**Sector Analysis, Institutional Change and Advocacy**

**Final Report 4 May 2013**

**Table of Contents**

[1 Introduction 6](#_Toc355598150)

[1.1 Overview of the CrossRoads Programme 6](#_Toc355598151)

[1.2 Rationale for this Assignment 7](#_Toc355598152)

[1.3 Terms of Reference 8](#_Toc355598153)

[1.4 Methodology 8](#_Toc355598154)

[1.5 Report Structure 10](#_Toc355598155)

[2 Background 10](#_Toc355598156)

[2.1 The Political Context 10](#_Toc355598157)

[2.2 The Road Sector in Uganda 11](#_Toc355598158)

[2.3 CrossRoads Programme 14](#_Toc355598159)

[3 Key Constraints to the Development of the Sector 15](#_Toc355598160)

[3.1 Institutions and Institutional Change 15](#_Toc355598161)

[3.2 Institutional Constraints in Context 16](#_Toc355598162)

[3.3 Complexity of Cause and Effect 18](#_Toc355598163)

[3.4 Institutional Constraints Already Addressed by CrossRoads 21](#_Toc355598164)

[3.5 Important Constraints Which Are Not Currently Being Addressed 22](#_Toc355598165)

[4 Stakeholder Analysis 23](#_Toc355598166)

[4.1 Background and Approach 23](#_Toc355598167)

[4.2 Key Findings from the Stakeholder Mapping Exercise 23](#_Toc355598168)

[4.3 Stakeholder Map of the Roads Sector 24](#_Toc355598169)

[5 Setting a Realistic Agenda 25](#_Toc355598170)

[5.1 What’s Possible and What's Not 25](#_Toc355598171)

[5.2 Force Field Analysis of the Possible Intervention Areas 26](#_Toc355598172)

[6 Towards an Influencing and Advocacy Strategy and Programme 30](#_Toc355598173)

[6.1 Defining Influencing and Advocacy 30](#_Toc355598174)

[6.2 A Role for Crossroads in Influencing and Advocacy 30](#_Toc355598175)

[6.3 The Importance of Influencing and Advocacy 31](#_Toc355598176)

[6.4 Elements of the Strategy 33](#_Toc355598177)

[6.5 Next Steps to Implement the Strategy 38](#_Toc355598178)

**Annexes**

1 Terms of Reference

2 Persons Met

3 Stakeholder Matrix

**List of Acronyms**

|  |  |
| --- | --- |
| CGF | Construction Guarantee Fund |
| CrossRoads | Creating Opportunities for Sustainable Spending on Roads |
| DFID | UK Department for International Development |
| DUCAR | District, Urban and Community Access Roads |
| EU | European Union |
| IPBE | Independent Parallel Bid Evaluation |
| IGG | Inspector General of Government |
| MoFPED | Ministry of Finance, Planning and Economic Development |
| MoWT | Ministry of Works and Transport |
| MTRA | Multimodal Transport Regulatory Authority |
| NCIP | National Construction Industry Policy |
| NRSA | National Road Safety Authority |
| PPDA | Public Procurement and Disposal of Public Assets Act |
| RIC | Roads Industry Council |
| RSDP 3 | Third Roads Sector Development Programme |
| UACE | Uganda Association of Consulting Engineers |
| UBOA | Uganda Bus Owners Association |
| UCICO | Uganda Construction Industry Commission |
| UFFA | Uganda Freight Forwarders Association |
| UIPE | Uganda Institute of Professional Engineers |
| UNABCEC | Uganda National Association of Building and Civil Engineering Contractors |
| UNRA | Uganda National Roads Authority |
| URF | Uganda Road Fund |
| URSSI | Uganda Road Sector Support Initiative |
| UTODA | Uganda Taxi Operators and Drivers Association |
| WB | World Bank |
| SG | Solicitor General |
| TSDP | World Bank Transport Sector Development Project |

**Executive Summary**

This report details the conclusions of an assignment, undertaken during April 2013 as part of the CrossRoads programme, to examine the institutional constraints in the Uganda roads sector. The impetus for the assignment came from the Annual Review of the programme, which was carried out in May 2011. The review concluded that there was a ‘high risk that the public sector will take an approach which marginalises the private sector in road construction, and thus undermine the effectiveness of CrossRoads' Output 2 activities’. The review therefore recommended that CrossRoads should increase its focus on influencing policymakers and, in particular, developing the influencing and advocacy role of the Roads Industry Council. The objectives of the assignment are to:

* Identify the causes and effects of key constraints to better performance, and the institutional change necessary to address the constraints.
* Analyse stakeholders’ structure and interests to identify sources of support or opposition to institutional change.
* Identify those institutional changes which may be possible over the next two years.
* Outline a draft strategy or plan for advocacy activities leading to improved performance in the sector.

A programme of interviews with a wide cross-section of stakeholders was conducted. This provided the information to create a Problem Tree of the institutional constraints to change in the sector, and to prepare a Stakeholder Matrix which identified interests and priorities.

A shortlist of institutional constraints which are not already being addressed through CrossRoads technical assistance and capacity building activities was prepared. The shortlist were selected on the basis of a number of criteria, including: stakeholder priorities, ‘fit’ with the mandate and competence of CrossRoads, and the potential to achieve progress within the remaining CrossRoads lifetime, and existing levels of resources. The shortlisted institutional intervention areas are:

* Improving the allocation of funds to roads maintenance.
* Facilitating discussion on managing the interim reliance on the Force Account.
* Improving private sector confidence in demand-side planning, procurement and supervision systems.
* Improving compliance with allocating a fixed percentage of national sub-contracts within international construction contracts.
* Facilitating discussion on reducing the scope for briefcase contractors to operate.
* Improving industry stakeholder coordination.
* Facilitating discussions on improving policy coherence at national and local levels.
* Improving citizen and road user awareness of, and participation in, sector issues.

For each of the shortlisted intervention areas, a Force Field analysis was carried out and an approach to the intervention was suggested. These ranged from undertaking research, disseminating information, and convening and facilitating wider stakeholder discussions, to conducting informal one-to-one briefings of key opinion-formers and decision-makers.

The rationale for undertaking targeted influencing and advocacy activities as a means of improving the sustainability of programme impact was examined, and it is clear that a CrossRoads Influencing and Advocacy Programme can contribute to improve sustainability of programme impact in two ways:

* By improving information, raising awareness and engaging decision-makers on the specific constraints/intervention areas described above.
* By using information dissemination and evidence-based influencing and advocacy activities to build strong coalitions and broaden stakeholder engagement to continue advocacy for change after the end of the programme.

An Influencing and Advocacy Strategy comprising five elements is recommended, the first three of which are minimum requirements to improve the potential sustainability of the specific Crossroads technical interventions and make a modest contribution towards altering the balance in favour of institutional change in the sector. The fourth and fifth elements are designed to build the constituency and increase the momentum for institutional change in its own right. This could potentially leave a more lasting legacy of stakeholder interest and engagement in the sector after the end of the programme, but would undoubtably represent a significant shift in Crossroads sphere of influence to address the higher level demand-side issues, as well as citizens' voice and accountability. The five elements are:

1. Building the profile of the RIC.
2. Undertaking a specific programme of RIC-sponsored influencing and advocacy activities.
3. Coordinating other CrossRroads influencing and advocacy activities which are being undertaken as part of individual technical packages.
4. Creating a wider constituency of interest and broadening stakeholder engagement during the remaining lifetime of CrossRoads.
5. Exploring the potential for developing sustainable mechanisms for stakeholder representation and advocacy, which would continue after the end of the programme.

The next step is for the RIC to consider the strategic approach, and the specific intervention areas suggested. If these are accepted, a programme of work for the RIC will be prepared which identifies: information and research needs; the specific stakeholders which it should target and the specific activities which should be undertaken., In addition the programme of work should specify the responsibilities, timetable and budget for the work. This report provides detailed guidance and a timetable for the immediate next steps to implement the proposed Influencing and Advocacy Strategy.

# Introduction

## Overview of the CrossRoads Programme

Creating Opportunities for Sustainable Spending and Roads (CrossRoads) is a four-year, £18m programme scheduled to run from 2011 until 2015, funded by the UK Department for International Development (DFID) and the European Union (EU).

The programme Impact Statement is 'improve quality of the road network'. The Outcome Statement is 'improve the efficiency of GoU expenditure on roads'. The programme follows the market systems approach in the design and delivery of interventions. Two outputs, that b seek to address failures in supporting functions and rules on both the demand and supply side are to be delivered:

1. Public institutions better able to manage the road network (primarily demand-side)
2. Increased capability and competition in the road sector (primarily supply-side)

CrossRoads is a complex programme, with a series of interlinked but separate packages of support. Output 1 has three main components:

A DFID-funded grant contribution to the World Bank’s Transport Sector Development Project (TSDP), comprised of support for:

* Enhanced road safety, including setting up the National Road Safety Authority (NRSA)
* Technical assistance to the Ministry of Works and Transport (MoWT), including support for establishment of a Multimodal Transport Regulatory Authority (MTRA) and a District, Urban and Community Access Roads (DUCAR) Authority
* Support to build the capacity of the Uganda National Roads Authority (UNRA), including technical assistance, training, and construction of regional offices.

In addition there are two directly DFID-funded packages:

* A dedicated policy adviser within MoWT and a senior transport specialist within the World Bank to help administer the TSPD.
* Specific procurement support to reform UNRA’s processes and build procurement capacity, and for a process of Independent Parallel Bid Evaluation (IPBE)

Output 2 is the responsibility of the CrossRoads Secretariat, which engages with the private sector to understand and address the constraints and opportunities it faces. The programme is directly providing technical assistance to address critical supply-side bottlenecks and opportunities as well as influencing policy makers so that key policy and other sectoral constraints are addressed. The Secretariat established, and works closely with, the Roads Industry Council (RIC), which is designed to provide a platform for public private dialogue and to build the constituency in favour of reform [[1]](#footnote-1).

The Annual Review of the programme, which was carried out in May 2012, identified good progress in a number of areas, particularly under Output 2. Highlights include:

* Comprehensive surveys of sector contractors, consultants and equipment.
* The establishment of the Construction Guarantee Fund.
* The implementation of the Road User Satisfaction Survey (RUSS).
* The initiation of the training programmes for graduate engineers, vocational skills, and business and financial management.
* The establishment of a Challenge Fund to address the lack of innovation in the market.
* The development of capacity building approaches to strengthen representative associations of contractors and consultants.

Policy constraints have made progress more difficult under Output 1. Although the National Construction Industry Policy (NCIP) was approved in 2010, implementation of its main provisions is stalled. It has taken three years to develop the legislation which will enable the creation of the Uganda Construction Industry Commission (UCICO). The NRSA, the MTRA, and the DUCAR Authority are not yet close to implementation. Recent developments, including the distribution to districts of equipment supplied by China, and proposals to extend reliance on the public sector Force Account and create a new public sector construction company appear to run counter to the intentions of the NICP. Despite these constraints, the policy support to MoWT, and the procurement support to UNRA, are yielding solid results.

## Rationale for this Assignment

The Annual Review recognised threats to the achievement of the logframe outputs and outcome described above, and considered that ‘there is a high risk that public sector reform within the roads sector will fail as a result of low capacity and lack of willingness by political leaders to fight corruption and politically motivated projects’. It expressed the view that the key challenges relate to a real risk that the public sector will take an approach which marginalises the private sector in road construction, thus undermining the effectiveness of the output 2 interventions. It stressed both ‘the importance of output 1 to output 2 delivery’, and the role of the Crossroads Secretariat in ’influencing public sector decision makers to develop policy in a more pro-private sector way’. While acknowledging that these policy level challenges lie beyond its narrowly-defined remit, the Annual Review indicated that the Secretariat ‘could play a strong role in strengthening the voice of the private sector, promoting the use of evidence in policy making and encouraging constructive public private dialogue’.

It should be noted from the outset that the Secretariat work programme has always included advocacy and influencing activities, focused within and around the various private sector interventions described above[[2]](#footnote-2). The Annual Review comments should not be taken to suggest that these were insufficient, but are instead proposing that, over the remainder of the programme, the Secretariat examines ways of extending and expanding its influencing and advocacy activities to address the wider threats arising in the policy environment as a whole.

