

The Role of Local Institutions in Ensuring Poverty Reduction and Environmental Sustainability in Uganda's Natural Resource Decentralization

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Abstract: Uganda's decentralization program is often cited as one of the most successful decentralization programs. Research was conducted in forests, fisheries, and protected areas in Bundibugyo and Masindi districts in Uganda to test whether a higher degree of power transfers from central to local government resulted in increased poverty reduction and improved environmental sustainability outcomes. This research demonstrates that while Uganda's decentralization laws and policies are progressive on paper, local governments do not yet have sufficient autonomy or authority to effectively perform their roles. Administrative responsibilities have been transferred to local governments without the transfer of full fiscal autonomy and authority, particularly in the natural resources sector. The current decentralizations taking place in Uganda are promising but cannot yet be considered true democratic decentralization that can effectively deliver poverty reduction and environmental sustainability outcomes. This research also suggests that local institutions significantly affect the potential success of decentralization reforms, community benefits from natural resources, poverty reduction, and environmental sustainability.

Keywords: local institutions, decentralization, natural resource decentralization, poverty reduction, revenue sharing, protected areas, Beach Management Units, Uganda

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Section 1: Introduction

In Africa over seventy percent of the population depends on natural resources for their livelihoods. Natural resources play a critical role in providing food, shelter, and income for rural populations. In Uganda, eighty-eight percent of the population lives outside urban areas and relies on natural resources to some degree for their livelihoods. Despite this wealth of natural resources, however, many local populations remain poor and marginalized. Natural resource revenues traditionally accrue to central governments rather than local governments or local populations. These poor populations in natural resource rich districts are often the stewards and guardians of these resources but central government remains the major beneficiary. Decentralization reforms are often promoted as a means to rectify this imbalance and ensure that local governments and local institutions receive some of the benefits of their natural resources.

Since decentralization reforms began in the 1980s, there has been a proliferation of literature on decentralization. Much of the global decentralization literature focuses on analyzing the extent to which current decentralization reforms are codified in national law and policy and implemented on the ground (Ribot 2002a). One critique of this literature, however, is that it tends to emphasize discourse and expectations rather than analyze actual practice and outcomes. More recent literature focuses on proposing mechanisms for strengthening decentralizations (Ribot 2004). This literature focuses on the potential outcomes of decentralization, including democratization, efficiency, equity, participation, poverty reduction, and service provision. Oyono (2005) further defines the benefits of decentralization into five outcomes: ecological, economic, political, policy, and social.

More recently, there has been a backlash against decentralization. It is important to note that while government transfers of powers and resources may be called decentralization, many transfers are not truly a form of democratic decentralization. The degree to which local

representatives are accountable to populations and have sufficient powers and resources influences the likelihood that the form of decentralization will truly be democratic. When the right conditions are not applied, decentralization can center resources and power in the hands of the elite, allowing the better off to benefit at the expense of the poor. Governments and donor agencies are calling for the recentralization of some powers because they believe that decentralization has not delivered promised reforms. In reality, some decentralization laws are being reversed before legitimate power and resource transfer ever occurred. Within these types of environments, true decentralization is never given a chance. By accepting the rhetoric of decentralization as true decentralization, it is easy to dismiss this “failed” decentralization.

One argument commonly cited for re-centralizing natural resources is that local populations overuse a particular resource or lack the capacity to sustainably manage it (Ribot 2004; Peluso 2002). Populations who fear that their resources will be re-centralized or that investors will log their forest need time to realize that the resource belongs to them, will remain under their control, and will not be taken away. If local communities are given time to adjust to their new roles and powers in decentralization, sustainable natural resources management is more likely. This rationale holds true for the argument that local governments lack the capacity to manage the resource. When given the opportunity, resources, and training, local institutions can develop adequate capacity and may do a better job of managing. Resources should not be re-centralized before local authorities and local populations have had a fair chance at managing them.

The continuing trend towards decentralized forms of governance and the growing backlash against these reforms suggest the need to broaden the decentralization debate to consider specific areas for decentralization reforms. Ribot (2004; 2003) lays out a number of

criteria for evaluating and implementing successful decentralization, focusing on the importance of discretionary powers for local governments, minimum environmental standards, accountability mechanisms, and sequencing of power transfers. Evidence from research in Uganda suggests that the current focus on centralized versus decentralized regimes may be minimizing the attention paid to role of local institutions. This paper seeks to address this gap by focusing on the role of local institutions in managing Uganda's fisheries, forests, and protected areas (PAs) within the context of Uganda's decentralization reforms. Specifically, this research examined: the degree of decentralization in legislation and policy on the management of fisheries, forests, and wildlife; the level of fiscal decentralization in natural resource revenue; the role of local institutions; and the degrees to which local institutions achieved poverty reduction and environmental sustainability outcomes.

