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This action is funded by the European Union

## ANNEX

of the Commission Decision on the individual measure in favour of Uganda to be financed from the 11<sup>th</sup> European Development Fund

### **Action Document for "EU Contribution to the Democratic Governance Facility in Uganda - Phase II"**

1. Title/basic act/ CRIS number	EU Contribution to the Democratic Governance Facility in Uganda – Phase II CRIS number: UG/FED/040-597 financed under the 11 <sup>th</sup> European Development Fund (EDF)			
2. Zone benefiting from the action/location	Uganda The action shall be carried out at the following location: Uganda countrywide.			
3. Programming document	National Indicative Programme (NIP) between the European Union and Uganda for the period 2014-2020			
4. Sector of concentration/ thematic area	Good Governance	DEV. Aid: YES		
5. Amounts concerned	Total estimated cost: EUR 101 578 000 Total amount of EDF contribution: EUR 12 000 000 This action is co-financed in joint co-financing by: - Austria for an amount of EUR 2 500 000 - Denmark for an amount of EUR 19 486 000 - Ireland for an amount of EUR 13 750 000 - Netherlands for an amount of EUR 10 000 000 - Norway for an amount of EUR 10 142 000 - Sweden for an amount of EUR 25 700 000 - Amount brought forward from DGF I: EUR 8 000 000			
6. Aid modality and implementation modality	Project Modality Indirect management with The Royal Danish Embassy (RDE)			
7 a) DAC code	15150 - Democratic participation and civil society			
b) Main Delivery Channel	10000 – Public Sector Institutions - 13000 - Third Country Government (Delegated co-operation)			
8. Markers (from CRIS DAC form)	General policy objective	Not targeted	Significant objective	Main objective
	Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	X

	Aid to environment	X	<input type="checkbox"/>	<input type="checkbox"/>
	Gender equality (including Women In Development)	<input type="checkbox"/>	X	<input type="checkbox"/>
	Trade Development	X	<input type="checkbox"/>	<input type="checkbox"/>
	Reproductive, Maternal, New born and child health	X	<input type="checkbox"/>	<input type="checkbox"/>
	<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
	Biological diversity	X	<input type="checkbox"/>	<input type="checkbox"/>
	Combat desertification	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change mitigation	X	<input type="checkbox"/>	<input type="checkbox"/>
	Climate change adaptation	X	<input type="checkbox"/>	<input type="checkbox"/>
<b>9. Global Public Goods and Challenges (GPGC) thematic flagships</b>	N.A.			
<b>10. Sustainable Development Goals (SDGs)</b>	Main SDGs : 5 and 16 - Secondary SDG: 10			

## SUMMARY

This project will contribute EUR 12 000 000 to the Democratic Governance Facility (DGF) – Phase II, a joint development partners’ (DPs) initiative which started in July 2011 in support of good governance in Uganda, currently co-funded by the EU, five EU Member States (Austria, Denmark, Ireland, Netherlands, Sweden) and Norway, working in close collaboration with EU-funded actions in the same field<sup>1</sup>.

As the evaluation and reviews of phase I of the DGF demonstrated, considerable results have been achieved in promoting and underpinning democratic governance, including constructive civil society engagement with government institutions, citizens’ understanding of their rights, stronger accountability through demand-side activities, and the provision of legal aid. Experience has shown that supporting citizen engagement with democratic processes and institutions has led to increased state responsiveness. DGF II, building on these achievements, will not only be consolidating its efforts in supporting and strengthening civil society. It will also capitalise on opportunities towards increased engagement with the Government of Uganda to demonstrate the value of a governance programme which connects to the national priorities and commitments of the Government. DGF II aims at going beyond a mere "continuation" of DGF I. There is an understanding of the need to consolidate or scale up those areas of intervention which were successful in delivering evidence-based results from 2011 to 2016 and to phase out where DGF has been less successful. DGF II, however, will also seek new areas of intervention and partnerships. DGF II, shifting its approach from DGF I, will be informed by continued political economy analysis. It will also take an adaptive programming approach, based on a set of principles around identifying and contributing to the solving of local and national problems, ensuring regular learning, emphasising gender issues, and engaging a broad spectrum of actors around key governance issues. At the same time, the programme design has taken into account existing and new governance-related programmes and their complementarity with DGF II.

<sup>1</sup> The UK, who has been a strong supporter of DGF in its first phase, decided to withdraw from DGF II due to their change of strategic focus in Uganda.

