

Corruption in Public Procurement and its Implication on Public Service Delivery and Development in Uganda

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Submitted: 10 February 2024

Accepted: 26 August 2024

<https://doi.org/10.70139/rolacc.2024.1.1>

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ABSTRACT

Although public procurement is prone to corruption, its extent and impact vary across countries. This inquiry posits that without understanding the magnitude and consequences of corruption, efforts to prioritize anti-corruption measures and develop appropriate strategies to enhance value for money in government spending will be significantly undermined. This paper presents an empirical study on the impact of corruption in public procurement on public service delivery and development in Uganda. The research is based on the surging complexity of corruption in public procurement—a critical function of service delivery, whose effective management is essential for achieving Uganda's development goals. The study reveals that corrupt practices by stakeholders at all procurement stages indicate a collusion between internal and external actors, undermining the objective of delivering value for money in government acquisitions to Ugandans. The findings show that corruption in public procurement weakens public service delivery when a significant portion of the budget intended for this purpose is misappropriated. This corruption in acquiring public services, goods, and works deprives the majority of Ugandans of a decent living and better livelihoods, reduces the quality and quantity of public services, and increases costs, disproportionately affecting the poor and other vulnerable groups. It hampers economic growth and development by raising the cost of doing business and obstructing strategic investments and entrepreneurship. This article underscores the urgent need for comprehensive reforms aimed at improving the Ugandan governance system, strengthening criminal prosecution, and enhancing efficiency, effectiveness, and economy to combat corruption in public procurement.

Keywords: Corruption; public procurement; service delivery; development; poverty; Uganda

Cite this article as: Mukobi R. Corruption in Public Procurement and its Implication on Public Service Delivery and Development in Uganda, Rule of Law and Anti-Corruption Center Journal, 2024;1, <https://doi.org/10.70139/rolacc.2024.1.1>

1. INTRODUCTION

Public procurement (PP) serves as a strategic tool in public administration and is crucial for sustainable development and poverty reduction in many countries. Through procurement, governments can provide public services, respond to natural disasters, and pursue development goals. Globally, PP represents over 15% of public expenditure, amounting to approximately US\$9.5 trillion annually.¹ In developing countries, public procurement accounts for over 30% of government spending.² However, the inability to effectively manage procurement processes makes PP vulnerable to corruption.³ In Africa, corruption in public procurement results in an annual loss of US\$148 billion.⁴ Corruption in public procurement significantly undermines the functionality of public administration and hinders development and poverty reduction,⁵ though the extent of this impact varies across countries.⁶ Furthermore, empirical research on the country-specific effects of corruption on public services and national development is still growing.

This paper uses Uganda as a case study to examine the impact of corruption in public procurement on public service delivery and national development. It begins with a contextual background, followed by a literature review on corruption and public procurement. The paper then details the study's methodology, presents the empirical research findings, and concludes with recommendations to combat corruption in public procurement in Uganda.

2. CONTEXT BACKGROUND

Public procurement plays a significant role in the Ugandan economy, contributing to 30% of the Gross Domestic Product (GDP). Each year, the government spends trillions of Ugandan shillings on the procurement of services, goods, and works essential for public service provision. Apparently, PP accounts for 60% of government expenditure.⁷ Public procurement is also pivotal to Uganda's transformation agenda. The country aims to achieve middle-income status by 2025 and industrial transformation and prosperity by 2040. Attaining these development goals requires substantial public investment in infrastructure projects and other strategic initiatives. Through procurement, the government undertakes significant investments in the energy and works sectors to promote industrialization, boost trade and tourism, improve transportation, and connect various regions of the country.

Additionally, the exploration and exploitation of oil and gas are facilitated by procurement efforts, significantly impacting Uganda's fiscal position and national development. Thus, procurement is a crucial pillar of governance and socio-economic transformation. Inefficiencies in procurement can therefore severely impede service delivery and overall development. To effectively provide public services and achieve its development objectives, the Ugandan government must conduct its procurement processes efficiently, effectively, and economically.

Over the past three decades, the Ugandan government has implemented a series of reforms to enhance procurement and achieve Value for Money (VFM) in public spending. In 2003, the Public Procurement and Disposal of Public Assets Act (PPDA) was enacted, requiring Procurement and Disposal Entities (PDE) to conduct transparent, accountable, and fair procurement processes that promote competition and VFM. The PPDA Act 2003 also established the Public Procurement and Disposal of Public Assets Authority as an autonomous entity responsible for regulating acquisitions and disposals in both central and local governments. Additionally, the Department of Procurement Policy and Management, under the Ministry of Finance, Planning and Economic Development (MoFPED), was created to develop public sector procurement policy, oversee procurement professionals across the government, and monitor the implementation of the national procurement policy in accordance with international and regional procurement agreements. Accordingly, in 2019, the public sector procurement policy was developed to provide strategic guidance for government procurements at all levels, further supporting the pursuit of VFM in service delivery. Crucial policy and legal frameworks outside the procurement system, such as the Zero Tolerance to Corruption Policy, 2019, the Anti-Corruption Act 2009, the Whistle Blowers Protection Act 2010, and the Anti-Money Laundering Act 2013, also play a key role in combating public procurement corruption.

Despite the established institutional policies and regulatory frameworks designed to guide public procurement, deter violations, and ensure Value for Money (VFM) in public procurement, there is extensive evidence of non-compliance⁸ and abuse of government procurements. Many Ugandans are concerned that they are not receiving value for their taxes due to poor service delivery across the country.⁹ Corruption is a key obstacle to achieving VFM in government expenditure, depriving Ugandans of quality public services and undermining

¹ Susan Kühn & Louise Sherman, *Curbing Corruption in Public Procurement: A Practical Guide* (Transparency International 2014).

² Organisation de coopération et de développement économiques, *Reforming Public Procurement: Progress in Implementing the 2015 OECD Recommendation* (OECD Publishing 2019).

³ Erica Bosio, Simeon Djankov, Edward Glaeser & Andrei Shleifer, *Public Procurement in Law and Practice*, 112 Am. Econ. Rev. 1091 (2022), https://scholar.harvard.edu/files/shleifer/files/public_procurement_in_law_and_practice_aer2022.pdf.

⁴ W. T. Mugadza, *Combating Corruption in Public Procurement in Developing Countries: A Legal Analysis* (2018) (unpublished Ph.D. dissertation, North-West University).

⁵ Tina Søreide, *Corruption in Public Procurement: Causes, Consequences and Cures* (Chr. Michelsen Institute 2002).

⁶ Tetsuro Mizoguchi & Nguyen Van Quyen, *Corruption in Public Procurement Market*, 19 Pac. Econ. Rev. 577 (2014).

⁷ Ministry of Finance, Planning and Economic Development (MoFPED), *The National Public Sector Procurement Policy* (2019).

⁸ The Public Procurement and Disposal of Public Assets Authority, *Procurement and Disposal Audit Report on 116 Entities for Procurements and Disposals for the Year Ended June 2016, Volume I: Performance Report* (March 2018) (PPDA 2018).

⁹ Uganda Bureau of Statistics, *National Service Delivery Survey (NSDS) 2021* (2022).

national development goals.¹⁰ In his 2019 State of the Nation Address, President Museveni referred to corruption as “Public Enemy No. 1” and the primary obstacle to development in Uganda, promising to eliminate corruption and foster good governance.¹¹ However, corruption persists, as indicated by recent Transparency International’s Corruption Perception Index,¹² regional Afro barometer¹³ and national surveys.¹⁴ A recent study on the cost of corruption in Uganda confirmed that UGX 9.3 trillion (over USD 2 billion), nearly 20% of the national budget, is lost to corruption annually.¹⁵

Public procurement is one of the key government functions susceptible to corruption.¹⁶ Revelations from the Fourth Procurement Integrity Survey in Uganda indicated that the perception index of corruption in public procurement increased from 72% in 2015 to 76% in 2020.¹⁷ While such surveys provide insight into public perceptions of corruption in procurement, they do not fully shed light on the implications of corruption on public service delivery and development. This is exacerbated by ongoing debates about the relationship between corruption and development. Some argue that corruption should be condemned on moral grounds, but it does not necessarily harm economic development.¹⁸ Others claim that corruption is an intrinsic part of the Ugandan governance system and should be managed rather than seen as a problem.¹⁹ Without understanding the magnitude and consequences of corruption, prioritizing anti-corruption measures and developing effective strategies to enhance VFM in government expenditure is undermined. This inquiry addresses this gap by examining the impact of corruption in public procurement on public service delivery and development in Uganda.

3. CONCEPTUAL AND THEORETICAL LITERATURE REVIEW

3.1. Corruption

Corruption is a universal phenomenon that attracts extensive condemnation as an unethical, criminal, and destructive practice. Despite its negative perception, defining corruption remains challenging and contentious due to its occurrence

across different times, spaces, and contexts, attracting different perspectives of looking at it. However, efforts have been made to provide a definition. A widely adopted definition describes corruption as the “abuse of public office for private gain”.²⁰ This definition, which is also used in this paper, focuses on public sector corruption and encompasses various offenses prohibited by legislation in different jurisdictions, including bribery, kickbacks, extortion, forgery, diversion of public resources, embezzlement, favoritism, nepotism, influence peddling, conflict of interest, and money laundering.

