



## **PRESS STATEMENT**

### **Civil Society Appreciation to Government and Judiciary on the progress in the fight against Corruption**

We, the members of Civil Society would like to congratulate the Government of Uganda and the Judiciary at large for the mile stone made in the fight against corruption. After years of waiting, Justice finally prevailed as the Country witnessed the waking up of the judiciary especially in the handling of high profile cases that in most cases involve hefty sums of money. In a recent report “Temples of Injustice” published by Anti-Corruption Coalition Uganda, it was revealed that judicial corruption was on the rise Uganda and this is also evident in the Transparency International Global Corruption Barometer that ranks Uganda the 17<sup>th</sup> most corrupt in the World and most corrupt in East Africa.

Previously, we have been gravely concerned that the incidences of corruption in Uganda have continued to escalate to alarming levels despite the existence of an elaborate institutional, policy and legal framework to fight graft. Rampant theft of public resources in Uganda has risen to disturbing proportions that it is viewed as a way of life. Although the Ugandan government has made considerable efforts to reduce corruption, both petty and grand corruption are still rampant and affect many institutions in the country, from the private sector domain through the courts and Justice System, to health care and other spheres of public life<sup>1</sup>.

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<sup>1</sup> African Peer Review Mechanism Report, Uganda Country Review Report No. 7, January 2009

In 2011, the Ministry of Local Government spent a total of US\$4,298,636 to open a Letter of Credit (LC) for the supply of 70,000 bicycles for the chairpersons of parish and village councils. 40% of the LC representing US\$1,719,454 was fraudulently paid to the supplier since the bicycles had not been delivered. The Government of Uganda through MoLG awarded a contract to Amman Industrial Tool and Equipment Ltd (AITEL) to supply 70,000 bicycles for LCs. Government paid 1.7 million dollars for 30,000 bicycles that were never delivered and the Government of Uganda lost over 4billion Uganda Shillings.

We are happy with the ruling of the Anti-Corruption Court that the Ministry of Local Government Permanent Secretary Kashaka Muhanguzi, Sam Erongot Robert Mwebaze and Aluma Adam were sentenced at the Anti-Corruption Court for their involvement in LC bicycle scandal to 10 years and 10 days imprisonment for causing loss of sh4b to government. They are supposed to refund about sh600m and are disqualified from public service jobs for a period of 10 years. The Principal procurement officer was sentenced to 13 years, Timothy Musherere; a consultant was sentenced 3 years and 4 months imprisonment for preparing and abetting crime. This kind of punishment and even harsher ones send a clear message to the would-be offenders and deters other public servants from being corrupt. Although, this is not punishment enough to be satisfied with the ruling, we appreciate the political will exhibited and hope that in future, such officers are adequately punished.

However, as CSO we are concerned that many scandals have not been brought to their logical conclusion, ranging from the recent Pensions scandal with loss of Shs169b meant to clear outstanding pension claims of 1,018 former East African Community workers went missing, the OPM scam where Shs 50 billion was misappropriated, the botched National ID project that resulted into a loss of Shs19b, Basajjabalaba's fraudulent claim for Ushs 142 billion, to mention but a few. We call upon Parliament to quickly pass the Anti-Corruption Amendment Bill into law so as to empower Government agencies to confiscate and seize the profits of corruption and make corruption a risky venture.

## **Recommendations:**

### **i) Implementation of the Leadership Code and Tribunal**

While the Leadership Code Act, 2002, may still have some gaps, the Leadership Tribunal provided to implement and enforce the Act should be expeditiously constituted. Otherwise, the Leadership Code Act will largely remain a mere ‘paper tiger’ subject to being challenged on occasions that the Inspectorate of Government (IG) has attempted to implement it. As part of demonstrating political will, the Leadership Tribunal should be expeditiously instituted to enforce the Leadership code and serve to adjudicate over any breaches of this law. This will enhance the capacity of the IG to execute mandate of the Code.

The Inspectorate of Government should make public the details of declarations of public officials so that the public can be able to report instances of under declaration or over declaration of leader’s assets. The “prescribed form” to release information to the public should be provided for, to ensure broad public access to asset declaration records of the leaders.

### **ii) Expedite the process for the Anti-Corruption Amendment Bill, 2013**

The Bill should provide for Government to confiscate and seize the proceeds of corruption so as to raise the risk threshold of corruption and make corruption a risky venture in Uganda. The enactment of the Bill is long overdue and should be expedited given that the impunity of the corrupt also could drive other potentially good public servants into corruption. In effect, once passed, the Bill will serve to strengthen Sections 21(1) and 35(a) of the Leadership Code Act 2002 by providing a mechanism of confiscating excess or under-declared property or assets by public officials.

### **iii) Government Commitment and political will**

We call upon government to demonstrate more decisive political commitment to fight corruption by enforcing the legal/institutional frameworks to fight corruption. This can be done by better equipping and adequately financing anti-graft bodies like the office of the IGG, DPP, Auditor General, Police CIID, Judiciary among others, with more human and financial resources to effectively fight corruption.