

STRENGTHENING ENFORCEMENT AND COMPLIANCE MECHANISMS FOR ENVIRONMENTAL, SOCIAL, AND HEALTH SAFEGUARDS (ESHS) IN PUBLIC PROCUREMENT IN UGANDA



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PROFILE Patricia Ikuret is an experienced procurement and supply chain professional with experience in strategic sourcing, contract management and logistics optimization. She currently works as a Senior Officer Performance Monitoring at the Public Procurement and Disposal of Public Assets Authority (PPDA). Her role involves ensuring effective regulation of the public procurement and disposal function through monitoring performance and compliance in accordance with the set law, regulations and guidelines. She holds a Bachelor's degree in Procurement and Supply Chain Management from Makerere University and is a member of the Chartered Institute of Procurement and Supply. She has a proven track record of delivering cost savings, improving supply chain efficiency and ensuring compliance with regulatory requirements.

Patricia is committed to using the platform that PPDA has given her to create awareness among the local communities to increase participation of Youth, Registered Associations of Women and People with Disabilities (PWDs) in public procurement through encouraging and sensitizing these groups to take advantage of the reservation schemes provided for under the PPDA (Guideline No. 11 of 2024).

Executive Summary

Uganda's Vision 2040 identifies public procurement as an essential driver of development, yet Environmental, Social, and Health Safeguards (ESHS) remain weakly enforced. Although the PPDA Act, 2003 and the National Environment Regulations provide a legal framework, compliance is low due to limited capacity, weak monitoring, and lack of penalties. Contractors often ignore safeguards such as proper waste management and worker safety, while procurement officers and contract managers lack the skills and tools to ensure enforcement. As Uganda invests heavily in infrastructure and extractive projects, these gaps pose risks of environmental damage, unsafe labour practices, and erosion of public trust.

This policy brief provides policy direction and practical actions and calls for strengthening NEMA to build capacity, enforce compliance, and improve monitoring, while empowering PPDA to revise bidding documents, integrate sustainability standards, and train procurement officers. With stronger enforcement, Uganda can turn procurement into a tool for sustainable development, protect communities and natural resources, and promote transparency and accountability in service delivery.

Introduction

Public procurement is widely recognized as one of the most powerful instruments available to governments for delivering essential public services, including roads, schools, hospitals, and water systems (Fazekas & Blum, 2021). Beyond its immediate role in service delivery, procurement decisions carry significant social, health, and environmental implications that extend throughout the project lifecycle (Etse et al., 2021). When managed effectively, procurement can safeguard communities, promote public health, and reduce negative impacts on the environment. However, weak or poorly enforced procurement practices often result in environmental degradation, unsafe working conditions, social exclusion, and declining public confidence in government institutions (Rothstein, 2024).

Uganda already has several laws and policies that recognize the importance of Environmental, Social, and Health Safeguards (ESHS). The Public Procurement and Disposal of Public Assets (PPDA) Act, 2013 requires government entities to consider environmental protection and social inclusion in procurement. The National Environment Act, 2019 and the Strategic Environmental Assessment Regulations of 2020 also provide tools for safeguarding people and the environment. These efforts are in line with

international commitments such as the United Nations Sustainable Development Goals and regional frameworks like the African Union's Agenda 2063 (United Nations, 2015).

Despite this, there is still a wide gap between what the laws say and what happens in practice. Many procurement officers lack training and knowledge to apply ESHS requirements. Contractors often ignore rules such as planting trees, managing waste properly, or ensuring worker safety. Contract managers also fail to report on compliance, leaving violations unnoticed. Because penalties are weak or missing, many contractors get away with breaking rules. This has resulted in problems such as environmental degradation, unsafe working conditions, gender-based violence, and increased risks to public health.

The urgency of the problem lies in Uganda's significant investment in large-scale infrastructure and extractive projects, which present considerable social and environmental risks. Without stronger enforcement mechanisms, Environmental, Social, and Health Safeguards risk remaining legal provisions that are not translated into practice. Weak compliance undermines sustainable development objectives, fuels corruption, contributes to project delays, and diminishes public trust in government institutions.