# 1 CONTEXT

## 1.1 Sector/Country/Regional context/Thematic area

Uganda is a unitary state, comprising of the national government and four levels of sub-national government, with the President as head of government. Overall, Uganda has a sound institutional and regulatory framework in place in terms of democracy, human rights, rule of law, access to justice, accountability, civil society, and media. However, a large implementation gap remains, and the political economy is characterised by a political patronage system dominated by President Museveni and the National Resistance Movement (NRM) regime, incumbent since 1986. Multi-party elections have been held since 2006 and always won by the incumbent President. According to international observation missions, the 2016 elections fell short of international standards and were marred by allegations of disenfranchisement and voter intimidation, harassment of the opposition, closure of social media websites, and lack of transparency and independence in the Electoral Commission. In December 2017, the constitution was amended, potentially allowing the President two additional terms in office.

Uganda's most recent economic performance has been mixed with growth somewhat below targets and downside risks. While the 1990s and 2000s have seen significant development outcomes coupled with impressive economic growth, gains have not been universally shared and are insufficient against the population growth of more than 3%. There are high levels of unemployment or under-employment particularly amongst young women and men. This may lead to further discontentment with the ruling elite. In addition, there are significant regional disparities across the country with some regions considerably lagging behind.

The country is currently facing considerable challenges with regard to the quality and access to services, a rapidly growing population, a highly unequal distribution of wealth, gender inequalities, marginalisation of specific groups including women and youth, social ills like corruption, human rights violations, and conflict in some regions. There is general lack of political will or space for real participation in democratic decision-making and processes with continued top-down, centralised decision-making from the government. The legal framework for civil society in Uganda is supportive of civil society organisations (CSOs) insofar as their activities are politically and socially acceptable to the Government. Yet, fundamental freedoms such as freedom of expression, association and peaceful assembly are increasingly restricted by the ruling government and media freedoms curtailed.

Human rights are recognised in the Constitution (1995) and the Government has demonstrated a commitment to human rights through the creation of the Uganda Human Rights Commission (UHRC) and being a signatory to various international conventions and regional human rights instruments.<sup>2</sup> Uganda also underwent twice the Universal Periodic Review (UPR), which led to developing a National Human Rights Action Plan (NAP). Yet the Government's policy declarations do not always equate with action and major legislative and implementation gaps towards the realisation of human rights and gender equality in the country remain. Periodic violation of human rights and fundamental freedoms are still an issue in the country, and violations relate to a broad spectrum of rights and freedoms, including political, civil, social,

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<sup>2</sup> Some of the international conventions ratified are: Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT); International Covenant on Civil and Political Rights (CCPR); Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); International Convention on the Elimination of All Forms of Racial Discrimination (CERD); International Covenant on Economic, Social and Cultural Rights (CESCR); International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW); - Convention on the Rights of the Child (CRC); Convention on the Rights of Persons with Disabilities (CRPD). Instruments ratified under the African Union auspices are: African Charter on Human and people's Rights (1986), African Charter on the Rights and Welfare of the Child (1994), Protocol to the African Charter on Human and People's Rights of Women in Africa (2010), African Commission on Human and people's Rights, and the African Court on Human and People's Rights.

cultural and economic rights. For example, in the area of civil and political rights, many violations pertain to freedom of speech, assembly and press freedom. Various ethnic groups see their cultural rights jeopardised as evidenced in the conflicts with some of the Ugandan kingdoms. In the area of economic rights, many cases pertain to equal access to resources, such as land, as well as other assets by men and women, just to name a few. At the same time, the protection of human rights is at risk, because of an increasingly difficult operating environment for human rights actors and defenders. Recent evidence suggests that police brutality has increased in 2015-16 with unlawful behaviour by security forces going largely unpunished<sup>3</sup>. Discrimination against lesbians, gay, bisexual and transgender people and harassment and violence against them remain, as do stereotypes that perpetuate discrimination against women, children, persons with disabilities, sexual minorities, ethnic minority groups, most at-risk populations and people living with HIV.

In the next few years, the exploitation of natural resources – and how revenues are shared and affected communities compensated – could come to dominate the focus of the economy and the politics associated with it. Despite some high-profile efforts to address corruption, it remains ever-present in all sectors including amongst civil society, the media and the political opposition which should otherwise be entities able to call government to account.

There is the potential for conflict and instability in some parts of the country due to land and resource conflicts, poverty and marginalisation, ethnic tensions, and growing numbers of refugees. Human Rights reports highlight concerns related to the overstretching of resources in districts receiving high influxes of refugees causing pressure and tensions between hosting communities and refugees.

### ***1.1.1 Public Policy Assessment and EU Policy Framework***

The Government of Uganda's democratic governance objectives and principles are laid out in the Constitution and expanded in the Second National Development Plan (NDP II) for 2015/16 – 2019/20. The NDP II features the strengthening of governance mechanisms and structures among its strategic directions and recognises both state and non-state actors as important players in the improvement of good governance. Its stated goal is good governance that is characterised by accountability, transparency, responsiveness, participation by all, efficiency and effectiveness, equity, inclusiveness and observance of the rule of law. Good governance is considered key to supporting the NDP's agenda on building a competitive economy through creation of the required legal and socio-political environment to accelerate economic and social transformation.