The annual review made three specific suggestions for how this should be done:

* In terms of influence with policy makers, the (Secretariat) team needs to increase its focus on attempting to shape key policy issues, through further enhancing its understanding of decision making roles and processes, and increasing its focus on networking, persuading key decision makers, and building alliances for reform.
* The Secretariat should undertake a stakeholder mapping exercise and use this to support development of an advocacy strategy to influence decision makers in respect of key issues affecting the industry.
* The RIC should demand, and the Secretariat provide, engagement on issues in a more selective way and only issues of high-level policy importance should be presented to and debated in the RIC

## Terms of Reference

The Terms of reference for this assignment draw directly on the original Programme Memorandum, and the recommendations of the 2012 Annual Review. The required outputs are:

1. An analysis of the road sector, which identifies the causes and effects of key constraints to better performance, and the institutional change necessary to address the constraints - using problem tree or other suitable form of analysis.
2. An analysis of stakeholder structure and interest in the sector, and the identification of individuals/groups that would support/oppose institutional change - using stakeholder and force-field analysis or other suitable forms of analyses.
3. An examination of the identified constraints, and associated areas of necessary institutional change, in the light of the stakeholder/ force-field analysis, which provides a realistic assessment of where change may be possible over the next two years.
4. A draft strategy/plan for advocacy activities which draws on all of the above, and is designed to bring about institutional change which will lead to improved performance in the sector.

A copy of the Terms of Reference is attached as Annex 1.

## Methodology

The assignment took place in Uganda between 10 and 26 April 2013. During that period the team interviewed a variety of public sector, industry and civil society stakeholders, and observed one meeting of the Roads Industry Council. A list of persons met is attached as Annex 2.

Interviews and discussions were used to gather evidence to permit a number of interrelated analyses. Figure 1 below illustrates the approach to the assignment.

**Figure 1: Approach to the Assignment**



As Figure 1 shows, the first stage of the process was to identify the critical institutional constraints, and assess the priorities which stakeholders attach to these. The conclusions of the analysis are summarised as a single Problem Tree for the institutional constraints in the sector as understood at present. The institutional causes included in the Problem Tree were then categorised according to whether they were already being addressed by the Crossroads Programme.

A parallel exercise analysed stakeholders’ interests, and their power to affect the issues. This analysis is captured in a high-level institutional map of the sector and a detailed stakeholder matrix.

The Problem Tree identified a large number of possible intervention areas with the potential to ease the institutional constraints to the development of the sector. The stakeholder analysis enabled us to focus on a small number of institutional constraints which were awarded a high priority by stakeholders, and that are not already being addressed under existing technical and capacity building activities of CrossRoads.

As a sub-sector-specific intervention, primarily engaged in fairly small-scale technical assistance and capacity building, and with only approximately 2 years to run, expectations of the programme's ability to bring about institutional change must be realistic. The next stage of the process was therefore to develop criteria and prioritise the list of potential intervention areas to create a realistic shortlist.

Each of the shortlisted intervention areas was evaluated in light of its current status, and a force field analysis was completed to assess the likelihood that change would be possible.

Finally, an outline strategy and action plan for influencing and advocacy was prepared, taking account of Crossroad’s existing Communications Strategy, and specific influencing and advocacy activities already included in technical assistance and capacity building interventions. The influencing and advocacy strategy was developed beyond the specific shortlisted interventions to address developing the RIC role and capability for influencing and advocacy, and forums for engaging industry and citizen stakeholders - both over the remainder of the programme and as a potential platform for post-CrossRoads influencing and advocacy in the sector.

## Report Structure

Section 1 of this report provides the background to the assignment. Section 2 provides a brief overview of the current status of the road sector in Uganda. Section 3 presents the analysis of institutional constraints to the development of the sector, and Section 4 presents the stakeholder analysis. Section 5 develops the shortlist of issues which may be amenable to influencing and advocacy over the lifetime of the programme. Finally Section 6 defines the strategy and outlines next steps.

# Background

## The Political Context

Public goods provision in Uganda is a key pre-occupation both of ordinary people and the political elite. Perhaps more than anywhere else, in Uganda the reputation of an elected politician as a good and capable leader hinges on the degree to which they are able to respond directly to popular aspirations. Roads capture the imagination of ordinary citizens and are a major talking point during interactions between them and their leaders during public meetings - and even more so during campaigns for political office. More than education or health, roads animate Ugandans into rare episodes of activism when they express displeasure at their poor maintenance and demand for improvement from all categories of leaders. Popular pressure on leaders from the President downwards is such that those intending to seek re-election do all they can to be seen to be responsive. Lower-level leaders with neither the means nor the capacity to deliver on popular expectations appeal to members of parliament to finance road building or road repair projects, or pressurise them to lobby the central government to step in. To avoid being seen to do nothing, MPs spend their own money or fundraise from different sources and, when they have run out of options, pressurise the central government to find a solution. During his travels up and down the country, President Museveni usually comes under pressure from ordinary voters asking that their roads be repaired or upgraded to tarmac.

Electoral defeat usually awaits leaders seen as unresponsive to voters’ aspirations or incapable of delivering good roads, while those who deliver through whatever means get themselves re-elected. The connection ordinary people make between leadership and the imperative to build or repair roads (even if it is a false one in the case of lower-level leaders and members of parliament) has turned the road sector into a large source of patronage. In the process, the sector has also become a key victim in the sense that the number of *ad hoc* demands on the Uganda National Roads Authority by political leaders to build or repair this or that road is such that it leaves little scope for methodical planning and execution of plans.

The already difficult situation has been compounded in recent years by the multiplication of demands for roads because of the rapid rate at which districts have been created since 1986 when the country had only 33 districts. Today there are more than 110 districts, each of which, under the law, must be connected to the national road network. It means that as districts grow in number, so does the imperative to build new roads, the pressure political leaders come under to deliver on local expectations and, consequently, the pressure on UNRA to set aside longstanding plans to respond to such ‘emergencies’. For UNRA to plan its work and carry it out methodically, this situation ought to change.

## The Road Sector in Uganda

Roads are very important to landlocked Uganda, which depends on road freight to move 90% of its imports and exports. A fitting prelude to understanding Uganda’s road sector is a survey of the challenges it faces, which have contributed to the unsatisfactory state of much of the road infrastructure across the country. The Government of Uganda, like others elsewhere in the world, lacks the capacity to build and maintain the country’s road infrastructure and has expressed the desire for a strong private road construction and maintenance industry to develop and maintain the road assets. Opportunities in the sector have catalysed the emergence and growth of a large number of private companies eager to claim a part of the market for road construction and repair. Nonetheless, a range of challenges has meant that most of the companies are not able to reach their full potential and become major actors in the sector.

The challenges include lack of access to financing needed to purchase the necessary equipment, bid for large contracts, finance operations, and build up capacity in domains such as business planning and general management. Compounding these challenges is the scarcity of well-trained and skilled human resources including equipment operators and works foremen or site supervisors. Under normal circumstances companies facing difficulties of this kind should expect help from professional associations acting as lobbyists and providers of such services as training. In Uganda, however, such associations are small and weak, not least because they lack financial resources.

There is a ‘chicken and egg’ situation here in the sense that the unwillingness or inability of individual contractors to join professional associations means that the latter cannot raise enough resources to build their own capacity to act on behalf of their members. Their inability to act on behalf of members means that potential members do not join up because they see no advantage in doing so. Consequently, professional associations remain small with only about 10% of their overall potential membership. At the heart of these challenges, it seems, is the inconsistency in the availability of contracts, which reportedly leaves numbers of contractors without work for long periods of time and creates uncertainty about when the next contracts will be rolled out. Consequently, contractors are unable or unwilling to risk investing in equipment, training, and processes whose costs they are not sure of recouping. In addition, it also means contractors may struggle to hold on to any skilled personnel they may have.

Ironically all this is happening against the background of major year-on-year increases in budgetary allocations to the roads sector, from UGX400 million in 2008/09 to UGX 1.6 trillion in 2012/13.[[3]](#footnote-3)

### State of the road infrastructure

Three categories of roads make up the national road network: national (trunk) roads, district (rural/ feeder) roads, and community access (economic) roads. [[4]](#footnote-4)Prior to the recent reclassification there were 10,800 km of national roads, of which 2,870 are tarmac and 7,930 km gravel-surfaced. In addition to connecting major towns and districts, they link Uganda to its neighbours. With the re-classification of approximately 10,000 district roads, national roads have expanded from 9,300 km in 1996 to approximately 21,000km today. The paved national road network has also expanded, growing from 2,200 km or 24% of the national network in 1996, to 2,650 km by 2003 and 3,050 km by 2008.

There are 27,500 km of district roads, of which about 12,322 km is in good condition, 6,161 in fair condition, and 8,939 km in poor condition. They are predominantly gravel and earth surfaced. Estimates put community access (economic) roads at about 30,000 km. They are the small tracks and footpaths linking communities to social and trading centres, and connecting to district and national roads. They are all earth-surfaced and range from 1 to 3 m in width. They are the responsibility of sub-counties, which are sub-divisions of district local governments.

Uganda is reported to have one of the highest overall road densities in sub-Saharan Africa, and the highest secondary road density. For more than a decade the Government of Uganda has made substantial investments in the rehabilitation and maintenance of District, Urban and Community Access Roads (DUCAR). As a result, by 2007 the proportion of district roads in fair to good condition had increased to 65% from 15%in 1990.[[5]](#footnote-5)

A key feature of the road sector in Uganda is the inadequate maintenance of roads. A CrossRoads survey intended to establish the amount of equipment in the country found that both the number of contractors and the amount of equipment are adequate to undertake road maintenance. However, there are other factors that have rendered maintenance of roads such a difficult undertaking. Protracted procurement processes and delayed payments serve to handicap contractors’ ability to complete work on time and to the necessary quality standards. Supervision and quality control are also poor. As a result of these factors, and despite the significant increase in budgetary allocations to the roads sector, the quality of Uganda’s road network leaves a lot to be desired.

### Key players

There are four broad groups of key players in the sector: demand side and supply side players, professional road users and private citizens. On the demand side, at the apex of the sector is MoWT, whose role (since the establishment of UNRA) is policy formulation, and devising and upholding regulations governing the sector’s operations. The role of UNRA and local governments, urban and rural, is procurement of road construction, rehabilitation and maintenance works and services, the Ministry of Finance and Economic Planning (MoFPED) provides funding for the sector through the Uganda Road Fund (URF) for disbursement to road agencies, and the Bank of Uganda through which insurance companies issue performance bonds to enable contractors to bid for contracts. In financing various aspects of the road sector, members of the donor community, particularly DFID, the EU and the World Bank play critical roles.

Supply-side players include all the private contractors and consultants, local and international, supplying road construction, rehabilitation and maintenance works and services. In reality, only a few contractors merit the label ‘key players’, because in reality the road sector is dominated by a small number of large contractors, among them international firms whose financial capacity and endowment of skills and experience is far greater than that of their local competitors. Consequently, they tend to take the lion’s share of large and complex contracts. Between 2001 and 2006, three large foreign owned firms executed 12 out of the 21 major contracts. And out of the 200 firms registered with UNRA, only 8 have the capacity to execute major projects.[[6]](#footnote-6)

In addition to these high-level players, there are other important stakeholders, who operate pretty much off the sector’s radar screen. While the activism of ordinary citizens is not very visible, from time to time there are acts of protest at the poor state of their roads, or bold demands for political leaders to do something about the sorry state of their roads.[[7]](#footnote-7) Although currently such activism is isolated and disjointed, it contains the kernel of what may in future metamorphose into a more widespread and better organised ‘citizens for better roads’ kind of social movement. The Uganda Road Sector Support Initiative (URSSI) is an important first step in this direction, although its capacity is very limited at present.

