



Marginalisation and Exclusion from WASH Services in Uganda

A STUDY REPORT

August 2018

By: Spera Atuhairwe
Independent Consultant
C/o P.O. Box 34251, Kampala, Uganda,
Mob: 0772560318 / 0754601156
Email: satuhairwe@yahoo.com

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ACKNOWLEDGEMENTS

Appreciation goes to the individual participants and organisations who took part in the study. Their views provided greater insights on the nature of marginalisation and exclusion, those most affected and why, key obstacles, capacity gaps and recommendations on what should to be done to improve access to WASH services for everyone by 2030.

The leadership and staff of IRC Uganda who supported the study in many ways are greatly appreciated, particularly Lydia Mirembe Senyonjo for her technical coordination and guidance and Jane Nabunnya Mulumba for her leadership support.

Gratitude is extended to the research team particularly Solomon Kyeyune, the Associate Consultant, who made great input during the planning, data collection, analysis and reporting.

LIST OF ACRONYMS

ATC	Appropriate Technology Centre
CSOs	Civil Society Organisations
CWDs	Children With Disabilities
DLG(s)	District Local Governments
HEWASA	Health through Water and Sanitation
IDIs	In-Depth Interviews
IDMs	Inter-District Meetings
FGD	Focus Group Discussion
JESE	Joint Efforts to Save the Environment
JMP	Joint Monitoring Programme
JSR/JTR	Joint Sector Review / Joint Technical Review
KI	Key Informant
LC(s)	Local Councils
MDGs	Millennium Development Goals
MoES	Ministry of Education and Sports
MoH	Ministry of Health
MWE	Ministry of Water and Environment
NDP II	The Second National Development Plan
NGOs	Non-Governmental Organisation
NWSC	National Water and Sewerage Corporation
PWDs	People with Disabilities
SDGs	Sustainable Development Goals
TSU	Technical Support Unit
ULGA	Uganda Local Government Association
UNGA	United Nations General Assembly
UWASNET	Uganda Water and Sanitation NGO Network
WMZ	Water Management Zone
WASH	Water, Sanitation and Hygiene
WSCs	Water and Sanitation Committees

EXECUTIVE SUMMARY

Introduction

IRC commissioned a study to assess the marginalisation and exclusion from Water, Sanitation and Hygiene (WASH) in the country. The study aimed at establishing the marginalised, documenting their experiences and assessing the main obstacles they face in accessing WASH services. The study also set out to examine the efficacy and effectiveness of relevant WASH policies and regulation as well as generating recommendations for ensuring access to inclusive WASH services.

Methodology

The methodology adopted for the study on Marginalisation and Exclusion in WASH was a cross-sectional participatory design using qualitative methods of data collection. Data was generated by reviewing existing literature on international and national legal and policy documents, WASH sector strategies and reports, the project documents and reports. Primary data was collected from 13 Focus Group Discussions among beneficiary groups (women, men, girls and boys) in the three Districts of Ntoroko, Kabarole and Kamwenge; 25 key informant interviews held with government officials at different levels {Sub-county, District, Region (TSU6, Albert WMZ)}, and Ministry); and civil society partners. In-depth interviews undertaken with selected beneficiary groups to gain a deeper understanding of their experiences on marginalisation and exclusion from WASH and observations made to assess the ease with which facilities in communities and schools are accessible to different users. Thematic content analysis approach was used to analyze the generated qualitative which informed the writing of the report.

Policy and Legal Framework

Uganda is signatory to a number of international and regional conventions and treaties that recognise and provide for access to water and sanitation as a human right that has a profound influence on achieving other rights. Some of these include: The United Nations Universal Declaration of Human Rights (UNDHR,1948), General Assembly (UNGA, 2010, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979), Convention on the Rights of the Child, (1989), Convention on the Rights of Persons with Disabilities (2006), The Sustainable Development Goals (2015), The African Charter on Human and People's Rights (1981), The Protocol on the Rights of Women in Africa, and, The African Charter on the Rights and Welfare of the Child (1990). Uganda, has through the 1995 constitution, domesticated most international and regional instruments. The Vision 2040 and the National Development Plan II (NDP II) recognise the centrality of water in achieving national development. The National Water Policy (Revision 2018) emphasises the development, management and regulation of water resources in order to maximize benefits for the present and future generations. In general the policy context in Uganda is forward looking, rights-based and progressive.

Effectiveness and Efficacy of Policies and Regulations

Close analysis of the sector policies, strategies and guidelines, indicated that Uganda generally has an inclusive legal framework recognizing rights in line with global commitments. However, there is limited articulation of financing mechanisms for achieving the WASH targets and the current resources not matched with commitments. Further analysis also reveal inadequacies in implementation and regulation that perhaps explains why over 10million people still lack access to quality and sustainable WASH services.

Findings

Defining Marginalisation and Exclusion

According to most study respondents, marginalisation meant denial or failure to ensure that people access water, sanitation and hygiene services. This could be in terms of non-existent or limited representation in decision making processes and therefore lacking a platform to voice concerns; lack of physical access to the services limited by technology and location; lack of access and control over resources to put up facilities and failure to access justice in instances of unfair denial. It is important to note that marginalisation, exclusion may be obvious or concealed, and thus require deliberate policy and operational strategies to ensure appropriate redress.

Marginalised and Excluded Groups

The study established that different groups of people are marginalised from access to adequate WASH services including:

- **Women and girls** by virtue of their gender roles are the main suppliers of water and sanitation at household level. They endure long and risky distances in search of water and spend considerable time maintaining a clean home. Girls lose school time and exposed to sexual abuse due to lack of adequate WASH facilities, while mothers lose time attending to WASH related illnesses. Yet lack resources and power to make appropriate WASH related decisions, coupled by ineffective participation and representation thus their voice not heard.
- **Communities in hard to serve areas** are often affected by geographical or topological factors such as high water tables making it difficult to have sustainable sanitation facilities or those living on top of the hills and in stressed environments with limited water source options. These remain underserved due to limited resources to extend services to some of these areas, as the required technology choice is expensive.
- **The Elderly and PWDs** have difficulties walking long distances or pumping water due to limited energy or visual impairment. They have challenges squatting to use a toilet. Often are not represented or likely to participate in meetings where WASH decisions are made. They face multiple vulnerabilities due to lack of voice and discrimination at household and community level.
- **Children** in most communities bear the burden of fetching water, which affects their ability to attend school regularly. They are susceptible to WASH related diseases due to low immunity and lack resources to provide for their own WASH needs.
- **Ethnic Minorities** such as the Bakonzo are discriminated due to social and historical differences leading to limited representation and ability to voice their WASH concerns.
- **The Poor** lack finances to invest and maintain appropriate WASH facilities, pay higher water tariffs because they depend on intermediaries and are susceptible to diseases because they mostly live in poor environments particularly in urban areas.

Obstacles or barriers to accessing WASH services

The study established a number of obstacles that impede access to WASH services for various categories of people:

- **Planning challenges and population dynamics** – Uganda is experiencing exponential population growth (3% pa) and high urbanisation (6.6% pa) that is not matching the ability of the country to plan and provide appropriate basic services including water and sanitation.
- **Inappropriate and expensive technologies** – due to climatic variations and topographical limitations, some of the traditional water supply technologies such as boreholes and springs are no longer viable. Some areas have high iron content, saline water and collapsing soils that need expensive technologies requiring significant financial investment yet the sector has remained underfunded averaging at 3% per annum. In terms of sanitation particularly in schools and urban centres, the recommended options are emptiable latrines yet most districts and urban centres lack disposal facilities. This attracts high cost of emptying, transportation and disposal because the existing facilities are far away. Operation and Maintenance (O&M) plans and budgets are non-existent and sometimes the sludge is buried in the environment posing even greater risk of contaminating water sources.
- **Geographical / Topographical barriers** - some places have poor quality water due to salinity and high iron content making it unacceptable and not suitable for human consumption. Weak and collapsing soils especially in hilly and flat areas often cause erosion leading to flooding and water logging. Latrines collapse and people lose interest in constructing repeatedly in a short time. This affects access to quality and sustainable sanitation facilities. The study also revealed that due to low underground water potential, some areas remain unserved or receive intermittent supply. As a result, communities resort to risky, distant, polluted and dirty water from streams and rivers, limiting the amount of water available for use per household per day. In remote areas, lack of access to a reliable and nearby water source creates a risk of abuse for women and girls.

“There was a case in Kasungu Primary school where a girl was raped on the way to fetch water. She was asked to fetch water to use at school. The case was taken to police.” KI, Ntoroko DLG.

- **Economic or Financial Barriers** – the sector has experienced consistent low funding levels (averaging at 3% pa), that is not sufficient to meet demand in line with the strategic investment plan projections. The study established that providing high-level quality services to more and hard to reach populations requires higher and more expensive technologies like piped water schemes. Most of the Districts do not have sufficient budgets to extend piped systems and such areas end up being excluded from receiving water services. The situation for sanitation and hygiene is even worse given that allocations are limited to only 3% of the district grants. MWE allocates provides 2bn shillings only for sanitation to districts and yet ministries of education and health departments have no specific budget allocations for WASH. In addition, the cost of putting up appropriate WASH facilities is a major hindrance at household level due to low incomes.
- **Institutional Barriers** - The study established a number of institutional obstacles responsible for lack of or inadequate access to WASH services. These relate to inadequate articulation of the marginalised and criteria for targeting, poor planning, lack of appropriate data and political influence affecting decisions on resource allocation. There is also limited integration across sectors (such as education and health) affecting prioritisation and resource allocation for WASH, inadequate human resource capacity, limited access to information, inadequate documentation and learning processes, inappropriate designs, and weaknesses in community engagement and complaints handling mechanisms and accountability.

- **Social Cultural Barriers** – tribal and social classifications particularly among the Batooro and Bakonjo and Batooro and Bakiga were expressed as reasons for exclusion from receiving services or gaining representation in decision-making spaces.

Efforts to Address Marginalisation and Exclusion, and the existing Gaps

Despite the numerous obstacles, the sector has made efforts make policy reforms to support improvements in WASH service provisions. However, this is still affected by low quality access compared to the SDG targets and limited financing at the national and district level. There are efforts to improve monitoring of WASH by integrating SDG indicators and targets into the sector performance measurement framework. This has provided impetus to the understand the actual status as basis for planning, resourcing, capacity development and reporting of progress.

The Ministry of Water and Environment (MWE) has made a strategic shift from investing in traditional to technologies such as springs and shallow wells and focused on piped schemes in order to increase the level of service. However, this requires significant resources yet the sector is still underfunded. Besides, piped schemes present management challenges requiring innovation and increased technical capacity.

Strategic partnerships have been essential in supporting innovations to improve systems and access to WASH services. For example, collaborations with partners like Water for People and IRC have enabled districts to undertake water point mapping and investment planning establishing actual status and determining levels of investment required to achieve universal access. However, the right levels of funding are still required to ensure there is progressive realisation of the right to water and sanitation. Innovative approaches such as the 'Pay as you fetch business model' have also been adopted with districts adopting guidelines identifying and supporting vulnerable households to access WASH services. There is need however, to ensure that the DLGs are fully in the lead and can sustain such initiatives to guarantee continued access to WASH services.

Capacity Gaps among Sector Actors

A number of capacity gaps assessed during the study relate to limited understanding and appreciation of the existing WASH policies and guidelines in line with the right to water and sanitation, inadequate technical ability to conceptualise, translate designs, implement and manage inclusive interventions relevant to needs, inadequate data for planning, and limited financial and human resources. The study also revealed there is general lack of knowledge and appreciation of the importance of WASH among key education stakeholders at school level affecting prioritization and resourcing of WASH in schools. All these are compounded by lack of appropriate and harmonized approaches to ensure inclusive services, as well as inadequate documentation and packaging of lessons and experiences and using existing platforms to influence learning and resourcing of WASH interventions.

Potential role of CSOs in addressing marginalisation and exclusion

It was widely acknowledged that CSOs have a significant role to play in addressing marginalisation and exclusions from WASH services. CSOs are better positioned to create awareness on the right to water and sanitation as well facilitate documentation and learning processes. CSOs can effectively contribute to policy processes through investing in research and innovations to support evidence based advocacy as well facilitating policy dialogues. There is need for CSOs to use own programming

experience to strengthen planning, implementation and monitoring as well as financing of inclusive services

Conclusions

The legal and policy context in Uganda is conducive and elaborate, which if implemented effectively would address challenges of marginalisation and exclusion from WASH services. Marginalisation and exclusion manifested in various ways linked to environmental, geographical, social, economic, political, technological and institutional barriers. Lack of access to WASH services affected mostly women and girls, the elderly, communities in remote and hard to reach areas, children, ethnic minorities and the poor people. However, the issues remain largely unaddressed due to limited participation and influential voice, lack of adequate appreciation of the issues among decision makers, inappropriate technology, inadequate financial and technical capacity. This calls for better articulation of the issues, increased awareness and deliberate efforts to design and finance appropriate interventions that address the unique needs of the different categories of people. This requires consistent evidence-based advocacy to bring the issues to the attention of planners and decision makers, and building sector capacity to deliver inclusive WASH services.

