



## **THE INSPECTORATE OF GOVERNMENT**

### **PRESENTATION ON IG PERFORMANCE REPORT TO PARLIAMENT OF UGANDA FOR THE FY2019/2020**

**Remarks by Deputy Inspector General of Government, George  
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#### **Introduction**

The Inspectorate of Government is the national and Constitutional Anti-Corruption institution mandated to investigate and prosecute cases of corruption, abuse of office and authority, enforce the Leadership Code Act, undertake public awareness programmes on corruption and perform the Ombudsman function in Uganda. In accordance with Article 231 of the Constitution of the Republic of Uganda, 1995, the Inspectorate of Government (IG) shall submit to Parliament a report on the performance of its functions, making such recommendation as it considers necessary and containing such information as Parliament may require.

The IG has compiled the reports for the periods July to December 2019 and January to June 2020 detailing the performance, challenges and recommendations. A summary of the performance achieved during the FY2019/2020 is given below;

### **Investigation of corruption cases**

The Inspectorate of Government receives complaints from the public and other stakeholders at Head Office and the 16 Regional offices across the country. During the period the Inspectorate of Government received 1,707 complaints; Head Office 858 complaints and Regional Offices 849 complaints. A total of 1,153 cases were investigated and completed.

### **Investigation of Corruption in Ministries, Departments and Agencies (MDAs)**

The IG conducts corruption investigations which act as a strong deterrent against corruption, helping to reduce incentive to commit corruption crime. The IG created the Directorate of Special Investigations to investigate organized, syndicated and high profile cases of corruption of a value in excess of UGX 1 Billion shillings.

During the FY 2019/20, the IG concluded investigations of 18 high profile among other corruption cases in Central Government (Ministries, Department and Agencies). Some of the high profile corruption cases successfully investigated during the year include:

- a. Alleged mismanagement and causing financial loss to government of USD 209,400 and abuse of office by officials of the Uganda Police Force.
- b. Alleged massive corruption at Rural Electrification Agency (REA) in the construction of Kitgum-Padibe-Lukong and Kitgum-Palabek power lines.
- c. Alleged corruption Rural Electrification Agency (REA) in the construction of Ibanda-Kanbujogyera-Kamwenge and Ibanda-Kazo-Rushrere Power Lines.
- d. Alleged mismanagement of contract for the supply of mobile van by the Directorate of Government Analytical Laboratory.

- e. Alleged corruption practices by 2 Parliament of Uganda Directors leading to recovery of UGX 99 million.
- f. Alleged mismanagement of Refugee Funds by officials of OPM and UNCHR-Uganda resulting into prosecution of 3 high ranking officials.
- g. Alleged abuse of office by officials of Ministry of Works and Transport and Ministry of Ministry of Agriculture, Animal Industry and Fisheries.
- h. Alleged corruption and mismanagement of funds by Director Local Government Administration/Ag. Permanent Secretary
- i. Alleged over-payment of UGX.6 billion on installation of new Baggage Handling System (BHS) at Entebbe International Airport by CAA officials

The investigations led to administrative sanctions on 280 public official and prosecution of 26 persons.

In line with the strategic objective of strengthening investigations the IG established a Forensic Laboratory to handle sophisticated corruption cases in relation to digital crimes. The staff had specialized training in computer hacking and forensic investigation; Intelligence development and investigations involving Crypto currency/Virtual Assets. These trainings will enable IG to effectively fight corruption related cyber-crimes.

**Corruption Cases Investigated in Local Governments during the FY 2019-20**

The investigations in Local Government is carried out by the 16 IG Regional Offices namely; Arua, Fort Portal, Gulu, Hoima, Jinja, Kabale, Kampala, Lira, Masaka, Mbale, Mbarara, Moroto, Moyo, Mukono, Soroti and Tororo.