A fourth category of potential key players is road users. They are the formal associations of major road users such as the Uganda Taxi Operators and Drivers Association (UTODA), the Uganda Bus Owners Association (UBOA), and the Uganda Freight Forwarders Association (UFFA). Members of all three associations suffer heavy losses in terms of goods lost and vehicles damaged as a result of road accidents, many of which are attributed to the poor state of roads in the country. Nonetheless, although potentially influential by virtue of the critical roles they play in moving people and goods, all three associations are conspicuous by their absence from any form of activism intended to catalyse improvement of the quality of roads and enhance road safety.

## CrossRoads Programme

### Overall Structure

A number of factors spurred the development partners to extend assistance to the Government of Uganda through CrossRoads programme. They included slow progress in improving the quality of the country’s roads despite increased funding, and rising concern by the government at not getting value for money. CrossRoads’ vision is of ‘a market system that provides sustainable incentives for actors (public and private) to develop a more efficient and competitive road construction and maintenance industry in Uganda’. The programme uses the market systems approach to design and implement interventions, which recognises the imperfection of markets and the imperative to regulate them to ensure they do not undermine national development objectives. The programme has gained a detailed understanding of the roads market in Uganda and moved to address the major constraints that have hitherto prevented local private contractors from achieving their full potential as service providers.

As described in Section 1 above, CrossRoads has a complex programme structure. A number of separate technical assistance interventions address demand-side reforms, including Policy Adviser support to MoWT, and procurement and capacity building support to UNRA. The CrossRoads Secretariat has direct responsibility for providing technical assistance to the private sector to enable it address critical supply-side constraints and opportunities. It also seeks, within limits, to influence policy targeted at demand-side constraints and the formulation and implementation of pro-private sector policies.

### The Roads Industry Council

The Secretariat works alongside the Roads Industry Council (RIC), which was established at the programme inception. The establishment of the Roads Industry Council was a central part of the original programme concept, which envisaged that the Council would (*inter alia*):

* Act as the Governing Board of the programme, setting the strategic direction of the programme and providing programme oversight.
* Create a platform for public – private dialogue.
* Identify new opportunities and challenges and ensure that the programme responded to these.
* Help to build a larger constituency in favour of reform, advising on which interest groups can help to forge a wider constituency for change, which policy processes are vital to influence, and what key messages would be effective in influencing policy makers.

To date, the RIC has mainly focussed on its programme oversight role, and within that on the detailed scrutiny of detailed and operational monitoring (although it is currently actively discussing ways and means of moving to a more strategic oversight of the programme). An initial attempt to develop the influencing and advocacy role in mid-2012 identified five areas of interest:

* Term contracts
* Labour-based contracts
* MoFPED allocation to the URF
* Subcontracts for national contractors
* DUCAR equipment

Unfortunately the RIC was unable to work on these immediately, but the development of influencing and advocacy work is now a high priority for the RIC – and this report is specifically intended to develop proposals for how this might be done.

### CrossRoads Communications and Advocacy

CrossRoads is already involved in communications and advocacy, both at the programme level, and as an integral part of several of the technical assistance and capacity building activities which the programme is undertaking. A Communications Strategy for the CrossRoads Programme was prepared in June 2012. This focusses on a mixture of communications and advocacy, and a mixture of activities, mostly in support of CrossRoads programme interventions, including:

* Development of internal communications and knowledge management.
* Increasing key stakeholders’ knowledge and awareness of the CrossRoads brand.
* Increasing awareness of the Construction Guarantee Fund.
* Increased awareness among contractors of initiatives to help them manage their businesses.
* Wide scale promotion of the Challenge Fund to potential developers of innovation.

The main communications instruments in use are: the CrossRoads website (which is user-friendly and regularly updated, but is primarily a vehicle for communication about the CrossRoads programme, rather than a tool for broader influencing and advocacy); CrossRoads-branded materials, and regular information dissemination using e-mails, information sheets, advertisements and advertorials.

The Strategy includes some elements of wider sectoral communications and advocacy :

* Improving road-related policy through evidence-based lobbying
* Improving capacity among key stakeholders to run advocacy campaigns

The Strategy recognises the importance of using evidence-based advocacy to influence road sector policy, and identifies the RIC as both an audience and a channel. The strategy envisaged a programme whereby a regular schedule of advocacy issues and activities is placed before the RIC every month, although this has not yet been implemented. This report endorses that approach and specific proposals are developed below.

# Key Constraints to the Development of the Sector

## Institutions and Institutional Change

The term 'institutions' is used in the political economy context to describe the 'rules of the game'. Institutions are more than organisations, and consist of both the formal legal rules and the informal social norms that govern individual and organisational behaviour in the broadest sense. Formally, institutions will include organisational policies and objectives, legislation and regulations, contracts, etc. Equally important are informal (but pervasive) institutions, including social norms, ideological values, social capital, hierarchies, incentives and disincentives for particular individual or organisational behaviours.

Institutional change is usually of fundamental importance to the sustainability of technical changes brought about through development support. Figure 2 below illustrates the relationship between technical change (which can be achieved by development programmes providing technical assistance and capacity building), and institutional change, which can only be brought about by stakeholders with an interest in, and the ability to, alter the behaviour of individuals and organisations.

**Figure 2: A Stepped Approach to Sustainable Change**



Figure 2 demonstrates that the achievement of sustainable change requires a *combination* of technical improvements (for example, improved knowledge and skills, equipment and methods) and actual change in the way stakeholders operate by implementing technical improvements (for example, reorganising budgets, improving compliance with standards and regulations, holding people and organizations accountable for their actions and performance). Figure 2 suggests the need for a series of *sequenced steps* whereby CrossRoads assistance in achieving progress up the technical competence axis, is matched by action being taken by the stakeholders to improve their practice and performance. Without the latter, the benefits of technical support will not be sustained.

## Institutional Constraints in Context

The market systems framework, which informs the work of the CrossRoads Secretariat, emphasises the importance of building interventions upon an analysis of economic, political and social factors, which must include an understanding of actors’ incentives, and how these will be affected and sustained.

Many agencies and authors have analysed aspects of the Uganda road sector over more than 20 years. Early initiatives, such as those promoted by the World Bank at the beginning of the 1990s, highlighted many of the issues which continue to plague the sector today. It was recognised at a very early stage that effective roads maintenance is essential to realise the benefits of investment in the roads asset. But, although this was the subject of an agreement between the Government of Uganda and development partners, maintenance has been continually neglected in favour of roads development projects. While both are necessary, political distortion tends to favour new development over maintenance, and this has led to the situation where Uganda now faces a very substantial backlog of roads which require rehabilitation rather than routine or periodic maintenance.

A number of institutional constraints arise from the current policy environment. Although the National Construction Industry Policy (NCIP) was agreed in 210, implementation has been very slow. With little citizen and road user awareness of, or engagement in, policy development, the NCIP is essentially the product of a technical process. Again, the lack of awareness and engagement of citizens and road users means that there is little pressure for policy implementation. Finally, recent informal policy initiatives and announcements[[8]](#footnote-8) appear to run counter to the private sector-focused intentions of the formally-approved NCIP.

The weakness of the indigenous roads industry is a continuing obstacle to the development of sustainable and national road building and maintenance capacity. National contractors lack the capacity (in terms of access to finance, skills and access to equipment) to compete with international contractors, with the result that Uganda continues to depend on the latter. National consultants have limited expertise and are insufficiently regulated to ensure that they meet professional standards. A strong national contractor and consultant base is particularly important for cost effective maintenance, the majority of which is too small-scale to justify the engagement of international firms. In turn, the weakness of the Ugandan industry obliges Government to continue to deploy its own direct labour workforce to carry out construction and maintenance. Although this may be a short-term necessity, it is clear that it carries the risk of further depressing the development of the Ugandan private sector.

Corruption is endemic in the sector at all levels, and this has the effect of inflating costs and extending procurement and implementation times (which in turn further inflate costs). Corruption is also one of the causes of poor quality design and execution, thereby adding to future rehabilitation and maintenance burdens. With little road user or citizen engagement, the sector has lagged behind others in terms of creating mechanisms for citizen-based accountability.

In an environment of relatively scarce financial resources, the budget for the road sector must compete with other priority sectors identified in the Uganda PEAP, and the recently-announced Vision 2040. Although the roads budget has increased regularly over recent years, only a small portion (which represents approximately 25% of the Fuel Levy collected by the Uganda Revenue Authority) is administered by the Uganda Road Fund (URA) to cover national and DUCAR road network maintenance.

## Complexity of Cause and Effect

With so many institutional constraints, it is particularly important to understand the relationship between cause and effect. Figure 3 overleaf presents a Problem Tree overview of these constraints, and the linkages between them, as identified in discussions with stakeholders.

**Figure 3: Problem Tree Presenting Overview of Constraints**



The problem statement: ‘poor quality road network,' is derived from the Impact statement in the current CrossRoads Logframe. Poor quality is taken to mean that the network is insufficient, and under-maintained.

The effects of the problem are far-reaching, both in social and economic terms. The cost of the poor quality network is borne by road users, including increased expenditure and reduced income, as well as greater safety risks and other social disbenefits. The national economic impacts are significant. For example, the failure to carry out routine and periodic maintenance is diminishing the value of the roads asset, and reducing GDP (potentially by 1% per annum) [[9]](#footnote-9).

The causes of the problem are numerous, and have been clustered in four major areas:

* ***The national road industry is weak***, with many entry barriers and exit pressures on national and local contractors.
  + Contractors bear almost all of the risks of doing business with government in the sector, because of their poor access to finance and under-capitalisation, which means they cannot manage cash flow risks associated with protracted contract procurement and execution and slow payment of approved certificates. Further, they lack confidence in the demand-side systems for procurement, supervision and payment.
  + National and local contractors are crowded out, partly because international contractors are already advantaged (and, although there is theoretically provision to allocate 20% of international contract activities to national contractors[[10]](#footnote-10), this is not enforced). The recent re-emphasis of the Force Account will have the further effect of crowding out, particularly small-scale and labour-based contractors.
  + National and local contractors are relatively unable to compete because of their inability to meet tender criteria, inability to provide guarantees, and general lack of business and financial management skills.
* There are many ***adverse features of the current policy and regulatory environment***.
  + A lack of policy making and planning capacity has delayed policy implementation, and progress to create a number of agencies regarded as essential for strengthening the sector is painfully slow. The sector has also suffered from a lack of reliable information and very limited user or citizen awareness and participation in policy processes. It is openly acknowledged that political distortion (both in terms of *ad hoc* policy shifts and ‘political’ pressure (for example for construction of new roads at the expense of maintenance)) makes for poor policy coherence.
  + Despite the best intentions, the provisions of the Public Procurement and Disposal of Public Assets Act (PPDA), together with other measures to improve transparency and accountability (such as the provision for the Inspector General of Government (IGG) and Solicitor General (SG) to be invoked, and to halt contracting or execution under a variety of circumstances) leads to 'stop-go' contracting and execution.
* Although Uganda has a good record of allocating a substantial budget to road building and maintenance, ***certain features of the funding environment are a major constraint***.
  + Of particular concern is the under-allocation of resources to maintenance, which is compounded by the transitional stage of development of the URF, which means that the funding provisions are currently insufficient.
  + More broadly, there is a poor linkage between roads programming (which, of necessity, is a multi-year effort and requires consistent flow of funds) and the national planning and budgeting system.
  + Finally, late and unpredictable releases have a number of serious consequences, including: exacerbating the underfunding of maintenance (which tends to be left until funds are available); delaying contracting and execution, and protracted execution, which in turn increases costs (through legitimate claims for increased costs), and adding to the excessive level of risk borne by contractors.
* Many factors contribute to ***poor quality construction, rehabilitation and maintenance***.
  + Planning and design are hampered by a lack of innovation, so that the benefits of new technology, materials and methods are not fully realised. This is compounded by a lack of professional and technical capacity, leading to a shortage of competent consultants. Weak professional bodies mean that there is no obvious forum to develop consultants’ expertise, register competent consultants, and enforce professional standards and ethics, with the result that there are few sanctions for poor planning and design.
  + Three factors impact on poor execution:
    - The lack of vocational skills is caused by a lack of training and accreditation capacity (and this is compounded by a lack of industry stakeholder coordination). As a result there are few competent contractors, and this allows a significant space for 'briefcase contractors' who are able to win contracts, despite their lack of capacity to do the work.
    - Physical resources are also problematic: there is a shortage of suitable materials, and patchy access to equipment[[11]](#footnote-11).
    - Finally, execution is not adequately supervised, partly due to a lack of professional and technical supervision skills, and also because of weak reporting mechanisms, and poor enforcement of reporting requirements.