Recommendations

In order to address challenges of marginalisation and exclusion, a number of recommendations have been proposed:

- Strengthening policy and institutional processes to ensure that the national benchmarks and standards for water, sanitation and hygiene align with the SDG principles and targets to improve monitoring of progress
- Strengthen regulation of services, accountability and feedback mechanisms to increase participation and response to the needs of the less served populations
- Increased advocacy to ensure improved sector financing. Considering the population and the gaps highlighted in the sector investment plan (SIP) and District Investment Plans (DIPs), there is need for investing a substantial amount of money to invest in the provision of sustainable and inclusive WASH services
- Undertake continuous and well targeted sensitisation to improve appreciation and stimulate action from the right actors to address marginalisation and exclusion from WASH services
- Empowering women and men on their critical role for providing WASH and increase community WASH financing through SACCOs to address resource requirements at household and community level.
- Matching technology choice to context specific needs instead of using standardized options
- Ensure systematic processes for scaling up interventions e.g. the NWSC pro-poor initiative has achieved some success in Kampala and therefore could be adapted to other areas
- Strengthening planning, Implementation, monitoring and reporting processes
- Strengthening partnerships and collaborations with different sector stakeholders (line ministries, private sector, CSOs, Government Agencies etc.) in order to leverage technical and financial resources for delivering WASH services for every Ugandan.
- Invest in improving technologies and standards designs that are environmentally friendly and affordable
- Strengthen the capacity of sector actors to appreciate and effectively address marginalisation and exclusion issues in planning, resourcing, implementation and monitoring.

- Strengthening integration and coordination across sectors to increase harmonisation and influence appropriate planning and resourcing of relevant WASH interventions
- Strengthen support supervision; monitoring and inspection of school WASH by key actors at different levels
- Investing in research and learning in collaboration with the private sector, NGOs to innovate and adapt new models and approaches that may be more effective and efficient in addressing unique needs of the different groups and context.
- Organise and facilitate dialogues at different levels to share experiences and debate on the issues of marginalisation and exclusion. This could be undertaken in partnership with the Water Resources Institute of the Ministry of Water and Environment and a neutral convener

1.0 INTRODUCTION AND BACKGROUND

1.1 Introduction

This was a study on marginalisation and exclusion from WASH services in Uganda, and the report provides an overview of key issues, obstacles and actions needed to achieve universal access to WASH in the country.

1.2 Background to the Study

Globally, over 663 million people lack access to an improved water source; 946 million practice open defecation; 2.4 billion do not have access to improved sanitation; and several people do not have soap and water to wash their hands (JMP 2015). In addition, an estimated one-third of hand pumps in Africa are non-functional; latrines not regularly emptied; and faecal sludge and wastewater dumped into open watercourses without or with inadequate treatment. Sustainability is further endangered by the rising demand for water for multiple uses including energy, agriculture and industry, and it is estimated that “by 2030, 47 percent of the world’s population will be living in areas of high water stress. “This is degrading the natural resources on which many marginalised communities depend for their WASH provision and general livelihoods. IRC and partners recognise that the failure of sustainable WASH service delivery and of improved water resources management is largely due to poor governance. This threatens the achievement of universal access to the human right to drinking water and sanitation by 2030.

IRC, an international think-and-do tank is collaborating with governments, NGOs, entrepreneurs at global, national and local levels to find long-term solutions to the global crisis in water, sanitation and hygiene services. At the heart of IRC’s mission is the aim to move from short-term interventions to sustainable water, sanitation and hygiene services.

IRC is the lead partner in the Watershed Programme in Uganda. Watershed is a five-year (2016-2020) strategic partnership between the Dutch Ministry of Foreign Affairs and IRC, Simavi, Wetlands International and Akvo. It aims to build the capacity of civil society organisations in six countries: Kenya, Uganda, Mali, Ghana, Bangladesh and India. In Uganda, the Watershed Programme is implemented in partnership with Health through Water and Sanitation (HEWASA), Joint Effort to Save the Environment (JESE) and Uganda Water and Sanitation NGO Network (UWASNET). The programme aims to deliver improvements in the governance and management of water, sanitation and hygiene services as well as of the water resources on which they draw (and to which they return).

1.3 Specific Objectives of the Study

1. To establish who the marginalised people, groups and communities are as regards access to WASH services
2. To assess the main obstacles faced by marginalised groups in the quest for WASH services.
3. Examine the effectiveness and efficacy of WASH policies and regulations as regards access to WASH services.
4. To document experiences of the marginalised persons.
5. Make recommendations for inclusive WASH services access

1.4 Scope of the Study

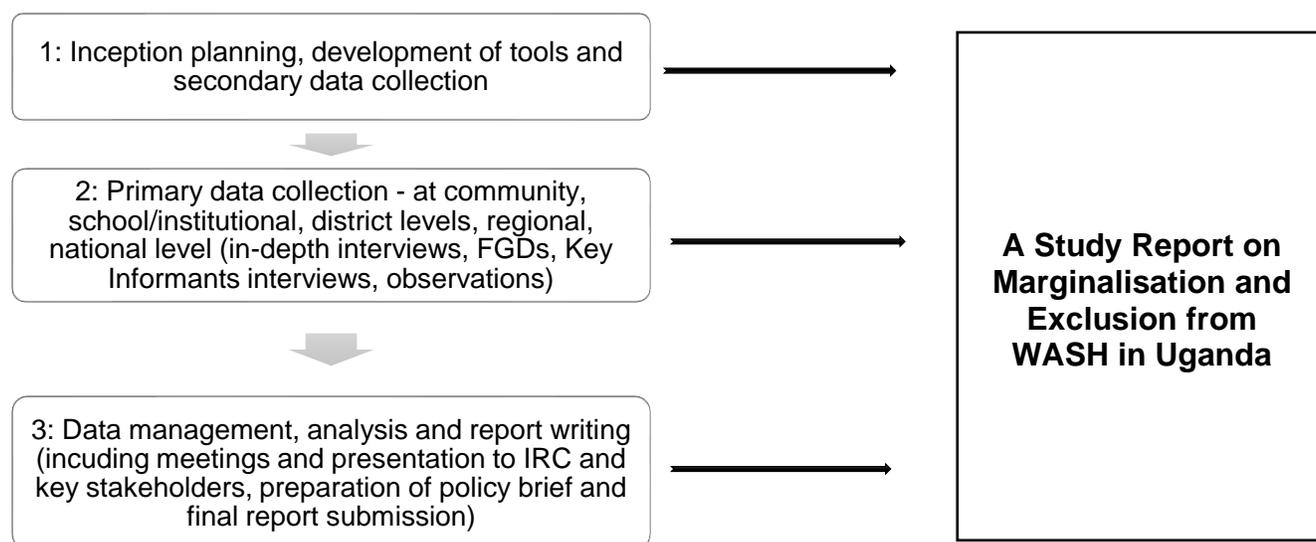
The study had a national outlook, ensuring that the details are a fair representation of key categories, groups, factors and contexts in the country. The consultation considered the national and regional level institutions responsible for planning and delivering WASH services, CSOs, communities and individuals who champion the cause of marginalised groups.

2.0 STUDY METHODOLOGY

2.1 Study Approach

The study adopted qualitative methods in generating information on marginalisation and exclusion from WASH service provision. The study generated information from review of secondary data and conducting primary assessments with key stakeholders including government at different levels {Sub-county, District, Region (TSU6, Albert WMZ)}, Ministry), civil society partners and beneficiary groups (men, women, boys and girls). The technical approach emphasised participation and active involvement of the key stakeholders in the process of data collection and validation of results through interactive meetings and discussions. Review of secondary data was useful in assessing and determining the barriers in relation to policy, strategies, programme planning, implementation and monitoring access to WASH services. The study was undertaken in phases – the initial one focused on planning and secondary data review; the second phase included primary data collection at the national, sub-national and community level involving different stakeholders. The final stage was for data analysis, interpretation and reporting. (Figure 1).

Figure 1: A schema of Sequencing of study phases



2.2 Study Area

The study is a snapshot analysis of selected sub-counties within the Watershed Programme target districts of Ntoroko, Kabarole and Kamwenge in the Rwenzori region and providing a national outlook on marginalisation and exclusion from WASH services in Uganda.

2.3 Methods of Data Collection

2.3.1 Desk review

The desk review examined the WASH rights provisions at the international, national and local levels. It involved an assessment of key international instruments as well as statutory legal documents, policies, plans and strategies of the Republic of Uganda, IRC programme documents and reports, sector reports, guidelines and manuals. The documents reviewed provided insights on the nature of marginalisation and exclusion and provided an understanding of the national and local context in which WASH services are delivered. This process was conducted at the beginning and throughout data collection, which provided the basis for gathering and analyzing information.

2.3.2 In-depth Interviews (IDIs)

In-depth interviews were carried out among selected respondents from relevant groups at the user and service provider level to generate narratives on their experiences, enablers, barriers and suggestions for improving access and control over WASH resources and services. These included Boys, Girls, Women, PWDs, Men, and Health Workers.

2.3.3 Focus Group Discussions (FGDs)

Focus Group Discussions conducted in the three Districts of Ntoroko, Kabarole and Kamwenge with representatives of the Water and Sanitation Committees, women and men, girls and boys in and out of school. Information generated on understanding of marginalisation and exclusion, WASH status in communities, the most marginalised and why, barriers to access to WASH services and facilities. Further analysis undertaken on power relations, participation and decision-making, and actions to improve access to WASH services. Overall, thirteen (13) FGDs were carried out in the target Districts.

2.3.4 Key Informant Interviews (KIIs)

To get a deeper understanding of the marginalisation and exclusion issues affecting the WASH sector and specifically in Uganda, the Consultant carried out key informant interviews with stakeholders involved in policy and regulation, programme implementation and advocacy, monitoring and management of WASH services at the different levels. These included officials from the Ministry of Water and Environment, Ministry of Education and Sports, Ministry of Gender, Labour and Social Development and Ministry of Health. Key Informants also included District Political and Technical Leaderships, Albert Water Management Zone, Technical Support Unit 6, Civil Society Organisations (JESE, HEWASA, and UWASNET). Overall, 25 KIIs were conducted.

2.3.5 Observations

Guided by an accessibility checklist, observation was done to assess the ease with which facilities in communities and schools are accessible to different users. The observations focused on identifying the physical barriers to accessing facilities.

2.4 Data Management, Analysis and Reporting

To ensure quality of the data collected, the consultant conducted debriefs with the research team, captured emerging issues, and identified areas for further data collection. Thematic content analysis was undertaken using field notes. This focused on the pertinent themes of the assessment including understanding of marginalisation, gaps and barriers in access to WASH services and facilities including issues of power relations, participation and obstacles met by women/girls, boys and men from different marginalized groups, WASH status and progress, and strategic actions to address exclusion and marginalisation.

2.5 Ethical considerations

The consultant worked with the IRC and partners staff to identify specific target groups and stakeholders to participate in the study. The research team explained the purpose of the study to all respondents and verbal consent secured from all participants before conducting key informants interviews, focus group discussions, and in-depth interviews. All respondents assured of confidentiality concerning the matters discussed.

3.0 LEGAL AND POLICY FRAMEWORK FOR WASH

3.1 The International Legal Frameworks

The legal basis for the right to water and sanitation is founded in the resolution of the United Nations General Assembly that recognised in the 1977 Mar Del Plata Action Plan. It stipulates that; *“regardless of the level of economic development, all peoples have the right to have access to drinking water in quantities and of a quality equal to their basic needs.”* In the Programme of Action of the International Conference on Population and Development (1994), the 178 participating States explicitly recognised that all individuals have *“the right to an adequate standard of living for themselves and their families, including adequate food, clothing, housing, water and sanitation.”*

The UN Committee on Economic, Social and Cultural Rights (2002) in its General Comment on the Right to Water (General Comment No. 15), and the subsequent guidelines adopted in 2006 provides that:

“States are required to ensure that each person has access to sufficient, safe, acceptable, accessible and affordable water for personal and domestic uses... These include the uses necessary to prevent death from dehydration, to reduce the risk of water-related disease and to provide for consumption, food preparation, washing, and personal and domestic hygienic requirements...”

As such, a number of international human rights treaties and declarations explicitly or implicitly recognise and guarantee access to water and sanitation as a human right as well those relevant to addressing the causes of lack of access as it were. The treaties also spell out specific State obligations for governments to fulfil and to guarantee the human right to water and sanitation.

