



Parliamentary Performance Score Card 2018-2019:

Revisiting to strengthen conduct
of Parliamentary Business

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Executive Summary

On July 23, 2020 Africa Leadership Institute (ALI) released results of the Parliamentary Scorecard for FY 2018-2019, providing performance of individual Members of Parliament (MPs) and the Institution of Parliament against their key mandate of Legislation, Representation, Oversight and Appropriation as specified in the 1995 Constitution of the Republic of Uganda. The Parliamentary Performance Scorecard is founded in provisions of the 1995 constitution of the republic of Uganda specifically Article 1, Article 38(1) and Article 38(2) that empower individual citizens and Civil Society Organizations (CSOs) to hold elected political actors accountable. The Scorecard assessment is conducted in the spirit of the age-old Social Contract theory advanced by Jean Claude Rosseau (1762) in the advent of democratic principles. Contemporary scholars-D'Agustino (1996), Muldoon, Ryan (2017), Dubnick, M, J. and George, H. (2015) and Thrasher (2015) among others, have further reviewed the Social Contract theory maintaining it's key assertion that occupiers of elective office are subject to scrutiny by voters who determine whether or not their leadership is legitimate and worthy of loyalty.

The Scorecard report is based on secondary and primary data accessed from within the precincts of Parliament and at constituency level respectively, by conducting document review, participant observation and surveys over the reporting period. The results indicate: low attendance of Parliament business, inadequate conduct of research by Parliamentarians, low representation of women interests despite their unquestionable contribution and influence, incomplete accountability to Parliament by public organizations, slow conduct of business, unequal attention to bills tabled in Parliament and gaps in accountability to the grassroots population. The reported shortfalls largely emerge from gaps in policy and may improve with accurate mitigation.

This policy brief therefore recommends that: The Parliament of Uganda should review it's current policy framework to; equitably distribute time across bills tabled in parliament, introduce stringent rules that attach emoluments to evidence of participation in Parliamentary business, increase research fund for Parliament and individual MPs, ensure predictable and timely compilation and distribution



This policy brief recommends that Parliament of the Republic of Uganda should review its current policy framework to; equitably distribute time across bills, matters of national concern, oversight and appropriation roles of Parliament in parliamentary business, introduce stringent rules that attach emoluments to evidence of participation of MPs in parliamentary business, increase research fund for Parliament and individual MPs. Parliament should compel MPs to hold structured quarterly feedback consultative meetings with their constituents.

of the order paper, compel members to hold feedback and consultative meetings with the grassroots and widely disseminate the Hansard and other non-classified Parliamentary documents for public access and interest, and adopt the Parliamentary scorecard report as one of the yardsticks for performance of individual members and the Institution of Parliament.

Introduction

This Policy Brief is extracted from the Parliamentary Performance Scorecard findings of 2018-2019. The Scorecard is an innovation of the Parliamentary Performance Scorecard and Civic Engagement Project to document periodic performance of MPs and Parliament of the Republic of Uganda (PoRU) using universal standards of scientific data collection and analysis. The project is implemented annually by Africa Leadership Institute (ALI) in partnership with Uganda Management Institute (UMI) and FIT Insights.

The Scorecard report is founded on the universal principle of accountable governance (Dubnick, M, J. and George, H. 2015), the 1995 Constitution of the Republic of Uganda and the Social Contract theory (Jean Claude Rosseau 1762; D'Agostino, F. 1996, Muldoon, R. 2017), Dubnick, M, J. and George, H. 2015; Thrasher, J. 2015) that consign the public to hold political leaders accountable, focusing on the promises that informed their election to political office, also known as the citizens' manifesto (UGMP, 2016). Additionally, the scorecard captures the contribution of Parliament as an Institution, to achievement of development goals specified in global and national commitments like Sustainable Development Goals (SDGs) and National Development Plans (NDPs).

The role of the PoRU is enshrined in Article 77 of the 1995 Constitution (as amended) that specifies its primary functions as Legislative, Representative and Oversight. Prior to the Performance Scorecard innovation, public scrutiny of Parliamentary performance was mini-



The Speaker of Parliament Rt. Hon. Rebecca Alitwala Kadaga and Deputy Speaker of Parliament Rt. Hon. Jacob L'Okori Oulanyah chair sessions in Parliament

mal even when Article 38(1) of the Constitution provides that every citizen has the right to participate in the affairs of Government, individually or through representatives and Article 38(2)3 of the 1995 constitution gives citizens the right to participate in peaceful activities to influence policies of Government through their civic organizations and associations.

This policy brief captures areas of the Parliamentary Scorecard report of 2018/2019- that may be adopted to enrich existing legislative policy and to embed political accountability in the local political culture. Rating the performance of the PoRU enhances it's public image, elevating it as an accountable institution, and brings the public to appreciate it's relevance and insulates the legislature against disrepute. Public appreciation of the role of Parliament protects the legislature against unconstitutional suspension as witnessed in 1971 and 1985.