## Institutional Constraints Already Addressed by CrossRoads

Knowledge of the institutional constraints is not new, and CrossRoads has already been addressing a number of the constraints since its inception. Figure 3 therefore highlights those constraints which are already being addressed by programme activities.

Under Output 1, CrossRoads is working with the public sector on key institutional constraints in the policy and regulatory environment and, to a lesser extent, in the funding environment, by:

* Working to supplement policy making, strategy development and planning capacity, and encouraging policy implementation through the activities of the Policy Adviser to MoWT.
* Addressing the problems with the procurement process by assisting UNRA to obtain approval to operate a more appropriate process, and improving the credibility of tender evaluation through the independent parallel bid process (IPBE) with a view to discouraging mischievous complaints by unsuccessful bidders.
* Working to improve linkages between roads sector programming and national planning and budgeting through supporting the development of the Third Roads Sector Development Programme (RSDP3).

Under Output 2, CrossRoads is working extensively with the private sector to address the weakness of the national road industry, and the causes of poor quality construction, rehabilitation and maintenance, by:

* Reducing barriers to entry by, and exit pressures on, national contractors, by training banks to encourage lending, and providing a considerable volume of business and financial management training to contractors. The establishment of the Credit Guarantee Fund (CGF) is already a notable success, and not only improves contractors ability to provide guarantees, but may also ease the problems of undercapitalisation by reducing the level of contractors’ own funds which are tied up in guarantees and bonds .
* Improving innovation in the sector, through the mechanism of the Challenge Fund, which is encouraging and supporting innovation in materials and methods. Crossroads is also preparing to promote and strengthen the capacity for effective labour-based contracting (which is also potentially an important mechanism for improving the livelihoods of the rural poor through access to work).
* CrossRoads is undertaking extensive training to improve technical, professional and vocational skills in order to improve execution and supervision. This includes high-level professional training for graduate engineers and a variety of vocational training initiatives for site supervisors, plant operators and mechanics.
* To support the sustainability of training activities and improved capacity, CrossRoads is working to build the capacity of the professional association, especially the Uganda National Association of Building and Civil Engineering Contractors (UNABCEC) and the Uganda Association of Consulting Engineers (UACE).

In addition to the direct impact on these constraints, work under Output 1 is also contributing indirectly to addressing industry coordination (through work with industry associations) and improving citizen awareness (through the Road User Satisfaction Survey (RUSS)).

## Important Constraints Which Are Not Currently Being Addressed

While it is clear that CrossRoads is doing well at addressing those constraints which most directly relate to the programme's technical assistance and capacity building activities, it is apparent from discussions with stakeholders that a number of other constraints are critically important in the wider institutional landscape, but are not amenable to technical interventions alone. These are discussed in detail in Section 5 below.

# Stakeholder Analysis

## Background and Approach

Annex 3 summarises the findings from the stakeholder interviews. It covers a variety of information, including:

* Information about the organisations (main functions, role, current initiatives, priorities and Interests).
* Information about the organisation's current relationship with CrossRoads and perception of CrossRoads capacity and credibility for influencing and advocacy.
* The organisation's opinion about the institutional constraints in the sector which should be a priority for Crossroads' influencing and advocacy activities.
* Information about the organisation's sources of influence, and it's potential either to support or prevent the achievement of Crossroads outputs and outcomes.

The roads construction industry and its stakeholders are highly diversified, with a large formal and informal membership. As many stakeholders as were available were interviewed to obtain a broad cross-section of interests. As CrossRoads’ mandate is concerned mainly with tackling supply-side constraints, it was imperative that the selection of stakeholders comprised significant representation from the private sector. Also represented were public sector (demand-side) representatives, Members of the RIC were a very important sub-group. Other respondents included media, civil society and donor representatives, and a road users’ group. On the donor side, representatives of the World Bank and DFID were interviewed.

Although most of those interviewed cannot be said to be ‘representative’ of their respective constituencies in the strict meaning of the term, the team is confident that the views collected reflect thinking within the broad roads industry and its stakeholders. This conclusion rests on the high degree of consistency in the priorities identified through in-depth, mostly one-on-one interviews.

## Key Findings from the Stakeholder Mapping Exercise

There was a surprising degree of consistency in the priorities identified by stakeholders. Opinions were almost universal in three areas. On the whole, respondents working in the road sector on both the supply and demand side expressed dissatisfaction about the long-delayed implementation of the NCIP and keenness to see it implemented without further delay. There was a general feeling that the delay in its implementation was holding back a lot of important developments, such as the establishment of UCICO, which, they believed, would help eliminate a number of problems, including ‘brief-case contractors’ widely blamed for undermining standards in the industry. Road sector public and private sector respondents also felt procurement processes must be speeded up to allow for more contracts to be awarded and for contractors to access more work than is currently available. Finally, there was general agreement that the imbalance between funding for maintenance and construction was a major factor in the deterioration in the quality of Uganda’s road network as well as the large backlog of maintenance work, and respondents were keen to see this remedied.

While respondents agreed about the constraints which were important, there were some differences of opinion about the best way to deal with these. The increased reliance by the Government and UNRA on the use of the Force Account elicited divergent views, with the demand-side asserting that weaknesses on the supply side, including overpricing and poor delivery were to blame, while those from the supply-side tended to regard this as evidence of the government’s undermining of its own policy of encouraging private sector participation in the industry, and damaging the intention to build the capacity of contractors that are still growing. Also, while demand-side actors portray the apparent policy shift as temporary and intended merely to tackle the large maintenance backlog over the next five years, supply-side actors regard it as the thin end of a wedge that will eventually edge them out of a substantial component of work.

There were also divergent opinions about the underlying causes of the protracted procurement processes in the road sector. Supply-side actors attribute them to corruption within a number of public sector agencies. However, those within the agencies are able to provide detailed accounts of the technical difficulties, including PPDA regulations, which render fast procurement processes impossible at present.

A striking finding pertains to limited access by road users, media and civil society groups to detailed information about the roads industry as a whole. These actors express dissatisfaction about the state of the country’s road network, a state of affairs that ordinarily would spur them into some kind of activism. Lack of access to information, however, diminishes the chances of such activism emerging and contributing to efforts to improve the quality of the country’s roads as well as removing the blockages that currently undermine them.

A key question for actors in the roads industry concerns CrossRoads’ capacity and credibility as a catalyst for positive change through advocacy. There is a reasonable degree of consensus about its technical track record and the necessity for it to maintain a low profile while allowing RIC to take the lead, which would in turn raise the latter’s profile as a major local actor poised to assume an activist role for the long term. Meanwhile CrossRoads, as an entity with a predetermined end-point, is seen as suitably placed to achieve success in connection with its current work focusing on supply-side issues, rather than on a much bigger platform tackling deeper institutional and in a sense political aspects of the roads industry.

## Stakeholder Map of the Roads Sector

Figure 4 below presents a simplified organisational map of the sector, indicating the nature of the potential influencing and advocacy relationships between key stakeholders. Formal relationships are defined between the various public sector organisations (already operational or planned). In addition, the Parliamentary Committee on Physical Infrastructure is the mechanism for democratic oversight of the roads administration, the Roads Sector Working Group provides an advisory forum for MoWT, The RIC is intended to complement these mechanisms as a forum for the industry to engage with sectoral issues and express its views.

**Figure 4: Simplified Sector Map**



# Setting a Realistic Agenda

## What’s Possible and What's Not

Section 3 above presented the institutional constraints defined in the sector and highlighted those which are already being addressed by CrossRoads communication and advocacy initiatives alongside its technical assistance and capacity building. However, many of the most intractable institutional constraints are not amenable to technical 'fixes' and require a different approach. It is important for the programme to be realistic about the extent to which it can undertake broader influencing and advocacy activities for institutional change - in terms of its mandate, credibility with stakeholders, and resources available.

The dialogue with stakeholders during the mapping exercise described in Section 4 above was designed to narrow the agenda for influencing and advocacy by identifying those institutional constraints which stakeholders believed to be a high priority, and where CrossRoads could play a constructive role to help bring about change. Figure 5 below highlights the Problem Tree constraints which were identified as possible candidates for influencing and advocacy activities.

The criteria which were used to assess and prioritise these issues are as follows:

* A high priority for stakeholders: the stakeholder mapping exercise established which stakeholders were interested in the issue and whether stakeholders were in a position to contribute to influencing and advocacy activities.
* Within the programme mandate and competence: in particular, whether the RIC has relevant expertise and credibility to address the issue.
* Complementary to, and creating synergy with other existing or planned CrossRoads technical advice and capacity building initiatives.
* Not the subject of significant influencing or advocacy activities being undertaken by other stakeholders.
* With good potential to achieve ‘progress’ within the available resources before the end of the CrossRoads programme. In view of the limited time and resources available, progress is modestly defined as:
  + Generating reliable and credible information about the issue to facilitate debate among stakeholders.
  + Packaging and communicating information to permit an evidence-based dialogue.
  + Raising the awareness of stakeholders, to the point where there is momentum to resolve the issue.
  + Engaging with key decision makers to bring the issue and the evidence to their attention.

Table 1below assesses each of the possible candidates for influencing and advocacy activities against these criteria and presents them in order of priority. The table indicates the extent of progress which may be possible for each possible intervention (from generating information through to engaging decision makers). Finally, a possible approach to the influencing and advocacy activities is suggested for each possible intervention.

## Force Field Analysis of the Possible Intervention Areas

While Table 1 shows a high level of stakeholder convergence around the possible influencing and advocacy intervention areas, there are a variety of forces which are likely to work in favour or against change. Table 2below summarises the results of a Force Field Analysis which identifies the main forces working for and against change for each possible intervention area.

**Figure 5: Possible Areas for Influencing and Advocacy**



**Table 1: Possible Areas for Influencing and Advocacy**

| **Possible interventions in priority order** | **Stakeholder priority?** | **RIC**  **man-date** | **Synergy with other CrossRoads work** | **Being done by Others** | **Potential for progress in 2 years with available resources?** | | | | **Approach to addressing the institutional constraints** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Information and**  **evidence** | **Commun-ications** | **Stake-holder aware-ness** | **Engaging decision makers** |
| Improving the allocation of funds to maintenance | Yes  (all) | Yes | RIC agenda  MoWT Policy Advice | No | √ | √ | √ | √/? | This is already underway. The RIC is to receive a briefing paper and will consider how best to disseminate. |
| Facilitating discussion on managing interim reliance on the Force Account | Yes  (all) | Yes | Equipment pool  Strengthening contractors | No | √ | √ | √ | √/? | This is a politically sensitive issue, as there are major differences of opinion. The focus should be generating hard information and facilitating consensus. |
| Improving private sector confidence in demand-side planning, procurement and supervision | Yes  (contractors, UNRA, consultants) | Yes | Contractor capacity  ASI  IPBE | No | √ | √ | ? |  | There is scope to improve this by facilitating provision of information and stakeholder familiarisation. |
| Improving compliance with allocating 20% and 30% of international contracts to local sub-contractors consultants respectively | Yes  (contractors, consultants MoWT) | Yes | Not immediately | No | √ | √ |  |  | This is included in the NCIP and theoretically operational. Research to establish the situation can be followed by dissemination and publication. |
| Facilitating discussion on reducing the scope for briefcase contractors | Yes  (all) | Yes | UNABCEC  ASI  IPBE | No | √ | √ | √ |  | Research to establish the situation, and the extent of the problem, should lead to papers and briefings as the first stage. |
| Improving industry stakeholder coordination | Yes  (all) | Yes | Contractor training | No | √ | √ | √ |  | Scope to improve by convening and facilitating wider stakeholder discussions on benefits etc. |
| Facilitating discussions around improving policy coherence at the national and local levels  (extremely sensitive) | Yes  (all) | Yes | MoWT Policy Advice | Uncer-tain | √ | ? |  |  | At national level: review of policy implementation, discussion papers and informal briefings. At local level: research and case studies to establish extent of pressure/ distortion followed by discussion papers, and informal briefings. |
| Improving citizen and road user awareness of and participation in sector issues | Uncertain  (some interest) | Uncer-tain | RUSS  Road Act and  Road Safety Awareness | Uncer-tain | √ | ? |  |  | Possibly wider than RIC mandate.  Could: convene wider user forum; run ‘roadshows’; media. Also consider more civil society and road user representation |