Beyond defining corruption, extensive scholarly work explores its nature and causes. The United Nations Office on Drugs and Crime (UNODC) views corruption as a multifaceted phenomenon, admitting that no single theory can fully explain it. In this disposition, some theories focus on individual traits, suggesting that people make personal decisions leading to corrupt behaviors. According to this perspective, a rational individual seeking to maximize utility will choose to act corruptly if it is the most rational choice that maximizes personal benefits.²¹ Other theories—“Bad apple” theory attributes corruption to individuals with bad character and a lack of moral values, implying that such individuals—referred to as bad apples—infect right-minded people with their corrupt tendencies.²² The principal-agent theory (PAT) also examines the origins of corruption. PAT considers the relationship between the principal (a benevolent, honest, and incorruptible actor assumed to represent public interests) and the agent (a delegated public official). According to PAT, information asymmetry and the principal’s inability to perfectly monitor the agent’s actions lead the rationally minded agent to use their discretion over resources to extract rents whenever an opportunity arises.²³

From organizational theories, corruption is viewed as an organizational phenomenon where actions embedded in ongoing systems are corrupt, influencing individuals to behave corruptly. In this context, the organization’s culture and environment drive individuals to engage in corrupt behaviors.²⁴ Institutionalists focus on institutions—both formal (constitution, laws, and regulations) and informal

10 M. Fazekas, I. Adam & O. Nikulina, *Study on the Cost of Corruption in Uganda* (Gov’t of Uganda 2021), https://www.igg.go.ug/media/files/publications/Cost_of_Corruption_Popular_Version.pdf.

11 R. Mukobi, P. Pillay & E. Mantzaris, *Corruption and Poverty in Uganda*, in *The Nexus Between Poverty and Corruption: Quo Vadis?* (2023).

12 Transparency International, *Corruption Perceptions Index 2021* (2021), <https://www.transparency.org/en/cpi/2021>.

13 Ronald Makanga Kakumba, *A Never-Ending Problem: Ugandans Say Corruption Level Has Increased, Rate Government Fight Against Corruption Poorly* (2021), <https://www.afrobarometer.org/publication/ad435-never-ending-problem-ugandans-say-corruption-level-has-increased-rate-government/>.

14 The Inspectorate of Government, *The Fourth National Integrity Survey Report 2019* (2020), https://www.igg.go.ug/media/files/publications/MAIN_REPORT_1.pdf.

15 Fazekas et al., *supra* note 10.

16 Robert Agwot Komakech, *Corruption in Public Procurement in Uganda: What to Do?*, in *Proceedings of the 2nd International Conference on Governance and Service Delivery in Developing Economies*, Kampala, Uganda (2019).

17 The Public Procurement and Disposal of Public Assets Authority, *The Fourth Procurement Integrity Survey in Uganda* (2020), <https://www.ppda.go.ug/download/THE-4TH-PROCUREMENT-INTEGRITY-SURVEY.pdf>.

18 O. Semakula, Mwenda: Corruption Does Not Affect Economic Growth, *Daily Monitor* (Aug. 18, 2015), <https://www.monitor.co.ug/uganda/business/prosper/mwenda-corruption-does-not-affect-economic-growth-1621294>.

19 Andrew Mwenda, Poor Country Like Uganda Needs Corruption to Be Able to Operate, *The Tower Post* (Dec. 4, 2019), <https://thetowerpost.com/2019/12/04/andrew-mwenda-poor-countries-like-uganda-need-corruption-to-be-able-to-operate/>.

20 World Bank, *Helping Countries Combat Corruption: The Role of the World Bank* (World Bank 1997).

21 Susan Rose-Ackerman, *The Economics of Corruption*, 4 J. Pub. Econ. 187 (1975).

22 Kanti Pertiwi, *Contextualizing Corruption: A Cross-Disciplinary Approach to Studying Corruption in Organizations*, 8 Admin. Sci. 12 (2018).

23 Robert E. Klitgaard, Ronald MacLean Abaroa & H. Lindsey Parris, *Corrupt Cities: A Practical Guide to Cure and Prevention* (World Bank Publ’ns 2000).

24 Blake E. Ashforth, Dennis A. Gioia, Sandra L. Robinson & Linda K. Trevino, *Re-Viewing Organizational Corruption*, 33 Acad. Mgmt. Rev. 670 (2008), https://www.researchgate.net/publication/274751140_Re-Viewing_Organizational_Corruption/link/5e53ef79a6fdcc9ae843f7f/download.

(customs, norms, taboos)—in structuring human behavior and shaping individual preferences. Institutions can either enable or prevent certain actions or induce individuals to act in ways they otherwise would not.²⁵ Weak institutions that are unpredictable and difficult to enforce cannot restrain abuse of office, ultimately fostering corruption.²⁶ Collective action theories view corruption through the lens of collective action. Individuals engage in corruption because they believe they will not be held accountable, assuming everyone else is corrupt. Therefore, it seems illogical to be the only honest person in a corrupt system.²⁷ Others, social exchange-relational approach posits that individuals associate with others for the benefits derived from such associations. This results in an informal exchange relationship parallel to the formal organizational and legal structures.²⁸

3.2. Corruption in public procurement

Public procurement (PP) is the process through which government agencies acquire goods, works, and services using public resources.²⁹ The primary goal of PP is to obtain these goods, services, and works on the best possible terms—commonly referred to as Value for Money (VFM)—to facilitate government operations. However, the involvement of various actors, large sums of money, high discretion levels, and process management challenges make procurement susceptible to corruption.³⁰ Corruption in PP occurs when unlawful and improper behavior is intentionally employed to extract rent, contrary to the primary objective of achieving VFM.³¹ A sizeable body of literature underscores collusion and corruption as typical in PP, noting that successful execution of corrupt deals requires the conspiracy of different actors involved in the tendering process.³² Hudon and Garzón describe this as a “coalition” of corrupt actors who collaborate in playing diverse roles in abetting circumvention of procurement procedures. These actors include public officials who initiate corrupt deals and extort bribes, bidders who offer bribes to gain favorable advantages, and brokers who connect government officials with private agents. Some actors may disable internal controls and evade oversight, while others manage the entire process of exploiting the procurement system.³³ Fazekas et al. quite

revealingly describe the elements of a corrupt transaction in public procurement that include; awarded contract-source of rent to be extracted, the particularistic tie which underpins the corrupt web, the awarding body that enables rent extraction and the winning bidder who extracts corrupt rents.³⁴ By corrupt actors working together, many cases of procurement corruption remain undetected, because there is no clear perpetrator or victim. Thus, by working together, corrupt actors ensure that many cases of procurement corruption remain undetected, as there is no clear perpetrator or victim.

Unless the magnitude of corruption and its consequences are determined, prioritizing anti-corruption efforts and developing appropriate strategies to enhance Value for Money (VFM) in government expenditure is undermined. Although the definition of corruption remains contentious, it is evident that corruption negatively affects public procurement. A 2014 PwC Global Crime Survey ranked procurement fraud as the second most frequently reported economic crime. Approximately 5% of the world’s GDP is lost to public procurement corruption.³⁵ This is worst in developing countries, where corruption is estimated to affect 70% of public procurement contracts.³⁶ Annually, US\$148 billion is lost to public procurement corruption in Africa.³⁷ Beyond the monetary cost, corruption undermines competition, transparency, accountability, and fairness in procurement, leading to poor value for money and sub-optimal outcomes. It reduces the quality and quantity of goods or services, acts as a “tax”, inflates tender costs, and ultimately burdens citizens. Corruption stifles economic growth by curtailing investment, diverting resources from productive activities to rent-seeking opportunities, and increasing the cost of doing business. The bureaucratic red tape and particularistic ties deter investors from the bidding process.³⁸ Public funds that could be used to acquire essential services such as healthcare, clean water, and education are lost to corruption. Incompetent and inexperienced companies or individuals awarded contracts due to bribery or connections often deliver substandard work, leading to infrastructure failures and loss of life.³⁹ The acquisition of substandard or counterfeit medicines that fail to address health needs results in increased mortality.

25 Douglass C. North, *Understanding the Process of Economic Change*, in *Worlds of Capitalism* 107-120 (Routledge 2012).

26 Dominik Enste & Christina Heldman, *Causes and Consequences of Corruption: An Overview of Empirical Results* (2017), <https://www.econstor.eu/bitstream/10419/157204/1/IW-Report-2017-02.pdf>.

27 Anna Persson, Bo Rothstein & Jan Teorell, *Why Anticorruption Reforms Fail—Systemic Corruption as a Collective Action Problem*, 26 *Governance* 449, 449-471 (2013), https://www.academia.edu/22919559/Why_Anticorruption_Reforms_Fail_Systemic_Corruption_as_a_Collective_Action_Problem.

28 David Jancsics, *Interdisciplinary Perspectives on Corruption*, 8 *Sociology Compass* 358, 358-372 (2014).

29 Sue Arrowsmith, Steen Treumer & Lili Jiang, *Public Procurement Regulation: An Introduction* (2011).

30 Mugadza, *supra* note 4.

31 Benon C. Basheka, *Public Procurement Corruption and Its Implications on Effective Service Delivery in Uganda: An Empirical Study*, 2 *Int'l J. of Procurement Mgmt.* 415, 415-440 (2009).

32 Satoru Tanaka & Shuya Hayashi, *Collusion Between Public Procurers and Suppliers in the Context of Japan's Public Procurement: The Role of the Risks of "Unsuccessful Procurement"*, 16 *J. of Pub. Procurement* 291, 291-311 (2016).

33 David Jancsics & Istvan Javor, *Corrupt Governmental Networks*, 15 *Int'l Pub. Mgmt. J.* 62, 62-99 (2012).

34 Mihály Fazekas, Luciana Cingolani & Bence Tóth, *Innovations in Objectively Measuring Corruption in Public Procurement*, in *Governance Indicators: Approaches, Progress, Promise* 154, 154-185 (2018).

35 Nikola Modrušan, Kornelije Rabuzin & Leo Mršić, *Review of Public Procurement Fraud Detection Techniques Powered by Emerging Technologies*, 12 *Int'l J. Advanced Computer Sci. & Applications* 2, 2-(2021).

36 Collins Ameyaw, Sarfo Mensah & Ernest Osei-Tutu, *Curbing Corruption in the Public Procurement Process in Ghana*, 3 *Pub. Pol'y & Admin. Research* 5 (2013).

37 Mugadza, *supra* note 4.

38 Mukobi et al., *supra* note 11.

39 James Lewis, *Earthquake Destruction: Corruption on the Fault Line*, in *Global Corruption Report 2005*, 23-30 (Transparency Int'l 2005).