Despite Uganda having ratified major international conventions for the protection of human rights, full enjoyment of human rights by all citizens has yet to be achieved. Ratification of the conventions has not always been accompanied by enactment of national legislation or by diligent reporting. Legislations, such as the Public Order Management Act 2013, the HIV Prevention and Control Act 2014, the annulled Anti-Homosexuality Act 2014, were enacted for the purpose of controlling actors and institutions rather than enabling them. The same is true for the NGO Act 2015, which, some believe, is designed to restrict and control CSOs work rather than to facilitate it.

The Constitution of Uganda recognises specific rights of women including the right to full and equal dignity with men as well as equal treatment with men, the right to equal opportunities in all areas – political, economic and social. Still, challenges limiting women's equal participation and access to services and opportunities are many. For example, women face challenges in asserting property rights and rights within marriage to equal custody of children. Intimate partner violence is rampant too. In the public sphere, discrimination is common in the

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<sup>3</sup> Uganda Human Rights Commission Statement on recent Human Rights concerns in the country, 5<sup>th</sup> May 2017.

employment arena and in the formal sector women face resource and organisational challenges due to high illiteracy, low access to resource and weaknesses in transactional capacity. The Domestic Violence Act, 2010 and the Prohibition of Female Genital Mutilation Act, 2010 were enacted as part of Government's strategy to promote Gender Equality and Women's Empowerment (GEWE). However, effective implementation of national and international commitments on GEWE is weak and enforcement still remains limited.

Since 2007, the Uganda government has engaged in a process of transitional justice (TJ). This process is considered as paramount for a successful and sustainable recovery for a country that has been plagued by violence and conflicts since its first post-independence government in 1962. However, the TJ policy has been on the shelf for quite some time and, in spite of strong advocacy, it still has not been approved.

The action is in line with the Human Rights and Democracy Country Strategy for Uganda and most of the activities under component II of the action will target the priority areas of the strategy.

The project is fully aligned to the principles of EU external action, namely democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law. It is also in line with the universal values and good governance enshrined in the United Nations 2030 Agenda for Sustainable Development. Furthermore, the action is fully aligned to the mid-term review conclusions for the 11<sup>th</sup> EDF National Indicative Programme for Uganda. The action has a strong link to the Action Plan "Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020"<sup>4</sup> and its thematic priority on political and civil rights, namely voice and participation, and its objective 17 "Equal rights and ability for women to participate in policy and governance processes at all levels".

### ***1.1.2 Stakeholder analysis***

DGF II will provide support to state institutions providing the governance framework, organised civil society, the private sector and other social institutions to strengthen them as drivers of change. Women, as well as the youth and children, will specifically be targeted to enhance their capacity to claim their rights and take part in decision making processes at local and national level.

Main entities involved in democratic governance:

Government: Several Government institutions are involved in democratic governance work. Engagement and support through the DGF have so far proved successful, although institutions vary greatly in the strength of their mandate, their institutional capacity and leadership.

Parliament: As the second branch of government – the legislature – the Ugandan Parliament does have the potential to encourage and hold serious political debates over policies but suffers from constraints such as lack of independence, a largely new crop of Parliamentarians and the internal weaknesses of the political parties of the opposition.

Electoral Commission (EC): A new EC was appointed in November 2016 but it is still perceived as a partisan institution.

Uganda Human Rights Commission (UHRC): Its ability to deliver is hampered by weak respect of the rule of law by government and by its limited capacities and financial resources.

Equal Opportunities Commission (EOC): Established by the Equal Opportunities Act 2007, in fulfilment of Article 32(3) for the purpose of eliminating discrimination and inequalities against

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<sup>4</sup> SWD(2015)182 final of 21.9.2015.

any individual or group of persons. The EOC is struggling to implement its full mandate due to a lack of government funding.

**Political Parties:** The National Resistance Movement (NRM) continues to dominate the political landscape, while opposition political parties struggle to build broad-based constituencies or provide meaningful alternatives to the NRM.

**The Media:** The media plays an important role in disclosing information on human rights abuses, corruption cases and other misuse of power but has been and continues to be subject to repressive and often violent measures when challenging political elites. This is resulting in a degree of self-censorship and limited capacity to act as a watchdog.

**Civil society organisations (CSOs):** Uganda has a rather vibrant civil society with thousands of CSOs engaged at both service delivery and advocacy level. Although operating relatively freely in service delivery, CSOs often face difficulties when addressing institutional corruption and other vested interests.

The space for civil society, activists and the media to operate and advocate will likely continue to be reduced especially in those areas considered "off limits" by government. Still they can play a key role in raising public awareness and informing citizens on their rights.

