HC in-charge visiting the maternity ward

Moving forward, the following recommendations were drawn:

- 🌿 The district engineer to re-negotiate with the contractor to fix the defects without any additional funding from the district
- 🌿 The local leadership under the guidance of the RDC was tasked to ensure that the recommendations to this effect are implemented
- 🌿 The community was implored to supervise the implementation of the drawn recommendations.

Busaru-RAC monitors cause recovery of embezzled NAADS funds

*By Byomuntura Meshach
(Gender Officer – RAC)*

National Agricultural Advisory Services (NAADS) is a Government intervention program that envisions an increase in farmers' access to information, knowledge and technology for profitable agricultural production. The move is intended to boost productivity of agricultural produce in the middle of declining soil fertility, weather fluctuations and increasing disease incident.

As provided for under the National Agricultural Advisory Services

(NAADS) Act, 2001, the mandate of NAADS is to contribute to the modernization of the agricultural sector in order to increase total factor productivity of both the land and labor for the benefit of the farmers.

Despite its good intentions, the program has been widely abused in several parts of the country, undermining its results. This was the case in Busaru sub-county – Bundibugyo district where seven hundred thousand shillings (700,000/=) was released under the NAADS program to support 80 group farmers in the first quarter of the financial year 2011/12. Surprisingly, the money went missing under unclear circumstances, causing confusion among many. This revelation was brought to RAC’s attention during a sub-county conference held in May 2013, in Busaru sub-county.

The funds in question were withdrawn from the sub-county NAADS account no 0140080749402 at Stanbic Bank – Bundibugyo branch by one – Mugisa Sam through cheque number 005247. Mr. Mugisa claimed to have worked on instructions by the sub-county chief – Mr. Balinsangayo Silver.

In his defense, Mr. Balinsangayo claimed to have mistaken the NAADS account for the Local Government Management of Service Delivery Program (LGMSDP), where money was withdrawn to pay casual laborers. What seems rather bizarre is the fact that the funds were withdrawn from the NAADS account without the knowledge of the NAADS coordinator!

This contentious issue raised a lot of debate when presented at the

conference. Many were dissatisfied by the chief’s explanation, demanding that he refunds the money. Bowing to citizens’ demands, the chief instructed the accountant to prepare a cheque worth 700,000/= from the tax compensation account to refund the NAADS money. The conference conveners demanded that the money be re-banked to the NAADS account within a period of one week, and yes, this condition was met. Meshach Byomuntura – a RAC official received a phone call from the sub-county chief five days after the conference confirming that the NAADS money had been re-banked. This was verified by looking at the pay-slips used in this money transfer.

Well-done! Dear RAC monitors of Busaru branch...

Bundibugyo Vs. Ntoroko: how the separation of the two districts catalyzed graft...

Every coin has got two sides; and for every decision taken in life, there is a price to pay...

The agitators of Ntoroko’s separation from her mother district Bundibugyo may have been taken by surprise when they woke up to the price they had to pay for gaining district autonomy. It didn’t have to be that way but it happened that way; that when they inherited assets from Bundibugyo, liabilities could not be left behind; ‘legitimate’ and ‘illegitimate’ liabilities alike...

Creation of new districts has good intentions, it aims at bringing services closer to the people and if the right direction is taken, development will definitely follow suit. The question however is; ‘has this been the case for Uganda?’ We have witnessed several districts created to a record tune of 100+ but what price have we paid? In a reality check, weighing the pros and the cons of decentralization, which of the two will be heavier?

Well, each newly created district has got its own experience,

positive or otherwise; some are unique while others do cut across. The separation of Ntoroko district from her mother Bundibugyo in the year 2010 brought smiles to many yet to some; sorrow is all they could see.

“when they inherited assets from Bundibugyo, liabilities could not be left behind; ‘legitimate’ and ‘illegitimate’ liabilities alike...”



Bundibugyo District Chairperson (L) and the Ntoroko district RDC (R)

In inheriting assets from Bundibugyo, Ntoroko inherited liabilities as well. A number of projects had been initiated under Bundibugyo district but the moment the two districts were separated, projects under the newly created Ntoroko district stalled. Important to note is the fact that most of these projects had fully funded budgets through Bundibugyo district but, they were handed over before completion to Ntoroko with no single penny! The unanswered question therefore remains, if these projects were never completed yet there is enough evidence to prove that funds were released to complete the same, where did the money go?