Corruption, therefore, poses significant risks to public health, financial stability, and human survival.⁴⁰

4. RESEARCH METHODOLOGY

The data for this study comes from a doctoral research project titled “Collective and Networked Corruption: A Case of Public Procurement in Uganda” conducted between February 2020 and November 2022. This study employed a qualitative research design, utilizing both primary and secondary data sources. Primary data was collected through in-depth interviews with 43 purposively selected key informants. These informants selected for this study were individuals with knowledge and experience in the implementation and monitoring of public procurement policies and regulations, auditing in Central and Local Governments, and those involved in corruption criminal prosecution. The researcher also sought valuable insights from Civil Society Organizations (CSOs) and investigative journalists, who have been instrumental in exposing corruption scandals in recent years. Businesspeople engaged in government contracting were also considered vital sources for understanding corruption exchanges. Using a snowball sampling technique, the researcher reached out to suppliers currently holding government contracts. The information gathered provided comprehensive insights into the nature of corruption in public procurement, its drivers, and its impact on service delivery and national development in Uganda.

Table 1:
Categories and numbers of study participants

Participants Category	Sample	Sampling Technique
Officials from Anti-Corruption and Oversight Agencies ⁴¹	10	Purposive
Officials from Ministries, Departments and Agencies ⁴²	2	Purposive
Officials from Procurement Disposal Entities including local politicians ⁴³	14	Purposive
Suppliers/Contractors	8	Snowballing
Officials from Audit Firms	2	Purposive
Officials from CSOs	5	Purposive
Investigative Journalists	2	Snowballing
Total	43	

Source: Author

All expert interviews were conducted by the researcher, ensuring the highest level of confidentiality throughout the study. Due to the sensitive nature of the discussions and the

associated risks, anonymity was strictly maintained. The names of participants and their organizations were concealed at their request to protect them from potential reprisals. Except for suppliers or contractors, all interviews were conducted in offices as preferred by the study participants. The research findings are presented in a manner that ensures the participants cannot be identified. In addition to interviews, direct observation was conducted to collect primary data. The researcher visited and observed government projects at various locations, which helped confirm and validate information obtained from the interviews regarding government procurement for construction projects in the road, health, education, and other sectors.

Secondary data was obtained from documentary review. The documentary sources of information that were analyzed include procurement and financial audit reports, investigations, VFM audit reports, and Court judgments. Also analyzed were Acts of Parliament, regulations, and public policy documents. The study also drew data on recent studies on the cost of corruption, and extent of corruption in education and health sectors in Uganda. Additionally, the study used already compiled data on public procurement in the healthcare and education sectors to identify corruption risks and estimate the costs of these risks. Also, analyzed were cost and extend of the award-winning Corruption Risk Tracker methodology⁴⁴ covering procurement spending in Uganda,⁴⁵ and data set containing 50,000 contracts obtained from the Ugandan government’s open data portal covering the years 2015-2020.⁴⁶ A review of previous survey reports was reviewed to obtain insights into the extent and cost of corruption in Uganda. Major print media outlets from Uganda and East Africa, such as *The New Vision*, *Daily Monitor*, *Independent*, *The Weekly Observer*, *The East African*, and *The Daily Nation*, were also examined. The documentary review established the conceptual, theoretical, and practical framework for the study. It informed the mapping of key informants, provided empirical findings for inference, and underpinned the study’s recommendations.

The information collected from expert interviews and documentary reviews was analyzed using constant comparison. Notes from direct observations of development projects in various locations provided additional context, supporting data from other sources. Data from different interviews was gathered, critically analyzed, and compared. The results were then contrasted with information obtained from documentary sources and practical observations. Through continuous reading of texts and field notes, the analysis remained closely aligned with the study’s objectives. Frequent references to the raw data set were made until final conclusions were reached.

⁴⁰ Kühn & Sherman, *supra* note 1.

⁴¹ These are involved in corruption criminal prosecution, audit, and enforcement.

⁴² These included MoFPED and Ministry of Local Government involved in the implementation of the procurement policies.

⁴³ The Procuring and Disposing Entities (PDE) implements the PPDA Act.

⁴⁴ <http://www.govtransparency.eu/index.php/2020/10/08/the-imf-anti-corruption-challenge/>.

⁴⁵ <https://ti-health.org/content/modelling-reform-strategies-for-open-contracting-in-low-and-middle-income-countries/>.

⁴⁶ <https://gpp.ppda.go.ug/#/public/open-data/>.

5. REGULATORY FRAMEWORKS FOR PUBLIC PROCUREMENT AND ANTI-CORRUPTION MEASURES IN UGANDA

Uganda is not short of laws and policies to regulate public procurement and prevent violations that might hinder value for money (VFM) and service delivery. The PPDA Act, 2003 was enacted, and established the Public Procurement and Disposal of Public Asset Authority as an institution to formulate policies and regulate practices in respect of public procurement and disposal activities. The Public Sector Procurement Policy was also developed to give a strategic direction for the procurement function of government. Regulations, guidelines, forms, codes of conduct, and standard bidding documentation were developed to guide PDE in procurement and disposal activities. There are institutional and legal frameworks outside the procurement system that are crucial in combating public procurement corruption. These include The Constitution of Uganda 1995 (as amended), The Penal Code Act, 2007 and the Anti-Corruption Act, 2009 (as amended), The Inspectorate of Government Act, 2002, The Leadership Code Act, 2002, The Anti-Money Laundering Act, 2014, Public Finance Management Act, 2015 (as amended), Whistle blowers Protection Act, 2010, and Zero Tolerance to Corruption Policy (ZTCP) (2019).

Uganda was once recognized as one of the most progressive in the region for establishing and implementing procurement reforms aimed at making the system more efficient, economical, transparent, and accountable.⁴⁷ Uganda was praised for having one of the most comprehensive anti-corruption legal and institutional frameworks by global standards.⁴⁸ It could be therefore inferred that such a comprehensive public procurement legal framework should effectively regulate acquisitions, deter violations, and ensure VFM in procurements, thus supporting service delivery. Similarly, the existing anti-corruption frameworks are designed to handle complaints, provide feedback, ensure effective investigations, prosecutions, trials, and convictions, and recover the proceeds of procurement corruption. This should ideally deter corrupt actions and combat public procurement corruption.

However, considerable evidence indicates that the existing institutional and legal frameworks have not delivered the expected outcomes, as demonstrated by widespread corruption at all levels of government.⁴⁹ Although laws have been enacted, some analysts suggest that these laws are often designed to satisfy donor requirements for funding rather than to address corruption and service delivery needs effectively. The anti-corruption rhetoric is enormous, but to some, this is meant

to hoodwink the public into believing that the government is committed to “walk the talk” in the fight against corruption.⁵⁰ This is demonstrated by government inability to take concrete actions against those involved in corruption tendencies. Many laws including those meant for tackling corruption have been fine-tuned to appear flawless to donors and observers, but there is often little or no commitment to enforcing them, rendering them weak in practice.⁵¹ This discrepancy is evident in Uganda’s public procurement, where laws and regulations are not adequately enforced to prevent violations of Public Procurement and Disposal of Public Assets (PPDA) regulations and corrupt practices. The gap between procurement regulations on paper and their actual implementation is significant, with non-compliance observed at both central and local government levels. In many procuring and disposing entities (PDEs), procurements are often conducted outside of procurement plans, contracts are signed without confirming fund availability, bidding processes are manipulated to limit competition, improper methods are adopted, and deliveries are sometimes late or non-existent (ghost deliveries).⁵² According to Sharpe, corrupt practices are so entrenched that public contracting often cannot proceed without violating procedures.⁵³

6. CORRUPTION IN PUBLIC PROCUREMENT IN UGANDA

The presence of corruption at various procurement stages suggests a conspiracy between internal and external actors who deliberately design and operate corrupt schemes to extract rent, thereby undermining Value for Money (VFM) in public acquisitions. Interviewees frequently noted that collusion among stakeholders is a formidable force throughout the procurement process, influencing how contracts are awarded and managed. Acting in a syndicated manner, these corrupt schemes ensure their illicit activities go undetected, making corruption more entrenched and institutionalized.⁵⁴ One interviewee explained:

From planning through bidding to contract management, it’s a syndicate... so organized that people—government officials and would-be buyers—plan and execute the ‘milking of the public procurement system’ for personal benefit. Anyone involved in the public procurement process essentially becomes a beneficiary of the corruption scheme, either willingly or unwillingly, due to fear of job loss, unfair transfers, and rejection by colleagues. The syndicated corruption is so closed that

47 E. Agaba & N. Shipman, *Public Procurement Reform in Developing Countries: The Ugandan Experience*, in *Advancing Public Procurement: Practices, Innovation and Knowledge-Sharing*, 2(4) 373–391 (2007).

48 L. Carson, *Institutional Specialization in the Battle Against Corruption*, *The Public Sphere Journal*, 13–25 (2015).

49 The Inspectorate of Government, *supra* note 14.

50 M. G. Allimadi, *Lesson of 2018: U.S. Court Exposes Uganda’s Gen. Museveni and His In-Law Kutesa as Crooks in Africa*, (Dec. 31, 2018).

51 C. K. Wamala, *Corruption in Uganda: Does This Have Anything to Do with Social Work?* (Springer International 2017).

52 The Public Procurement and Disposal of Public Assets Authority, *Public Procurement and Disposal of Public Assets Authority Annual Performance Report: July 2016–June 2017* (PPDA 2018).

53 R. Sharpe, *Uganda: Overview of Corruption and Anti-Corruption*, U4 Helpdesk Answer 2018:26, Chr. Michelsen Institute (2018), <https://www.u4.no/publications/uganda-overview-of-corruption-and-anti-corruption-2018.pdf>.