Policy Options

- Uganda has several international, regional, and national frameworks that aim to integrate Environmental, Social, and Health Safeguards (ESHS) into public procurement, but their overall impact remains limited due to weak implementation and enforcement.
- At the international level, the World Bank's Environmental and Social Framework (2017) requires governments to address environmental and social risks before projects receive funding (World Bank, 2017). This has improved transparency and consultation in Bank-funded projects by ensuring that communities are engaged and risks are assessed early. However, its influence is restricted to donor-supported projects, leaving domestically funded procurements with weaker compliance standards.
- Regionally, the African Union's Agenda 2063 and the East African Community (EAC) procurement guidelines emphasize sustainability and inclusive growth, calling on governments to integrate social and environmental safeguards into procurement and planning (AU, 2015; EAC, 2018). While they provide important normative direction, they lack enforceable mechanisms at the national level, and implementation depends largely on domestic political will, which has been inconsistent.
- At the national level, three frameworks stand out. First, Section 66 of the Public Procurement and Disposal of Public Assets (PPDA) Act, Cap 205 requires Procuring and Disposing Entities to consider environmental protection, social inclusion, and innovation in procurement (PPDA Act, 2003). While progressive on paper, this provision faces serious weaknesses. Awareness among procurement officers and contractors about the specific ESHS requirements is low, and the Act does not provide clear sanctions for non-compliance, meaning contractors can ignore safeguards without facing consequences.
- Second, the National Environment (Strategic Environmental Assessment) Regulations of 2020, developed under the National Environment Act of 2019, provide a framework for assessing environmental, social, and health risks in new policies, plans, and programs (National Environment Act, 2019). Achievements include stronger stakeholder engagement, development of guidelines by NEMA, and more rigorous screening of projects to detect risks early. They have also institutionalized the integration of safeguards into decision-making. However, compliance remains inconsistent and fragmented across agencies, with weak attention given to social and health aspects such as displacement, human rights, and occupational safety. Enforcement is further undermined by limited institutional capacity and political interference.
- Third, the Sustainable Public Procurement (SPP) Action Plan 2022–2026 sets national goals for greener and more inclusive procurement (MoFPED, 2022). It emphasizes sustainability and fairness in procurement processes. Yet implementation has been slow due to inadequate funding, weak coordination among institutions, and limited technical expertise within procurement entities.
- Put together, these frameworks demonstrate that Uganda has made progress in building a strong legal and policy foundation for ESHS in procurement. Achievements include raising awareness, developing guidelines, and promoting consultation and transparency. However, persistent weaknesses remain in practice. Poor monitoring, limited training,

weak enforcement mechanisms, and lack of accountability mean that safeguards are often disregarded. This analysis indicates the need for strengthened accountability systems, enhanced institutional capacity, and enforceable compliance mechanisms, thereby justifying the recommendations of this study

Recommendations to NEMA

- NEMA needs to urgently build capacity at both national and local government levels to carry out Strategic Environmental Assessments. Local governments, civil society, and communities also need access to pollution monitoring equipment and scientific data so that they can play a stronger role in environmental decision-making. Investment in digital tools, including geospatial tracking and online databases, would help make project data more transparent and accessible.
- NEMA should strengthen the legal and institutional framework for enforcement. This can be done by turning safeguard commitments into binding conditions in contracts and permits, and by clearly defining the roles of agencies responsible for monitoring compliance. Institutions that currently lack enforcement capacity should be supported or created to provide accountability, especially for projects that carry major social, health, or environmental risks.
- NEMA should improve compliance monitoring practices by combining self-reporting, third-party audits, citizen monitoring, and modern technology. Enforcement should be proactive, regular, and backed by clear penalties for violations. Public participation should also be encouraged, with affected communities given meaningful opportunities to raise concerns and access grievance mechanisms.
- NEMA should promote better coordination across government by creating a single process for environmental permits and ensuring that data is shared across all relevant agencies.

Recommendations to PPDA

- The Public Procurement and Disposal of Public Assets Authority (PPDA) is the body responsible for managing procurement processes. To strengthen enforcement of ESHS, PPDA should review and update its rules, documents, and practices to make sustainability a core part of procurement.