Notably, any data collected under the Parliamentary Scorecard is a significant stride towards political accountability in Uganda and annual dissemination of the Scorecard findings is expected to transform the wider section of Ugandans into *Active and Informed Citizens that enjoy their rights and aspirations championed by accountable and responsive elected representatives in Parliament* (AFLI 2018). The policy recommendations in this policy brief focus on remedies for areas of improvement identified in the Parliamentary Scorecard report 2018-2019 and are shared with the Parliament of the Republic of Uganda for integration in the existing policy framework.



Hon. David Pulkol the AFLI Executive Director, Dr. Gerald Werikhe Wanzala, Hon. Gilbert Olanya the MP Kilaka County and Hon. Sarah Opendi moments before the launch of the Scorecard on July 23rd 2020.



Ms Nashiba Nakabira of African Youth Development Link, and Dr Alfred Kiiza of UMI make submissions at teh Inter-Agency meeting which critiqued the draft policy brief.

Rationale

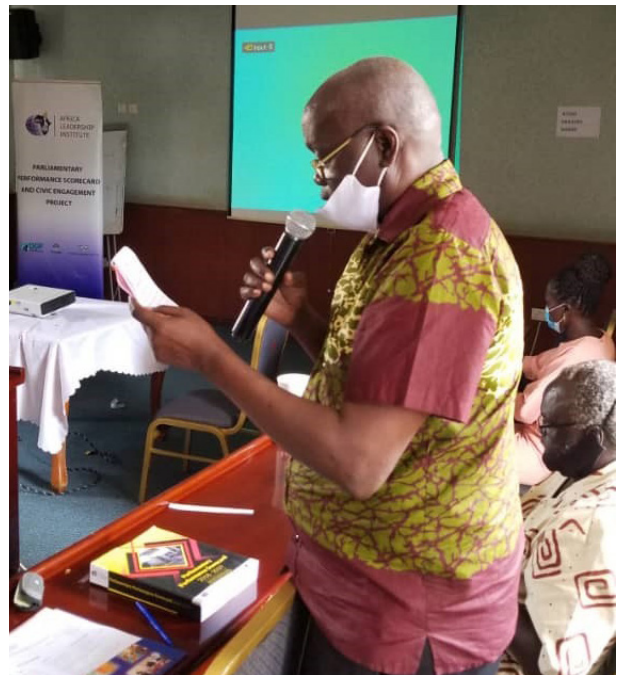
Until the advent of the Parliamentary Scorecard, the public was minimally exposed to Parliamentary business and a gap was growing between the members of the PoRU and the grassroots population that elects them into office. Performance reports for individual members and departments was largely internal and the public relied on the media to capture selected newsworthy events of Parliament. The Performance Scorecard has widened the public's scope of understanding of business in Parliament. The data collection and documentation of policy briefs from the Scorecard report is crucial to strengthen the accountability of Parliament to the public and to provide evidence based policy suggestions to improve the functioning of individual MPs and the institution of Parliament as a whole. Informed by the Parliamentary Performance Scorecard data obtained from Parliament, this policy brief shall help to;

- 1) Identify specific areas of improvement for individual MPs and the Institution of Parliament
- 2) Systematically equip the public with credible evidence of MPs' performance upon which they may rate them
- 4) Identify policy gaps that may need to be addressed at institutional level to improve the performance of MPs and the Parliament of Uganda as an institution.

Methodology

The Parliamentary Scorecard captures performance of MPs and that of Parliament as an institution. For individual MP performance, the tool focuses on output at plenary, committee and constituency levels. This is the frequency of input in legislation, oversight of national programs including appropriation of resources and accountability by public offices, representation and sensitivity to their constituency and regional interests and presence in the house.

The data is captured by research assistants assigned to Parliament. These access secondary data like the Hansard, annual report of the Parliamentary Commission, annual legislative sector review, list of attendance of plenary and committee meetings, minutes and lists of attendance of District Council meetings. Additionally, the Performance Scorecard entails conduct of surveys across the constituencies to capture presence and public impression of the MPs at grassroots level. The MP's office, accessibility to and communication with the constituents are assessed for effectiveness. Though not graded, these qualify the MP's performance and explain exceptional observations. The tool captures adequate information to satisfactorily rate performance of individual MPs and inform public decision to vote them back to office.