3.1.1 INTERNATIONAL HUMAN RIGHTS CONVENTIONS

A number of human rights treaties explicitly recognise elements of the right to water and sanitation.

Convention on the Elimination of All Forms of Discrimination against Women, (1979)

Article 14 (2) provides:

“States parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to women the right: ... (h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communication.”

Convention on the Rights of the Child, (1989)

Article 24 (1) stipulates;

“States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health....”

In addition, article 24 (2.) indicates that:

“States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:...c) to combat disease and malnutrition, including within the framework of primary health care, through inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution; ...

In Article 27 (1), it further provides:

“States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.”

Convention on the Rights of Persons with Disabilities, 2006

Article 28 on ‘Adequate standard of living and social protection’ subsection 1 provides:

“States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability.”

Article 28 (2) further provides that:

“States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures: (a) To ensure equal access by persons with disabilities to clean water services, and to ensure access to appropriate and affordable services, devices and other assistance for disability-related needs; ...”

UN Resolution 2010

In July 2010, the United Nations General Assembly adopted a Resolution (No 64/292) acknowledging that clean drinking water and sanitation are integral to the realisation of all human rights. The Resolution also calls upon States and international organisations to provide financial resources; and help build capacity and transfer technology to help other countries to provide safe, clean, accessible and affordable drinking water and sanitation for all.

The Sustainable Development Goals, 2015

The 2030 agenda for Sustainable Development recognizes safe drinking water, effective sanitation and good hygiene (WASH) both as an end in itself and as a driver of progress on many of the Sustainable Development Goals (SDGs), including health, nutrition, education and gender equality.

The human right to water and sanitation (RTWS), and the SDGs call for the inclusion of all, equal rights for women, and the elimination of discrimination between people irrespective of their age, gender, disability, race, ethnicity, origin, religion or economic or other status. It also requires paying attention to the existing multiple dimensions of marginalisation and exclusion.

3.1.2 THE AFRICA CHARTERS AND PROTOCOLS

The African Charter on Human and People's Rights, 1981

The African Charter provides that:

"Member States... shall recognize the rights, duties and freedoms enshrined in this Charter and shall undertake to adopt legislative or other measures to give effect to them."

The Protocol on the Rights of Women in Africa

The Protocol of the African Charter on Human and People's rights on the rights of women in Africa provides for elimination of discrimination against women.

Specifically, article 2 (1):

"States Parties shall combat all forms of discrimination against women through appropriate legislative, institutional and other measures."

The African Charter on the Rights and Welfare of the Child, 1990.

Article 14 on health and health services (1) provides that *"Every child shall have the right to enjoy the best attainable state of physical, mental and spiritual health,"* and that (2) the *"State Parties to the present Charter shall undertake to pursue the full implementation of this right and in particular shall take measures:"*

Specifically in Article 2 (3), the state shall ensure the provision of adequate nutrition and safe drinking water; 2 (6), develop preventive health care and family life education and provision of service; 2 (8), . to ensure that all sectors of the society, in particular, parents, children, community leaders and community workers are informed and supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of domestic and other accidents..."

3.2 The Uganda National Legal and Policy Framework

Uganda ratified a number of international and regional conventions, treaties and instruments that protect and promote people's rights. These have been enshrined in national laws and regulations.

3.2.1 THE NATIONAL LEGAL FRAMEWORK

Uganda is signatory to a number of international treaties and protocols and has an established legal framework that provides mandate and guidance on a number of provisions, rights and obligations of state institutions and citizens. As such, relevant legislation made have been fundamental in shaping the various policies, strategies, programmes and related services:

The Constitution of the Republic of Uganda (1995)

The Constitution of Uganda (1995) is the supreme law and it provides for the promotion and protection of individual rights as well as environmental protection and conservation. In its national objectives and principles, the constitution provides that the state shall take all possible measures

to prevent or minimize damage and destruction to land, air, and water resources due to pollution or other causes.

In the **general social and economic objectives** (XIV), the constitution provides that, *“the state shall endeavor to fulfill the fundamental rights of all Ugandans to social justice and economic development and shall, in particular, ensure that all Ugandans enjoy rights and opportunities and access to education, health services, clean and safe water, and work, among others....”* Under objective XXI, it provides that, *“the State shall take all practical measures to promote a good water management system at all levels.”*

The **environment Objective (XXVII)** on the other hand provides that, *“the State shall promote sustainable development and public awareness of the need to manage land, air and water resources in a balanced and sustainable manner for the present and future generations.”*

Article 39 of the constitution stipulates that, *“Every Ugandan has a right to a clean and safe environment.”* The constitution further provides for equality and freedom from discrimination (Article 21(2) based on sex, race, colour or social or economic standing, political opinion or disability. Again, article 32(1) guarantees affirmative action in favour of the marginalized based on gender, age, disability or any other reason created by history, tradition or custom, for the purpose of redressing imbalances, which exist against them.

Article 50 of the constitution gives any person the right to seek judicial action to redress the breach of a fundamental right, irrespective of whether the breach affects him or another person. These provisions mandate individuals the right to access the services and to seek redress in case of social, economic or environmental wrongs.

While Uganda’s constitution has various provisions for ensuring inclusive policies and services, gaps still exist in the implementation of the stipulations and need to be addressed to ensure access for all by 2030.

The National Environment Act (1995)

The general principles of the Environment Management Act provides that the responsible authority shall uphold all the principles as stated in the Act to assure all people living in the country the fundamental right to an environment adequate for their health and well-being; and to among others establish adequate environmental protection standards and to monitor changes in environmental quality.

Article 3 of the National Environment Act (1995) provides that, *“Every person has a right to a healthy environment.”* This is further maintained in **Article 3, (1)** of the National Environment Bill (2017) which provides that, *“Every Ugandan has a right to a clean and healthy environment in accordance with the Constitution and the principles of sustainable development.”*

The Act stipulates individual and institutional obligations and remedies for acting contrary; and also establishes the Policy committee on environment whose major function (Article 7 (1) and (2), is to provide policy guidance and to formulate and coordinate environmental policies, liaise with government on critical issues and identify obstacles to the implementation of environmental policies and programmes.

National Water and Sewerage Corporation Act CAP 317 (1995)

The Act provides for a corporation with the objects to operate and provide water and sewerage services in areas entrusted to it. Key among the functions of the corporation are: (i) to manage the water resources in ways, which are most beneficial to the people of Uganda. The main objectives of the Act (ii) to provide water supply services for domestic, stock, horticultural, industrial, environmental and other beneficial uses, and (iii) to provide sewerage services, in any area in which it may be appointed to do so.

3.2.2 THE NATIONAL POLICY FRAMEWORK

National Plans and Policies

Uganda has developed an elaborate strategic plan and policy framework on development including WASH in line with the global and continental legal instruments.

Uganda Vision 2040

In 2013, Uganda launched the National Vision 2040 to achieve ‘a transformed society from a peasant to a modern and prosperous country’. This Vision recognizes the country’s significant water resources, which give Uganda an opportunity to stimulate socio economic transformation in many areas such as irrigation, livestock rearing, industrial development, water transport, tourism, fisheries, oil and gas, hydropower generation, and water for domestic consumption. Despite this recognition, it has not translated into relevant financial commitments as well as monitoring for equity. The actual contribution of WASH to the country’s Gross Domestic Product (GDP) is yet to be fully appreciated and thus the sector suffers under-prioritization in planning, budgeting and allocation processes. This requires generation, appropriate packaging and consistent messaging of evidence to demonstrate the value addition of WASH to national development.

The Uganda Vision 2040 also recognizes the need to provide assistance to people who are vulnerable either by age, social class, location, disability, gender, disaster or do not earn any income. The Vision also recognises that the conditions that depict gender inequality are still salient in Uganda’s economy and these mainly include: i) gender disparities in access and control over productive resources; ii) sexual and gender-based violence; and iii) unequal sharing of household decision-making in the use of social services provided by government.

National Development Plan II

The second Development Plan (NDP II) 2015/16 – 2019/2020 focuses on transforming Uganda into a middle-income country and estimates water access to be central in this transformation process. The NDP II commits the government to invest in the development of water for industrial purposes, by putting in place the necessary infrastructure to support clean drinking water provision, the re-use of water and water for irrigation among other uses. The ambition however, does not match the necessary investment at the national and local levels as the sector allocations have continued to stagnate. The plan strongly emphasises economic growth, however, this may lead to overlooking existing unequal power relations and how they marginalize certain sections of society.

National Gender Policy 2007

The Uganda Gender Policy (2007) is an integral part of the national development policies. The aim of this policy is to guide all levels (including in the water sector) of planning, resource allocation and implementation of development programmes with a gender perspective. The Policy recognizes women and children as key stakeholders in water provision, use and resource sustainability. The Policy mandates all development institutions to promote gender equality and women empowerment while executing programmes and activities.

WASH Sector Policies

The National Water Policy

The National Water Policy aims to guide development, management and regulation of water resources in order to maximize the benefit for the present and future generations. The policy emphasises management and development of water resources to ensure adequacy of quality and quantity of water for all socio-economic needs in a sustainable manner. The overall policy goal is to strengthen and establish institutional and regulatory framework that guides efforts at all levels of governance to achieve coherency in implementation of interventions that ensure sustainable provision of water and sanitation services for everyone. The policy takes into consideration the changes in climate brought about by global warming, innovations in technology, increase in population putting pressure on water resources. The policy also emphasises the full participation of women and men in all aspects of WASH services planning, implementation, utilisation and management. However, effective implementation of the policy requires adequate understanding and application as well as allocation of appropriate resources commensurate with needs.

The National Environmental Management Policy (1994)

The National Environment Management Policy and subsequent Act include a key policy objective on water resources conservation and management as follows: *"to sustainably manage and develop the water resources in a coordinated and integrated manner so as to provide water of acceptable quality for all social and economic needs."*

The HIV AIDS Strategy

This sector HIV/AIDS mainstreaming strategy developed to provide HIV/AIDS information to sector staff and stakeholders and to provide care and support to through provision of water and sanitation for those infected leading to reduction of opportunistic infection. This strategy reflects issues of gender and other forms of social vulnerabilities and how they should be addressed. The implementation of the strategy on the ground is however still wanting.

The Pro-poor Strategy 2006 (revised 2016)

The Pro-poor Strategy aims to improve the situation of the poor and marginalized in accessing water supply services in both the rural and urban centres including small towns. Key areas of concern include inter alia; equitable budgetary allocations for Water Supply Services (WSS); special targeting of poor, water-stressed and under-served geographical areas; mainstreaming gender in WASH services in disadvantaged areas; and promotion of pro-poor tariffs and subsidies on the water services for the urban poor. The strategy goes further to assert the need and plans to reduce vulnerability of the marginalised and poor to natural disasters. This is aimed at ensuring sustainability of services and increased contributions of the poor and marginalized in promoting sustainability and effective

participation in decision making in WASH. The strategy has been yet to be fully implemented across the sector.

Water and Sanitation Gender Strategy (2003) and Environment and Natural Resources Gender Strategy (2015)

The Ministry of Water and Environment developed the Water and Sanitation Gender Strategy in 2003 (revised in 2010 and 2017) and an Environment and Natural Resources Gender Strategy in 2015 to guide gender equality and women empowerment efforts in the sector¹.

The strategies committed the water and environment sector to mainstreaming gender in all its programme components and activities. The water and sanitation sector strategy emphasises:

- Meaningful involvement of women in the Water and Sanitation Committees and 50% representation of women on Water and Sanitation Committees (WSC).
- Women's involvement in water technology selection to ensure technologies used are gender sensitive and user friendly.
- Support of women specific water and sanitation initiatives intended to help women attain more ownership leading to better operation and maintenance of the facilities.
- Incorporation of gender in district work-plans and budgets.
- Affirmative action on recruitment of district officers aimed at ensuring gender balance in decision making at levels higher than the community

This however tends to focus more on women leaving out how the gender social identity of men influences their engagement in addressing gender biases in WASH. They focus more on female representation in terms of numbers, which also hinders the understanding of women's passive participation even in situations where they are well represented.

National climate change policy (2015)

Uganda adopted the Climate Change Policy in line with national development plans, international and regional agreements and protocols. The overall objective of the policy is to ensure that all stakeholders address climate change impacts and their causes through appropriate measures, while promoting sustainable development and a green economy. The policy emphasises providing adequate support for policies and programmes and information sharing, providing education, awareness and capacity building for different actors, research and development as well as mainstreaming gender issues.

The policy priorities supporting on-going efforts to ensure integration of climate change concerns into national efforts for sustainable and long-term conservation, access and effective utilisation and management of water resources.