This paper is organized into four sections. First, it provides an extremely brief overview on decentralization and background on the methods and two case study areas used in this research. Next, applicable decentralization in Uganda's forests, fisheries, and protected areas will be discussed. This section includes a brief examination of decentralization laws and fiscal decentralization. Section Three examines the role of local institutions in natural resources decentralization. It analyzes three local institutions to determine whether they influence poverty reduction and environmental sustainability. The Conclusions and Recommendation section provides general recommendations on Uganda's natural resources decentralization and local institutions as well as specific recommendations for institutions in the forest, fisheries, and wildlife sectors. These recommendations are specific to Uganda but will be relevant for natural resources decentralization and institutional choice in other developing countries implementing decentralization reforms.

Research Methodology

This case study is based on research conducted in Uganda between January and June 2005. Research consisted of a comprehensive literature review on relevant poverty data, government policies, and other studies conducted in Uganda and East Africa on these issues. Interviews were conducted with Government officials at multiple levels, local communities in Bundibugyo and Masindi district, Uganda Wildlife Authority (UWA) staff, donor representatives, and members of civil society throughout Uganda. During the field research phase, semi-structured interviews were conducted. Each interview was an informal discussion that allowed respondents to share information freely. Researchers asked specific questions when additional details or clarification was needed. Focused group interviews were held with communities living adjacent to PAs, with fishing communities, and with communities living in the Budongo forest, Masindi district. The research explored how populations receive benefits from their natural resources and whether or not these benefits balance the costs to the communities from having so much of their land under the protected estate.

Case Study Description

[insert map of study area here]

Bundibugyo and Masindi are located in Western Uganda and were selected as case study areas because these districts have substantial natural resource wealth, including national parks,¹ but relatively impoverished populations. The majority of land in both districts is classified in the protected estate leaving local populations with fewer options for sustainable livelihoods while

¹It is important to note that most research in Uganda is carried out in South Western Uganda, partially due to funding restrictions, security, and the wealth of PAs in South Western Uganda. While Bundibugyo is located at the periphery of located in this area, SNP is not studied as much as Queen Elizabeth National Park, Bwindi Impenetrable National Park, or Mgahinga National Park. UWA's RS project was pilot tested in Bwindi Impenetrable National Park and Mgahinga National Park and several projects and research studies have been funded in Queen Elizabeth National Park, making these three parks common sites for studies on PAs and communities. Masindi is further north, out of the region covered by Prime West (a USAID funder which supports PA work in Southwestern Uganda), and has had fewer studies carried out in the district and on the RS projects.

the majority of benefits from these natural resources accrue to the central government coffers. 53 percent of Bundibugyo district is made up of national parks, forest reserves, and mountains, with an additional six percent as game reserves and 24 percent as water bodies (MFPED 2002a). A majority of Masindi district is also gazetted for conservation; the district is home to Budongo forest reserve, River Kafu, and River Nile. Murchison Falls National Park (MFNP) is located in Masindi district² while Semliki National Park (SNP) is located in Bundibugyo district. Both districts border Lake Albert.

Both districts have diverse populations which share certain characteristics. Bundibugyo has a population of 209,978 while Masindi has a population of 459,490³ (UBOS 2004). The three main ethnic groups in Bundibugyo are the Bamba, the Bakonjo, and the Batuku. Masindi's population is more diverse with 56 distinct ethnic groups. Banyoro make up the majority while immigrants from neighboring countries, particularly the Democratic Republic of the Congo, compose the next highest amount. Both populations are overwhelmingly rural; approximately 95 percent of the population in Masindi lives in the rural areas (MFPED 2002b). While the two districts share many similarities, they also highlight some key differences in effective decentralization and natural resource revenues.

Both districts are among the poorest in Uganda. In 1992 poverty data,⁴ 58 percent of the population in Bundibugyo was classified as below the poverty line compared to 66 percent in Masindi (Emanwu et al 2003). Both districts cited insecurity as a major reason for poverty with populations either still living in internally displaced person camps or having recently lived in

²Although the majority of Murchison Falls National Park is located in Masindi district, it is also located in Arua, Gulu, and Nebbi districts. Interviews incorporated in this report all took place in Masindi district although examples from the other districts are used as appropriate.

³These numbers were higher on district websites but UBOS figures are used for consistency.

⁴1992 poverty data is the most recent available by district.

these camps.⁵ This insecurity also affected tourism and park revenue, but the situation is considered more stable today. Each district cited diverse reasons for poverty in the 2000-2001 Ugandan Participatory Poverty Assessment Process. For populations situated near Gulu district in Masindi, poverty rates were blamed on the influx of immigrants from that area and higher levels of insecurity. In Bundibugyo, lack of markets and high market taxes were cited as a cause of poverty. Communities near the lakes who depend on fishing for their livelihoods also blamed the decline in fisheries stock. These examples underscore that even within a district, there are complex reasons for poverty which may require different government programs and solutions.