During the RAC-IAF visit to the two districts, the Ntoroko RDC – Ms. Garihandere Feddy presented a long list of incomplete projects

inherited from Bundibugyo. She pleaded with the visiting Minister – Hon. Lokodo with his entire team to do everything humanly possible to ensure that Ntoroko does not ‘dance to music it never played’. When asked what befell the allegedly missing project funds, the Bundibugyo district leadership could not provide ready answer.

Important to note is the fact that most of these projects had fully funded budgets through Bundibugyo district but, they were handed over before completion to Ntoroko with no single penny!

In some areas we visited, we were shocked to find that the sites where some of these projects were supposed to have been were abandoned. A case in point is the 80million shillings provided to construct a health center at Itoojo but the proposed site was abandoned with a few bricks as the only available construction materials. There was no structure whatsoever!

In responding to the RDC’s plea, the minister issued a directive to the Bundibugyo technical team to immediately submit all the relevant documents to the office of the CID (head-quarters) to facilitate deeper investigations and analysis of the contentious projects. A report to this effect is yet to be released; it is believed that this will play a vital role in restoring completion of the projects, much to the benefit of the community of Ntoroko.

School Outreach program – taking the anti-graft fight to the youngsters

Inculcating the culture of ethics and integrity into our future generation – the youngsters is a plea that many anti-corruption activists have made, convinced that it is the only sure way through which corruption will be trounced. Others have appealed to government to have it included in the school curriculum for both primary and secondary schools so that our future generation can understand, abhor and therefore fight corruption with commitment and dedication. Since some of our leaders are perceived as irreparable and impossible to turn away from their ‘sins’ emphasis ought to be put to those whose mindset has not been corrupted.



Victoria N. Businge - the Communication and Documentation Officer addressing members of the Patriotic club at Nyankwanzi SSS

School Outreach program – taking the anti-graft fight to the youngsters

It is upon this background that RAC embarked on a school outreach program – an initiative that sought to bring students aboard the anti-corruption campaign. 30 secondary schools in the seven districts of the Rwenzori region were involved in this campaign. The initiative was highly appreciated by the students and their teachers, who pledged to contribute to this cause through their different clubs like the patriotic club, debating club and the integrity club among others.

A number of corruption related issues within the schools were presented by the students for follow up by RAC. As usual RAC pledged to follow up these issues to logical conclusion. The students further implored RAC (as an advocacy institution) to lobby government and all the relevant stakeholders for more support in extracurricular activities like sports for physical and talent development.

Karugutu monitors cause recovery of stolen VHT T-shirts

By Pastor Bamuloho Charles

Sale of government property for personal gain is a common practice and often times, the culprits tend to get away with it. Aliphonse Kalisa – a resident of Mengo ward – Rubaga division in Wakiso district was not so lucky to escape from a crime he recently committed.

It all started on the afternoon of July 10, 2012 when a group of Village Health Team (VHTs) encountered a man – Aliphonse Kalisa selling VHT T-shirts to individual members at a fee of 7,000/= each, well knowing that they are uniforms freely given out to VHTs through the ministry of health. VHTs are community volunteers trained to offer health services at Health Center 1s. Services provided include; first aid, counseling, follow up, and referral of patients to higher health centers for medical attention.

The VHTs in a bid to halt this illegal act quickly tipped off the RAC monitors' chairperson – Karugutu branch who immediately informed two police constables – Bangania Samson and Atoko. The two caused the arrest of Aliphonse at Ntoroko

District Headquarters, and a case filed against him under reference number SD 29/10/07/2013.

When consulted, the acting Ntoroko District Health Officer (DHO) said that sale of VHT T-shirts is illegal. To this end, the accused was convicted by the magistrate in Karugutu court and sentenced to either one year in prison or payment of a fine equivalent to three hundred fifty thousand shillings only (350,000/=) – Aliphonse opted for the latter .