- The first step is to revise the Standard Bidding Documents so that they include clear sustainability requirements, such as the total cost of ownership and specific environmental and social obligations. PPDA should also involve environmental, health, and safety experts in procurement processes to assess risks and advise on mitigation measures.
- Capacity building should also be given priority. PPDA should develop training materials and manuals on sustainable procurement and provide specialized training for procurement officers, contract managers, auditors, and policy makers. Communication strategies should be developed to increase awareness among contractors and the public. This could include workshops, media campaigns, and use of digital platforms.
- Monitoring and risk management must also be strengthened. PPDA should ensure that environmental and social risks are identified early in the project cycle and that measures are put in place to reduce them. This includes conducting environmental assessments of proposed projects and integrating ESHS considerations into site selection, design, and planning. Ongoing monitoring should track performance throughout project implementation, and clear accountability systems should be in place to deal with violations.

Conclusion

Uganda has developed strong legal and policy frameworks to integrate Environmental, Social, and Health Safeguards (ESHS) into public procurement, yet weak enforcement, limited capacity, and poor monitoring continue to undermine their effectiveness. With growing investment in large infrastructure and extractive projects, the risks of environmental harm, unsafe labor practices, and loss of public trust remain significant. Strengthening the roles of NEMA and PPDA by embedding safeguards into binding procurement processes, building institutional capacity, improving monitoring systems, and enhancing accountability will be essential for transforming procurement into a tool for sustainable development and for meeting both national and international commitments.

References

Fazekas, M., & Blum, J. R. (2021). Improving public procurement outcomes. Policy Research Working Paper, 2(4), 2–3. https://www.researchgate.net/profile/Mihaly-Fazekas/publication/352226558_Improving_Public_Procurement_Outcomes_Review_of_Tools_and_the_State_of_the_Evidence_Base/links/60bfd5a8299b1e6b71b92d9/Improving-Public-Procurement-Outcomes-Review-of-Tools-and-the-State-of-the-Evidence-Base.pdf

Ministry of Finance, P., & Development, E. (2022). National Sustainable Public Procurement Action Plan, FY 2022–2026. Government of Uganda. <https://archive.finance.go.ug/sites/default/files/Publications/Sustainable%20Public%20Procurement%20National%20Action%20Plan%20.pdf>

National Environment Act, 2019. (2019, March 7). <https://ulii.org/akn/ug/act/2019/5/eng@2019-03-07>

United Nations. (2015). Transforming Our World: The 2030 Agenda for Sustainable Development. United Nations. <https://sdgs.un.org/2030agenda>

Procurement, P., & Authority, D. of P. A. (2023a). PPDA Procurement Audit Reports. Government of Uganda. <https://www.ppda.go.ug/>

Procurement, P., & Authority, D. of P. A. (2023b). PPDA (Rules and Methods for Procurement of Supplies, Works and Non-Consultancy Services) Regulations. Government of Uganda. <https://www.ppda.go.ug>

Rothstein, B. (2024). The quality of government: Corruption, social trust, and inequality in international perspective. University of Chicago Press. <https://books.google.com/books?hl=en&lr=&id=FZgdIrl5fOEC&oi=fnd&pg=PR7&dq=%20procurement%20practices%20often%20result%20in%20environmental%20degradation%20unsafe%20working%20conditions%20social%20exclusion%20and%20declining%20public%20confidence%20in%20government%20institutions&ots=UCGqil9kZu&sig=riyy5vBLTLzH4H5R3xAr63-HyQ>

THE-PUBLIC-PROCUREMENT-AND-DISPOSAL-OF-PUBLIC-ASSETS-PROCURING-AND-DISPOSING-ENTITIES-REGULATIONS-2023.pdf. (n.d.). Retrieved September 13, 2025, from <https://www.ppda.go.ug/download/THE-PUBLIC-PROCUREMENT-AND-DISPOSAL-OF-PUBLIC-ASSETS-PROCURING-AND-DISPOSING-ENTITIES-REGULATIONS-2023.pdf>

Uganda, G. of. (2013). Uganda Vision 2040. National Planning Authority.

World Bank. (2020). Environmental and Social Framework. World Bank. <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework>