### ***1.1.3 Priority areas for support/problem analysis***

The action will support the Democratic Governance Facility - Phase II, one of the largest and broadest DP joint funds working on governance, human rights and accountability in sub-Saharan Africa. Priority areas for support of this programme will be fully aligned to those of the Democratic Governance Facility as follows:

#### ***1) Democratic processes that build citizens-state relationship:***

The President and the NRM have brought about stability and development in the country over the last three decades. However, concerns do exist about the measures taken by the ruling party to maintain its hold on power particularly during elections. International observers, including the EU and Commonwealth, did not consider the 2016 elections as credible. Engaging with governance institutions remains a challenge, as many democratic institutions are seen to be either weak, dysfunctional and/or politically compromised as a result of the current "political settlement". There is a capability deficit in many – although not all – institutions. Key democratic institutions – such as Parliament, the Electoral Commission and the Judiciary – are also undermined by the failure to operate independently, which can only be assured if, as articulated in the Constitution, they are autonomous in respect of finances and personnel. There is a lack of separation between public and private domains of governance with informal and personalised political relationships holding sway. Some more independent-minded business leaders hold the view that it is more important to have strong political relationships than to be playing by the "rules". This demonstrates what some civil society actors have called "a crisis of democratic values".

On the other hand, there are opportunities for citizens to engage in democratic processes since the government is officially committed to development outcomes (e.g. the commitments in NDP II, Vision 2040 and achieving national-level Sustainable Development Goals (SDGs), improving oversight functions, encouragement of external trade and investment.

#### ***2) Citizens empowerment, engagement and accountability:***

There is general lack of political will or space for real participation in democratic decision-making and processes with continued top-down, centralised decision-making from the government. Rule of law does not appear to serve the "majority" and there is a growing concern among civil society organisations that the political will is getting weaker to improve the rule of law, to ensure the independence of the judiciary and to respect human rights and gender equality. There are increasing demands from citizens for better service delivery and more

transparent and accountable budget processes as a result of civil society efforts, and some government institutions now see the value of budget monitoring.

### 3) *Protection of human rights, access to justice and gender equality:*

Full protection of human rights, thus officially recognised and embedded in the Constitution and other relevant laws, is yet to become a reality in Uganda. Citizens' awareness of their rights is increasing, as well as demand for respect of them, but implementation of the human rights legal framework has yet to become a reality.

The persistence of patriarchal attitudes and deep-rooted stereotypes are formal and informal structural barriers to progress in the application of the principle of non-discrimination to women and other marginalised groups.

Addressing gender inequalities and gender injustices are critical especially in relation to (i) representation and participation, including in politics and decision making, (ii) recognition of specific gendered crimes such as Sexual and Gender Based Violence (SGBV) and (iii) redistribution of power and resources between women and men. Issues around freedom of expression, the right to information and the right to assembly are critical areas where supporting civil society and other actors are important.

## 2 RISKS AND ASSUMPTIONS

Risks	Risk level (H/M/L)	Mitigating measures
Under the current regime, which is focused on remaining in power, the dominant elites continues to have strong incentives to prevent institutions from performing their roles effectively, which will result in increased willingness to compromise rule of law (RoL).	H	DPs engage with Government in regular and ad hoc political dialogue (art. 8 dialogue, regular meetings with PM and relevant government institutions) and use any possible means to leverage decision making against appropriate implementation of RoL.
Civil society space decreases further, affecting negatively the possibilities to engage effectively with Government on enhancing accountability, in particular at national level.	M	Interventions will be informed by continuous analysis and feedback and will include political dialogue with regulatory institutions.
The current regime is not willing to undertake the necessary legislative reforms nor implement existing ones, if these might be considered unpopular.	H	DPs engage with Government in regular and ad hoc political dialogue (art. 8 dialogue, regular meetings with PM and relevant government institutions) and support is availed to Parliament and CSOs to demand and push for reforms and legislative compliance.
There is little if any political will to reform and implement pro-human rights legislations and to protect marginalised regions, groups and minorities.	M	DPs provide support to CSOs to create awareness and demand-drive compliance.

The current regime will not take the risk of enacting the missing pro-gender equality legislation if considered unpopular.	M	Relevant Government institutions (e.g. Parliament, Equal Opportunities Commission) are supported together with CSOs to push for enactment and implementation of gender sensitive legislation.
<b>Assumptions</b>		
<ol style="list-style-type: none"> <li>1. Civil society space will not shrink further.</li> <li>2. DGF and development partners are not excessively risk-adverse and are prepared to allow inevitable areas of failure.</li> <li>3. Implementing partners have the capacity to use and account for funds in a timely and transparent manner.</li> </ol>		

### 3 LESSONS LEARNT, COMPLEMENTARITY AND CROSS-CUTTING ISSUES

#### 3.1 Lessons learnt

The proposed approach builds on 10 years of DPs' experience of jointly funded governance programmes in Uganda, namely the DGF pool fund, which has been running since 2011, and the "Deepening Democracy Programme" (DDP) which ran from 2008 to 2011. The new design of DGF II benefits not only from lessons learned through past and recent implementation but also from those learned from the implementation of 35 multi-donor funds in Africa, Asia and Latin America<sup>5</sup>.