**Table 2: Summary of Force Field Analysis**

|  |  |  |
| --- | --- | --- |
| Forces **for** Change | Possible interventions | Forces **against** Change |
| * General understanding of the economic case for maintenance. * Some signals of readiness to address the maintenance backlog. * Development partner pressure. * Isolated signs of road user dissatisfaction. * Prospective budget increase. | Improving the allocation of funds to maintenance | * Very limited allocation of earmarked funds for maintenance. * MoFPED resistance to increasing funds/allocating a greater proportion of the Fuel Levy. * Political interest in prioritising new construction over maintenance. * Lack of capacity (in the widest sense - meaning skills, resources, organisation and systems) for the work. |
| * NCIP clearly indicates the intention to develop the private sector. * Vision 2040 reinforces the requirement for infrastructure and private sector growth. | Facilitating discussion on managing interim reliance on the Force Account | * Perceived lack of capacity and poor contractor performance. * The urgency of maintenance and rehabilitation is increasing. * 'Direct delivery mindset' / resistance to change of some public servants. * Some public policy statements in favour of Force Account. |
| * General agreement that processes are unwieldy and protracted. * Work underway to reform, procurement process. * Work underway to improve contract execution and supervision processes in UNRA. * Contractors and consultants are keenly interested in changes to the process. | Improving private sector confidence in demand-side planning, procurement and supervision | * Vested interests in maintaining the current process, which provides rent seeking opportunities. * PPDA, IGG or SG resistance to what may be perceived as reductions in control and scrutiny * Resistance to changing procedures among some public servants. |
| * Policy statements recognise the need for growth of the national construction industry. * Current presumption that 20% of contracting and 30% of consultancy will be subcontracted to national companies. * Benefits for international companies in working with local partners. | Improving compliance with allocating 30% of international contracts to local sub-contractors | * Lack of transparency and scrutiny means that it is difficult to assess whether promised levels of sub-contracting are actually achieved during implementation. * Vested interests may collude with international contractors to obscure compliance. * International contractors may be unable to sign sufficiently competent national partners |
| * Public and private sector stakeholders agree on the problems caused by briefcase contractors. * Improvements to procurement and supervision should reduce the success rate of briefcase contractors. * NCIP and UCICO Bill already reflects plans to improve registration and control of contractors. | Facilitating discussion on reducing the scope for briefcase contractors to operate | * Vested interests will resist changes which prevent briefcase contractors from tendering successfully. * There may be incentives for public servants to collude with briefcase contractors (perhaps particularly at district and sub county levels?) * The delay in finalising the UCICO Bill is likely to block progress on registration, etc. |
| * Representative associations recognise the need for coordination to improve leverage. * The existence of the RIC provides a foundation for dialogue. | Improving industry stakeholder coordination | * Underlying competition on suspicion between contractors, and consultants may discourage open exchange of information. * Individuals or organisations may be unwilling to devote time to coordination activities because of the lack of immediate direct benefits. |
| * General agreement that the NCIP should be implemented as soon as possible. * Current policy development and strategic planning initiatives add momentum. * High degree of consensus between senior public and private sector stakeholders on the need to develop the national construction capability. * Expressed desire to reduce political pressure on public servants in favour of particular 'off-plan' construction and maintenance activities. | Facilitating discussions around improving policy coherence at the national and local levels | * Lack of engagement with senior decision-makers. * Limited opportunities to present evidence-based policy. * Volatile informal policy environment. * Unwillingness to challenge political pressure. |
| * Some signs of informal citizen/road user activism on specific road issues. * Models for citizen/service user participation in other infrastructure sectors Considerable degree of media interest. * Existence of the RIC and the Sector Working Group provide starting points. | Improving citizen and road user awareness of and participation in sector issues | * Current stakeholders may have limited perception of the benefits of wider participation. * Limited experience of wider participation in sector policy making. * Limited knowledge of the sector among civil society organisations. * Transport associations and other corporate road users may be unwilling to devote time to coordination/consultation activities because of the lack of immediate direct benefits. |

# Towards an Influencing and Advocacy Strategy and Programme

## Defining Influencing and Advocacy

The focus of this report has been on identifying opportunities for the CrossRoads programme to expand its influencing and advocacy activities in an effort to address institutional constraints to change in the road sector. The analysis takes as its starting point the identification of the constraints, and sifting these to separate out those which are within the mandate and competence of the programme, and could therefore provide an agenda for engagement in the remainder of the programme lifetime.

However, the programme has two decisions to make: ***which*** institutional constraints to attack; and ***how*** it should go about this. Before defining an influencing and advocacy strategy, it is important to define the meaning of the words ‘influencing and advocacy’ as they can be applied to the CrossRoads engagement.

There are three distinct models of influencing and advocacy:

* ***Communications and information dissemination***: this is based on the premise that stakeholders require sufficient credible information about the issues under debate to be able to form an opinion and determine what action is necessary. Tools available for these activities include publishing factual information in a wide range of forms depending on the ‘audience’, providing briefings, conducting information sharing events, using websites and online communities, etc.. The methods can be used for small and large audiences, at any level from individuals and communities to parliaments and heads of state. This mode of influencing and advocacy is not restricted to provision of information - convening and facilitating dialogue between stakeholders to share their own information is an important aspect.
* ***Evidence-based influencing and advocacy***: this is usually concerned with disseminating the findings of research. This is based on the premise that institutional change can only be brought about when the characteristics of the current situation are properly understood and credible evidence is available to all stakeholders. A good CrossRoads-specific example is disseminating the findings of the plant survey which provided factual information challenging the generally-accepted view that there was insufficient plant in Uganda.
* ***Political influencing and advocacy***: is concerned more directly with influencing policy makers through a variety of activities, ranging from formal and informal briefings to ‘campaigning’. There is an important place for briefing influential stakeholders in order to gain their interest and engagement with the issue to be addressed. However, moving beyond briefing to lobbying (through informal channels) or campaigning (through formal public channels) for a particular outcome is a political process.

## A Role for Crossroads in Influencing and Advocacy

As a technical assistance programme, Crossroads has an ‘expert’ niche, and this is supplemented by the collective expertise and experience of the RIC members. It is therefore well-placed to communicate and disseminate sectoral information with authority, and to generate and use research evidence to influence the institutional constraints. Further, it is legitimate for the RIC collectively, and through its individual members, to use its networks to brief influential stakeholders and decision-makers about issues of concern. This should not, however, extend to lobbying for a particular outcome or position. To do the latter would be to prejudice the credibility of the RIC and the programme itself as 'honest brokers' in the sector.

The influencing and advocacy work conducted under Crossroads should be clearly seen as the role and responsibility of the RIC. As a short-term externally-funded programme, it is inappropriate for the Secretariat to lead a process of addressing institutional constraints. The RIC derives its ability to influence and advocate for change from a number of sources:

* The RIC has a degree of delegated authority, through its letters of appointment from the Minister. It is therefore legitimately empowered (at least for the present) to convene sector stakeholders, and to speak on their behalf, as well as in its own right.
* Because many of its members represent wider constituencies, the RIC potentially has an important convening role to bring together a larger groups of sector stakeholders, and facilitate dialogue between them. (This is also important for strengthening voice and accountability in the sector, which is discussed in more detail below.)
* The RIC has an enormous amount of individual and collective expertise and experience of the sector, which means that the views of its members are authoritative.
* RIC members have wide networks, which enable them to reach stakeholders and decision-makers, both to canvass views and provide briefings.
* Through the CrossRoads programme, the RIC has access to a wide range of information, and has the resources to commission research where further information is required.

## The Importance of Influencing and Advocacy

To date, CrossRoads has been very successful in a number of technical areas, especially in the private sector. The establishment of the CGF, the professional, vocational and financial and business management training, the establishment of the consultant and contractor databases, plant survey, Road Users Satisfaction Survey (RUSS), and the early indications that the Challenge Fund will successfully stimulate innovation are all very positive. There has also been useful (if more limited) technical progress in the areas of policy and regulation (notably working to achieve accreditation from PPDA, the IBEP, and policy and strategy advice to MoWT). This record of worthwhile technical interventions is important to give the programme a credible and authoritative voice to influence the sector.

Many of these technical achievements also address institutional constraints in the sector, as shown in the Problem Tree at Figure 3 above, but the programme recognises that many of the major constraints to bringing about sustainable change in the sector are not directly amenable to change through CrossRoads technical advice and capacity building alone. Hence the need to mobilise the resources of the RIC through a programme of influencing and advocacy activities, including all of the models described above.

The market systems framework, which informs the work of the CrossRoads Secretariat, emphasises the sustainability of interventions to ensure results endure beyond the programme’s life. From the programme perspective the critical justification for developing a programme of influencing and advocacy lies in the need to pursue sustainability of the gains made through technical advice and capacity building activities: without this, the programme will not achieve the desired impact.

In all technical assistance and capacity building programmes, the first phase is naturally dominated by delivering ‘concrete’ activities. However at the mid-point of the programme, the question of sustainability of the gains from these activities must be addressed. Where they lie within its control, CrossRoads is making efforts to ensure the sustainability of the specific technical changes and capacity building which it is bringing about. In particular, building the organisational capacity of UNABCEC and UACE should secure the sustainability of capacity building efforts and the maintenance of sectoral information databases; establishing a commercial plant hire pool will improve access to plant and equipment after CrossRoads has come to an end, and the CGF is a notable success and already appears sustainable. Other CrossRoads activities are not intended to be directly sustained, although mechanisms for continuation will be sought between now and the end of the programme (for example, the legacy of the RIC, and the legacy of the Challenge Fund).

However, the sustainability of isolated improvements is prejudiced by the more fundamental institutional constraints in the sector. Perhaps the most obvious illustration of this is that, without implementation of the NCIP, then the wider institutional context for sustaining a range of improvements, including the registration of contractors and consultants, direct provision to support continuing capacity building efforts, and maintenance of the industry forum piloted by the RIC will not exist. There is therefore a direct relationship between addressing the more fundamental institutional constraints and improving the prospects for sustainability of the programme gains after the end of CrossRoads.

It is important not to over-claim that an expanded programme of influencing and advocacy activities can secure sustainability by removing the more fundamental institutional constraints in the sector. As the Problem Tree shows, many of the issues are complex and have appeared intractable for a considerable period of time. They require institutional change, not only throughout the roads sub-sector, but also beyond that - in the construction sector as a whole, and in the wider government environment (including financial management, performance management, and transparency and accountability improvements). However, an expanded influencing and advocacy effort can contribute to improve sustainability in two ways:

* By improving information, raising awareness and engaging decision-makers on the specific constraints identified in the Problem Tree and Table 1 above, using information dissemination, evidence-based and political influencing and advocacy as appropriate.
* At the same time, using the information dissemination and evidence-based influencing and advocacy activities to create a constituency and momentum to continue influencing and advocacy for change in the sector after the end of the programme through building strong coalitions, broadening stakeholder engagement (for example, by including more civil society and road user representatives), and bringing a wide range of stakeholders together in a variety of ways.

## Elements of the Strategy

In the light of the above analysis, it is proposed that a CrossRoads influencing and advocacy strategy would be comprised of five elements. The first three of these are the essential minimum which should be included in the influencing and advocacy strategy. They are:

***Element 1:*** Building the profile of the RIC as an authoritative and objective voice for the roads sector.

***Element 2:*** Undertaking a specific programme of RIC-sponsored influencing and advocacy activities to address the shortlist of institutional constraints described above .

***Element 3:*** Coordinating other CrossRroads influencing and advocacy activities which are being undertaken as part of individual technical packages.