54 Rosie Sharpe, *Uganda: Overview of Corruption and Anti-Corruption*, U4 Anti-Corruption Resource Centre, Chr. Michelsen Institute 26, 1–15 (2018).

one can never know who is doing what because all gaps are closed, leaving no trace of fraud.⁵⁵

President Museveni confirmed the presence of syndicated corruption in his State of the Nation Address in June 2021, stating:

Corruption has become a real enemy. It starts in Finance, where projects are designed with supernumerary elements; these bloated projects go to Ministries, then to Committees of Parliament, and then to the Auditor-General, where there is collusion all the way.⁵⁶

Previous research echoes these views, indicating that corruption in Ugandan public procurement is a joint venture.⁵⁷ The second Procurement Integrity Survey in Uganda revealed significant evidence of conspiracy between government officials and private individuals in the tendering process. According to the survey, 81.1% of interviewed service providers perceived collusive corruption in public procurement, with 40% admitting to bribing various actors, including procurement officials, engineers, accounting officers, political leaders, resident district commissioners, user department teams, and members of the evaluation and contract committees, to win contracts.⁵⁸ The weak institutions and prevailing power relationships allow networks of technocrats, politicians, military generals, and business people to dominate the procurement system for their selfish interests.⁵⁹

Uganda has witnessed numerous sophisticated grand bribery scandals and mafia-style transactions involving politicians, technocrats, companies, and private agents, leading to the loss of vast public resources. These schemes are often orchestrated by high-ranking government officials who manipulate and dodge public procurement procedures.⁶⁰ Examples of collusive corruption in government procurements include the Iron Sheet Scandal, where UGX 39 billion meant for vulnerable households in Karamoja was misappropriated by government officials, and the 2021 COVID-19 Purchasing Scandal, where the government lost \$528,000 in fraudulent procurement of food items intended for distribution to vulnerable groups in the Kampala metropolitan area. The Katosi Road Scandal involved politicians, technocrats, and business community members. Other grand corruption schemes reflect institutionalized corruptive business-political linkages, where individuals connected to the political establishment obtain government contracts while breaching established procurement regulations.⁶¹ Although President

Museveni has promised to deal with those involved in these scandals, no concrete action has been taken. It is almost impossible to prosecute and convict high-ranking government officials, because of undue influence and pressure from “above”.⁶² When it comes to prosecution of public procurement corruption, some attempts to investigate and prosecute people involved in the violation of public procurement regulations, have attracted contempt from government and is quite often interpreted as judicial actions aimed at discouraging investments and undermining development and the prosperity of Ugandans.⁶³

Petty corruption is also rampant, especially in local governments’ public procurement processes. The fourth Procurement Integrity Survey in Uganda highlights that while corruption at the central government level involves colossal sums, it is more frequent and involves smaller sums at the local government level. This petty corruption is often driven by basic needs and is exacerbated by low salaries and pressing personal needs. Public officials exploit their positions to secure a share of procurement deals, regardless of their size. Where grand corruption exists, there are numerous opportunities for petty corruption. Businesspeople seeking contacts or informal discussions with decision-makers in a procuring and disposing entity (PDE) or procurement and disposal unit (PDU) often must pay insiders. Requests such as “What do you have for me?” or “Will you give me lunch or tea if I give you their mobile number?” are common bribe solicitations by government officials to get things done.⁶⁴

7. DRIVERS OF CORRUPTION IN PUBLIC PROCUREMENT IN UGANDA

Weak democracy, characterized by limited accountability and transparency, non-adherence to the rule of law, and limited meaningful citizen participation is characteristic of the Ugandan governance environment.⁶⁵ Such weak democratic tendencies have been extensively cited to account for the widespread corruption in Uganda. Institutions that could have condemned corruption or exerted public control and demanded accountability from public officials have not been fully developed and/or allowed to operate independently. Due to the lack of free, fair, and credible elections, the electorates cannot easily punish political elites involved in abuse of procurement procedures and participation in corrupt

55 Interview with Key Informant (May 2022).

56 The Republic of Uganda, *State of the Nation Address by H.E. Yoweri Kaguta Museveni*, Kololo Independence Grounds (June 4, 2021), <https://www.statehouse.go.ug/media/speeches/2021/06/05/state-nation-address>.

57 G. Atwongyeire, *Syndicate Corruption in Public Finance Management: Dynamics, Vulnerabilities and Possible Strategies* (2020).

58 The Public Procurement and Disposal of Public Assets Authority, *The 2nd Public Procurement Integrity Survey* (PPDA 2010).

59 E. A. Mantzaris, *Public Procurement, Tendering and Corruption: Realities, Challenges and Tangible Solutions* (2014).

60 Wilson B. Asea, *Combating Political and Bureaucratic Corruption in Uganda: Colossal Challenges for the Church and the Citizens*, 74 HTS Theologiese Studies/Theological Studies 2 (2018).

61 Pius Gumisiriza, *Street Vending in Kampala: From Corruption to Crisis*, 20 African Studies Quarterly 1 (2021).

62 AfriMAP, *Effectiveness of Anti-Corruption Agencies in East Africa: Kenya, Tanzania, and Uganda* (World Bank Group 2015).

63 G. B. Asimwe, *Of Extensive and Elusive Corruption in Uganda: Neo-Patronage, Power, and Narrow Interests*, 56 African Stud. Rev. 129–44 (2013).

64 The Inspectorate of Government, *supra* note 14.

65 Alexandra Löwe, Łukasz Marć, Warren Nyamugasira, Phionah Sanyu, Fletcher Tembo, Anne L. Buffardi & Peace Nganwa, *Understanding the Context of the Youth Forward Initiative in Uganda: A Political Economy Analysis*, Overseas Dev. Inst. (2016).

tendencies by uprooting them from office. With limited citizen space in the governance process, coupled with a lack of freedom of information and other transparency provisions, the public cannot limit opportunities for corrupt behavior of public officials and make them accountable for their actions and/or inactions.

The weak institutionalisation of the current political system in the absence of strong checks and balances, has enabled the discretionary use of government resources,⁶⁶ of which public procurement turns out to be crucial mechanism for producing rents for self-wealth accumulation and nourishment of political ambitions—ascending and staying in political office.⁶⁷ To some, corruption is the glue that keeps the ruling government in power, so there no commitment to root corruption out in Uganda since one would be condemning the incumbency out of power. In essence, there is no political will to fight corruption.⁶⁸

Much as Uganda boasts an impressive record in establishing a comprehensive public procurement system, and anti-corruption institutional and legal frameworks to guide public acquisitions and combat public procurement corruption respectively, these fail to prevent, detect, and tackle public procurement corruption due to lack of enforcement owing to limited resources (budget, staff, and equipment). The weakly enforced rules and regulations in turn enable the use of contacts and ties and become essential in obtaining a government tenders and contract management. Additional drivers for the pervasive networked corruption in public procurement in Uganda, stem from low public demand for accountability and pervasive corruption that reinforces further institutional weaknesses, undermining the pursuit of public interest.

In the previous section, this paper has explored the nature and drivers of corruption in public procurement in Uganda. In this section, we examine the implication of corruption in public procurement on public service provision and development in Uganda, to gain a deeper understanding of the degree and magnitude of the problem, so as to draw policy implications for effective anti-corruption outcomes in public procurement.

8. EFFECT OF CORRUPTION ON PUBLIC PROCUREMENT IN UGANDA

The detrimental impact of corruption on public procurement in Uganda is evident through empirical evidence, highlighting the dire state of service delivery in the country. A significant portion of the government expenditure allocated to public procurement, which accounts for 60%, is misappropriated, exacerbating

the challenges in delivering public services.⁶⁹ Additionally, Uganda's reliance on borrowed funds, comprising over 20% of the national budget, adds to the financial burden, as recent studies reveal annual losses of approximately UG Shs 10 trillion (US\$2.6 billion) due to corruption, including funds generated through loans. This not only deprives the current population of a decent standard of living but also jeopardizes the prospects of future generations who will bear the consequences of their predecessors' corrupt practices.

From the analysis of the dataset from the Government Procurement Portal, covering approximately EUR 620 million (UGX 2.6 billion) over five years, the Corruption Risk Indicator—which aggregates several corruption red flags such as single sourcing, manipulation of tendering period lengths, and the use of non-open procedures—revealed that Uganda lost UGX 614,414,529,915 in 2019 alone.⁷⁰ Between 2016 and 2019, an estimated US\$2.12 billion was lost to corruption in public procurement. The Ministry of Finance, Planning and Economic Development (MoFPED) estimates the loss to corruption in public procurement at a staggering 20% of the national expenditure. The opportunity cost of these embezzled funds is significant, as they could have been utilized to provide essential services such as access to safe water and electricity for over 80% of the population, quality healthcare for more than 70% of Ugandans, particularly in rural areas, improved education services, enhanced road and railway networks to facilitate transportation and boost production and trade, sustainable environmental management, investments in information and communication technology for development, and reasonable salaries for judicial officials, teachers, medical workers, and other public servants. Given that service delivery is pivotal for sustainable development in Uganda, any hindrance to public service provision undermines the country's development goals and transformation agenda. These findings discount the dissenting views that claim corruption in Uganda is insignificant and lacks substantial evidence of hindering development, aside from moral concerns.⁷¹

The collaborative corruption schemes orchestrated by government officials and private individuals to secure tenders, often prioritize rent extraction over the fulfillment of contract obligations, resulting in compromised quality and quantity of goods and services. Contractors frequently lower quality standards or fail to deliver entirely, leading to substandard products or ghost procurement scenarios. The fourth Procurement Integrity Survey in Uganda underscores the detrimental impact of public procurement corruption on service delivery, with a majority of respondents (53%) expressing concerns about the poor quality of services, while 18% cited delays in service delivery.⁷² Similarly, previous research by Basheka corroborates these findings, revealing that corruption

66 K. Brophy & P. Wandera, *Keeping Corruption in Check in Uganda's Oil Sector? Uganda's Challenge to Let Everybody Eat, and Not Just the Lucky Few* (Working Paper No. 5, CRPD 2018).

67 R. Tangri & A. Mwenda, *The Politics of Elite Corruption in Africa: Uganda in Comparative Africa Perspective* (Routledge 2013).