3.3 The Efficacy and Effectiveness of WASH Policies in Uganda

- Inclusive legal framework recognizing rights in line with global commitments

Uganda's constitution is widely recognised as one of the most inclusive legal framework, with clear stipulations on rights and obligations of state institutions and individual citizens. The constitution of

¹ Uganda Water and Environment Sector Performance Report 2017

the republic of Uganda emphasizes that sustainable management of water and environment resources is critical in guaranteeing sustainable futures. The research on the right to water and sanitation in Uganda (Waterlex 2015) confirmed that the Government of Uganda had recognized the human right to water and sanitation. However, it highlighted the need to better frame the right in the legal instruments in order to provide for not only adequate accessibility, availability, quality, affordability and acceptability of water and sanitation, but also to secure the related procedural guarantees of non-discrimination, access to information, public participation, accountability and sustainability.

- Integration of SDGs in national plans, strategies and sector performance measurement framework

Uganda had an opportunity to preside over the adoption of the SDGs in September 2015, which required all countries to set targets for delivering and following up on social, economic and environmental tenets for sustainable development. Uganda was among the 22 countries that volunteered to undertake a country level review on the readiness to implement the Agenda at the high-level political forum. As such, the SDG principles were integrated into the NDP II. Uganda is thus recognised as one of the countries having an elaborate policy framework on WASH that fits within the overall global development framework. However, it is important to note that there are still weaknesses in planning, gaps in coordination across sectors, inadequacies in data and reporting, and limited resource allocation to implement commitments.

The WASH related laws and policies such as the Water Act and Policy, the National Environment Act, the Public Health Act among others have clear stipulations geared towards promoting inclusive water and sanitation service provision. The Water Policy and Act have been reviewed to accommodate also global commitments on water and sanitation. The SDG indicators been integrated into the sector performance measurement framework, which has been piloted to establish baseline status. MWE has also planned capacity building of selected staff on SDG monitoring as one way of institutionalizing SDGs in the sector. However, the measurement framework for the policy still lacks clarity in articulating service level monitoring in relation to adequacy and quality of services. In addition, the SDGs and subsequent monitoring requirements are not widely disseminated among the key actors and therefore data not adequately harmonized.

- Limited articulation of financing mechanisms for achieving the WASH target

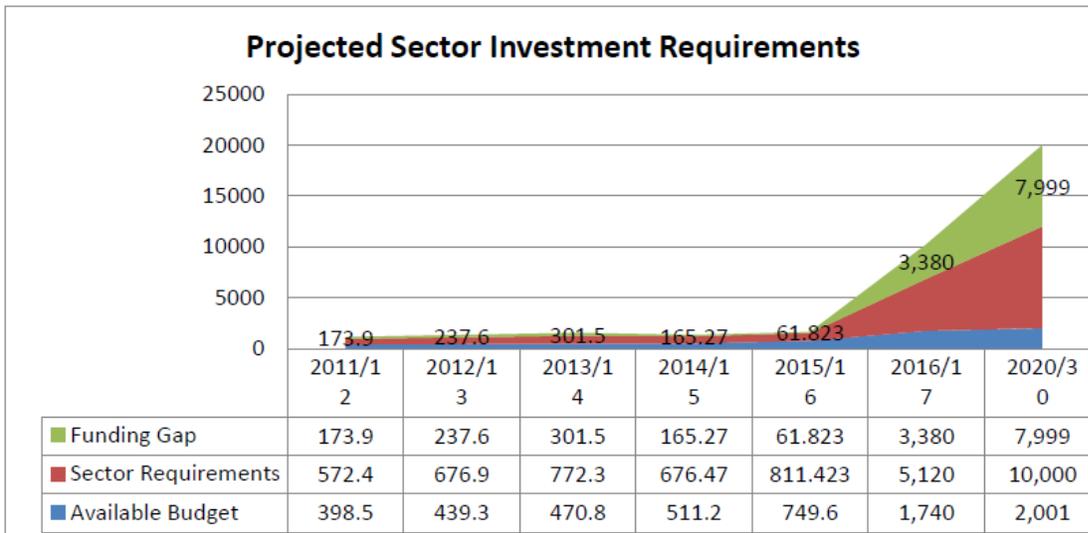
The National Water Policy and Act (2018) have been revised in order to take care of the changes that have happened over time. The policy establishes a regulatory framework that guides efforts at all levels of governance to achieve coherency in implementation of interventions to ensure sustainable provision of water for all uses to all citizens. It emphasises the need to strengthen institutional framework and capacity of the sector to ensure availability of water and sanitation that is acceptable and affordable and in appropriate quantity and quality. It sets out commitments, targets, and the actions needed to achieve universal access for all by 2030, however, there are limitations in articulating precisely the specific mechanisms that the sector will put in place to finance the commitments.

- Resources have not matched commitments

The sector is underfunded and falls short of the required investment for the realization of universal access to WASH by 2030. Uganda's second National Development Plan (NDP II) is aligned to the SDGs, however, matching and sustaining new investments to population growth remains a major

challenge. The total Government budget for the water and environment sector has stagnated between 2.8% and 3% of the total national budget for more than five years. It is estimated that the WASH sector requires three times more of the current budget to meet the country’s coverage targets. The sector reviewed and updated its Strategic Investment Plan (SIP15) in 2017 and includes the Environment and Natural Resources (ENR) subsector. The annual financial requirement is UGX 5.10trillion, expected to gradually increase to UGX 10 trillion by 2030. However, the sector still has a huge funding requirement to meet her set goals amidst the ever-growing population and enormous service delivery demands. Figure 2 below shows the funding requirements for the sector.

Figure 2: Projected Sector Investment Requirements



Source: Sector Performance Report 2018

- Inadequacies in implementation and regulation

Despite clear policy stipulations, there are a number of implementation and regulation gaps affect sector performance. In its implementation, the sector applies the strategy of some for all and not all for some. This is to ensure fair distribution of the limited resources for majority of people have access to WASH services. However, this is affected by high population growth, unemployment and continued pressure on the environment limiting achievement of national and global objectives. There still exists gaps in translating commitments on human rights to water and sanitation into practical solutions requiring changing the attitudes of those in decision-making positions on the tangible benefits, teaching people about the existence and content of these rights, review of service standards and regulation mechanisms and establishing clear citizens’ complaints mechanisms.

- Stagnation in services

Despite being considered the most developed in sub Saharan Africa, Uganda’s WASH sub sector has stagnated in its achievement of coverage and quality of services for more than 10 years. Over 10 million Ugandans still live without safe water and adequate sanitation nor are they practicing improved hygiene behaviour. Low policy prioritization of sanitation and hygiene and low effort accorded to institutional coordination across sectors is a major hindrance to achieving meaningful progress.

4.0 STUDY FINDINGS

4.1 Introduction

This section presents findings of the study on marginalisation and exclusion from WASH services in Uganda.

4.2 Understanding Marginalisation and Exclusion from WASH Services

4.2.1 DEFINING MARGINALISATION AND EXCLUSION FROM WASH

The study set out to establish peoples' understanding of marginalisation and exclusion, as well as who the marginalised are and why. Findings reveal varied understanding among the study participants.

By policy and in line with SDG 6 everyone should have access to safe water, adequate sanitation and hygiene services. Marginalisation and exclusion can be defined in terms of physical access to the services based on location and appropriateness of technology, participation and decision-making, control over resources, access to justice and cost. The respondents had varied views on what marginalisation and exclusion means:

“Marginalisation is denial of an individual to access a service to which he or she is supposed to get. This may not be easily noticed and can be concealed. On the other hand, deliberate refusal for someone to access a service tantamount to exclusion.” **KI, Ntoroko DLG.**

“Exclusion refers to failure to deliver WASH services and this could be deliberate or due to certain conditions. Sometimes politics comes into play during decision making whereby resources may be directed to certain areas leaving out others.” **KI, MWE**

“Exclusion and marginalisation is a direct or an indirect denial of someone to access a WASH service and may occur during planning where no deliberate effort is made to provide for a particular group of people or individuals.” **KI, National**

Marginalisation and exclusion also refers:

Having no or limited representation in making decision around WASH for example inadequate representation on WASH committees and in the political spaces like sub-county or district councils. It is also about **not being able to voice out concerns** using the available platforms such as community meetings. One of the presented scenario is that during community planning for water systems men tend to make the decisions about water and sanitation yet in reality the women and children are the ones that bear the burden of lack of access to water and sanitation.

Those that **lack access to resources** especially land also tend to be marginalized and excluded in WASH services for instance men own land at household level and make decisions around the developments on the land and sometimes they do not prioritize sanitation and hygiene leading to limited access. In some instances, landowners fence off the community water sources, which leads to exclusion of the other community members.

Access to justice - Those that do not have access to finances tend to also have no access to justice and this creates exclusion and marginalization. This mainly related to land wrangles where land owners fence of water sources or use the justice system to block WASH infrastructure development projects.

Environment - By virtue of the location, some areas are not able to access WASH services because of the topography, poor rock and soil formation leading to having no water source and or poor quality of the water, which also affect the sanitation services.

Technology - Absence of appropriate technology to supply WASH services to some areas especially those that cannot be served by the traditional means or the cost is too high to be able to serve these populations

Cost - the cost of accessing WASH facilities may also lead to exclusion and marginalisation especially among vulnerable households. The cost for WASH services sometimes is too expensive to be afforded by households particularly sanitation facilities and tariffs for water.

Access to services - this relates to those that are left out in the delivery of water, sanitation and hygiene services. For example, there are areas or villages that do not have any water source and people whose physical status does not allow them to access and use the water and sanitation services such as the elderly persons, people with disabilities, etc.

“I understand marginalisation as giving a service to a particular area and denying the other resources or a service. For instance water has been given to a few villages and not all have access.” Community FGD, Kamwenge

Marginalisation and exclusion is a condition where a particular group or groups of people are pushed to the edge of society by not allowing them active voice, identify or space for participation and access to certain services. Through direct or indirect processes, marginalised groups may be relegated to secondary positions or made to feel they are less important to those who hold power or privilege in society. Marginalisation can be obvious or concealed through different ways such as use of non-inclusive language, denying access to a service based on status, identity or location, lack of access to information and support.

4.2.2 UNDERSTANDING WHO THE MARGINALISED ARE AND THEIR CHARACTERISTICS

The study established that various categories of people lack access to WASH facilities and services due social, individual, institutional, environmental, economic and technological factors.

Table 1: The Most Marginalised Groups and their Characteristics

No	Marginalised Group	Major Characteristics
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- 1 Women and girls
 - Mostly bear the burden of fetching water from long distances; often miss productive time and school
 - Vulnerable due to the risk of rape along the way to and from the water source
 - Limited or ineffective representation on committees and management structures making their voice not adequately heard
 - Some girls are forced into prostitution to earn money to put up facilities especially from child headed families
 - Lack of or limited income to afford facilities and services
 - Limited or no participation of women in making investment decision at household level yet they bear the burden of lack of access to water and sanitation. Women have limited control over resources and men still dominate decision-making on the kind of WASH facilities and when to have them

- 2 Communities in hard to serve areas
 - Mostly live in remote, water stressed, hilly or flat locations
 - High water tables making it difficult to construct and sustain sanitation facilities - latrines are washed away or collapse
 - Lack construction materials – accessed at a very high cost from far off areas
 - Rocky areas that are hard to dig deep latrines and the households cannot sustain digging new ones
 - Expensive water and sanitation technologies
 - People living on the top of the hills and in places with limited water source option like those with low water quality or low underground water potential and have limited rainfall. These remain underserved due to limited resources to extend services to some of these areas as the required technology choice is expensive

- 3 Elderly / Frail / PWDs
 - Limited representation or participation in meetings and their voice is not heard
 - Spend days without bathing if neighbours or family members can't help
 - Difficult walking long distances to access water or squatting to use a latrine
 - Those with visual impairment cannot scoop water from tanks
 - Limited representation in decision making spaces such as planning meetings
 - Eat less so to minimise the need to use a toilet
 - The WASH facilities are not inclusive to allow ease of access and use by people with physical disabilities

- 4 Children
 - Children especially girls often miss attending school in search of household water needs or during menstruation
 - Children especially child headed families lack money to afford hygiene services such as pads, soap to use during menstruation
 - Children get sick from water related diseases such as typhoid, bilharzia and diarrhea due to their low immunity

- | | | |
|---|---------------------------------------|--|
| 5 | Ethnic Minorities
e.g. the Bakonzo | <ul style="list-style-type: none"> • Left out due to historical and social differences • Belief that that they are dirty and poor thus discriminated • Limited representation and participation and their voice is less heard or does not inform key decisions • Mostly stay in hills and have limited water and sanitation facilities due to technological limitations arising from poor terrain and the high cost of extending services |
| 6 | The poor (including the urban poor) | <ul style="list-style-type: none"> • Inadequate finances to afford / invest in WASH facilities, & O&M • Mostly tenants and lack requirements to access a connection e.g. a land title • Overcharged by intermediaries and end up paying 4 times the actual cost of accessing water. • Limited subsidies and pro-poor service availability <p style="text-align: center; margin: 10px 0;"><i>“Water as a right is not necessarily promoted. The biggest consideration is sustainability and thus the water service is provided at a cost.”</i> KI, National Level</p> <ul style="list-style-type: none"> • Mostly live in low lying poorly planned urban settlements affected by flooding |

4.2.3 THE CURRENT PROGRESS ON WASH AND EXISTING GAPS

Uganda has a relatively robust national and water and sanitation policy framework that has led to tremendous improvement in access to water, sanitation and hygiene (WASH) services. However, water and sanitation coverage in Uganda has not matched the national and global targets. Although there has been a slight increase in the number of villages accessing a water source from 64% in 2017 to 66% in 2018, access to water supply remained at 70% in the rural and 77% in urban (up from 71% in June 2017). Functionality of water supply remained at 85% in rural, while that of urban increased from 92% to 93%, access to sanitation facilities reduced to 79% up from 80% in rural and 86% in urban (excluding Kampala).²

In spite of the national coverage statistics, the JMP figures however, show that Uganda has among the lowest rates of improved access to safely managed water services³ in the world with only 42% and improved access to safely managed sanitation⁴ at 26%. Pupil Stance Ratio worsened from 71:1 in 2017 to 73:1 in 2018 against the recommended standard of 40:1 implying that pupils have to queue for long in order to access a toilet facility at any given time, as most schools do not meet the required national standards. Rural handwashing reduced from 37% in 2017 to 36.5% in 2018 and from 40% to 39.6% in urban. The percentage of people practising open defecation stood at 8% of the rural population up from 9% reported in 2017 and 12.6% in the urban.