**Outcomes of the investigations conducted**

Item Descriptions	Reporting period
	FY 2019/20
No. of public officials recommended for prosecutions.	35

No. of public officials arrested	35
No. of officers dismissed from service due to IG recommendations.	65
No. of public officials interdicted.	29
No. of public officials submitted to Service Commissions for disciplinary actions.	79
No. of public officials recommended for administrative sanctions	664
Amount of funds recommended for recovery (UGX Billion)	0.991

**Prosecution of corruption cases in Courts of Law**

The IG carries out prosecution of corruption cases arising from investigations conducted. This is intended to deter public official from indulging in corrupt practices and also make it more risky. In addition the IG responded to the cases brought against by concerned parties in the courts of law. The IG has also strengthened the prosecution-led investigation strategy in order to foster effective evidence gathering and prosecution of cases. Furthermore, the IG is exploring Plea Bargain and Strong sanctions against offenders including termination of employment.

During the period the prosecutions resulted into overall conviction rate of 57.6%.

**Outcome of corruption cases prosecuted**

Item Description	FY 2019/20	
	No.	%
Convictions -high profile.	10	16.9
Convictions other corruption case.	24	40.7
<b>Total convictions.</b>	<b>34</b>	<b>57.6</b>
No. of acquittals	<b>19</b>	32.2
No. of withdrawals	<b>6</b>	10.2
<b>Total Cases Prosecuted</b>	<b>59</b>	

Below is the highlight of some of the convictions obtained by the IG during the FY 2019/20:

- a. Two officials from Soroti Flying School were sentenced to a fine of UGX 7,000,000 or 4 years imprisonment and ordered to fund UGX 80,024,850 to Government of Uganda. They were further ordered not to hold public offices for 10 years.
- b. Former Top Manager of Nambole Stadium was convicted of charges of Abuse of office, Embezzlement and neglect of duty was upheld by Court of Appeal and the convict taken to civil prison pending recovery of UGX 88,480,000 which she misappropriated.
- c. Information Technology Assistant Arua Desk, Office of the Office of the Prime Minister) through plea bargain pleaded guilty to charges of Embezzlement and False Accounting. He paid a total fine of UGX 10,000,000. He was also ordered to refund UGX 163,956,960 within 12 months.
- d. Senior Procurement Officer (Head Procurement and Disposal Unit Ministry of Local Government) was sentenced to a fine of UGX 4,000,000 or 12 months imprisonment. He was further ordered to refund UGX 38,160,000 within 6 months.
- e. Computer Supervisor, Ministry of Finance Appeal against his Conviction on charges of Embezzlement and corruption, Court of Appeal upheld the Conviction and he was ordered to serve his sentence of 3 years' imprisonment and refund UGX 38,000,000.

### **Asset Recovery by IG**

Asset recovery is one of the tools the IG uses to make corruption more risky and also prevent public officials from illicit enrichment and accumulation of un-explained wealth. The IG has been engaged in among other things the enforcement of Court orders for the recovery of property based on convictions and the enforcement of the recovery of property from IG orders.

During the period the IG recovered a total of UGX 1,151,373,448= which was deposited on the IG Asset Recovery Account. This money is returned to the Consolidated Account every end of FY. Also properties worth

UGX.5,360,000,000= was confiscated and property valued at UGX.4,700,000,000= was restrained and other 12 properties the values are yet to determined.

### **Investigations of Maladministration and injustices in public office (Ombudsman function)**

The Inspectorate of Government resolves maladministration and issues of administrative injustices through carrying out system reviews, investigation and referring cases to other competent bodies in government institutions for further management. Other activities implemented are:

- a. Strengthening regional offices through capacity building training and provision of resources to enable them to investigate incidence of maladministration and injustices in public offices at local government level.
- b. Supporting the Resolution of cases through alternative dispute resolution which includes arbitration, mediation, counselling and referrals to other relevant, competent administrative body.
- c. Supporting capacity building initiatives like training for the directorate of Ombudsman Affairs to effectively and efficiently handle ombudsman's cases
- d. Support sanctioning of officers involved in maladministration and injustices in public offices

The IG is also pursuing a strategy of engaging and empowering Ministries Departments and Agencies to strengthen internal supervision and to set up Local Complaint Handling Mechanisms so that citizens' concerns are addressed at source. This will free up time for IG to focus on matters which require specialized attention.