Section 2: Decentralization in Uganda

Uganda's decentralization law went into effect in 1995.⁶ Decentralization is defined as the granting of powers from central governments to lower level actors and institutions and has the potential to result in good governance, improved service delivery, efficient public administration, increased equity, and reduced poverty levels (Ribot 2002b; Ribot 2002a; Ribot 2004; Saito 2001; Smoke 2003). Decentralization includes administrative, economic, fiscal, and political aspects. The strongest form of decentralization is democratic decentralization, when powers and resources are transferred to representative local actors and institutions who are accountable to local populations. This form of decentralization institutionalizes popular participation and can ensure maximum benefits (Ribot 2002b). Most natural resources decentralization in Uganda is either administrative or fiscal.

Decentralization in the natural resources sector

⁵Bundibugyo was mainly affected by rebel ADF forces in the neighboring DRC and Masindi receives internally displaced persons as a result of the the LRA rebels in Northern Uganda.

⁶The 1995 Constitution is widely recognized as the first definitive national legislation detailing Uganda's decentralization. However, Muhereza (2003) and Onyach-Olaa (2003b) place the beginning of decentralization in 1993, when the 1993 Local Government Act first mentioned decentralized. Decentralization was further detailed in the 1997 Local Government Act (RoU 1997; Muhereza 2003).

Uganda has three main sources of raw natural resource revenue: forests, fisheries, and wildlife. The 1995 Constitution (Article 237) states that Government holds these resources in trust for the people. Each resource is treated slightly differently by the central government, allowing different rights of access and revenue sharing to occur. Over the last decade, decentralization reforms have been promoted to ensure greater local management of natural resources as well as greater local benefits from these resources. The degree of power transfers varies among Uganda's natural resource sector; protected areas are the most centralized resource, forests are partially decentralized, and fisheries are the most decentralized.

Administrative decentralization, or deconcentration, occurs in Uganda's protected areas and wildlife sector. Power is transferred from central government to an upwardly accountable government parastatal. UWA is responsible for the management of Uganda's PAs, but remains upwardly accountable to central government rather than downwardly accountable to the local populations. Administrative decentralization is considered weaker because it does not transfer true decision-making power and resources to more local levels or ensure downward accountability. Ribot (2002a) differentiates decentralization as promoting enfranchisement of local authorities while administrative decentralization results in an obligation of local government to central government in terms of service provision.

A variety of legal instruments detail UWA's objectives, roles, and priorities. These include the November 1995 Ugandan National Parks Revenue Sharing policy, the 1999 Uganda Wildlife Policy, the 2000 Wildlife Act, the 2000 Revenue Sharing Programme around Protected Areas Policy, and the 2004 UWA Community Conservation Policy. While UWA is not formally accountable to local communities, some wardens may evaluate success based on community attitudes and responses. While the legislation and rules governing community Revenue Sharing

(RS) between communities and parks have changed over the years,⁷ UWA's goal remains to facilitate better relations between people living near PAs, local governments, and UWA to achieve conservation objectives.

The 1997 Local Government Act transferred forest management to districts and sub-counties. District officials immediately exploited the forests under their control, leading to concerns about abuse of power and sustainability. In 1998, the Forest Reserves Order re-centralized control over all forests above 100 hectares (Muhereza 2003). Forests smaller than 100 hectares are classified as local government reserves. Uganda has five types of forests: central, district, king, private, and community. The majority of forests are classified as central forest reserves which are managed by the central Uganda National Forestry Authority. Some central reserves are managed as strict nature reserves while others are production zones with forest concessions.

In the fisheries sector, there have been two waves of decentralization and a third is proposed. In 1998, the Ministry of Agriculture, Animal Industries, and Fisheries transferred some of its powers to the district fisheries offices. In 2003, the Fishing (Beach Management) Rules were implemented which entrusted local communities to work with local government to manage fisheries. A proposed Fisheries Bill includes a provision to create the Uganda Fisheries Authority (UFA). UFA would replace the current Department of Fisheries, re-centralize most district fisheries powers, and ensure greater regional cooperation. UFA would be a parastatal responsible for primary oversight of the fisheries sector, similar way to the way UWA is

⁷ The initial pilot Revenue Sharing programme in Bwindi Impenetrable National Park and Mgahinga National Park allocated a greater percentage of revenues to surrounding communities. For a history of UWA's revenue sharing programmes, see Mutebi 2004.

responsible for the stewardship of Uganda's wildlife and national parks. If this Bill is passed,⁸ decentralization in the fisheries sector would shift from political decentralization towards administrative deconcentration.