68 G. Mbabazi & J. Pyeong, *Patronage-Driven Corruption Undermining the Fight Against Poverty in Uganda*, 7 Afr. Soc. Sci. Rev. Article 4 (2015).

69 Ministry of Finance, Planning and Economic Development (MoFPED), *supra* note 7.

70 <https://gpp.ppda.go.ug/#/public/open-data/>.

71 Semakula, *supra* note 18.

72 The Public Procurement and Disposal of Public Assets Authority, *supra* note 58.

hampers service delivery by restricting access (reported by 82% of the respondents) and availability (86%) of services, dissuading individuals from seeking public services (75%), and excluding some citizens from accessing services (85%).⁷³

Participants in our study echoed these concerns, regarding the deteriorating state of public services, particularly in infrastructure projects, attributed to corruption during tendering and contract management. Observations highlighted the inability of Uganda's procurement system to deliver durable roads, bridges, and infrastructure, despite significant budget allocations to the works, transport, and energy sectors. Instances of cracks appearing during construction, premature deterioration, and even collapses of buildings and infrastructure were common occurrences, with examples cited such as the Pakwach-Nebbi and Fort Portal-Hoima roads, which began deteriorating before completion. The prevailing narrative attributes this poor workmanship to corruption, with collusion between government officials and contractors during the tendering process leading to the use of inferior materials and substandard construction practices.⁷⁴

Kitunzi reports complaints from residents about the poor quality of roads in Namisindwa District, Uganda, attributing their deteriorating condition to corruption. According to Kitunzi, residents lament that the roads are thinly layered, significantly shortening their lifespan, with corrupt individuals siphoning off funds as soon as they are released by the government.⁷⁵ Other studies echo similar sentiments, linking the deplorable state of roads in Uganda to corruption. It is estimated that over 9% of the total contract value is lost to corruption at both central and local government levels during procurement processes.⁷⁶

Recent media campaigns, such as the "Kampala Pothole Exhibition", have shed light on the substandard quality of roads in Kampala Capital City, highlighting widespread corruption during the tendering process and capacity gaps within the Kampala Capital City Authority (KCCA). Potholes have become a common sight on Kampala's roads, with evidence of ditches, furrows, and hazardous curves plaguing the city's infrastructure. For instance, it was revealed that 500 potholes had damaged four critical city roads.⁷⁷

Poor road conditions exacerbate congestion, delays, frustration among road users, accidents, and safety concerns, ultimately impacting productivity. Moreover, they increase the cost of doing business, resulting in financial losses for public transport users, many of whom are low-income earners. Poor road network also delays the distribution of goods. Traffic congestion in the Greater Kampala Metropolitan Area (GKM) alone costs an estimated USD 1.5 million daily, equivalent to 4.2%

of the GDP of GKM and 1.9% of Uganda's GDP.⁷⁸ Furthermore, poor roads contribute to loss of life, as sick individuals struggle to access healthcare facilities, and approximately 2000 lives are lost annually due to road traffic accidents. Additionally, the high operational costs of repairing and maintaining vehicles due to poor road conditions further burden citizens.⁷⁹

In the energy sector, corruption during tendering leads to substandard construction of dams, impacting electricity reliability and hindering industrialization and national development. For example, the Isimba Hydropower plant, commissioned in 2019, experienced shutdowns and developed cracks in August 2022, allegedly due to collusive and corrupt practices among public officials and contractors. Similar issues of shoddy workmanship due to corruption were cited in the construction of the Karuma dam.⁸⁰

In what has been dubbed as "sweet tenders" and "Covid-19 cash deals", the *Daily Monitor*, a prominent newspaper in Uganda, uncovered corruption in the public procurement of Covid-19 goods and services. In response to the first phase of the Covid-19 pandemic in March 2020, the Ugandan government allocated billions of shillings for a multi-sectoral intervention, including the acquisition of food supplies for vulnerable groups in the Kampala metropolitan area. However, this initiative was marred by violations of public procurement regulations, such as inflated costs, procurement of substandard items, delayed service delivery, and ghost procurement. Government officials and private agents colluded in corruption schemes that undermined the value for money in government expenditure. It is estimated that over US\$ 528,000, equivalent to 5% of the total procurement, was lost to corruption syndicates. Essential food items distributed to beneficiaries, such as maize flour, milk, and beans, failed quality checks, often containing dirt and dust, with a significant portion of the milk expired. Former Speaker of Parliament Rt. Hon. Rebecca Kadaga described the procured food items as "rotten food and expired milk".⁸¹ Delays in food donations meant many targeted households missed out, further disadvantaging vulnerable communities.

Another case highlighted was the procurement of relief items for persons displaced by floods in the Rwenzori region. Prime Minister Rt. Hon. Robinah Nabbanja visited Kasese to assess the flood damage and oversee the distribution of relief items. However, she was dismayed by the poor quality of the items, including maize flour, beans, sugar, tarpaulins, jerry cans, basins, laundry soap, mosquito nets, blankets, and mats that were procured for the displaced people. Rt. Hon. Nabbanja rejected several items, emphasizing that Kasese District should

73 Basheka, *supra* note 31.

74 R. Ggoobi, D. Lukwago & G. Bogere, *Public Expenditure Governance in the Roads Sector*, ACODE Policy Research Paper Series No. 100, at 1 (2020).

75 Y. Kitunzi, We Have Poor Roads Due to Graft – Namisindwa Locals, *Daily Monitor*, Oct. 25, 2023.

76 P. Sserugo, Over 500 potholes eat way 4 critical city roads, *Daily Monitor*, Nov. 3, 2022.

77 Bruce Chris Kwikiriza, *Causes and Effects of Traffic Congestion in Kampala City*, at 1 (2016).

78 Laurenz Baertsch, *Quantifying the Economic Benefits of Public Transportation in Kampala*, International Growth Centre, Policy Brief No. UGA-19148, at 1 (2020).

79 Kwikiriza, *supra* note 77.

80 Remington Fritz, *Development-Induced Displacement in Kiryandongo District: A Case Study of the Karuma Hydroelectric Power Plant*, at 1 (2021).

81 F. Musisi, Watch: Inside OPM, UPDF, and Police Covid-19 Cash Deals, *Daily Monitor*, July 5, 2021, at 22–23.

not be a dumping ground for substandard goods, warning that such incidents tarnish the government's image.⁸² Corruption and lack of accountability in government procurements have been identified as major obstacles in disaster preparedness and management in Uganda, as highlighted in previous studies.⁸³

The history of corruption in military procurement in Uganda further paints a grim picture of failed value-for-money in public acquisitions, with substandard equipment and supplies costing the country substantially. Since the 1990s, the Ugandan government has engaged in numerous contracts for military equipment, food, and other supplies, many of which have flouted procurement regulations due to widespread bribery, kickbacks, influence peddling, and over-payment, benefiting a select few government officials and private agents. This has cost Uganda handsomely. One notorious example is the dubious purchase of two M1-24 helicopters in 1998, resulting in a loss of over US\$12 million when the helicopters were found to be inoperable and grounded at Entebbe Airforce base. Another scandal involved the procurement of four MIG 21 jet fighters, 100 mm anti-aircraft guns, and T-55 tanks without a competitive bidding process. Bezalel, an ex-Mossad officer, secured a deal with the Defense Ministry to supply four jet aircraft, but the MIG 21s supplied were old Soviet planes with malfunctioning radar systems and insufficient fuel tanks, two of which had only one wing each. This sham procurement cost an inflated amount of US\$50 million. In another instance, second-hand anti-aircraft guns were purchased, proving to be outdated and malfunctioning when they failed to shoot down Sudanese Antonov Bombers in Northern Uganda. Food rations supplied to soldiers were found to be expired, and army uniforms procured were undersized, rendering them unfit and uncomfortable for UPDF soldiers on the battlefield.⁸⁴

President Museveni himself acknowledged the exploitation of the Acholi people's suffering by army officers, admitting that corruption had contributed to prolonging the Lord Resistance Army insurgency in Uganda.⁸⁵ The LRA conflict displaced 1.8 million people, resulted in tens of thousands of deaths, and led to the destruction of schools, health facilities, roads, and significant property loss.⁸⁶ LRA insurgency has also been linked to the regional development disparity, particularly the underdevelopment of northern Uganda.⁸⁷

Corruption effectively imposes a "tax" on procurement, leading to inflated tender costs that ultimately burden citizens with higher prices for products and services. The Fourth Public

Procurement Integrity Survey in Uganda provides evidence when 34% of citizens recognised the inflation of tender costs as a primary consequence of corruption.⁸⁸ Suppliers interviewed for the study revealed that they often feel compelled to include bribes to accommodate corrupt government officials in their financial quotations. This sometimes entails inflating material and labor costs in the bills of quantity (BoQ), ultimately increasing the contract price. The effect of corruption on the costing of procurement projects was repeatedly expressed by study participants:

... corruption is deeply embedded in the cost materials... For materials like sand, cement, bricks, iron bars, iron sheets... calculations are made where a certain portion of payment for each of the items goes to government officials and other stakeholders... it is the responsibility of the bidder to ensure that such interests are imbued in the bids...⁸⁹

... due to the bribes we pay to get contracts, we are forced to devise ways where we can do something for the community and the government that hires us, to fulfil the pledges we make to government officials to get these contracts and have something for ourselves... obviously we have to play around with costing of the bid, including using less or poor quality of materials or increasing costing of materials...⁹⁰

These views resonate previous studies on corruption in public procurement in Uganda, including research on World Bank-financed projects that highlighted the pervasive nature of bribery and its impact on project costs. Bidders often resort to offering bribes not only to secure contracts but also to ensure successful implementation. These bribes typically range from 10% to 15% of the contract value, with bidders recovering these costs by inflating the unit prices of procurement items.⁹¹ This phenomenon is particularly pronounced in public works projects, such as road construction, where corruption significantly inflates procurement costs.⁹² A study on public expenditure in Uganda's road sector revealed that corruption substantially contributes to the high costs of procurement, resulting in inflated unit costs for road construction. As of 2017, the average unit cost of road construction per kilometer in Uganda was between US\$750,000 and US\$1 million, compared to US\$300,000 in Kenya and US\$330,000 in Rwanda, despite the latter having a mountainous terrain.⁹³ Uganda's roads are

82 E. Ninsiima & F. Draku, Nabbanja Rejects Relief Items for Flood Victims Over Quality, *Daily Monitor*, July 22, 2021.

83 Peter Milton Rukundo, Per Ole Iversen, Arne Oshaug, Lovise Ribe Omuajuanfo, Byaruhanga Rukooko, Joyce Kikafunda & Bård Anders Andreassen, *Food as a Human Right During Disasters in Uganda*, 49 *Food Policy* 312, 312–22 (2014).