During the FY the IG resolved 510 Ombudsman complaints in MDA/LGs. The complaints involved mismanagement of public properties, employment disputes, nonpayment of (salaries, pension, gratuity and other benefits) and victimization among others. As a result of the Ombudsman interventions, UGX.100,874,295= was paid to different individuals MDA/LGs.

### **Systemic interventions**

The IG conducts system investigations to address broader issues underlying administrative weaknesses or lapses with a view to recommend corrective measures for improvement. The institutions are identified based on the number of complaints received against them. During the period a number of systemic interventions were carried out in the following; Uganda Road Fund (URF), Makerere University, Uganda Coffee Development Authority, Uganda National Health Research Organization and National Council of Sports.

### **Enforcement of the Leadership Code of Conduct**

The IG has been using the online Declaration System (IG-ODS) to receive declarations of income, assets and liabilities of specified leaders and during the period the compliance rate was 85.8% (21,456).

During the last FY, 38 investigations into the breach of the Leadership Code of Conduct were concluded that led to recovery of a ten apartment block worth UGX 1.2 BN UGX **(330,000 US DOLLARS) which** was confiscated from a public official through a negotiated settlement. This recovery arose out of a failure by the public officer to declare his entire wealth to the IG as required under the Leadership Code of Conduct. The property confiscated had a value over and above the official's known and legitimate sources of income. This property will eventually be disposed of in accordance with the PPDA ACT and Regulations.

### **Streamlining Transparency and Accountability in Government Projects**

The IG started implementing Transparency, Accountability and Anti-Corruption (TAAC) as one of the Project components of NUSAF3 and DRDIP projects in the East, North East, North, West Nile and some parts of Bunyoro region. This project component aims at engaging citizens in the fight against corruption and bad governance in those particular projects. Citizens have been sensitized on their constitutional rights to demand for accountability, report corruption and bad governance cases to the IG. TAAC was later rolled out to cover even non NUSAF areas.

During the FY, the IG formulated and trained 11,173 Community Monitoring Group members in 71 Districts bringing the total number of Trained CMGs in Uganda to 65,000. This was done with the support of the World Bank and DANIDA. The CMGs formed enhanced citizen engagement in monitoring Government service delivery in order to strengthen transparency, accountability and Anti-corruption. As a result Project implementation at the community level has improved and project related grievances resolved by the community members.

In view of the success of the IG implementation of TAAC component, National Planning Authority has taken up the initiative to introduce TAAC in the NDPIII so that all Government MDAs include TAAC component in their work plans.

### **Strengthening Strategic Partnerships and Enhancing Public Awareness**

The IG has built strategic partnerships with both local and International Partners and leverage on the strength and specialty of each institution which has resulted into improved quality of our investigations and engagements.

The IG has continued to engage Development Partners like DFID, World Bank, GIZ, DANIDA and UNDP among others to support the prevention, detection and combating corruption and maladministration.

The IG has engaged over 40 Civil Society Organizations (CSOs) to empower communities on social accountability. The involvement of CSOs, Citizens as well as other Anti-Corruption Agencies has led to increased knowledge of citizens about accountability issues in the communities, improved channels for ordinary citizens to raise complaints about poor Service Delivery, Corruption and Mal-administration in the DLGs, timely responses and actions to citizens' concerns and access to information.

### **Strengthen Organizational Capacity for service delivery**

The IG carried out an Organizational Development Assessment (**ODA**) exercise in an effort to increase overall staff productivity and align the skillset with the competences required for our times.

The IG has also trained staff to equip them with skills to strengthen their capacity to detect, prevent and combat corruption. The staff have had specialized training in computer hacking and forensic investigation; Intelligence development and investigations involving Crypto currency/Virtual Assets that will enable it to effectively fight corruption related cyber-crimes.