On July 12, 2013, the T-shirts were handed over to the acting DHO – Mr. Byaruhanga who in a follow up phone conversation with the RAC monitors said that he was going to give the recovered T-shirts to the VHTs of Kibuku Town council.

The RAC monitors of Karugutu have been highly hailed for their brave actions that led to the successful arrest of the culprit. The district CID Boss – Chemowo Victor appreciated the monitors' move which not only enabled government to recover its stolen property but also, money was earned through the fine paid. This

success story has greatly improved the image of the police and judiciary, encouraging others with similar issues to report them to the relevant authorities.

We hope this will serve as a lesson to those out there who have turned government property into their personal source of income. This time round, it was Aliphonso.. who knows who the next victim will be? Watch out!

The VHTs in a bid to halt this illegal act quickly tipped off the RAC monitors' chairperson – Karugutu branch who immediately informed two police constables – Bangania Samson and Atoko. The two caused the arrest of Aliphonse at Ntoroko District Headquarters

IAF visit Kamwenge district in the anti-graft campaign

By Ntawanga George – RAC Monitor



The recent visit of the honorable minister of ethics and integrity in Kamwenge district revived the hopes of monitors and the community in the fight against corruption in Kamwenge district.

The minister came on invitation by RAC came at a good time when there was frustration among RAC monitors who had made a number of reports without feedback from relevant government organs. The community and general public

were pressurizing RAC to have their cases acted upon since some of their cases had stalled for some time. For the RAC monitors it was accountability to the community and a sign that their efforts can yield some fruits with time.

The minister ordered for investigations on a number of shoddy works that had been done in Kamwenge district and other allegations of misuse of funds by a few individuals in Kamwenge district.

The community and general public were pressurizing RAC to have their cases acted upon since some of their cases had stalled for some time.



An ambulance drops off a patient at Rukunyu HCIV during the RAC/IAF visit to the Health center

It was a memorable day as monitors and the general public saw their leaders and civil servants sweating and shivering while responding to the Minister's queries. The world turned around for those who always imagined that they were untouchable! They panicked while others went into hiding because they could not stand the heat! Thanks to RAC and the Inter-Agency Forum!

The visit topped news headlines in the local print and electronic media; and social networks for weeks and in churches, various sermons were given in line to the same..

The IAF visit to the region has since simplified the monitors work as they can easily access any information requested for, something that had proved to be difficult before. The monitors are officially recognized and respected – they receive special invitation to attend council sessions, something that was never heard of. The leaders have now realized that we are development partners not enemies as previously perceived some.

Indeed, the IAF visit has positively influenced the mindset of many in Kamwenge. Monitors were pleasingly surprised to find the contractor closely supervising the ongoing works in the renovation of Kamwenge central market, something that was uncommon in the past. This proved to us that

slowly by slowly change had started to come.

IAF did a commendable job to come down to the region in response to RAC's plea. We commend the entire team and urge all the relevant bodies to have the directives and recommendations drawn executed. The people of Kamwenge and the region at large are anxiously waiting to see the culprits brought to book and their money refunded after the conclusion of all the investigations. This can only happen if we all keep the candle burning without turning back.

“Our lives fight the endless battle between the forces that want to end our humanity and those that want to build it, forces that want to build a protective wall around it and those that want to dismantle it, forces that want to open our eyes so that we can see the light and those that want to close our eyes and lure us into darkness. Never should we allow a few individuals to feast on our blood and to tamper on our rights...”

“The leaders have now realized that we are development partners not enemies as previously perceived by some.”

I rest my case by citing a famous quotation by Napoleon Bonaparte that; ***“the world suffers a lot not because of the violence of the bad people but the silence of the good people...”***

Fellow patriots, the struggle continues, now is not the time to give up but rather, renew our commitment to defeat the corruption vice.

For God and my country;

Muhimbise Ntawangwa George

Community Process Facilitator

ntawangwageorge@yahoo.com



Rwenzori Anti-corruption Coalition

Plot 24, Ruhandika Street

P.O. Box 185, Fort Poral Uganda

Tel: 04834- 27032 | Website: <http://racuganda.org>