Lessons from past DGF support emphasise the importance of targeting both the supply and demand sides of governance. Previous experience suggests there is considerable potential to develop civil society capability both to enhance the access of the poor to key services and to engage more directly at community level to build social networks and resources to enable poor communities to hold public service providers to account.

Another important lesson learned is the need for a stronger gender focus and mainstreaming, which have been embedded in the new programme.

The action builds both on the lessons learned from DGF I and on its aggregated results such as the fact that it managed to empower marginalised communities and women to claim their rights through human rights awareness, civic education, and voter education, facilitated increased access to justice and enabled citizens to hold government accountable to fulfil its duties, in particular at the local level. Another important evaluation finding is that DGF I contributed to influencing legislation and policies at the national level in the area of human rights.

#### 3.2 Complementarity, synergy and donor coordination

The Good Governance focal sector targets accountability, employing a portfolio approach to address all aspects of the "accountability chain". As the EU outlines in the Uganda National Indicative Programme (NIP), this chain comprises (i) State Management, (ii) Oversight, (iii) Sanction and thus necessitates support to both state and non-state actors. It is underpinned by a Rights-Based Approach that focuses on outcomes for rights holders, in particular those that are most impacted by a lack of accountability (disadvantaged, women, children, etc.). On the supply side, the Financial Management and Accountability Programme (FINMAP) and Strengthening Uganda's Anti-corruption Response (SUGAR) programme provide support to Public Finance Management and Anti-Corruption actions, respectively. Support to DGF II will focus primarily (though not exclusively) on the demand side of accountability, through support

<sup>5</sup> Study on Support to Civil Society through Multi-Donor Funds, Intrac, January 2014.



to the non-state sector. Coordination with the Civil Society in Uganda Support Programme (CUSP) which emphasises capacity development and state-non-state relationships will be ensured through cross-representation on the respective steering and technical committees. The governance component of the Development Initiative for Northern Uganda (DINU) will provide support to both supply and demand side actors at a local level.

EU joint programming exercises have identified "Governance/Accountability" as a first priority area and the majority of EU Member States are highly active. DPs coordinate in a number of fora, including the Accountability Working Group, Democracy and Human Rights Working Group, the Justice Law and Order Sector (JLOS) group, the Public Financial Management group, and related sub-groups.

The allocation of funds to DGF II enhances the coherence, and curbs duplication, of DPs' efforts in support of the governance sector. It therefore reinforces the principles of aid effectiveness and donor coordination which is in line with the interests of the Government of Uganda as well as those of the EU and other Development Partners. The programme will be implemented in full synergy and coordination with all funding DPs of the DGF II. DP representatives are members of the DGF Board and of the Steering Committee. The Board is tasked with determining the overall strategy and direction for the pool fund and the Steering Committee provides oversight of programme implementation by holding regular meetings with the Facility Management Unit, by carrying out joint monitoring visits to beneficiaries with the FMU and by assessing reports submitted by the FMU.

### **3.3 Cross-cutting issues**

Cross-cutting issues related to gender equality, youth and other vulnerable groups, such as persons with disabilities, are embedded within the three spheres of focus of the DGF II. Some examples of this are the following indicative areas of intervention: "improved representation and recognition of women in leading political institutions and as elected candidates" (sphere 1), strengthening youth and women participation and representation (sphere 2), particularly "improving access to justice and transitional justice for the poor and vulnerable groups and addressing violence, torture and impunity" and "Upholding pro-gender equality legislation" (sphere 3).

In all spheres and areas of intervention, the project will apply key rights-based approach (RBA) principles of non-discrimination, participation, accountability and transparency together with clear linkages to the Human Rights/Universal Periodic Review (UPR) analysis. The assessment of the project context and the relevance of individual intervention areas will necessarily draw from UPR analysis and recommendations. The project will focus on empowering rights holders, including those that are particularly marginalised, to claim their rights and demand accountability. It will also emphasise strengthening the capacity of duty bearers to fulfil their obligations and to foster a constructive dialogue and process between rights-holders and duty bearers. Individual interventions will be selected for DGF II support based on adherence to the above principles.

The project will ensure that gender analysis is taken into account for the design and budgeting of each area of intervention. It supports strategic gender equality outcomes to reach gender transformative changes in line with gender justice elements of representation, recognition, and redistribution. Gender equality is further integrated through targeted actions across the spheres and areas of intervention. Where relevant, data is disaggregated by sex across the results framework matrix in order to ensure that differences in impact between girls and boys/women and men are taken into account.