² Ministry of Water and Environment: Sector Performance Report, 2018

³ The proportion of the population using improved drinking water sources that are on premises, available when needed, and free from faecal and priority chemical contamination (JMP 2017)

⁴ According to JMP, safely Managed Sanitation is calculated as the proportion of improved sanitation facilities from which excreta are: safely disposed in situ (contained and not emptied, or emptied and buried on site), or emptied from on-site storage facilities, transported to a treatment plant and treated, or removed from the home through sewer lines and treated at a treatment plant.

In line with the SDG monitoring indicators, the percentage of towns with pro-poor facilities stood at 38% for small towns and 83% for larger towns served by National Water and Sewerage Corporation (NWSC). The percentage of population using an improved water source stood at 36% for urban while there was no data for rural; and access to safely managed sanitation was at 26% for urban and no data for rural, while school handwashing was reported at 40%, an increase from 35% in 2017. These figures clearly indicate that most Ugandans remain unserved and more innovative solutions may be required to reach everyone in line with SDG targets by 2030.

The MWE undertook a gender impact study in 2016/17FY, in 10 districts to examine the impact of water and sanitation delivery to women, men and other disadvantaged groups. The study revealed that the implementation of gender mainstreaming strategy was consistent with the national laws and policies as well as international commitments albeit with some gaps and challenges. Data from 30 district reports indicated that 82% of the Water and Sanitation Committee (WSCs) had at least one woman holding a key position on the committees. Data from 97 towns indicated that 45% of the town boards had at least one woman holding a key position. However, production of gender statistics in the sector remains a challenge because of limitations in the measurement framework and technical capacity to collect and analyse relevant gender disaggregated data that is in line with the SDG requirements.

The Ministry adopted a number of policy measures to improve the quality of access to WASH services. For example, there is a directive to stop investing in shallow wells and springs in order to improve on water quality and long-term availability of services. This follows water quality and sustainability assessments, for example, the DWRM water quality report for Kabarole indicated that 90% of all the springs and shallow wells were found to be contaminated with Ecoli as such these technologies have been condemned. The presidential directive on a water source per village implemented in most districts to reduce exclusion and marginalization. The MWE has also been focusing on piped water systems as means of reducing the burden for collecting water. This follows advocacy efforts by Prof Ephraim Kamuntu while he was still Minister of Water and Environment who stated, *'Heads are for carrying brains not for carrying water.'*

To improve management of faecal sludge, particularly in the city and large towns, treatment facilities have been set up such as Lubigi in Kampala and have eased on the effluent that would otherwise be disposed in the communities. Small towns have been clustered focusing on ensuring efficiency in management of sludge. This is aimed at ensuring that citizens live in a dignified environment free from contamination. However, limited financial and human resources, effects of the changing climate and rapid unplanned urban settlements affect this. In such a scenario, the poor are more likely not to benefit from an adequate service delivery system along the entire chain due to inhibitive costs, lack of mobilisation, inadequate regulation of service providers and poor settlement patterns. This calls for comprehensive approaches that combine long-term planning, technical innovation, institutional reforms, appropriate financial commitment and effective leadership.

A memorandum of understanding signed between ministries of education and sports, health, water and environment in 2001, has not translated into improvements in sanitation, due to challenges in coordination and resource commitments. There is scarce information on the actual state of WASH in Health Care Facilities (HCFs). However, in a survey conducted on WASH availability in about 50 HCFs in western Uganda in 2015 indicated majority (94%) having an improved water source and 96% for toilets, 38% had hand-washing facilities at the toilets, with only 24% having water and soap present. Existing evidence indicates that 47% of diarrhea cases can be prevented through proper handwashing with clean water and soap, while 16% of respiratory infections can be prevented through similar practices. However, there was high toilet to patient ratio noted calling for the

provision of cheaper toilet options and sustainable provision of hygiene amenities such as soap for hand washing. This situation is not uncommon in many HCFs across the country.

Likewise, findings of a School WASH mapping exercise in 2016 by MoES, UNICEF, WaterAid and Water for People showed that although 85% of schools reported to have access to a water source, 15% were not functioning. In addition, 98% of schools had latrines and 15% not functioning; 40% of schools had handwashing facilities, with only 30% having soap for handwashing; 34% had a fund for Operation and Maintenance (O&M), with only 7% having funds adequate enough to keep WASH facilities fully functional. Lack of funds for O&M and repair of WASH facilities and to buy consumables (such as soap, water, cleaning materials) were reportedly the main reasons why WASH facilities were not functioning. Some schools use rainwater-harvesting facilities, however hostile communities around the schools destroy the tanks especially where they are not shared and the school management have instituted strict measures. Communities end up destroying the tanks, taps and fences.

The situation at District level is not even better. The Districts of Kabarole, Kamwenge and Ntoroko are below the national average on most WASH coverage indicators as reflected in Table 2 below.

Table 2: WASH Status of the Target Districts

District	Current District's WASH Status (%)				
	Water	Functionality	Sanitation	Handwashing	Pupil: Stance Ratio
Kamwenge	62	85	63.5	27	
Ntoroko	53	73	67	14	68:1
Kabarole	51.7	82	83	23	
National Average	73.5	89	82.5	38.1	73:1

Source: District Investment Plans and Reports

The District reports reveal low and stagnating levels of coverage and access to WASH services. A number of financial, environmental, institutional and technological limitations constrain service provision leading to services targeted to those who are the easiest and least expensive to reach. This has resulted into inequitable distribution of services, further compounding existing inequalities in communities. This was affirmed during group discussions and interviews with key informants:

“We are left behind with no water. We take water with animals. Nyakeera Parish has been left behind while others have safe and clean water.” **Community FGD, Nyakeera, Kamwenge**

“Nyakeera P/S also has a serious water problem. Water is accessed 2.5km away from the school, the shallow well is seasonal, during the dry season, it dries up, and the only water source is shared with animals. The school has fewer latrines and one latrine collapsed. KI, Nyakeera P/S, Kamwenge

To address some of the challenges, the districts local governments of Kamwenge and Kabarole undertook point water mapping working with local actors like JESE, HEWASA and Water for People to establish coverage of WASH in the district. Kamwenge has about 111 unserved villages while Kabarole has about 112. This has enabled the district to plan and allocate water sources based on the need thus reducing political prioritization in water source allocation.

District investment planning has been carried out to determine and drive WASH investment decisions, which show that current funding levels are not able to address universal access by 2030.

For example, with the current level of government funding, Kamwenge DLG will take 18 years to achieve universal access.

Innovative approaches such as the ‘Pay as you fetch business model’ have been adopted in Kabarole and Kamwenge supported by Water for People, and a district ordinance has been passed where vulnerable households are identified and provided for by the community.

Partners are supporting several initiatives for example catchment management committees have been established to support management of the Mpanga river catchments. Protos has supported micro catchment planning to help improve participation in catchment management in the community. JESE is promoting cost sharing in promotion of sanitation by supporting communities to establish EcoSan toilets especially in the lakeshore communities like in Masyoro. In some schools’ facilities for menstrual hygiene management are also provided and materials are planned for under UPE funds like emergency pads, pants and changing uniforms. The challenge lies in sustaining such initiatives to guarantee continued access to WASH services.

4.2.5 MAIN OBSTACLES OR BARRIERS TO ACCESSING WASH SERVICES

3.4.3.1 Planning and Demographics

Though ranked 33rd in Africa by land area, Uganda is Africa’s eleventh most densely populated country and has one of the world’s highest population growth rates. This presents a significant challenge for provision of basic services such as water and sanitation. With a current annual growth rate of 3.0%, its mid-2015 population of 36 million is likely to double over the next 23 years. While Uganda remains largely a rural country, nearly 20% of Ugandans already live in urban centres and the urban population is rising at 6.6% p.a. Ensuring sustainable development and the provision of basic services to this fast-growing and rapidly urbanizing population in such a densely populated country presents a significant challenge to the Government of Uganda (GoU) and its development partners (DPs).

3.4.3.2 Technological Limitations

The study established that inappropriate and expensive technologies are a major hindrance to accessing WASH services in the communities. Most hilly or flat areas cannot be served by traditional means or the cost is too high to be able to reach these populations. These include areas with saline ground water, high iron content, and areas in mountain ranges and on steep slopes, the cattle corridor that has low rainfall and limited ground water potential.

“Because of the terrain, services can only be extended to a few villages. We have surveyed four villages but have no funds. The rest of the villages access from the valley streams and share with cows. Due to poor agriculture practice. The water sources are contaminated.” **KI, Karangura, Kabarole**

“Our families get water from a spring, which has a very slow flow and is the only water source. It takes about 15 minutes to fill one jerrycan. The spring dries up during the dry season and during that time; Mpanga River is the only source. The hills slopes are steep and when one sends a child to fetch the water, he/she takes long due to the slow flow of water.” **FGD, Karangura, Kabarole**

There are further technological limitations linked to topology and cost. In line with MoES’ policy, most of the school toilets under construction are emptyable and the Districts lack facilities for

emptying, disposal and treatment of sludge. Emptiers and treatment plants within the region are only available in Fort Portal, Kabarole. This makes it expensive for most schools and residents in small towns. For example emptying a 14 stance latrine, costs about UGX 2.2m. There are also places located in the lowlands with weak / collapsing soils and the walls normally bend in. The current challenge lies with who shoulders the burden of emptying particularly in schools. The disposal place is far, transporting to fort portal is expensive, and scavenging using honey suckers poses a great risk to the environment.

3.4.3.3 Geographical / Topographical barriers

The study established that some places have saline water due to geological factors affecting the quality and acceptability of water. The water in Rwebisengo, Ntoroko District is saline, people find it difficult to use for drinking and washing, while some areas in Kamwenge have high iron content. In some hilly areas, soils are weak and get eroded easily filling up springs. Some boreholes corrode after sometime leading to browning of the water. Due to poor taste and turbidity, some of the water sources are abandoned, becoming white elephants and yet these communities continue to be considered as being served.

Some areas have low underground water supply especially in the cattle corridor leading to intermittent supply in some schemes and villages ranging from days to 1 week especially during the dry seasons. Some of the schemes especially those constructed by the sub-counties had technical limitations built without reservoir tanks due to inadequate funds. In some instances, the water sources are far, contaminated and not enough, the taps are still few and most of the sub-counties have limited resources to extend the services to other villages. This leaves out a proportion of communities unserved resorting to distant, polluted and dirty water from streams and rivers. Yet algae, which spread diseases because of dirty water, cover most of these open water sources. The most affected are women and children who bear the biggest burden of fetching water.

Some locations including schools are very remote, for example Kamuga and greater Rwebisengo sub-county in Ntoroko District where access is difficult. People have to travel long distances to access water. This creates many risks especially for the girls as confirmed during interviews.

“There was a case in Kasungu Primary school where a girl was raped on the way to fetch water. She was asked to fetch water to use at school. The case was taken to police.” KI, Ntoroko DLG.