### **Public Awareness through the media**

The IG has engaged media houses countrywide through news print, radios, television to sensitize the local communities on Anti-Corruption and ombudsman matters.

### **Constraints and Challenges facing the IG**

**COVID-19 Pandemic:** The performance of the IG activities were adversely affected by the lockdown due to the COVID-19 pandemic.

**Lacuna in the Leadership Code Act as amended.** The lack of penalties to breaches and offences that makes it difficult to enforce since it is unattainable to enforce a law without imposing penalties or punishments on the offenders who breach law. Although the Leadership Code Tribunal was set up it is currently redundant due to the gap in the amended law.

**Non-implementation of IG recommendations;** upon completion of investigations, there have been instances where the recommendation made by the IG have not been implemented. When recommendations (such as civil/administrative sanctions of various officials) are not implemented promptly, the matters remain unresolved.

**Poor methods of storage and retrieval of records and sharing in public offices.** Poor record keeping results in great difficulty for the IG to collect

credible information from the public officers or offices. The absence of proper records has continuously created a bottleneck for investigations.

**Inadequate funding;** currently, the IG is operating in rented office premises for both its Head office and the 16 Regional Offices which impacts of the operational costs. Also, increasing cost of fuel, lubricants, Oils and vehicle maintenance affect the IG operations. This is because most of the IG activities involve travels to collect information and carry out prosecutions.

**Weak Internal Complaints and Grievance Handling Mechanisms in the MDALGs.** Lack of functional structures in government institutions to manage complaints internally has led to increased complaints from MDAs and LGs to the Inspectorate of Government. Some of these complaints would be handled at source.

**Increasing complexity of corruption;** corruption is a sophisticated cartel that involves wide network of people (syndicates) in and outside Uganda. Combating this type of corruption requires significant resources (financial and skilled human resources).

**Inadequate staffing;** There is low number of staff to conduct verifications of leader's declarations and for investigations of cases of corruption. This has led to the increase of backlog cases. The IG hopes to mitigate this problem through the ongoing Organizational restructuring process by recruiting additional staff as soon as MOFPED provides additional resources.

**Difficulties in tracing of hidden assets;** Ascertaining ownership and location of various properties of leaders greatly affects the process of verification due to poor urban planning poor record keeping.

## **Recommendations**

### **Amend the Leadership Code**

The Directorate of Ethics and Integrity should initiate the amendment of the Leadership Code Act to address the lop holes that arose from its recent amendment.

**Introduction of ethics and integrity at an early stage:**

The Directorate of Ethics and Integrity should work with the Ministry of Education and Sports to develop a curriculum that impacts ethical values among young people starting at the Primary School level.

**Increased supervision and performance reviews for public servants:**

The Ministry of Public Service and Anti-Corruption Agencies need to design and implement systems that will enable close supervision of employees. Proper and regular performance appraisals that include measurement of ethics and integrity of the staff need to be put in place. Supervision of government projects should be done in close collaboration with the community beneficiaries.

**Increase funding to the IG:** Parliament of Uganda should increase funding to the IG to be able to conduct criminal sessions in the areas where cases originate from; this ensures faster disposal of cases and communities directly appreciate government efforts to combat corruption. Also more funding is needed to procure modern investigation equipment, vehicles, continuous Legal Education/training for all prosecutors and investigators to keep up to date with new methods of investigation and prosecution of corruption.

**Appoint more Judges in Court of Appeal:** That Government should appoint and deploy more judges to the Court of Appeal since it handles all Constitutional matters as well as any other civil, criminal and election appeals. Also more judicial officers should be deployed at the Anti-Corruption Division to increase efficiency and fasten disposal of cases.

**Update of public information:** All Accounting Officers for Ministries Departments Agencies and Local Governments should ensure that public information and records are always updated which will enable accuracy of data and obtaining of credible information.