Should CrossRoads decide to adopt a conservative strategy, then these three elements would improve the potential sustainability of the specific Crossroads technical interventions and make a modest contribution towards altering the balance in favour of institutional change in the sector.

However, CrossRoads may have the opportunity to build upon these three elements in an effort to build the constituency and increase the momentum for institutional change in its own right. This could potentially leave a more lasting legacy of stakeholder interest and engagement after the end of the programme. Should CrossRoads decide to adopt a more ambitious strategy, then either or both of two further elements could be included in the Influencing and Advocacy Strategy:

***Element 4:*** Creating a wider constituency of interest and broadening stakeholder engagement during the remaining lifetime of CrossRoads.

***Element 5:*** Exploring the potential for developing sustainable mechanisms for stakeholder representation and advocacy which would continue after the end of the programme.

All five elements are discussed in more detail below.

### Building the profile of the RIC

As described above, the RIC has, to date, emphasised its role in approving and overseeing CrossRoads intervention packages. Although appointed by the Minister and with an acknowledged role to develop a platform for public – private dialogue and help build a larger constituency in favour of reform, this has not formed a significant part of the RIC's work to date. As a result, the Council currently has a low profile, and those who are aware of it presume that its responsibilities are limited to acting as a steering committee for the CrossRoads programme.

To date, Crossroads branding has emphasised the programme itself, rather than the RIC, yet it is clear that a short-term externally-funded development programme cannot act as a direct influencer and advocate in its own right. If the RIC is to play the role originally envisaged for it, Crossroads must invest in raising the RIC profile and ‘brand’ as soon as possible. This may simply be a matter of designing and deploying new materials which emphasise the RIC rather than CrossRoads. The CrossRoads Communications Team should advise on this and other measures to raise the RIC profile.

In addition to 're-branding' , the RIC profile will be raised as a matter of course as the Council implements other elements of the Influencing and Advocacy strategy, particularly Element 2 and Element 4.

As the RIC begins to develop its new influencing and advocacy role, it may be appropriate to review the membership of the Council. At present, although the Council is fairly large, the membership includes three representatives of development partners, three public sector representatives (including the Chairperson and Vice-Chairperson), one UNABCEC representative, one representative each from UACE and UIPE, and one representative each from the wider roads industry and civil society. It is clear that development partners cannot play a direct role in influencing and advocacy activities, and so their presence on the RIC immediately compromises its credibility in this role. The Council may also find it useful to co-opt other members to improve its access to particular groups of stakeholders and decision-makers, even if they do not have direct representational roles in the same way as current members.

The Council may therefore wish to consider altering the balance of membership, or introducing additional members to strengthen representation of, for example, civil society and road users. This may not be seen as desirable in view of the dual role of the RIC, which will continue to provide CrossRoads direction and oversight as well as developing the new influencing and advocacy role. In that case, the Council may wish to consider the merits of separating these two roles, to enable it to draw on a different, or slightly wider group of members to support influencing and advocacy activities.

### Specific programme of RIC-sponsored activities

Section 5 of this report identified a shortlist of eight specific intervention areas where the RIC could undertake influencing and advocacy activities. For each intervention area, a possible approach is outlined in Table 1, and Table 2 provides a brief analysis of the likely forces for and against change. These proposals should form the basis for a structured programme of RIC consideration and action. As a first step, the RIC should consider the proposed intervention areas and approaches, and decide whether to include each area in their programme. It may be helpful to construct a specific Problem Tree to further analyse the individual problems underpinning each intervention area. A Force Field analysis could then be developed for each of these lower order problems to assist the RIC in deciding how to approach the influencing and advocacy task.

A specific Plan of Work should then be prepared for each of the areas which the RIC decides to work on, including:

* Identification of preparatory work, particularly the RIC's information needs (including any necessary research to be commissioned).
* The type of influencing and advocacy to be undertaken (i.e., communications and information dissemination, evidence-based, or ‘political’).
* The target 'audience' for influencing and advocacy.
* The specific activities which should be undertaken (e.g., production of briefing papers, formal or informal one-to-one briefings, press or other media, convening interest groups, etc.)
* A timetable and budget for the work.
* Specific assignment of responsibilities (e.g. for gathering information, preparation of briefing and other papers, giving briefings, convening meetings, etc.)

In order to ensure that the RIC is able to focus on its influencing and advocacy work, the Council should draw up a comprehensive one-year programme, with deadlines and milestones linked to its regular meeting dates. This will enable influencing and advocacy to be treated as a routine part of business rather than as an opportunistic activity, and will also provide the RIC with a framework against which it can measure its progress.

### Coordinating other CrossRoads influencing and advocacy activities

Sections 2.3 and 3.4 above describe some of the influencing and advocacy activities which Crossroads is already undertaking, either as part of the general CrossRoads Communications Strategy, or as an integral part of the work included in specific technical assistance and capacity building activities. These should continue as currently planned. However, a reporting framework and schedule should be prepared to assist the RIC to maintain an overview of all influencing and advocacy activities, and, since there will be a significant increase in the volume and range of activities, to ensure that synergies are exploited and potential conflicts are identified and avoided.

### Creating a wider constituency of interest

Moving beyond the basic elements of influencing and advocacy, the RIC should give consideration to undertaking activities which widen the constituency of interest in the roads sector.

The stakeholder mapping exercise revealed the limited extent to which stakeholders, other than the (public and private sector) technical roads specialists, understand either the structure of the sector or the issues which it faces. The roads sector would benefit from engagement of a larger number and more diverse group of stakeholders, including road users and civil society, as well as representatives of industry and the wider public sector. This would bring fresh viewpoints into the debate, improve awareness of sectoral constraints, increase the momentum for advocacy, and provide a potential resource to support planning and accountability. The RIC has the opportunity to encourage this broader engagement during the remainder of CrossRoads by sponsoring and facilitating wider dissemination of information, and by periodically, convening information-sharing and other events for larger and more diverse groups. The selection of suitable topics for dissemination or for events should be determined as part of developing the Influencing and Advocacy Programme, as described above. Possibilities may include:

* An annual 'Roads Sector Status Report'. This could take the form of a self-assessment exercise, using an existing or specially-developed template to enable participants to share their understanding of sector performance and issues. (CrossRoads already has knowledge of two existing templates which could be modified to provide a framework for participants to undertake a self-assessment of the sector, or a new purpose-made template could be developed.)
* An annual sharing of the outcomes of the Road Users Satisfaction Survey (RUSS), to enable stakeholders to review changes in users' perceptions of the resource.
* An event to review the annual sector plan and budget.
* An event to familiarise stakeholders with the intentions of the NCIP and the other policy, legislative and structural changes which are planned.
* Further events to share proposed changes in the Roads Act (building on the Road Act Awareness consultative meetings currently being led by URSSI).

These activities should be carefully planned and targeted. This will include a process of identifying stakeholders who could usefully be involved, and reaching out to them in advance, rather than sending literature or issuing invitations via a general mailing list. The emphasis should be on 'starting small'. Successful engagement of another 50 'serious stakeholders' in the sector through these activities would be of more value than achieving large 'one-off' attendances at a workshop or conference. In addition, these activities should be carried out, so far as possible, in collaboration with those civil society organisations which have the potential to facilitate more organised citizen engagement in the sector, as a means of building their capacity and improving the sustainability of future civil society engagement.

### Beginning a process of planning for post-CrossRoads representation, influencing and advocacy

it was originally envisaged that the RIC might serve as the forerunner to UCICO. In this eventuality, the majority of stakeholders have assumed that the RIC would cease to exist at the end of the CrossRoads programme, and that its representational functions would be subsumed into those of the UCICO board. Although the UCICO Bill has been prepared in draft, a certificate of financial implications is still awaited from MOFPED, and no definite timetable for the establishment of UCICO has yet emerged. There is therefore a risk that CrossRoads will come to an end before a successor body is operational.

More importantly, it must be understood that the UCICO board will be fundamentally different in nature from the RIC. Essentially, the board will be part of the supply-side organisational framework, directly responsible to the Government for the implementation of the NCIP. Although it will undoubtedly include some non-public sector stakeholder representatives, its main preoccupations will be overseeing public service strategy and operations, and ensuring compliance with the provisions of the UCICO legislation. This is in contrast to the RIC which, because of its detachment from the public sector, can genuinely be seen as a non-partisan 'honest broker' able to convene and coordinate the engagement of the roads industry. In this role the RIC is better able to change attitudes, encourage ownership and build coalitions - none of which are possible for the board of a public sector commission (or indeed for a public sector-sponsored working group ).

Of course, the sustainability of such a body after the end of CrossRoads would require careful consideration. One option would be for it to register as an NGO, and it might be wholly or partly funded by Government[[12]](#footnote-12), or by a combination of Government funding and subscriptions or fees for services (which could range from publishing discussion papers, briefings and research, to hosting workshops, conferences and other events on a semi-commercial basis). However, it is too early to explore possibilities for the continuation of an independent RIC in some form, as ultimately such a body will only be sustainable if public and private sector stakeholders are satisfied that it fulfils a useful purpose, and are therefore willing to support it. That thesis cannot be tested until the RIC has demonstrated its value by operating for a period as a high-profile influencing and advocacy body. It is therefore proposed that the RIC should review this matter after at least one year of operating the new Influencing and Advocacy Programme, to:

* Assess whether there is support for the establishment of a more permanent arms-length convening body.
* Explore options for its establishment, governance, and financial sustainability.

This concept can be extended further. While the RIC has the potential to play a valuable role convening the industry, it does not currently have broad road user and civil society representation. One option is for an independent successor body to the RIC to have much wider membership, but this would reduce its ability to focus on the technical issues which concern the supply and demand-side actors in the industry. There might therefore be value in encouraging the development of a second independent body, primarily made up of road users and citizens, as a means of improving voice and accountability and citizen service engagement. It can be argued that both are necessary to foster a healthy degree of stakeholder engagement in the roads sector. Figure 6 below shows how a future 'influencing and advocacy map' of the sector might appear, with these two independent bodies, complementing the other representative structures (the Parliamentary Committee on Physical Infrastructure, the Sector Working Group, and the UCICO Board). This results in a balanced environment with representation from citizens and service users, as well as supply-side, demand-side and democratic oversight.

**Figure 6: Possible Future Influencing and Advocacy Map of the Roads Sector**



This is a longer-term vision and it is ***not*** suggested that the RIC should attempt to bring it about within the remaining lifetime of the CrossRoads programme, however, the RIC might help to create favourable conditions for this vision by actively working to improve road user and citizen representation, and raising the question of future representation when the opportunity arises during its new influencing and advocacy activities.

## Next Steps to Implement the Strategy

There are three immediate tasks to implement the proposed Influencing and Advocacy Strategy contained in this report:

* RIC considering and approving the Influencing and advocacy.
* Raising the profile and ensuring the RIC is correctly configured to implement the strategy.
* Developing a single one-year rolling Influencing and Advocacy Programme which includes all of the elements and acts as a planning and progress monitoring tool for the RIC.

Table 3 below provides more detail on each of the next steps which are necessary to enable the RIC to consider and begin to implement the proposed strategy, and suggests a timetable for the immediate actions.