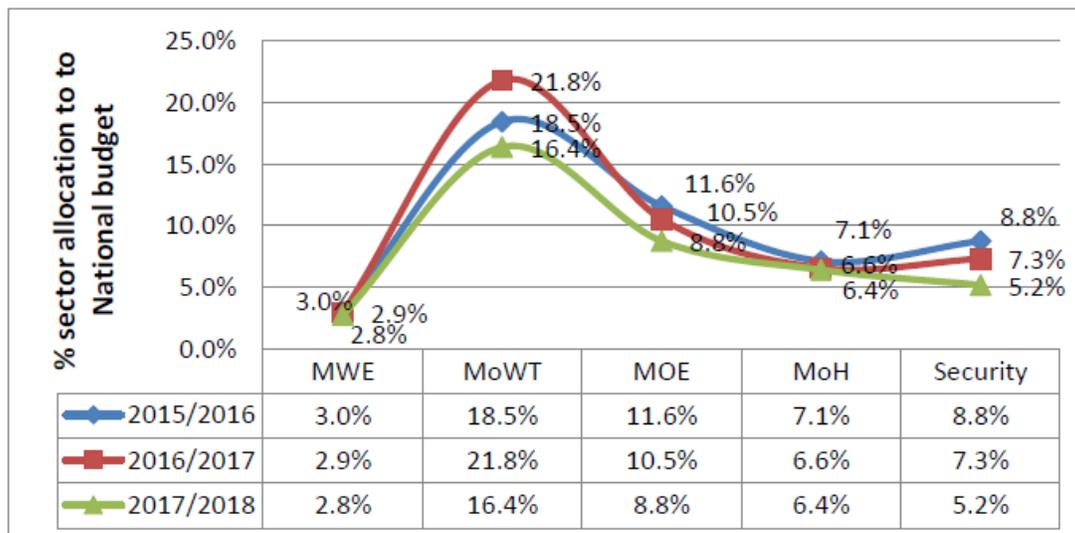
In some places, people walk two ridges about a mile to reach a water source. This limits the amount of water that can be used per household per day. *“When you fetch water, you use it sparingly because you are going to get affected”* FGD, Karangura, Kabarole

The topography of most of the areas in Kabarole, Kamwenge and Ntoroko do not favour deeper pit latrines. Latrines collapse and people are fed up or lose morale of constructing repeatedly in a short time. The shallow latrines often fill up during the rainy season. This affects access to quality and sustainable sanitation facilities. Poor sanitation and hygiene practice affects the quality of water. For example in a water quality assessment study conducted by the DWRM, 90% of shallow well and spring water in Kabarole was found to be contaminated with Ecoli making it unsuitable for human consumption. This is compounded by extreme weather conditions like droughts and floods that impact on the quantity and quality of water as well as the sanitation services.

3.4.3.4 Economic or Financial Barriers

The Water and Environment Sector has continued to experience low funding averaging at 3% of the national budget for more than five years. In 2017/18FY alone, the budget percentage share of the sector to the national budget decreased from 2.9% to 2.8%.

Figure 3: WASH Sector Allocation as a proportion of National Budget



Source: Sector Performance Report 2018

The limited funding trickles to the district WASH conditional grants that are not sufficient to extend high quality services. The study established that providing high-level quality services to more and hard to reach populations requires higher and more expensive technologies like piped water schemes. Most of the Districts do not have sufficient budgets to extend piped systems and such areas end up being excluded from receiving water services.

Table 3: District Budget Projections 2016/17FY - 2018/19FY

Budget Allocation Per Year in '000'			
	2018/19	2017/18	2016/17
Kabarole	463M	481M	657M
Ntoroko	250M	251M	252M
Kamwenge	960M	789M	649M
Total	1,673BN	1,521BN	1,558BN

Source: District Investment Plans & Budget Framework Papers

For example in Kamwenge, the annual available budget per year including off budget support from NGOs totals 2.4bn and the required investment to reach everyone amounts to about 42bn. Considering the current rate of investment assuming all factors remaining constant, reaching everyone with adequate WASH services may be realised in 18 years.

Resources are limited and the policy that governs allocations is inhibitive. The current allocation formula allows for low provisions for software works and sanitation interventions. Districts are allowed to use up to 3% of the entire district water and sanitation conditional grant for construction of public sanitation facilities. The MWE continues to allocate UGX 2bn to districts annually to support

sanitation and hygiene promotion in rural areas. On average, each district receives about UGX 20 million; however, the creation of new districts affects the actual disbursements because the entire budget allocation for this grant is maintained at UGX 2billion pa.

The study further revealed that the education and health departments have no specific allocations made to WASH service provision. In education alone, the conditional grants received annually are small and yet have competing priorities. For example in FY 2017/18, Ntoroko District allocated UGX 97million and prioritised staff houses, and a latrine block. The same projection was maintained for FY 2018/19 towards construction of teachers' houses. This funding level is not sufficient to provide WASH particularly sanitation facilities.

Much as Uganda has made progress to reduce poverty over the last two decades, income and other forms of inequality have continued to widen. In many parts of the country particularly in rural areas and poor urban settlements with minimal levels of income, families may not afford the cost of putting up WASH facilities. This even challenge further the community based management system (CBMS) that mandates communities to contribute to, manage and sustain their water systems. The ability of most households and communities to pay for household sanitation facilities and tariffs for water as well as take care of vulnerable households is limited. The study established through focused discussions that one of the major reasons for lack of better or no facility at all, is because the cost is too high.

“The cost of putting up better latrines is high and the local residents cannot afford”
WUC Karangura, Kabarole

It is important however, that sometimes services are not just available or relevant information on the cost of WASH is simply not available. This limits the WASH service options that people could have at their disposal. Therefore, the ability to have access or pay for WASH services in sometimes linked to location. Drawing from the 2012/2013 Uganda National Household Survey, (UNHS), interesting conclusions were drawn confirming that the poor and economically disadvantaged people lack access to improved water and sanitation primarily because they live in rural areas, and not due to their income levels. Similarly, there is confirmation that primarily the wealthier income groups especially in urban areas use piped water schemes, while boreholes (hand-pumped supplies) are the principal water supply used by the poor and the Bottom 40% in rural and urban areas.

3.4.3.5 Institutional Barriers

The study established that there are several institutional challenges limiting access to WASH services for the majority of communities and individuals. Some of these challenges relate to planning, decision making on resource allocation, limited integration across sectors, inadequate human resource capacity, lack of access to information, inappropriate designs, and inadequate system for complaints handling and accountability.

The current sector policies and strategies provide for the highest level of services to all Ugandans. However, there is limited articulation of who the marginalised are and how they could be targeted, aware that different groups of people have unique needs. This affects participation in planning, delivery and monitoring of WASH services. Although there has been progress in ensuring representation of women and people with disabilities on WASH committees, their levels of influence is insufficient to cause the desired change. The national plans and policies do not explicitly

articulate follow up mechanism and clear indicators and tools to monitor effectively monitor exclusion and marginalisation in WASH.

It was noted that planning sometimes does not take due consideration of upstream communities. For instance, Karangura Sub-county in Kabarole District is source to five gravity flow schemes but has one of the lowest water coverages in the district. In some instances, one or two taps have been provided and sometimes the rationale behind the decisions are not clearly explained and therefore is often seen as biased.

There is a challenge of data harmonisation, which affects planning, and resource allocation. It is widely accepted that access to reliable data drives successful decision-making and resource allocation. The MWE has made strides in ensuring regular collection and updating of data through the WATSUP / ATLAS updating mechanism and routine data collection and reporting by the districts. It was revealed that the current coverage information available at the district differs from what is reported in the sector performance report. Yet decisions on resource allocations are based on the data available at the centre. Data on WASH in schools and HCFs is inadequate or non-existent. There have been attempts to undertake WASH mapping in schools and HCFs, however, few districts have been covered. Lessons from the micro mapping undertaken by the MoES in Kamuli and Iganga has indicated that mapping needs to be conducted in all schools. Lack of appropriate data also limits monitoring and the current tools need to be reviewed in line with the SDG indicators. Through discussions with the DLGs, attempts been made to submit realistic data and have not yet influenced necessary changes in MWE database.

“Currently, in Ntoroko, the actual water coverage stands at 53%, however what is recorded at MWE is 81%. MWE has not updated some data as per UBOS statistics. The District data is not harmonized with WATSUP Atlas. This affects planning and resource allocation – the district keeps submitting data however, it is never updated. Sanitation coverage is recorded at 67%; however, this does not reflect the actual situation on the ground. People lack latrines, no hand washing facilities. Sanitation allocation is only 20m pa from MWE,” **KI, Ntoroko DLG**

Political biases were also noted as one of the hindrances to accessing WASH services. Political appointees at the different levels being unable to lobby for their communities and get services like water. The district council allocates resources and development projects that sometimes favor leaders that are vocal and proactive. Areas with less proactive and vocal leaders tend to be left out. Political prioritization is often informed by expressed need

“The distribution of the water sources is political and may not consider the actual need of the people. The Chairpersons LC II or III may determine where the source will be. People look at political capital more than need. That is why we have some water sources that have been sank and left unattended.” **KI, Ntoroko DLG**

In addition, there are inherent notable limitations with the guidelines and resource allocation criteria. According to the ministry, demand for services is at the forefront of driving resource allocation. For example, in urban, projects are awarded based on whether there is an existing population that is in need of water. As long as the population can meet the criteria of per capita cost, then they take higher preference. However, some areas that cannot meet the criteria but have many other challenges may only be considered based on affirmative action even if they do not meet the design criteria.

Inadequate prioritization of WASH services particularly for institutions such as schools and health care facilities is inherent emanating from challenges of resourcing and coordination at the national level. Many schools and health facilities lack adequate water and sanitation facilities due to limited focus and support from the districts resulting in high pupil stance and patient stance ratios. Markets especially rural markets have a challenge of accessing WASH services due to cost and absence of the facilities themselves. There is lack of operation and maintenance (O&M) funds for institutional WASH infrastructure. For example, at school level, O&M plans and budgets do not exist yet many facilities are often vandalized. Limited facilities affects standards and often lead to sharing between teachers, students (young and old, boys and girls) and there is no privacy. In addition, most schools lack handwashing facilities, and those that have do not manage better. All these point to lack of appropriate service delivery and management models and approaches to guarantee sustained access to WASH services for all.

The education department has no specific budget allocation for WASH and there are no partners supporting WASH in schools. The school facilities grant is minimal and has stagnated. For example in Ntoroko District alone, only UGX 97m has been allocated over the last two years prioritising staff houses and latrines. This is not sufficient to provide WASH facilities particularly for sanitation. In addition, the toilets under construction are emptyable. The district has no facilities for emptying. There are areas located in low lands that have weak soils and the walls normally bend downwards. The challenge also is on who bearers the burden of emptying and treating. In some schools, the toilets are located in places that cannot be reached especially those that are on an elevated ground present a challenge for emptying due to the terrain. Some schools have high populations with very few toilet facilities. The district pupil stance ratio for Ntoroko stands at 68:1, however there are some schools like Ntoroko P/S that have 800 pupils sharing only 10 stances with an average ratio of 80:1, Ntangara P/S with 500 students with only five stances and a pupil stance ratio of 100:1. There is need to explore the option of treating the sludge to reduce the levels, and the options need to be made available.

The study set out to understand WASH decision-making processes and limitations. It was established that most decisions are made at the district and sub-county level with less involvement of the communities. At household level, men make decisions thereby limiting participation and involvement of women and other vulnerable members of the community most affected by lack of access to WASH services make most decisions on investment in WASH. In schools, central government decides but sometimes consults schools on some issues. However, central government and not even the districts make the final decision. The capitation grant is sent direct to the schools. *“At times this does not do what it is meant to do because of the lapse in government programmes.”*

KI, Ntoroko DLG

Inadequate documentation, learning and sharing of lessons to inform equitable and inclusive services. For example, there are number of initiatives implemented by different actors, however, these are not well coordinated through a consistent platform to inform sector learning. For example, the equity and inclusion conference was held once and thus the momentum was lost. There is also limited incorporation and application of new requirements to improve physical access in WASH infrastructure designs

3.4.3.6 Social Cultural Barriers

The tribal differences among the community is felt to be a reason for exclusion especially among those that do not belong to the dominant tribe in the area for instance the Bakonjo in Kabarole and the Bakiga and Batooro in Kamwenge. In Karangura Sub-county, Kabarole District, the majority of

the people who are Bakonjo felt that they are not receiving services because the Batooro make the decisions. The study respondents indicated that they only got services upon receiving their own sub-county in 2010. Social class differences were highlighted as an issue of exclusion especially the fishermen who are considered dirty.

“In our communities, women are the ones who fetch water. Due to the sparse population, the women have to walk long distances of about 3km to access the water. KI, Ntoroko DLG

Sometimes people have limited access due to personal limitations that affect the way they relate or regarded in society. For example, people with disabilities and the elderly because they are frail and depend on grand children or struggle without water.