84 Tangri & Mwenda, *supra* note 67.

85 Onek C. Adyanga, *A Macabre Exhibit: Ugandan President Museveni's Public Display of the Luwero Triangle War's Human Remains*, 4 *Advances in Historical Studies* 389 (2015).

86 Anne Abaho, Solomon Asimwe & Michael Mawa, *The LRA and Its Costs on Economic Security* (2019).

87 Douglas Kazibwe, *Violent Conflicts and Educational Outcomes: The LRA Insurgency in Northern Uganda Revisited*, No. 401, *Households in Conflict Network* (2023).

88 The Public Procurement and Disposal of Public Assets Authority, *supra* note 58.

89 Interview with Key Informant (January 2022).

90 *Id.*

91 George Bogere, Feza Greene Kabasweka, Samuel Kayabwe & Irene Achola, *Assessing Public Expenditure Governance in Uganda's Road Sector: Application of an Innovative Framework* (2014).

92 Ggoobi et al., *supra* note 74.

93 F. Musisi, Why Are Roadworks Very Costly in Uganda?, *Daily Monitor*, 32–33 (Oct. 9, 2017).

not only the most expensive in the East African region but also among the worst in quality, a consequence largely attributed to corruption.⁹⁴

President Yoweri Museveni expressed concern over the exorbitant costs of road construction projects in Uganda, such as the renovation of the Mbarara-to-Katuna stretch, which cost €117 million for 124 kilometers, significantly higher than similar projects in Rwanda. Museveni called for a forensic value-for-money audit to investigate suspicions of inflated costs due to corruption.⁹⁵ However, the Uganda National Roads Authority (UNRA) denied allegations of corruption, attributing cost variations to factors such as construction materials and road designs. Nevertheless, many Ugandans hold that the high unit cost of construction in the Mbarara to Katuna like many other roads under construction is a salient red flag of collusive corruption and should be probed further and action taken.⁹⁶

Corruption in public procurement severely undermines access to healthcare and education services in Uganda, disproportionately affecting the poor and vulnerable. The healthcare sector, in particular, has been plagued by high-profile procurement scandals, where funds allocated for medical supplies and equipment have been misappropriated and drugs stolen. This not only hinders the achievement of national health objectives and Sustainable Development Goals but also leads to significant financial losses. It is estimated that Uganda loses approximately UGX. 672.7 billion (US\$178 million) annually to corruption in the health sector.⁹⁷

Corruption in the procurement of medical supplies and equipment has been identified as a major obstacle to effectively combating diseases like Covid-19 in Uganda. The pandemic provided an opportunity for emergency procurement, but corrupt practices resulted in the mismanagement of funds and the failure to procure essential items in the right quantity and quality. For example, at Mulago Hospital, the largest national referral hospital, mattresses procured did not fit the beds, and some acquired beds were already broken. Contracts for the procurement and installation of emergency intensive care unit equipment in regional referral hospitals were not implemented as agreed, with some facilities lacking sufficient space for the equipment received. Additionally, delays and discrepancies in the procurement process further hampered pandemic response efforts. For instance, the delivery of mist sprayers

and other disinfection equipment was significantly delayed, leaving Uganda ill-equipped to contain the spread of Covid-19.⁹⁸ The consequences were dire, with over 3600 Covid-19 deaths recorded and far-reaching impacts on production, financial markets, unemployment, and poverty.⁹⁹ In other scandals, US\$0.546 million earmarked for immunising children against the six killer diseases, was embezzled through deceitful procurement, denying children the right to live healthy lives, and to become productive citizens in future.¹⁰⁰

Corruption in government tendering processes has compromised the quality of drugs and health facilities, particularly in rural areas, impeding access to healthcare for local communities. Accusations of financial misconduct have been leveled against the National Medical Stores (NMS), a government entity tasked with procuring and storing medical supplies and drugs for distribution to government health facilities. These allegations include lack of transparency and accountability in budget management, as well as practices such as inflating prices, supplying expired drugs, and delaying supply deliveries to health centers.¹⁰¹ Additionally, reports have highlighted instances of theft, diversion, and resale of drugs within the pharmaceutical supply chain, exacerbating drug stock-outs and compromising patient care, particularly among disadvantaged populations who rely on public health facilities.¹⁰²

Action Aid Uganda documented instances of procurement-related corruption during an anti-corruption caravan in Eastern Uganda, revealing widespread service delivery issues such as dilapidated buildings and shortages of essential medicines in health facilities. In Napak district, despite government vehicles delivering drugs from the NMS, patients often had to seek treatment at private clinics due to drug shortages in government facilities. Similarly, Abim Hospital in Abim district was found to be in a dire state, with patients reportedly dying due to the lack of medical supplies and equipment. Government efforts to renovate the hospital were hampered by mismanagement of funds, resulting in substandard construction work that posed additional risks to patients' safety.¹⁰³ This systemic failure in healthcare infrastructure and service delivery, exacerbated by corruption, has contributed to high mortality and morbidity rates in Uganda. The pervasive perception of corruption at the national level further undermines public trust in the healthcare system,

94 *Id.* at 91.

95 J. Maseruka, Corruption Cited in Mbarara-Katuna Road Reconstruction: Uganda Will Spend Almost Twice as Much as Rwanda Will in the Mbarara-Katuna Highway Reconstruction Project, *New Vision*, Jan. 2, 2012.

96 S. Balagadde & R. Kayizzi, Sh26b Cannot Fix Kampala's Potholes, *New Vision*, May 11, 2023, https://www.newvision.co.ug/category/news/sh26b-cannot-fix-kampalas-potholes-NV_160103.

97 Fazekas et al., *supra* note 10.

98 I. Ladu, Prosecute Thieves of Covid-19 Cash – Report, *Daily Monitor*, Dec. 6, 2020, <https://www.monitor.co.ug/uganda/news/national/prosecute-thieves-of-covid-19-cash-report-3231244>.

99 Madina Guloba, Medard Kakuru & Sarah Ssewanyana, *The Impact of COVID-19 on Industries Without Smokestacks in Uganda* (2021), <https://www.brookings.edu/wp-content/uploads/2021/07/21.07.30-Uganda-Covid-Update.pdf>.

100 Maria E. Burnett, "Letting the Big Fish Swim": Failures to Prosecute High-Level Corruption in Uganda (2013), Human Rights Watch, <https://www.hrw.org/report/2013/10/21/letting-big-fish-swim/failures-prosecute-high-level-corruption-uganda>.

101 Claudia Baez-Camargo & Eelco Jacobs, *Using Power and Influence Analysis to Address Corruption Risks: The Case of the Ugandan Drug Supply Chain*, 1-3 (2012), <https://assets.publishing.service.gov.uk/media/57a08a81e5274a31e0000632/B2012-06.pdf>.

102 Is NMS Full of Crooks? – National Medical Stores Cited in Mismanagement of Procurement, Inflating Prices of Health Supplies, *The Capital Times* (May 7, 2021), <https://thecapitaltimes.co.ug/2021/05/07/is-nms-full-of-crooks-national-medical-stores-cited-in-mismanagement-of-procurement-inflating-prices-of-health-supplies/>.

103 ActionAid, *Corruption and Service Delivery Tragedy in Uganda: Stories from the Eastern Leg of the Anti-Corruption Caravan* (Uganda: ActionAid, 2014).

perpetuating a cycle of inefficiency and compromised patient care. High mortality rate and morbidity has been attributed to the high national level of perceived corruption in the health caresystem.¹⁰⁴

In the education sector, corruption in procurement occurs during the provision of textbooks, school supplies as well as construction of classrooms, latrines, libraries, staff quarters, and other school buildings.¹⁰⁵ Corruption in the procurement process thwarts the attainment of good education outcomes which are required for the development needs in Uganda. Despite the annual budget allocations to create a conducive learning environment, documentary sources and interviews showed that corruption in public acquisitions has led to slapdash construction, poor quality of or ghost materials and equipment for schools. In some schools, classrooms that were constructed were purportedly collapsing before completion of construction. Pupils resort to studying under trees or are overcrowded in classrooms without desks/chairs and education materials, which affect their grades, sometimes leading to school dropouts and non-completion rates, ultimately high illiteracy rates.¹⁰⁶ Low level of education has featured remarkably as a key driver of unemployment and poverty in Uganda.¹⁰⁷

Nyanzi exposes a series of procurement scandals in Uganda's education sector, where billions of shillings were squandered through pseudo-procurement practices. In 2009, the government secured a loan of US\$375 million to support initiatives like the Uganda Post Primary Education and Training Programme (UPPET), intended to construct schools and purchase furniture. However, it became evident that procurement procedures were circumvented, leading to the acquisition of unnecessary items aimed at facilitating rent-seeking. Consequently, many schools received excessive furniture beyond their capacity to accommodate. For instance, despite only requiring 40 desks for two classrooms, one school received an excessive amount including 224 chairs, 28 tables, 72 desks, and 8 teacher tables. In some locations, the furniture was simply abandoned by the transporters at some distance from the designated schools, simply piled by the roadside. Later, some villagers picked it up, even though the items were marked as "government property". Surprisingly, the contractors were fully paid with the delivery notes on file, indicating that the goods were delivered to and received by the schools in good condition. In addition to surplus furniture, unnecessary

textbooks were procured and distributed to schools, including cases where books in the Lugbara language were provided to predominantly Luganda-speaking regions.