## **4 DESCRIPTION OF THE ACTION**

### **4.1 Objectives/results**

The overall vision for DGF II is a Uganda where citizens are empowered to engage in democratic governance and where the state upholds citizens' rights.

This vision is underpinned by the following four high-level outcomes, which in the EU logframe have been translated into the Overall Objective "strengthened democratic processes that respond to citizens' rights", and three Specific Objectives: (i) strengthened rule of law and improved access to justice; (ii) increased protection and fulfilment of human rights and gender equality; and (iii) improved citizens' inclusion and engagement in decision-making processes.

To contribute to these – and ultimately to the vision – DGF II has been designed in a different way than the preceding phase. The starting point of the theory of change is the ongoing analysis of the political context and identification of key governance issues which inform areas of intervention that will be supported by the DGF.

This approach is encapsulated in so-called "spheres" which are three broad and interconnected domains of governance: (1) democratic processes that build citizen-state relationships, (2) citizen empowerment, engagement and accountability and (3) protection of human rights, access to justice and gender equality. Each sphere identifies and analyses governance issues based on which it will be decided whether or not an area of intervention will be launched. A number of pathways and strategies to be employed are described in the theory of change and within the sphere strategy papers.

Indicative areas of intervention are the following:

For sphere 1: (1) Improving government accountability towards citizens including electoral processes, (2) An improved representation and recognition of women in leading political institutions and as elected candidates, (3) Diversifying political engagement between elected officials, political parties and citizens, and (4) Improving participatory decision-making in planning, budgeting, monitoring and evaluation processes.

For sphere 2: (1) Strengthening citizen engagement for government accountability, (2) Strengthening citizen engagement for natural resource governance, (3) Improving access to information and civic and voters' education, (4) Strengthening youth and women participation and representation, and (5) Improving civil society health.

For sphere 3: (1) Upholding human rights<sup>6</sup>, (2) Improving access to justice and transitional justice for the poor and vulnerable groups and addressing violence, torture and impunity, and (3) Upholding pro-gender equality legislation. A number of these areas of intervention relate and connect to more than one sphere.

This programme is relevant for the United Nations 2030 Agenda for Sustainable Development. It contributes primarily to the progressive achievement of SDG 5 "Achieve gender equality and empowerment for all women and girls" and SDG 16 "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels". It also promotes progress towards SDG 10 "Reduce inequality within and among countries". This does not imply a commitment by the country benefiting from this programme.

### **4.2 Main activities**

Due to the nature of the fund which is demand driven, based on calls for expression of interest and calls for proposals, and following a problem-driven iterative adaptation (PDIA) approach,

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<sup>6</sup> Especially those relevant to the programme's main focus such as civil and political rights.

activities will arise from proposals from the implementing partners, who have a right of initiative, within clear and defined objectives and focus areas. However, according to what is foreseen under the three spheres and areas of intervention mentioned under point 4.1, and drawing from DGF I experience, it can be anticipated that the main types of activities that will be needed to achieve the objectives and results outlined in the logical framework will be trainings, awareness raising campaigns, provision of legal assistance, voters' mobilisation and voters' education, score cards, publications, and studies, among others.

### **4.3 Intervention logic**

The main mechanism for the delivery of DGF II outputs is the support to state and non-state actors who will implement projects/actions whose impact will contribute to the overall DGF II results framework. This is linked to the assumption that DGF non-state beneficiaries are given space by government authorities to conduct their activities.

The main mechanisms that will trigger change from output to outcome level are the ability of DGF II to bring stakeholders to work together, to combine both project and core support and to work with a diversity of partners. Main assumptions at this level are that the space for civil society work is not shrinking further and that CSOs are able to deliver evidence-based and credible work.

A more detailed description of the intervention logic is outlined in the attached logical framework.

## **5 IMPLEMENTATION**

### **5.1 Financing agreement**

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner country, referred to in Article 17 of Annex IV to the ACP-EU Partnership Agreement.

### **5.2 Indicative implementation period**

The indicative operational implementation period of this action, during which the activities described in section 4.2 will be carried out and the corresponding contracts and agreements implemented, is 60 months from the date of adoption by the Commission of this Action Document.

Extensions of the implementation period may be agreed by the Commission's authorising officer responsible by amending this decision and the relevant contracts and agreements; such amendments to the decision constitute a non-substantial amendment in the sense of Article 9(4) of Regulation (EU) 2015/322.

### **5.3 Implementation of the budget support component**

N/A.