“For example, there is an old woman who is over 60 years and lame at the same time. She has no help at home. Those around her do not care. She moves on her knees and hands and moves about 2km to fetch water with a source pan on her head. She has adapted to the situation.” FGD, Karangura, Kabarole

4.2.6 CAPACITY GAPS AMONG KEY ACTORS IN ADDRESSING MARGINALISATION AND EXCLUSION

A number of capacity gaps assessed during the study relate mainly to policy limitations, technical capacity, planning and coordination, documentation and shared learning.

- Technical gaps in conceptualising and translating design requirements to meet needs of people. This cuts across government and NGOs where the focus is on numbers reached and not whether the services will meet their needs. Appreciation needs to start at the national level where designs are submitted for approval and quality assurance. It is important to note that infrastructure takes a big component of the services, and once there are positive changes, then the software aspects may be easy to change. However, this requires making necessary changes in policy implementation guidelines in order to attract the right behaviour. These could be trialed in the centrally implemented projects and then use evidence to scale up.
- Limited understanding and appreciation of the existing WASH policies and guidelines. There is inadequate awareness of the current policy and SDG provisions on WASH rights including among politicians, which affects decision-making processes and application. Some WASH sector actors are ignorant on issues of marginalisation while others lack the necessary attitude and therefore take things for granted. Therefore, the knowledge, attitude and practice gaps among the politicians, technical teams, CSOs and private sector actors should be addressed as a means to prioritising access to WASH for all by 2030.
- Inappropriate data for planning. Collection and use of real time data in planning for WASH services is inadequate especially use of coverage information to advocate for service provision to the excluded areas. The current measurement framework misses capturing data on those served or not. There is lack of clear indicators and tools for measuring marginalisation and exclusion. Districts should be able to update and visualize their status on regular basis as practiced in Kabarole, Kamwenge and Ntoroko; and use the information as basis for resource decisions.
- Inadequate resourcing – there is limited allocation, and what is available can only provide for limited services that is not sufficient to meet demand. The funding has also not given priority to

software activities. This cuts across government and CSOs and are thus not able to deliver on their mandate.

- Limited staffing – Most Districts have one or two staff in the water office due to resource limitations and are not able to deal with the overwhelming demand for services. This leads to paying less attention to issues of inclusion and marginalisation that do not always appear obvious. This calls for innovative ways through which staffing gaps can be addressed.
- Inadequate capacity for implementation and management – of appropriate technologies including among the private sector. Inability to design inclusive interventions that take into account physical and other limitations and lack of mainstreaming of inclusion as an approach to delivering services and not as a separate projects e.g. among NGOs. Interventions by some of the NGOs cover select few sub-counties, yet there is limited capacity on understanding exclusion and marginalisation.
- Inappropriate approaches to ensure sustainable access to sanitation and hygiene. Some District have not fully adopted CLTS because of resource limitations. CLTS requires continuous monitoring and the district lacks staff in terms of technical ability and numbers to effectively undertake sanitation and hygiene interventions at community level.
- It was noted that there is general lack of knowledge and appreciation of the importance of WASH among education actors such as teachers, education staff and leaders. This affects prioritization and planning for WASH as central in all school programmes and infrastructure.
- Inadequate documentation and packaging of lessons and experiences and using existing platforms to influence learning and resourcing of WASH interventions.

4.2.7 HOW CAN CSOs ADDRESS MARGINALISATION AND EXCLUSION FROM WASH SERVICES

Civil Society Organisations (CSOs) are critical WASH sector actors, and therefore share responsibility to addressing marginalisation and exclusion. CSOs can play this role and ensure that all Ugandans realise their right to water and sanitation by 2030 through many ways:

- Building of knowledge on marginalisation and exclusion in the sector - Using experience from implementation, document and share lessons on best practice that could inform the revision of policies, guidelines and manuals. CSOs could invest in technology innovations, inclusive approaches and generate evidence on what works and does not, through applied research. As well, as facilitate further testing, piloting and scaling up processes.
- Creating awareness on the right to water and sanitation: A number of sector actors have limited knowledge on WASH rights, policy provisions, guidelines and existing innovative technologies and approaches to address marginalisation and exclusion. CSOs could support processes to increase sector awareness and capacity to respond.
- Contribute to policy and practice change through targeted and evidence-based advocacy – CSOs should invest in researching, documenting and packaging information highlighting the major obstacles to WASH access and use evidence to amplify the voice of the unserved. CSOs should

advocate and strengthen capacity for participation and engagement in order to influence public policy and change practice to reduce marginalization and exclusion from WASH services.

- Strengthening processes for inclusive planning, monitoring and reporting. CSOs should support government to strengthen capacity for inclusion analysis, planning, improve processes, guidelines and tools for implementation, monitoring and reporting. CSOs should support government to improve and cascade indicators and tools for measuring inclusion through joint planning and harmonization of interventions.
- Invest in the provision of inclusive WASH services – CSOs should improve programming and implementation of inclusive WASH services. CSOs should improve targeting and use of appropriate approaches, secure financial support to complement government efforts in the construction of inclusive facilities.
- Facilitating policy dialogue and learning processes. There is need to increase collaboration with government ministries to strengthen capacity and learning. CSOs could support benchmarking and learning exchanges for WASH sector professionals at different levels (ministry, region, district, CSOs, Private sector, Institutions, communities) to ensure shared learning and exposure. Dialogues should be supported in order stimulate debate on pertinent issues that compound marginalisation and exclusion with a view to inform practical actions for redress.

5.0 CONCLUSIONS AND RECOMMENDATIONS

5.1 Conclusions

The findings highlight existence of an elaborate and supportive legal and policy framework at the global, continental and national levels. However, the study revealed critical gaps in the execution and translation of WASH policies and in the actual provision of inclusive services. Addressing the gaps will ensure full realization of the right to WASH in line with the SDGs, indicators and targets.

The study revealed that marginalisation and exclusion whether deliberate or concealed manifests in myriad ways. This could be in form of inability to or denied participation, lack of information, inability to access services due to cost, personal, social or environment limitations. Compounded by limited awareness and appreciation of marginalisation and exclusion from WASH, the most affected remain oblivious to decision making and resource allocation processes. Lack of access to WASH services is a breach of fundamental human rights that if not addressed may result in long-term socio-economic disadvantage. In order to increase efforts to improve WASH for all Ugandans, there is need for better articulation on how to address marginalisation and exclusion within sector policies and guidelines. There is need for deliberate efforts to design affordable and appropriate interventions, and building sector capacity to deliver inclusive WASH services. There is need for allocation of matching resources based on improved inclusion criteria. Overall, there is need to bring issues of marginalisation and exclusion to the sector discourse to attract adequate attention from relevant policy makers and sector institutions.

5.2 Recommendations

To maximize opportunities for providing redress to challenges of marginalisation and exclusion from WASH, several recommendations have been proposed

Influencing legal and policy processes

- Strengthening policy and institutional processes to ensure that the national benchmarks and standards for water, sanitation and hygiene align with the SDG principles and targets to improve monitoring of progress
- Strengthen regulation of services, accountability and feedback mechanisms to increase participation and response to the needs of the less served populations
- Increased advocacy to ensure improved sector financing. Considering the population and the gaps highlighted in the sector investment plan (SIP) and District Investment Plans (DIPs), there is need for investing a substantial amount of money to increase provision of sustainable and inclusive WASH services

Strengthening planning, Implementation, monitoring and reporting processes

- Undertake continuous and well targeted sensitisation to improve appreciation and also stimulate action from the right actors to address marginalisation and exclusion from WASH services
- Empowering women and men on their critical role for providing WASH, support with SACCOs to address resource requirements at household and community level.

- Undertake dissemination of existing policies, strategies and guidelines to increase understanding on the right to water and sanitation
- Undertake consistent and targeted advocacy targeting key decision makers in MWE, MOES, MOH and DPs
- Matching technology choice to context specific needs instead of using standardized options
- Ensure systematic processes for scaling up interventions e.g. the NWSC pro-poor initiative has achieved some success in Kampala and therefore could be adapted to other areas
- Strengthening planning, Implementation, monitoring and reporting processes
- Invest in improving technologies and standards designs that are environmentally friendly and affordable
- Strengthening integration and coordination across sectors to increase harmonisation and influence appropriate planning and resourcing of relevant WASH interventions
- Strengthen support supervision; monitoring and inspection of school WASH by key actors at different levels

Prioritising Research, Documentation and Learning

- Investing in research and learning in collaboration with the private sector, NGOs to innovate and adapt new models and approaches that may be more effective and efficient in addressing unique needs of the different groups and context.
- Organise and facilitate learning forums at different levels to share experiences lessons on the issues of marginalisation and exclusion.
- Dialogues should be supported in order stimulate debate on pertinent issues that compound marginalisation and exclusion with a view to inform practical actions for redress. This could be undertaken in partnership with the Water Resources Institute of the Ministry of Water and Environment as a neutral convener.

Strengthening partnerships and collaborations

- Strengthening partnerships and collaborations with different sector stakeholders (line ministries, private sector, CSOs, Government Agencies etc.) in order to leverage technical and financial resources for delivering WASH services for every Ugandan.
- Bring on board to create / ensure understanding of marginalisation aspects in terms of who, how, where and how to reach them.
- Bring on board private sector and give them basic capacity to produce appropriate inclusive products e.g. crest tanks, MFIs etc.
- Partnership with other wider ministries to ensure that marginalised and excluded groups are adequately identified and supported to access WASH services
- Strengthening collaboration with key stakeholders e.g. KCCA to extend more services – more prepaid metres, toilets, faecal sludge management systems, emptying
- Work collaboratively with other line ministries

Improved Sector Capacity

- Build capacity of men and women at community level to increase understanding of marginalisation and exclusion including strategies and options for redress
- Strengthen capacity of implementers to appreciate the issues, appropriate approaches and technologies and provide adequate financial and human resources to address marginalisation and exclusion

- Invest in innovations and technology improvement to ensure there are standard designs for the poor and marginalised that are environmentally friendly and affordable
- Undertake continuous and well targeted sensitisation to improve appreciation and stimulate action from the right actors to address marginalisation and exclusion from WASH services
- Empowering women and men on their critical role for providing WASH and increase community WASH financing through SACCOs to address resource requirements at household and community level.
- Strengthen the capacity of sector actors to appreciate and effectively address marginalisation and exclusion issues in planning, resourcing, implementation and monitoring.

ANNEXES

Annex 1: References

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CONSULTANCY SERVICES REQUIRED FOR A STUDY ON MARGINALISATION AND EXCLUSION FROM WASH SERVICES

IRC is an international think-and-do tank that works with governments, NGOs, entrepreneurs and people around the world to find long-term solutions to the global crisis in water, sanitation and hygiene services. At the heart of IRC's mission is the aim to move from short-term interventions to sustainable water, sanitation and hygiene services.

IRC is the lead partner in the Watershed Programme in Uganda. Watershed is a five year (2016-2020) strategic partnership between the Dutch Ministry of Foreign Affairs and IRC, Simavi, Wetlands International and Akvo. In Uganda, the Watershed Programme is implemented in partnership with Health Through Water and Sanitation (HEWASA), Joint Effort to Save the Environment (JESE) and Uganda Water and Sanitation NGO Network (UWASNET).

The programme aims to deliver improvements in the governance and management of water, sanitation and hygiene services as well as of the water resources on which they draw (and to which they return).

WASH services refers to the sustained provision of water, sanitation and hygiene services that meet national norms and standards. Watershed promotes the view that sectors need to move from a focus on providing only WASH infrastructure to providing WASH services. That requires addressing a wide range of factors that ensure sustainable and lasting wash services. Within the SDG framework, the Watershed Programme contributes to the attainment of SDG6- Universal access to water and sanitation services by 2030, leaving no one behind.

In that regard, Watershed takes keen interest in marginalised groups i.e the populations that are excluded from WASH services. Watershed observes that the unserved populations are increasingly concentrated in select regions. More than three-quarters of those without access to WASH services are either found in Sub-Saharan Africa, Southern Asia or Eastern Asia. In Uganda alone, up to 30% of the rural population lacks access to water supply and 20% Lack access to sanitation facilities. This means that over ten million Ugandans are excluded from WASH services. Causes of exclusion are varied and worth investigating. Women and children are more likely to face the brunt of the burden of lack of access to safe and sustainable water and sanitation⁵.

Addressing the key challenges and improving WASH governance require the participation of the whole range of stakeholders. Unfortunately, marginalised groups are not always represented.

It is against that background the IRC Uganda, under the Watershed Programme proposes to undertake a study on marginalised groups in WASH service provision.