Other projects that aimed at supporting the construction of classrooms, libraries, multi-purpose science rooms, administration blocks, teachers' houses, and water and sanitation facilities, corruption resulted in shoddy work. A judicial commission of inquiry into the mismanagement of universal primary education (UPE) and universal secondary education (USE) in the Ministry of Education and Sports, instituted by President Yoweri Museveni, exposed procurement corruption issues when it reported nearly 1,000 cases of alleged inflated funds, as well as incomplete and shoddy construction, among which account for poor UPE and USE performance.¹⁰⁸

In Uganda's water sector, collusion and bribery have become prevalent in government tendering, resulting in limited access to safe water, especially in rural areas. Approximately 20% of the value of procurement in the water sector is lost through corruption. Procurement and contract management stages are particularly susceptible to corruption in rural water supply, leading to cost escalation and hindering access to safe water. Examples of corrupt practices include managers favoring specific bidders with bribes incorporated into Bills of Quantity to secure contracts. Other forms of corruption involve offering bribes to influence the location of water service points and pipe systems, disproportionately affecting the poor and marginalized who cannot afford bribes.¹⁰⁹ Research by Kirya and Katuramu highlighted that corruption in the water sector leads to the use of poor-quality materials in water infrastructure construction, resulting in frequent breakdowns of taps and pipes, irregular water supply, and water quality issues, exacerbating water poverty.¹¹⁰ Water insecurity in rural Uganda, particularly among women, has been associated with high levels of depression. Furthermore, the lack of access to clean water contributes to high morbidity rates, disrupts education and production, ultimately perpetuating poverty in the long run.¹¹¹

Similarly, corruption in the energy sector has led to limited access to energy and higher unit costs, ultimately borne by consumers. The concession agreement between the Ugandan government and the electricity distributor, Umeme Limited, was initially intended to benefit consumers but was altered by corrupt officials to disadvantage consumers through higher unit costs.¹¹²

Corruption in public procurement acts as a barrier to investment, thereby hampering economic growth and

104 Margot I. Witvliet, Anton E. Kunst, Onyebuchi A. Arah & Karien Stronks, *Sick Regimes and Sick People: A Multilevel Investigation of the Population Health Consequences of Perceived National Corruption*, 18 *Tropical Medicine & Int'l Health* 1240, 1247 (2013).

105 Fazekas et al., *supra* note 10.

106 Christine Mbabazi Mpyangu, Eric Awich Ochen, Eria Olowo Onyango & Yovani A Moses Lubaale, *Out of School Children Study in Uganda*, UNICEF (2014).

107 Peter Baguma & Adrian Furnham, *Attributions for and the Perceived Effects of Poverty in East Africa: A Study from Uganda*, in *Humanitarian Work Psychology*, 332-350 (London: Palgrave Macmillan UK, 2012).

108 Peter Nyanzi, Corruption Threatens Shs 950bn Education Projects, *The Independent* (Nov. 17, 2012), <https://www.independent.co.ug/corruption-threatens-shs-950bn-education-projects/>.

109 The World Bank, *Uganda Country Procurement Assessment Report* (2004).

110 Monica Kirya, *Corruption Limits Access to Safe Water and the Effectiveness of the COVID-19 Response in Developing Countries: The Case of Uganda*, CMI U4 Anti-Corruption Resource Centre (2020), <https://www.cmi.no/publications/7253-corruption-limits-access-to-safe-water-and-the-effectiveness-of-the-covid-19-response-in-developing>.

111 Rumbidzai C. Mushavi et al., "When You Have No Water, It Means You Have No Peace": A Mixed-Methods, Whole-Population Study of Water Insecurity and Depression in Rural Uganda, 245 *Soc. Sci. Med.* 112561 (2020).

112 E. Mutaizibwa, Museveni Consents to Karuma Dam Bids Amidst Graft Claims, *The Observer*, Apr. 6, 2012.

development. The second National Development Plan (NDP II) warned that failure to address corruption and enhance accountability could severely undermine development goals, including economic growth and infrastructure improvements. This was confirmed by the third National Development Plan (NDP III), which identified corruption as a key factor driving up the cost of doing business and causing unnecessary delays in government program and project implementation.¹¹³ Various studies conducted in Uganda corroborate these findings, highlighting corruption as a major hindrance to business operations, innovation, and entrepreneurship.¹¹⁴ These empirical findings refute Mwenda's assertion that corruption in Uganda serves a problem-solving function by "greasing the wheels"—using bribes to overcome bureaucratic hurdles to facilitate investment and promote economic growth and development.¹¹⁵

Foreign companies and individuals are often deterred from participating in government contracts due to bureaucratic hurdles, corruption, and other informalities required to secure contracts. Consequently, companies and individuals may feel compelled to yield to the extortionate demands of government officials or engage in informal practices to secure contracts. Sharpe cites examples of US companies seeking business opportunities in Uganda who need to collaborate with politically connected local entities possessing knowledge and connections to navigate corrupt dealings. These sentiments were echoed in a 2019 study, where 53% of respondents identified corruption as a significant barrier preventing their participation in public procurement processes.¹¹⁶

Crucial projects aimed at propelling Uganda towards middle-income status and industrialization have been hindered by corruption. Government officials frequently demand bribes from contractors as a prerequisite for project approval and implementation. Refusal to comply with these demands often results in contract delays or non-approval, hindering progress in project execution. Additionally, the preparation of completion certificates and subsequent payments to service providers are often delayed if bribes are not paid. In some cases, the entire development initiative is abandoned as a consequence. This phenomenon, described by Komakech as "speed corruption", involves procurement officials causing harassment, delays, or withholding decisions until bribes are received. Only after bribes are given can contracts be finalized, illustrating the pervasive nature of bribery within the Ugandan procurement process.¹¹⁷ In interviews participants echoed similar sentiments, highlighting bribery as a fundamental factor influencing public

contracting. One interviewee emphasized the prevalence of kickbacks, describing them as the primary driver of decision-making in public contracting. They recounted instances where contracts remained unsigned in office until bribes were paid, leading to delays or sometimes project failures when officials' demands were not met.

President Museveni's Labour Day message on May 1st, 2023, underscored his criticism of corrupt government officials who solicit bribes from investors, a sentiment echoed widely. Such corrupt practices not only frustrate investors but also delay crucial investment decisions and escalate the costs of establishing business enterprises. This situation often compels potential investors to seek opportunities in countries with fewer bureaucratic hurdles and less corruption.¹¹⁸ This contradicts President Museveni's earlier remarks when he cautioned the Inspector General of Government, Hon. Betty Kamywa Turwomwe, to proceed cautiously with lifestyle audits of government officials. Museveni argued that targeting corrupt individuals could lead to the capital flight of stolen money, thereby reducing investment and economic growth. In essence, he suggested that corruption promotes investment and economic growth.¹¹⁹

Nonetheless, President Museveni's remarks on Labour Day message find support in numerous projects that have been derailed due to bribery and kickbacks demanded by public officials. A notable example is the procurement process for the construction of the Kampala–Jinja Expressway (KJE), a strategically significant investment intended to enhance regional integration and boost trade by linking landlocked East African countries such as Uganda, Rwanda, and Burundi to the port of Mombasa. The completion of the KJE would facilitate smoother movement of goods and services, benefiting citizens across the East African community. In August 2019, the Uganda National Roads Authority initiated the bidding process for the construction of the KJE under a Public-Private Partnership (PPP) framework. Under this arrangement, the contractor finances, constructs, operates, and maintains the road for a predetermined period while recouping their investment. However, when China Railway 17th Bureau Group Company (CR17th) expressed interest in building the KJE using traditional procurement methods rather than PPP, government officials, including the Minister of Works and Transport, initially opposed the idea. President Museveni intervened and directed that CR17th be allowed to present their proposal for comparison with the ongoing PPP tendering process. Despite having the financial capacity to undertake the project, CR17th faced pressure from government officials seeking kickbacks during negotiations.

113 Mukobi et al., *supra* note 11.

114 Sharpe, *supra* note 54.

115 Andrew Mwenda, Corruption Does Not Affect Economic Growth, *Daily Monitor*, Aug. 17, 2015, <https://www.monitor.co.ug/uganda/business/prosper/mwenda-corruption-does-not-affect-economic-growth-1621294>.

116 F. Mbabazi & S. Nassazi, *A Study on the Barriers Affecting Participation in Public Procurement in Uganda* (2019), [https://umi.ac.ug/images/Downloads/Final%20Conference%20Proceedings%](https://umi.ac.ug/images/Downloads/Final%20Conference%20Proceedings%20).

117 Komakech, *supra* note 16.

118 F. Wafula, Museveni to Set Up New Anti-Corruption Unit, *The New Vision* (May 2, 2023), <https://www.monitor.co.ug/uganda/news/national/museveni-to-set-up-new-anti-corruption-unit-4219764>.

119 URN, Corruption: Museveni Warns Kamywa to Be Careful with Lifestyle Audit, *The Observer* (Dec. 10, 2021), <https://observer.ug/news/headlines/72136-corruption-museveni-warns-kamywa-to-be-careful-on-lifestyle-audit>.