### **5.4 Implementation modalities**

#### **5.4.1 Indirect management with a Member State**

This action may be implemented in indirect management with The Royal Danish Embassy (RDE) in Uganda in accordance with Article 58(1)(c) of Regulation (EU, Euratom) No 966/2012, applicable in accordance with Article 17 of Regulation (EU) 2015/323. The implementation entails providing EU funds to the DGF II, to oversee implementation and to procure audit services. It is justified because of RDE's experience in implementing agreements with the EU and because of its comparative advantage, having followed closely the first phase of the programme.

The entrusted entity would carry out the following budget-implementation tasks: undertaking procurement procedures preceding the conclusion of such contracts, and managing and enforcing the contracts concluded, including the award and rejection decision.

If negotiations with the above-mentioned entrusted entity fail, that part of the action may be implemented in indirect management with the Austrian Development Agency (ADA). The implementation by this entrusted entity would be justified due to ADA's experience in implementing two Delegation Agreements for the EDF contribution to DGF phase I. The alternative entrusted entity would be undertaking procurement procedures preceding the conclusion of such contracts, and managing and enforcing the contracts concluded, including the award and rejection decision.

## 5.5 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission's authorising officer responsible may extend the geographical eligibility in accordance with Article 22(1)(b) of Annex IV to the ACP-EU Partnership Agreement on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

## 5.6 Indicative budget

	<b>EU contribution (in EUR)</b>	<b>Indicative third party contribution, (in EUR)</b>
Contribution to DGF II	12 000 000	81 578 000
Balance brought forward from previous phase		<b>8 000 000</b>
<b>TOTAL</b>	<b>12 000 000</b>	<b>89 578 000</b>

## 5.7 Organisational set-up and responsibilities

Both the EU and the Royal Danish Embassy (RDE) will be members of the Board and Steering Committee of the DGF II pool fund.

The EU and RDE will sign an agreement<sup>7</sup> under which RDE will manage the EU's contribution to and support of the Democratic Government Fund (DGF) Phase II through its existing well-placed structures. RDE will assume the overall responsibility for compliance with the agreed monitoring, reporting, financial management (including auditing) and visibility requirements. RDE is providing legal entity to DGF and will manage the Facility Management Unit (FMU) in charge of the DGF fund.

## 5.8 Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring

<sup>7</sup> Depending on the Financial Regulations in force at the time of contracting, either a pillar assessed delegation agreement or a contribution agreement will be signed.

system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the log-frame matrix (for project modality). The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

## **5.9 Evaluation**

Having regard to the nature of the action, a final evaluation will be carried out for this action or its components via an implementing partner (RDE).

It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that DGF II is implementing a new approach (Problem Driven Iterative Adaptation), that the programme will be operating in an arguably shrinking political space for civil society advocacy, and that DGF II is a multi-development partner joint programme, the merits and demerits of which are to be evaluated and lessons to be learnt.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

## **5.10 Audit**

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

## **5.11 Communication and visibility**

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation and supported with the budget indicated in section 5.6 above.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Manual for European Union External Action shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.

Communication and visibility activities are implemented under the pool fund.

## APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY) <sup>8</sup>

The activities, the expected outputs and all the indicators, targets and baselines included in the logframe matrix are indicative and may be updated during the implementation of the action, no amendment being required to the financing decision. The indicative logframe matrix will evolve during the lifetime of the action: new lines will be added for including the activities as well as new columns for intermediary targets (milestones) for the output and outcome indicators whenever it is relevant for monitoring and reporting purposes.

	Result chain	Indicators	Baselines (2016)	Targets (2022)	Sources and means of verification	Assumptions
<b>Overall Objective</b>	<b>OO 1</b> Strengthened democratic processes that respond to citizens' rights	<b>OO I1</b> Proportion of population satisfied with the way democracy works in Uganda;  <b>OO I2</b> Proportion of population who think (1) men make better political leaders than women, and should be elected rather than women, and (2) women should have the same chance of being elected to political office as men	<b>OO B1</b> 47% (very or fairly satisfied) (women 49%, men 44%)  <b>OO B2</b> (1) 22% (Agree very strongly or Agree) (2) 77% (Agree very strongly or Agree)	47% (same trend expected)  (1) 22% (2) 77% (same trend expected)	<b>OO I1 S1</b> Afrobarometer (Round 7, 2017) Q36.  <b>OO I2 S1</b> Afrobarometer (Round 7, 2017) Q18.	
<b>Specific objective</b>	<b>SO1</b> Improved citizens' inclusion and engagement in decision-making processes;  <b>SO2</b> Increased protection and fulfilment of human rights and gender equality;  <b>SO3</b> Strengthened rule of law and improved access to justice for all citizens	<b>SO1 I1</b> Civil Society Sustainability Index;  <b>SO1 I2</b> Governance Accountability Score;  <b>SO1 I3</b> Proportion of population who believe decision making is inclusive and responsive;  <b>SO2 I1</b> World Justice Project, fundamental rights score;	<b>SO1 I1 B1</b> 4.2 <b>SO1 I2 B2</b> 13.1 <b>SO1 I3 B3</b> TBC  <b>SO2 I1 B1</b> 0.39 <b>SO2 I2 B2</b> 0.704		<b>SO1 I1 S1</b> Civil Society Sustainability Index reports;  <b>SO1 I2 S1</b> Mo Ibrahim Index of African Governance – Accountability score; <b>SO1 I3 S1</b> Uganda National Standard Indicator Framework (SDG) or DGF survey  <b>SO2 I1 S1</b> World	Civil society space will not shrink further.  DGF and development partners are not excessively risk-adverse and are prepared to allow inevitable areas of failure.  Implementing partners have the capacity to use and account for funds in a timely and transparent