IRC Uganda therefore seeks the services of an individual consultant to undertake the study based on the following Terms of Reference.

Terms Of Reference (TORs)

Undertake a study to provide a deeper understanding of marginalised groups excluded from WASH services in Uganda. The purpose is to generate data and evidence of those who are left behind when it comes to access and use of WASH services, and how the exclusion affects their lives and

⁵ 1UN, 2014. The Millennium Development Goals Report [pdf.] New York: United Nations.

wellbeing. The study will also make practical recommendations on how to address the factors and processes that create barriers and prevent the identified marginalised groups from enjoying their full rights to water and sanitation services.

Specific Objectives of the study

1. To establish who the marginalised people, groups and communities are as regards access to WASH services
2. To assess the main obstacles faced by marginalised groups in the quest for WASH services.
3. Examine the effectiveness and efficacy of WASH policies and regulations as regards access to WASH services.
4. To document experiences of the marginalised persons.
5. Make recommendations for inclusive WASH services access

Scope of the study

The study will have a national outlook, ensuring that the details are a fair representation of key categories, groups, factors and contexts in the country. The consultant shall present a concept note detailing among others methodology, sample size selection and data analysis plan. The consultant will work closely with national and regional level groups, CSOs, communities and individuals who champion the cause of marginalised groups.

Duration of the exercise

The study will start on June 18th 2018 and be concluded by July 31st 2018. During that period, the consultant will collect, enter and analyse the data, and produce the following deliverables.

Deliverables

- i). Comprehensive report on the groups marginalised in WASH services
- ii). Power point for presentation to the different audiences for advocacy purposes
- iii). A policy Brief on marginalisation and exclusion from WASH services

Consultant's Qualifications and competencies

- At least a Masters in social sciences or other humanities with vast knowledge and experience in WASH systems analysis.
- A proven record in delivering effective and professional assessment results in similar assignments
- Understanding of strategies and policies for improving WASH service delivery in Uganda
- Capacity to carry out field research and documentation
- Deep knowledge of the Ugandan WASH sector and WASH service delivery
- Observe the highest standards of ethical practice with regard to working with marginalised and vulnerable groups

Interested candidates are required to send their technical and financial proposal to:

The Country Director

IRC Uganda

Email: Nabunnya@ircwash.org

Annex 2: Study Tools

Tool 1: Focus Group Discussion Guide: Women, Men, Children, Other Community Groups

ARRIVAL, INTRODUCTION AND GROUND RULES: (5 MINUTES):

Duration – 1 hour

Introduction: Greet the respondent/s: (Good morning, Good afternoon, or Good evening).

Consent:

Thank you for agreeing to take part in this discussion.

My name is _____ (and I am / working with /) Spera Atuhairwe who is an individual consultant contracted by IRC. We are conducting a study on Marginalisation and Exclusion from WASH Services to generate evidence to influence policy on inclusive WASH service provision. We are interested in learning from your experience, obstacles faced in accessing water sanitation and hygiene services, and your ideas about what you think can be done to ensure inclusive access to WASH services. The specific objectives of the study is to provide an objective opinion on:

- a) The marginalised people, groups and communities as regards access to WASH services
- b) The main obstacles faced by marginalised groups in the quest for WASH services.
- c) The effectiveness and efficacy of WASH policies and regulations as regards access to WASH services.
- d) The recommendations for inclusive WASH services access

We would very much appreciate your participation in this interview. There are no 'right' or 'wrong' answers to any of the questions. The discussion will take about 45 minutes to complete. As part of the discussion, we would like to ask some questions about your community WASH situation.

All of the answers you give will be confidential and not identified as having come from you. At this time, do you want to ask me anything about the discussion?

Note: Continue with interview after securing verbal consent from the group

FGD location and composition for each FGD (record; District, date, place/venue, S/C, parish, village) number of participants /sexual composition (female, male, boys, girls), name of interviewer

General Questions

- a) What is your understanding of marginalisation and Exclusion from water, sanitation and hygiene service provision?

Theme: Water Access

- b) Describe your community Water situation? Is there water throughout the year? When there is limited access to water and what causes this?
- c) What challenges are you facing in accessing water in this community and what have you done to solve these challenges?
- d) Who makes decision about water related issues in your household and in community?
- e) What categories/geographical region/ groups of people are not able access water in your community/ sub-county? And why are they not able to access water?
- f) What categories or groups of people do not participate in making decisions about water in your household and community? Why is this?
- g) How does not accessing water or participating in decision making affect the lives of these people?
- h) How can all the people in the community be included in deciding on water issues and how can water be made accessible to everybody in the community?

Theme: Sanitation

- a) Describe your community sanitation situation? Are there households that do not have latrines/toilet? Why don't they have?
- b) What challenges are you facing in accessing improved sanitation in this community and what have you done to solve these challenges?
- c) Who makes decision about sanitation related issues in your household and in the community?
- d) What categories/geographical region/ groups of people are not able access improved sanitation facilities in your community/ sub-county? And why are they not able to access?
- e) What categories or groups of people do not participate in making decisions about sanitation in your household and community? Why is this?
- f) How does not accessing sanitation or participating in decision making affect the lives of these people?
- g) How can all the people in the community be included in deciding on sanitation issues and how can sanitation be made accessible to everybody in the community

Theme: Hygiene

- a) Describe your community hygiene situation? Are there people that do not practice good hygiene behaviour? Why don't they practice it?
- b) What challenges are you facing in exercising good hygiene behaviour in this community and what have you done to solve these challenges?
- c) Who makes decision about good hygiene behaviour practice related issues in your household and in the community?
- d) What categories/geographical region/ groups of people are not able practice good hygiene behaviour in your community/ sub-county? And why are they not able to?
- e) What categories or groups of people do not participate in making decisions about hygiene practice in your household and community? Why is this?
- f) How does not practicing good hygiene behaviour or participating in decision making affect the lives of these people?
- g) How can all the people in the community be included in deciding on good hygiene behaviour practice and how can hygiene be improved by to everybody in the community

Thank you

Tool 2: In-depth Interview Guide: Women, Men, Children, Other Groups in the community

ARRIVAL AND INTRODUCTION: (2 MINUTES):

Duration – 45 minutes

Introduction: Greet the respondent/s: (**Good morning, Good afternoon, or Good evening**).

Consent:

Thank you for agreeing to take part in this interview. My name is _____ and I am / working with /) Spera Atuhairwe who is an individual consultant contracted by IRC. We are conducting a study on Marginalisation and Exclusion from WASH Services to generate evidence to influence policy and inclusive WASH service provision. We are interested in learning from your experience, obstacles faced in accessing water sanitation and hygiene services, and your ideas about what you think can be done to ensure inclusive access to WASH services. The specific objectives of the study is to provide an objective opinion on:

- e) The marginalised people, groups and communities as regards access to WASH services
- f) The main obstacles faced by marginalised groups in the quest for WASH services.
- g) The effectiveness and efficacy of WASH policies and regulations as regards access to WASH services.
- h) The recommendations for inclusive WASH services access

We would very much appreciate your participation in this interview. There are no ‘right’ or ‘wrong’ answers to any of the questions. The discussion will take about 45 minutes to complete. As part of the discussion, we would like to ask some questions about your community WASH situation.

All of the answers you give will be confidential and not identified as having come from you. At this time, do you want to ask me anything about the discussion?

General Questions

- a) What is your understanding of marginalisation and Exclusion from WASH service provision?
- b) According to you, who are the most marginalised and excluded groups from accessing water, sanitation and hygiene services and why? (probe for categories and characteristics)
- c) Could you please share the general challenges your community has in accessing water, sanitation and hygiene services / facilities and why (probe for each service in terms of physical / or environmental, institutional and social barriers)
- d) What categories of people are most affected by these challenges
- e) Please can you tell me about the difficulty you have that may limit your ability to get water, use the toilet or bathe/clean yourself? (probe for the reasons why the difficulties / obstacles exist)
- f) How has lack of access to water, sanitation and hygiene affected your life and that of your household?
- g) What have you done to cope or address the difficulties you face in accessing the services
- h) What support have you received in addressing the challenges? (probe for institutions or individuals that have supported, what support has been provided and how)
- i) Are you satisfied with the support you have received so far?
- j) According to you, who is responsible for providing these services?

- k) Have you participated in making decisions on how to improve water, sanitation and services in your household, and in your community? If not why? (Probe for participation in meetings, location / siting of water source, consultation on choice of preferred technology etc.)
- l) What do you think should be done to ensure that water, sanitation and hygiene services are made available for you and your community?
- m) Any other comment?

Thank You

Tool 3: Key Informant Interview Guide: District, CSOs / Networks, TSU, WMZ, Ministries, Parliament

ARRIVAL AND INTRODUCTION (2 MINUTES):

Duration – 1 hour

Introduction: Greet the respondent/s: (Good morning, Good afternoon, or Good evening).

Consent:

Thank you for agreeing to take part in this discussion.

My name is _____ (and I am / working with /) Spera Atuhairwe who is an individual consultant contracted by IRC. We are conducting a study on Marginalisation and Exclusion from WASH Services to generate evidence to influence policy and inclusive WASH service provision. We are interested in learning from your experience, obstacles faced in accessing water sanitation and hygiene services, and your ideas about what you think can be done to ensure inclusive access to WASH services. The specific objectives of the study are to provide an objective opinion on:

- a) The marginalised people, groups and communities as regards access to WASH services
- b) The main obstacles faced by marginalised groups in the quest for WASH services.
- c) The effectiveness and efficacy of WASH policies and regulations as regards access to WASH services.
- d) The recommendations for inclusive WASH services access

We would very much appreciate your participation in this interview. The discussion will take about 45 minutes - 1 hour to complete.

The information you give will be confidential and not identified as having come from you. At this time, do you want to ask me anything about the discussion?

Note: Continue with interview after securing verbal consent from the person

General Questions

- a) What is your understanding of marginalisation and Exclusion from WASH service provision?
- b) What are the policies, guidelines and strategies that support the provision of water, sanitation and hygiene services for everyone? How do these articulate the right of access for all Ugandans?

- c) What is the progress made or steps being taken to reduce marginalisation and exclusion from WASH (probe for what the specific actor is doing / their role in ensuring access to WASH)
- d) What are the main obstacles or barriers to access to WASH for Ugandans / communities services (probes – policy, political, economic / financial, social, environmental, technological, legal, institutional)
- e) Who are the most marginalised and excluded groups from accessing water, sanitation and hygiene services and why? (probe for categories and characteristics)
- f) What are the capacity gaps among the mandated institutions that inhibit effective provision of WASH for all Ugandans / communities?
- g) What could CSOs do to reduce marginalisation and exclusion from WASH services
- h) What do you think needs to be done to ensure that water, sanitation and hygiene services are made available for all Ugandans?
- i) Any other comments?

Thank you

Annex 3: List of Participants

No	Name	Position	Organisation	Contact No	Email
1.	John Mutinisa Bamutana	Head of Human Resources	Ntoroko DLG	0772346980	
2.	Rev. David Kibonwa	DIS	Ntoroko	0772557448 / 0752557448	revkibonwad@gmail.com
3.	Michael Mugabe	Head Teacher	Karugutu SS	0772625192	
4.	Ronald Kitakufe	Manager - Urban Pro-poor Branch	NWSC		Ronald.kitakufe@npsc.co.ug
5.	Robert Musinguzi	DWO	Ntoroko DLG		
6.	Mustafa Bangonza	DHI	Ntoroko T/C	0774383110	
7.	Joan Mughuma	CAAO	Ntoroko DLG		
8.	Paul Bwambale	Education Officer, Special Needs	Ntoroko DLG	0782493840	
9.	Godfrey Rugumayo	Programme Manager	JESE		
10.	Jude Twesigye		JESE	0772931451	
11.	Peter Okwanya	Team Leader	TSU6	0787644077	
12.	Eliza Kahuzo	C/Person LC III,	Karangura SC - Kabarole DLG	0782053496	
13.	Eng. Joseph Oriono Eyatu	Commissioner	Rural Water and Sanitation		
14.	Joshua Senengo	Principal Engineer	Urban Water and Sanitation	0777379097	jsenengo@gmail.com
15.	Eng. Chris Tumusiime	Assistant Commissioner	Rural Water and Sanitation		
16.	Asha N. Bamutaze	Coordinator	Appropriate Technology Centre (ATC)	0782723475	ashabrn@gmail.com
17.	Collins Amanywa		MWE Planning		
18.	Yunia MUSAZI	Executive Director	UWASNET		
19.	Rehema Aanyu	Networking and Liaison Officer	UWASNET		
20.	Pius Mugabi	DWO	Kabarole DLG		
21.	Birungi Musa	Senior Education Officer	Ministry of Education and Sports	0782 368615 0756 101303	Birungi.musa@yahoo.com