Mr Kalamya Sam of Uganda Youth Network, Mr Tobias Onweng of Uganda Youth Network, and below Ms. Rael Cheptoris of AFLI and Ms Atukwasa Prudence of Center for Women Governance make submissions at the Inter-Agency meeting which discussed the Policy Brief





AFLI staff and Guest Speakers at the Launch of the Parliamentary Scorecard 2018-2019

Key Observations

Composition

The 10th Parliament comprises of 65.1 male and 34.9 female members across the front and back-benchers with 33.5% leadership positions held by female members. The leadership positions in this context include: Vice President, Speaker, Deputy Speaker, Attorney General, Deputy Attorney General, Government Chief Whip, Cabinet Ministers, Leader of Opposition, Opposition Chief Whip, Deputy Opposition Chief Whip, Shadow Ministers, Chairpersons/Vice Chairpersons of Committees and Commissioners of Parliament

Representation

The highest committee attendance was at 66.9% and this was by the budget committee. The attendance of plenary registered low percentages across regions with 20% of Northern MPs, 16 % of Central region MPs, 21% of Eastern region MPs, and 18% of Western region MPs attending. Committee attendance registered low percentage at 42% Northern, 43% Central, 49% Eastern and 40% Western. The low attendance indicates ineffective institutional systems to compel MPs to prioritize the schedule and rules of Parliamentary business. The Parliamentary Performance Scorecard study did not witness any systemic retribution procedures for members skipping Parliamentary business.

Legislation

Overall, 51.4% of the MPs participated in debates to enact laws.

Only 18.5% of bills complied with rule of procedure of mandatory 45 days in committees. Implying that, time is not effectively utilized by committees to avoid backlogs and clear submitted Bills. Additionally, bills were found not to be given equal attention as committee's prioritised bills that enabled the executive to spend. The OTT bill was expedited in a short time while the data protection and privacy bill has taken over 900 days and the minimum wage bill and the domestic relations bill are also taking over 1153 days, and still counting. There was no evidence of effort to compel MPs to equally prioritize bills and to conduct research to equip the house with adequate knowledge to help members address the difficult bills.

Oversight

- In the oversight role, 36% of national issues were raised by Western region MPs, 27% by Central region MPs, 27% from Northern region MPs and 11% from Eastern region MPs. The underperformance of Eastern region MPs in this area is not explained.
- Furthermore, the national issues raised covered only eight sectors of government, implying that minimal attention is given to the larger portion of government business. For instance: 29% of national issues focused on local government, 21% on Human Development, 14% on Agriculture Industry, Trade and Investment, 13% on Internal security, 7% on environment and natural resources, 6% on infrastructure, 6% on social issues, and 3% on foreign affairs.
- Ministers responded to 51% of the issues raised to them on the floor of Parliament. No evidence was obtained of practical and systematic procedure for ministers to provide responses to the unanswered questions within a specific period of time and a risk was identified of ministers not attending to the questions after the session
- Members of Parliament were largely absent at District Local Council meetings.



Dr Werikhe Gerald Wanzala making a submission during the Inter-Agency meeting

Appropriation

60% of the approved budgets complied with the provisions of the law and not much is known about the 40% that did not comply.

- Some “autonomous bodies” did not submit annual reports to Parliament and others including Auditor General’s office have backlog of reports to table.
- MPs were largely absent at District Local Council meetings.

Conclusion

The above listed challenges notwithstanding, the Parliamentary Scorecard is arguably the most scientifically credible evaluation of Parliamentary performance so far in Uganda. The scorecard highlights areas of improvement for parliamentary business upon which action can be based to improve the policy framework that guides the functioning of Parliament.

Recommendation

- Legislative procedure should be reviewed to systematically compel MPs to work within the prescribed periods for disposal of Bills and conduct of other Parliamentary business to avoid backlogs. To improve attendance, PoRU should revise current rules and procedures, attaching specific emoluments to attendance and contribution to Parliamentary business. This should be supported by a retributive system that compels MPs to attend a sufficient portion of Parliamentary business including attaching salary to a percentage of monthly work time committed to Parliamentary business.
- Parliament should schedule and compel MPs to hold regular, structured and predictable quarterly feedback consultative meetings with their constituents. This should form a basis for payment of mileage claims, fuel and per diem on the strength of evidence of this interaction in form signed forms by local authorities, minutes of meetings with the public, video and pictorial data, among others. This will increase members’ attendance of Parliamentary business to generate information for feedback meetings and improve their capacity to obtain constituency and regional citizens’ concerns to table in Parliament.
- Parliament should increase funding for the research department to generate data for individual legislators to widen their knowledge, improve quality of bills and gain confidence to discuss a wide range of issues on the floor of Parliament.
- Parliament should introduce a speaker’s list constituted by a panel of MPs who do research and are given longer time to submit before others can supplement, This will ensure that the maximum threshold of any topic of discussion is achieved.
- The Order paper should be circulated to Ministers in predictable time to enable them to prepare for likely answers to questions and strict timelines should be set for Ministers to provide feedback.
- The library and public relations department of Parliament should expand readership of the Hansard and non-classified Parliamentary committee records to regional public libraries, public offices and libraries of high schools and higher learning institutions to enhance public knowledge of Parliamentary business.
- Government of Uganda should consider adopting the Parliamentary Scorecard report as the key yardstick for performance of MPs and the Institutional of Parliament.

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Ms Martha Angella Martina the AFLI Communication and Media Relations Officer and Dr Sylvester Kugonza of UMI at the Inter-Agency meeting

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