**Table 3: Next Steps to Implement the Proposed Influencing and Advocacy Strategy**

|  | Strategy Element | Action | May include | Responsibility | Deadline |
| --- | --- | --- | --- | --- | --- |
| 1 | Building the profile of the RIC for a new influencing and advocacy role | RIC to consider the proposed influencing and advocacy strategy and decide how to proceed | * Presentation of this report and proposals for RIC consideration. * Agreement on planning process and other next steps. | * RIC to determine how to proceed. * Secretariat to advise | By end June 2013 |
| Raise the RIC profile and ‘brand’ as soon as possible | * New materials * A re-launch of the RIC * Raising the profile of members via the website | * CrossRoads Communications Team should advise on measures to raise the RIC profile | By end July 2013 |
| Review the membership of the RIC to ensure that it is correctly configured to facilitate influencing and advocacy | * Consideration of altering the balance of membership * Introduce additional members to strengthen representation and /or networking capacity * Separate or partly separate the CrossRoads advisory role from the influencing and advocacy role. | * RIC to consider the possibilities. * Secretariat to advise on options. | By end August 2013 |
| 2 | Develop a specific programme of RIC-sponsored influencing and advocacy activities | Consider the proposed intervention areas and approaches, and decide whether to include each area in RIC’s influencing and advocacy programme | * A retreat or workshop at which each of the proposed intervention areas set out in this report is examined in depth. * Development of detailed Problem Tree/Force Field analysis for each area. * Final agreed list of intervention areas. | * RIC to determine how to proceed. * Secretariat to facilitate and document outcomes. | By end August 2013 |
| Develop proposed approach for each agreed intervention area | * A specific plan of work for each intervention area. * Identification of preparatory work needed (including any necessary research to be commissioned). * The target 'audience' for influencing and advocacy. * The specific activities which should be undertaken (e.g., production of briefing papers, formal or informal one-to-one briefings, press or other media, convening interest groups, etc.) * A timetable and budget for the work. | * RIC to determine how to proceed. * Secretariat to facilitate and document outcomes. * Secretariat to draft plans. * RIC to agree final plans. | By end August 2013 |
| Draw up one-year programme for the RIC | * Compiling the action, deadlines and milestones from each workplan linked to RIC regular meeting dates. | * Secretariat to draft programme. * RIC to agree final programme. | By end August 2013 |
| 3 | Coordinating other CrossRroads influencing and advocacy activities to assist the RIC to maintain an overview of all influencing and advocacy activities | Compile details of influencing and advocacy activities which Crossroads is already undertaking | * Activities under the general CrossRoads Communications Strategy * Activities which are integral to specific technical assistance and capacity building activities | * Secretariat to compile details and create single merged programme * RIC to review and approve | By end September 2013 |
| Merge details of these activities with the one-year programme for the RIC | * A single summary supported with details of each activity. * Timelines, deadlines and responsibilities for each |
| Create a reporting framework and schedule to assist the RIC to monitor progress | * Regular progress reports * A regular RIC agenda item | * Secretariat to prepare progress reports * RIC to review and approve | Ongoing |
| 4 | Creating a wider constituency of interest and broadening stakeholder engagement | Select suitable topics of interest to a larger number and more diverse group of stakeholders. | Possibilities may include:   * An annual 'Roads Sector Status Report'. This could take the form of a self-assessment exercise * An annual sharing of the outcomes of the Road Users Satisfaction Survey (RUSS * Review and commentary on the annual sector plan and budget. * Familiarising new stakeholders with the intentions of the NCIP and the other policy, legislative and structural changes which are planned. * Familiarising new stakeholders with proposed changes in the Roads Act. | * RIC to consider the possibilities. * Secretariat to advise on options. | By end August 2013 |
| Identify and engage with a target group of potential stakeholders | * Research to identify potential new stakeholders * Initial contact to assess interest and ‘fit’ with CrossRoads focus. * Initial familiarisation activities with new stakeholders. | * RIC to identify and facilitate approaches to new stakeholders. * Secretariat to arrange initial contact and familiarisation. | By end September 2013 |
| Identify methods for engaging and convening the wider group (or groups) | * Web forum * Conference, workshop of other sharing sessions * Published information | * Secretariat and Communications Team to advise. * RIC to approve. | By end October 2013 |
| Integrate these activities into the Influencing and Advocacy Programme | * A single summary supported with details of each activity. * Timelines, deadlines and responsibilities for each. | * Secretariat to merge with influencing and Advocacy Programme * RIC to review and approve | By end October 2013 |
| 5 | Exploring the potential for developing sustainable mechanisms for stakeholder representation and advocacy which would continue after the end of the programme | Assess possibilities for the continuation of an independent RIC or other industry convening body after the end of CrossRoads | * Should be deferred until the RIC has had one year of operating the Influencing and Advocacy Programme. * Review of progress and prospects for continuation. * Assessment of stakeholder interest and commitment to continue. * Explore options for its establishment, governance, and financial sustainability, | * Secretariat to support RIC review. * Secretariat to research and present options. * RIC to consider and advise. | By end October 2014 |

**Annex 1: Terms of Reference**

**A. Management Overview**

|  |  |  |  |
| --- | --- | --- | --- |
| **Title:** | Sector Analysis, Institutional Change and Advocacy | | |
| **Start Date:** | 8th April 2013 | **End Date:** | 30th April, 2013 |
| **Location** | Kampala | | |
| **Management Lead:** | John Sanchez | | |
| **Technical Lead:** | Ursula Blackshaw & Frederick Golooba-Mutebi | | |
| **CrossRoads Support:** | John Sanchez & Alex Mugova | | |
| **Date Approved/Revised:** | 14/03/13 | | |

**C. Scope of Work**

|  |
| --- |
| **Background** **and Overview** |
| The following documents are attached:  1. CrossRoads Programme memorandum + annexes  2. CrossRoads Inception report  3. CrossRoads Quarterly Progress Report No. 6 (Oct-Dec 2012) |

|  |
| --- |
| **Scope of Work** |
| 1. To work as a team to develop and agree the approach to be used, and the tasks to be undertaken by the team / individual members of the team. 2. To source reports / documentary evidence necessary to the analysis of constraints to the effective operation of the sector. 3. To arrange and conduct meetings with individuals / groups as required to understand the interests of stakeholders in the sector. 4. To undertake other activities necessary for the delivery of the required outputs. |
| **Required Outputs** |
| 1. An analysis of the roads sector which identifies the causes and effects of key constraints to better performance, and the institutional change necessary to address the constrains - utilising problem tree or another suitable  form of analysis. 2. An analysis of stakeholder structure and interests in the sector, and the identification of individuals / groups who would support / oppose institutional change - utilising stakeholder and force-field analysis, or other suitable forms of analysis. 3. An examination of the identified constraints, and associated areas of necessary institutional change, in the light of the stakeholder / force-field analysis, which provides a realistic assessment of where change may be possible over the next two years. 4. A draft strategy / plan for advocacy activities which draws on all of the above, and is designed to bring about institutional change which will lead to improved performance in the sector. |
| **Resources** |
| 1. Ursula Blackshaw - Technical Specialist Institutional Change 2. Frederick Golooba-Mutebi - Technical Specialist Political Economy |
| **Timescale** |
| 1. Inputs made in Kampala between 8th and 26th April, 2013 + any additional time agreed for reporting - to a maximum of 18 working days for each consultant. |
| **Reporting and Monitoring and Evaluation** |
| 1. A report, or series of report, which addresses and document finding in relation to the required outputs 1-3. 2. A report which provides an outline strategy / plan in relation to required output 4. |

**Annex 2: List of Persons Met 10th April – 2nd May 2013**

|  |  |  |  |
| --- | --- | --- | --- |
| **Date and time** | **Name** | **Organisation** | **Contact details** |
| Weds 10/4/13 pm | John Sanchez | CrossRoads Programme Director | +256(0)784807141  john.sanchez@crossroads.org |
| Thurs 11/4/13 all day | John Sanchez  Alex Mugova | CrossRoads Programme | +256(0)778050274  alex.mugova@crossroads.org |
| Fri 12/4/13 10.00 | David Entwistle | CrossRoads Programme Team Leader | +256(0)778050274  alex.mugova@crossroads.org |
| Fri 12/4/13 11.00 | Sion Howarth | Policy Adviser to MoWT | +256(0)785633159  drsion@hotmail.com |
| Fri 12/4/13 12.30 | Roger Wetherell | CrossRoads Programme | +256(0)788414739  roger.wetherell@crossroads.org |
| Fri 12/4/13 15.30 | Albie Hope | CrossRoads Programme | +256(0)771431850  albie.hope@crossroads.org |
| Mon 15/04/13 15.00 | Eng Frederick Lwanga | RIC  UACE | +256(0)776365676  fredlwanga@yahoo.com |
| Tues 16/04/13 14.00 | Dr Francis Baziraake | Chairperson URF  Chairperson RIC | +256(0)7592974687  fbaziraake@gmail.com |
| Tues 16/04/13 17.00 | Kate Conroy (Skype) | CrossRoads Programme |  |
| Weds 17/04/13 09.00 | Observe RIC meeting |  |  |
| Weds 17/04/13 14.30 | Mr Gumisiriza Birantana | Chairperson, UNABCEC | +256(0)772799250  bgumisiriza@pearl-engineering.com |
| Thurs 18/04/13 10.00 | Dr Mugisa | MoWT | +256(0)777913831  aomigisa@yahoo.com |
| Fri 19/04/13 09.30 | Andrew Mwenda | The Independent | +256(0)772736939  amwenda@independent.co.ug |
| Fri 19/04/13 11.30 | Mr Gilbert Musinguzi | ACCU | +256(0)772466204  gmusinguzi@accu.or.ug |
| Fri 19/04/13 14.00 | John Sanchez  Alex Mugova | CrossRoads Programme |  |
| Fri 19/04/13 15.00 | Mr Ben Ssebbugga-Kimeze | Acting ED UNRA | +256(0)772477042  sebbugga-kimeze@unra.go.ug |
| Mon 22/14/13 11.00 | Ms Gloria Mugambe | DFID Governance Adviser | +256(0)772700024  g-mugambe@dfid.gov.uk |
| Mon 22/14/13 12.00 | Ms Christine Mugoya | DFID Growth Adviser | c-mugoya@dfid.gov.uk |
| Mon 22/04/13 16.00 | Mr JohnNdyomugyenyi  Mr Katumba  Mr Al-Mousah | UTODA | +256(0)772480883  John.mugyenyi@yahoo.com |
| Tues 23/04/13 14.00 | Nigel Lightbody | EU TA to UNRA |  |
| Weds 24/04/13 14.00 | Chris Folwell | CrossRoads Programme | +256(0)781236273  Chris.folwell@crossroads.org |
| Weds 24/04/13 16.00 | Eng Victor Ocaya | World Bank | +256(0)772426598  vocaya@worldbank.org |
| Thurs 2/05/13 | Sam Stewart Mutabazi | URSSI | +256 (0) 772882547  mutasamste@yahoo.com |
| Thurs 2/05/13 | Peter Ssebanakita | Ex ED UNRA |  |