Ultimately, CR17th withdrew its interest in the project, citing undue pressure and intimidation from government officials. The delay in the commencement of the KJE project has led to significant implications, including time-value losses and cost overruns. Moreover, Uganda risks missing out on the potential benefits of enhanced regional trade and cooperation associated with the completion of the KJE due to corruption-related setbacks.¹²⁰

The construction of the Standard Gauge Railway (SGR), aimed at connecting Uganda to Mombasa and other East African Community member states, emerged as a significant project with the potential to enhance regional connectivity and drive industrialization. The SGR project envisioned an efficient transport system to catalyze economic growth, reduce unemployment, and foster socio-economic transformation across member countries. However, bribery allegations surfaced, casting a shadow over the procurement process for the SGR construction. Despite the contract being awarded to China Harbour Engineering Company (CHEC), a report from an evaluation committee revealed that the contract had been inflated by over US\$600 million. During negotiations, CHEC officials insisted on a higher price, prompting President Museveni to advocate for cost reduction to ensure value for money (VFM). Shockingly, CHEC officials disclosed that they had paid US\$200 million in bribes to government officials to secure the deal, providing a list of recipients to President Museveni. President Museveni sternly cautioned against bribery and urged Chinese officials to report any solicitation incidents to their ambassador, who would then relay the information to him.¹²¹ Despite these revelations, significant progress on the SGR construction has yet to be made, impacting regional trade volumes. It is estimated that Uganda incurs annual losses of UG Shs 900 billion (US\$238 million) due to the inadequate functionality of its railway system.¹²²

Similar bribery allegations have plagued other major projects, including the construction of the Karuma, Isimba, and Ayago hydropower dams. Allegations of bribery to members of evaluation committees stalled these projects until President Museveni intervened, ordering the evaluation to proceed without interference. Additionally, inflated procurement costs for Karuma and Isimba resulted in an extra expenditure of UG Shs 1.8 trillion. Earlier, in 2002, the collapse of the US\$550 million Bujagali Dam hydroelectric project due to corruption allegations exacerbated energy poverty in Uganda.¹²³ The Afro barometer survey revealed that only 26% of Ugandans are connected to the national power grid, with over 26 million lacking access to electricity.¹²⁴ This lack of access adversely

affects the adoption of modern technology, industrialization, public service delivery, and living standards, exacerbating poverty in the country.¹²⁵

Corruption in procurement has dire consequences for living standards in Uganda, particularly in poverty alleviation programs. These initiatives often fail to achieve their objectives due to corruption, where poor quality or nonexistent inputs (ghost procurement) are supplied to farmers. This significantly impacts the livelihoods of Ugandans reliant on agriculture for sustenance, income, and employment. At a macroeconomic level, the agrarian economy suffers when substandard inputs hinder productivity, thereby affecting exports and foreign earnings.

A recent scandal, known as the Karamoja Iron Sheet and Goat Scandal, exemplifies how corrupt practices by public officials and private agents derail development initiatives. The Karamoja region has long faced developmental challenges, characterized by high poverty rates, infant and child mortality, limited access to essential services like water, healthcare, and education, as well as social unrest fueled by cattle rustling. In December 2021, the Ugandan parliament approved UG Shs 39 billion (US\$10 million) as a supplementary vote to support youth resettlement and aid marginalized communities in Karamoja. However, the funds were misappropriated. Only a fraction of the intended iron sheets and goats were distributed, with the remaining balance embezzled by ministers, Members of Parliament (MPs), and Chief Administrative Officers (CAOs). Furthermore, substandard goats were procured at inflated prices, and many beneficiaries received far fewer goats than promised, with some dying due to disease or being sold or stolen shortly after delivery. This gross abuse of the development initiative by corrupt individuals has failed to uplift the livelihoods of Karamoja's intended beneficiaries, highlighting the detrimental impact of procurement corruption on poverty alleviation efforts in Uganda.¹²⁶

President Museveni's Operation Wealth Creation (OWC) program, launched in 2013 to bolster household incomes and stimulate economic growth among subsistence farmers, has been tainted by procurement corruption. Military personnel took over from district technocrats to manage the program, collaborating with local politicians and technocrats in distributing agricultural inputs. However, these officials, along with private individuals, sidestepped regulations to exploit the system for personal gain. Military officers engaged in procurement also operated nursery beds, enabling them to acquire inputs from themselves. Some soldiers distributed agricultural inputs to themselves, acquaintances, and relatives,

120 F. Musisi, Jinja Expressway Project Rocked by Bribery Claims, *Daily Monitor* (Nov. 26, 2019), <https://www.monitor.co.ug/uganda/news/national/jinja-expressway-project-rocked-by-bribery-claims-1861384>.

121 H. Matsiko, Railway Officials Take 750Bn in Bribes: Angry Museveni Renegotiates Contract, Gets Bribes List, *The Independent* (Sept. 9, 2018), <https://www.independent.co.ug/railway-officials-take-750bn-in-bribes/>.

122 H. Matsiko, Karuma, Isimba to cost extra Shs1.8 trillion, *The Independent* (May 2, 2016), <https://www.independent.co.ug/karuma-isimba-to-cost-extra-shs-1-8-trillion/>.

123 J. Sanford, *The World Bank: Bujagali Hydropower Project*, CRS Report for Congress (2003).

124 Kakumba, *supra* note 13.

125 Moussa P. Blimpo & Malcolm Cosgrove-Davies, *Electricity Access in Sub-Saharan Africa: Uptake, Reliability, and Complementary Factors for Economic Impact*, World Bank Publications (2019).

126 E. Kamurungi, Report Unearths Graft in Karamoja Goat Purchase, *Daily Monitor* (May 25, 2023), <https://www.monitor.co.ug/uganda/news/national/report-unearts-graft-in-karamoja-goats-purchase-4246464>.

while government officials sought bribes to prioritize farmers for input allocation or oversight. This opportunistic conduct transformed OWC into a hotbed of corruption. Inputs were frequently mismanaged, with low-quality seeds dumped in sub-counties, left to deteriorate, or lost before reaching recipients.¹²⁷ Moreover, the distributed inputs often did not match local soil and climate conditions, and distribution sometimes occurred during unsuitable planting seasons. In several instances, farmers received unwanted or insufficient inputs. For example, in 2021, farmers in Bududa District rejected banana plantlets provided by OWC due to poor yields.¹²⁸ Similar rejections were reported for coffee and mango seedlings, maize seeds, and heifers in other districts owing to substandard quality.¹²⁹ OWC officials prioritized fulfilling distribution quotas for financial gain rather than ensuring cost-effectiveness, resulting in widespread discontent and the program's failure to commercialize agriculture or enhance farmers' livelihoods.¹³⁰

Studies in Kabale District exposed similar shortcomings of OWC in poverty alleviation.¹³¹ Furthermore, a \$1.385 million grant allocated for community empowerment in Northern Uganda was misused through corrupt procurement, impeding recovery efforts from the LRA insurgency and nodding disease syndrome. Comparable issues plagued projects like the Northern Uganda Social Action Fund (NUSAF), where farmers received inadequate inputs or encountered ghost procurement, exacerbating poverty and agricultural stagnation.¹³²

This study demonstrates that corruption within Uganda's public procurement sector has severe repercussions for service delivery and significantly hinders the attainment of development objectives. Corruption erodes the fundamental principles of an efficient public procurement system, thwarting its capacity to achieve its intended goals and resulting in subpar value for money and sub-optimal outcomes. This situation underscores that, due to procurement-related corruption, essential public goods, projects, and services are not acquired under optimal conditions, rendering public procurement unresponsive to Uganda's economic, social, and developmental needs. The ample evidence presented here underscores the urgent need for comprehensive reforms to address systemic and interconnected corruption within the procurement domain. This paper recommends the following remedies in tackling corruption within Uganda's public procurement system:

- Enhance opening public procurement to competition through careful, transparent, and well-managed bids, advertisements, and contract award processes.
- Adopt e-procurement to reduce physical interface between government officials and service providers, hence, reduce the space for negotiating corrupt deals.

- Establishment of a transparent and fair tendering process for fair and effective publishing of solicitations of proposals and notices of procurement.
- Enhance the involvement of citizens in contract management and monitoring to ensure ownership and sustainability of projects.
- Strengthen external oversight functions of auditors and parliamentary scrutiny to ensure that AG reports are expeditiously discussed by the Accountability Committees of Parliament, adopted by the legislature and recommendations are implemented by the executive.
- Strengthen procurement function of government in ministries, departments, agencies, and local governments.
- Reinforce criminal prosecution to combat public procurement corruption. This should involve providing more resources (budget, staff, training, and equipment) to institutions involved in criminal prosecution.
- Enhance whistleblowing and whistle-blower protection through anonymity wherever needed in the submitting of complaints.
- Strengthen debarment, exclusion and blacklisting of corrupt companies
- Streamline recruitment and improve the working conditions of staff in PDEs and ACIs.
- Deepen democracy with increased political competition, transparency and accountability, adherence to rule of law.
- Carry out economic reforms to improve production, increase investment, employment, and welfare state which are essential for strengthening the state.

9. AREAS FOR FURTHER RESEARCH

The study findings should be interpreted considering the scope of the narrow investigation, which specifically examines how corruption in public procurement impacts service delivery and development in Uganda. This highlights the prevalent issue of corruption in public procurement without delving into potential solutions. Conducting a more comprehensive analysis of the efficacy of anti-corruption measures and exploring ways to enhance their effectiveness could offer fresh perspectives on addressing corruption in public procurement and maximizing value for money in government spending.

Disclosure of interest

The author has no competing interests to declare.

127 Annette Kuteesa, Emmanuel Keith Kisaame, Julian Barungi & Ramathan Ggoobi, *Public Expenditure Governance in Uganda's Agricultural Extension System* (2018), <https://www.acode-u.org/uploadedFiles/PRS84.pdf>.

128 The Independent, *Farmers Reject Banana Plantlets from NAADS Citing Lengthy Harvesting Period* (Sept. 5, 2021).

129 Mesharch Katusiimeh, *Public Sector Provision of Free Agricultural Inputs in Uganda: The Rationale and Challenges of Operation Wealth Creation Programme*, 8 J. Pub. Admin. & Governance (2018).

130 Marion Katusiime, *Operation Wealth Creation and Poverty Reduction in Kabale District: A Case Study of Rubaya Sub-County* (Ph.D. diss., Kabale Univ., 2022).

131 *Id.*

132 E. Wassajja & R. Birner, *Do Social Action Funds (SAFs) Empower Communities in the Recovery of Their Livelihoods? A Case Study of Northern Uganda Social Action Fund (NUSAF)*, 13 J. Agric. Extension & Rural Dev. 451 (2021).