<sup>8</sup> Mark indicators aligned with the relevant programming document mark with '\*' and indicators aligned to the EU Results Framework with '\*\*'.

		<b>SO2 I2</b> Global gender gap report score;  <b>SO3 I1</b> Access to justice civil score;  <b>SO3 I2</b> Access to justice criminal score;  <b>SO3 I3</b> Rule of law score.	<b>SO3 I1 B1</b> 0.42 <b>SO3 I2 B2</b> 0.34 <b>SO3 I3 B3</b> 58.2		Justice Project – Fundamental Rights score index report; <b>SO2 I2 S1</b> Global gender Gap report data set;  <b>SO 3 I1</b> World justice Project reports; <b>SO3 I2 S1</b> Mo Ibrahim Index of African Governance – RoL score.	manner.
<b>Result 1</b>	<b>R1</b> Responsiveness of government towards citizens improved	<b>R1 I1</b> Score of local government performance in districts supported by DGF interventions; <b>R1 I2</b> Proportion of citizens reporting satisfaction with government services. <b>R1 I3</b> Evidence of democratic institutions changing policies or practices (behaviours) as a result of DGF interventions			<b>R1 I1 S1</b> Local Government Scorecards;  <b>R1 I2 S1</b> DGF surveys  <b>R1 I3 S1</b> Annual DGF case study produced through a combined outcome mapping	Councillors in DGF supported districts respond to DGF interventions, better understand their roles and respond to citizens.
<b>Result 2</b>	<b>R2</b> Citizen engagement on government accountability improved	<b>R2 I1</b> Proportion of the citizens that report having engaged with government representatives; <b>R2 I2</b> Proportion of citizens who report an increase in confidence in claiming their rights; <b>R2 I3</b> Evidence of positive government response (policy and practice) to budget monitoring and other accountability initiatives supported by the DGF			<b>R2 I1 S1</b> DGF surveys  <b>R2 I2 &amp; I3 S1</b> DGF-survey: Annual DGF case study produced through a combined outcome mapping;	DGF civic education interventions are comprehensive and implemented in a holistic manner.

<b>Result 3</b>	<b>R3</b> Human Rights of all citizens in Uganda are upheld	<b>R3 I1</b> Proportion of 2016 UPR recommendations implemented which were (a) agreed by the GoU and (b) not agreed by the GoU; <b>R3 I2</b> Proportion of citizens that report improvement in protection of fundamental rights as a result of DGF interventions.			<b>R3 I1 S1</b> DGF monitoring records (data to be reported by implementing partners. Combined outcome mapping)  <b>R3 I2 S1</b> DGF Human Rights surveys.	Operating environment remains conducive for civil society to engage on human rights and good governance issues.
<b>Result 4</b>	<b>R4</b> Access to justice is improved	<b>R4 I1</b> Proportion of citizens reporting satisfaction with justice services.  <b>R4 I2</b> Proportion of cases committed by security forces reported, investigated, or taken to court.			<b>R4 I1 S1</b> DGF surveys. <b>R4 I1 S2</b> National Service Delivery survey; <b>R4 I1 S3</b> client satisfaction survey with JLOS; <b>R4 I1 S4</b> Hill Survey;  <b>R4 I2 S1</b> UHRC annual reports.	Functioning court system and process and outcomes of cases is transparent, timely and neutral.
<b>Result 5</b>	<b>R5</b> Gender equality enhanced	<b>R5 I1</b> Number of pro-gender laws passed and/or regulated with DGF support;  <b>R5 I2</b> % of annual budget allocations to gender responsive activities in Ministries, Departments, Agencies.	<b>R5 I2 B</b> 53%		<b>R5 I1 S1</b> DGF monitoring records (data to be reported by implementing partners).  <b>R5 I2 S1</b> Equal Opportunities Commission reports/budget reviews	DSGF funded interventions are well received by government institutions in charge of promoting, enacting and implementing gender equality legislation.