**Annex 3 Stakeholder Matrix**

| **Stake-holder** | **Main Functions, Role, Current Initiatives** | **Priorities and Interests** | **Current relationship with CrossRoads** | **Perception of CrossRoads capacity influencing/ advocacy** | **Prioritised *CrossRoads-related* issues for influencing & advocacy** | **Sources of Influence** | **Potential to support CrossRoads outputs and outcomes** | **Potential to prevent CrossRoads outputs and outcomes** | **Action points to be considered** |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Representative bodies** | | | | | | | | | |
| RIC | Established at the start of CrossRoads, to be a representative forum.  Members appointed by Ministerial letter.  Intended to analyse high-level policy blockage, figure out how to tackle them collectively, and lead on advocacy | To date functions mainly as CrossRoads’ Output 2 Steering Committee, but aware of the need to develop the influencing and advocacy role. | As de facto ‘steering committee’, but should be a partner | CrossRoads has limited scope as a small donor funded project.  Has built some profile and credibility but in a small number of technical areas | Reestablishment of MOFPED transport desk.  Regularising the quantum and process for URF funds flow.  (Also general interest in technical strengthening of the supply side: capacity, technology) | Individual members as representatives (in reality and in theory?) of wider stakeholder groups (who may or may not have realised their role in efforts to turn things round).  That makes it potentially a very powerful lobby.  As a collection of knowledgeable and experienced actors, it is a huge reservoir of expertise and wisdom on the core issues. | Very high, if they can identify and coalesce around clear roles and put their collective energies into them.  Branding as RIC  Focus on strategic issues | If they remain focused on tangential issues rather than the core issues/  constraints. | Re-focusing the RIC  Rebranding  Consultations on post-Cross Roads RIC either under UCICO or as NGO |
| **Public Service** | | | | | | | | | |
| MoWT | Main role today is policy, planning and regulatory functions. In practice, old habits don’t die easily: the urge to ‘do things’ persists. Initiatives include the NCIP; UCICO; Access to Roads Act; MTRA, NRSA, etc.. | Force account initiative; capacity building for staff in policy formulation; improving performance in the construction industry | Member of RIC and sponsor of CrossRoads | Useful (and non-threatening) complement to MoWT’s own efforts.  Expects RIC to be subsumed in UCICO. | Improvement in road industry performance.  Strengthening of road industry players.  Creation of enabling environment | Lead actor (mother ministry) in the sector and therefore powerful interlocutor with high-level (political) stakeholders | Very high, where interests coincide, as in strengthening sector players (supply side) and contributing to resolving demand side issues (eg procurement process, and wider enabling environment) | Very high, where interests may conflict or contradict (e.g., if CrossRoads openly opposed the Force Account) | Agree on priorities and pursue them jointly;  Think together about ‘post-CrossRoads’ and the sustainability of current gains |
| UNRA | Construction and maintenance of national road network; resort to force account; pursuing long-term performance contracting | More resources to enable performance of functions; stable, predictable policy environment; amended PPDA rules; capable contractors | RIC member | Potentially high, but in areas related to technical assistance and capacity building | Amended PPDA rules; stable, predictable policy environment; | Repository of skills, knowledge and experience;  Resource control gives it considerable influence. | Very high because interest in improving supply- side capacity coincide  UNRA is the body with power to implement many desirable institutional changes | Although very unlikely to oppose CrossRoads – led reforms, UNRA could undermine CrossRoads’ efforts in many areas if it wished to. | Enhanced dialogue with private road construction industry to boost mutual understanding |
| URF | Administration of maintenance funds derived from fuel levy.  Oversight of UNRA activities | Increasing the proportion of the road fuel levy remitted for road maintenance | Positive: the Chairperson is also chairperson of the RIC | Perceives Crossroads as useful resource for capacity development, but with a relatively low profile and credibility for influencing and advocacy | Increasing funds for maintenance.  Resolving indirect funds flow from Consolidated Fund.  Addressing inefficiencies and corruption in procurement and execution of maintenance. | Close links with MOFPED  Resource control (maintenance funds)  Close liaison with other sector public service organisations | Moderate: URF, although important in financial terms, is not at the centre of sectoral policy making or reform | Limited, and unlikely, since there is only limited overlap between URF and Crossroads spheres of interest. |  |
| MOFPED | Overall responsibility for entire public financial management cycle, planning, budgeting, execution and accounting. | Control of expenditure in the sector.  Management of flow of funds for maintenance to retain flexibility over deployment of releases.  Improved accountability for resources and value for money | None | N/A (no relationship) | N/A (no relationship) | Ultimately decides what resources to make available for roads in any financial year.  Highly influential as a result of resource power.  Also influential with State House. | Indirect but substantial: MOFPED clearance is necessary for the creation of UCICO and other new authorities, and it will be an interested stakeholder in changes to PPDA arrangements, expansion of UNRA regional depots, use of Force Account, etc. | Indirect but substantial: the converse of the potential to support. | Establish a relationship between the RIC and MOFPED.  Explore the engagement of the sector desk officer. |
| **Private sector** | | | | | | | | | |
| UNAB-CEC | Membership organisation with 87 out of a possible 800+ members (according to chairperson and other interviewees).  Proposal to review own articles of association with view to creating a full-time secretariat. Courting association of labour-based contractors to join up (expand membership). Efforts to establish a code of conduct to curb poor performance. | Want NCIP approved to enable advocacy; enforce local-firm sub-contracting by internationals, and tighten regulations.  Bring contractors together ‘to champion our cause’. | Member of RIC  Significant beneficiary of CrossRoads capacity building | Good but not that influential and unlikely to be because of location outside MoWT | Want to curb poor performance and keen to see contractor registration to eliminate ‘briefcase contractors’.  Would like to see a larger CGF with more credible financial institutions.    Want to speed up contracting processes. | Limited at present but could be significant if membership was expanded and advocacy became a mainstream activity | High. Want everything CrossRoads wants to achieve. So, natural allies | Not likely |  |
| UACE | A membership organisation registered as an NGO with 22 members (10% of the possible membership).  Has developed a 5 year Strategic and Business Plan.  Member benefits include access to FIDIC network.  Non-members recognise benefits but are discouraged by fees. | Formal recognition and representat-ional status (eg UCICO Board membership as agreed for UNABCEC and Private Sector Foundation).  More realistic bid to enable nationals to compete for contracts.  Enforcement of PPDA Regulations specifying 30% national consultancy and 20% national contractor subcontracts. | Seat on the RIC  Beneficiary of CrossRoads capacity building  (including FIDIC training).  Supported by CrossRoads to establish Consultants Forum. | Not CrossRoads but the RIC should lead.  Crossroads has a low profile which limits its ability – the profile of the RIC should be raised | Implementation of the NCIP as a whole.  Establishment of UCICO  Opposed to Force Account in principle.  Improved procurement process.  Keen for URF funds to flow directly from URA to URF to improve releases. | Individual members’ networks  Technical expertise  Access to policymakers (eg, referred to in UCICO Bill, and are sought out for views (eg PPDA)  BUT  Very few members –although this will grow if registration becomes mandatory. | High potential.  Source of technical expertise to comment on sectoral issues.  Some established relationships with policymakers.  Strong interest in implementation of UCICO.  Forum for mobilising consultants and influencing across the sector.  NGO status is a potential constraint eg NGO Act precludes ‘engagement in politics’ and means public sector may give little weight to suggestions. | Not likely |  |
| **Road Users** | | | | | | | | | |
| UTODA | Guides and regulates the operations of the commuter taxi industry;  Engaged in efforts to phase out mini buses in favour of buses  Re-registering members to update data base | Retaining a role in public transport industry;  Improved road network | None | N/A – CrossRoads unknown | Claims of concern about state of roads but no evidence of pro-active activism in pursuit of change | Large membership with potential to pursue collective interests;  Strong connections in high places | Very high (subject to sensitisation) as a they would benefit from successful implementation of CrossRoads agenda  Limited by lack of interest in the technical issues which affect road quality | High (highly political/  politicised body with potential to act politically rather than necessarily rationally) | Sensitisation to clarify CrossRoads’ agenda and its benefit for UTODA’s membership |
| **Donors/other programmes** | | | | | | | | | |
| DFID | Key donor & policy advocate. | Improved road network.  Value for money, improved tendering/  contracting processes  Streamlined sector.  Effectiveness of URF. | RIC member and funder | High potential on selected issues directly relevant to technical assistance | Strengthening the RIC and supply side capacity | Key donor, policy advocate,  knowledge & experience of Uganda political and roads context | Very high  Well-placed to assist CrossRoads tackle constraints or blockages outside the roads sector MDAs  Can make contacts and help raise profile | Unlikely |  |
| World Bank | Key donor & policy advocate, | Improved road network.  Introduction of long term performance contracts.  Implement-ation of UCICO Bill  Improved procurement process. | RIC member | Can make a useful contribution on some selected issues | Improved tendering  /contracting processes | Key donor, policy advocate, knowledge, experience | Very high  Well-placed to assist CrossRoads tackle constraints or blockages outside the roads sector MDAs  Can make contacts and help raise profile | Unlikely |  |
| EU | Key donor & policy advocate, | Improved road network.  Improving the delivery of maintenance.  Improved planning and inviolate maintenance budgets. | Member of RIC member and funder. | Limited capacity for influence on its own – build alliances. | Lobbying for improved maintenance programme and funding  Discouraging reliance on Force Account. | Key donor, policy advocate, knowledge, experience. | Very high  Well-placed to assist CrossRoads tackle constraints or blockages outside the roads sector MDAs.  Can make contacts and help raise profile. | Unlikely | Identify issues of mutual interest |
| **Civil Society/Other key informants** | | | | | | | | | |
| URSSI | Established in 2009 at the height of concerns about the country’s poor road network.  Advocacy for   * Accountability & transparency in road sector. * better urban planning practices * road safety. | Awareness-raising/ mobilisation  Currently campaigning for roads-related laws (Roads Act, Access to Roads Act) to be respected and enforced. | RIC member | Originally meant to be predecessor of UCICO but little mention of UCICO now. Some members construe RIC as the CrossRoads Secretariat’s Board but it has no clearly defined powers | RIC should identify where money is needed and where it should be put.. | Network and limited convening power.  Expertise. | Well-placed to assist CrossRoads engage with civil society.  Can make wider civil society contacts and help raise profile. | Unlikely as objectives will be aligned | A key partner for influencing and advocacy activities with civil society. |
| UACC | Advocacy & networking  Member of Uganda contract monitoring coalition | Corruption, malpractice, accountability  Improving transparency in public service delivery  Citizen engagement in planning and monitoring of service delivery | None – only limted engagement in the roads sector to date | N/A – not familiar with CrossRoads | Anti-corruption advocacy  Building alliances of the like-minded.  Public sensitisation on stealing road signs and fuel from road construction sites and stations. | Increasingly visible and respected CSO on matters of accountability and transparency. | Very high if CrossRoads becomes involved in improving citizen engagement. | Very low | Invite to CrossRoads events, explore potential for collaboration |
| Media (Andrew Mwenda) | Researching aspects of the sector and highlighting achievements and failures/weaknesses. Currently investigating the impact of sub-dividing districts on their capacity to deliver public goods and cause social change | Unearthing well researched, newsworthy developments and bringing them to the attention of the public. Catalysing positive change, campaigning against malpractice. | None so far. | N/A – Not familiar with CrossRoads. | Concern about collusion between middlemen, influential personalities and contractors in tendering, and the tendency by losing contractors to be litigious and hold up contracting processes. | Good contacts in political, policy and donor circles. Significant numbers of the political, professional and business elite – and also donors – read The Independent. | Very high where campaigning objectives are aligned. A useful channel for informal briefings | Unlikely as objectives will be aligned | Open a dialogue with The Independent so that the magazine is aware of CrossRoads’ work. Look for areas of mutual interest/synergy |

1. In addition, the RIC has a programme oversight role, setting the strategic direction, monitoring implementation and identifying new opportunities or challenges. [↑](#footnote-ref-1)
2. This is described more fully in Sections 2 and 6 of this report. [↑](#footnote-ref-2)
3. Ministry of Works and Transport, Ministerial Budget Statements, 2008/09 to 2012/13. [↑](#footnote-ref-3)
4. See, World Bank, 2010. ‘Uganda Public Expenditure Review: Strengthening the Impact of the Roads Budget’. Poverty Reduction and Economic Management 2, Africa Region. [↑](#footnote-ref-4)
5. See, World Bank, 2010. ‘Uganda Public Expenditure Review: Strengthening the Impact of the Roads Budget’. Poverty Reduction and Economic Management 2, Africa Region. [↑](#footnote-ref-5)
6. DFID, 2009. ‘Creating Opportunities for Sustainable Spending on Roads 2009-2014’. Project Document. December. [↑](#footnote-ref-6)
7. See, for example, Fred Muzaale, 2013. ‘Residents hold MP hostage over bad roads’. The Daily Monitor, April 8; David Musengeri, 2013. ‘Demo looms over roads’. The Daily Monitor, January 11; Asuman Musobya, 2013. ‘Residents attack MP over bad roads’. The Daily Monitor, January 9; Robert Muhereza, 2012. ‘Kabale leaders protest over sorry state of road’. The Daily Monitor, November 12. [↑](#footnote-ref-7)
8. Including: the re-emphasis on use of the Force Account; the distribution of equipment directly to districts; the potential establishment of a publicly owned contracting organisation, and the mismatch between the private sector development intentions highlighted in the NCIP and the provisions of the draft UCICO Bill. [↑](#footnote-ref-8)
9. Presentation to the RIC, given by Dr Sion Howarth, Policy Adviser to MoWT, on 17 April 2013 [↑](#footnote-ref-9)
10. A similar provision mandates that 30% of international consultancy contracts should be subcontracted to Ugandan firms. [↑](#footnote-ref-10)
11. A CrossRoads survey has demonstrated that there is probably sufficient plant in Uganda, but lack of coordination and, presumably, the operation of briefcase contractors means that this is not always readily available and can delay the start of construction or maintenance works. [↑](#footnote-ref-11)
12. Although, of course such an arrangement would immediately undermine the independence and 'honest broker' role. [↑](#footnote-ref-12)