Fiscal decentralization and prioritizing natural resources revenue

Fiscal decentralization is the transfer of power to establish local own source revenue and the responsibility to make decisions governing resource allocation.⁹ Paul Smoke (2001; 2004) suggests five preconditions for effective fiscal decentralization programs: “(1) an adequate enabling environment; (2) assignment of an appropriate set of functions to local governments; (3) assignment of an appropriate set of local own-source revenues to local governments; (4) establishment of an intergovernmental fiscal transfer system; and (5) establishment of adequate access of local governments to development capital” (Smoke 2004:4).¹⁰ Fiscal decentralization is an essential piece of the decentralization puzzle: without devolving sources of resources and autonomy in allocating revenue, local governments will not be well positioned to implement democratic decentralization. At the same time, even excellent fiscal decentralization will not be effective without the political reforms provided by democratic decentralization. Revenue, including most natural resource revenue, remains concentrated at the center and local governments remain upwardly accountable to the center.

Ribot further differentiates between true devolution of powers and resources by describing economic decentralization as devolution of economic income generating opportunities that are particularly lucrative, such as market access (Jesse Ribot, Personal Communication, 24

⁸This Bill is currently tabled at Parliament and it is unclear when, or if, it will pass. Uganda's track record for speedy approval of natural resources legislation has been dismal in some examples. For example, a few proposed natural resource laws have been awaiting implementation since 1985. On the positive side, Members of Parliament have heard debates and presentations on the Proposed Fisheries Bill. It was originally expected to be approved in July 2005 but to date, no action has been taken in Parliament.

⁹The challenges and opportunities of revenue transfers through fiscal decentralization have been well documented by Smoke and others (Smoke 2001; Smoke 2004; Onyach-Olaa 2003; Saito 2001; Ribot 2004).

¹⁰For a full discussion on these conditions, see Smoke 2004 and Smoke 2001. Analysis of these five conditions in Uganda is included in Benson 2005.

May 2005.). Central governments tend to be more reluctant to transfer lucrative sources of revenue (economic decentralization) or ones that grant them prestige and are more likely to devolve less valuable resources (fiscal decentralization). This idea is exemplified in Uganda's forestry sector where lucrative forest resources, such as timber concessions in central forest reserves, are centralized and less lucrative forest products, such as non timber forest products, are decentralized. Global evidence supports this differentiation as well; Li's (2002) demonstrated that uplanders were given tenure opportunities in local forests only after the high value timber concessions had been used by the local elite in Indonesia and the Philippines.

While Uganda has progressive decentralization policies, adequate powers have not been transferred to local government. Central governments are often reluctant to transfer revenues to sub-national governments who the center, correctly and incorrectly, believes to be incapable of using these resources responsibly (Mearns 2004; Ribot 2004; Smoke 2001; Smoke 2004; Onyach-Olaa 2003a; Olowu 2003). Central government further undermines district and sub-county authority and autonomy by exerting pressure or criteria on the ways in which transfers can be allocated and distributed.¹¹ In particular, this lack of autonomy limits the potential for local governments to implement more equitable distributions of resources across their districts or to favor the poor in budget allocation. At the same time, local governments vary in their ability to manage and distribute revenue and may lack the technical capacity, the political authority or will to make decisions that will benefit the poorest of the poor.

¹¹In Uganda, the central government transfers revenue to the districts through three distinct means: conditional, unconditional, and equalization grants. Conditional grants, which allow little to no local government autonomy in allocation, compose an average of eighty percent of revenue transfers. In Masindi district, eighty-three percent of revenue at the local government comes from conditional transfers while in Bundibugyo district only forty-four percent of revenue is conditional. Still, Bundibugyo only raises one percent of its revenue at the local level (Benson 2005). It is important to note that many of these conditions are imposed on Uganda by donors who provide a majority of budget support and therefore require strict reporting requirements.

Wildlife revenue is the most centralized of the three natural resources discussed in this paper. All revenue from national parks and reserves accrues to central government coffers. Forest revenue collection is centralized although a portion of revenue returns to districts and sub-counties. Fisheries revenue is the most decentralized. While central government retains powers to collect certain revenues, central government transferred the power to collect fish movement permits.

When there is sufficient central government commitment, such as in UWA's revenue sharing (RS) program, centralized resources may provide significant community benefits through ear-marked transfers. Revenue sharing among communities adjacent to PAs is a central aspect of UWA's community conservation programs. The 2000 Wildlife Act Section 70 (4) states: "The Board shall subject to subsection (3) of section 23, pay 20 percent of park entry fees collected from a wildlife protected area from which the fees were collected." The Wildlife Act further states: "a regular (at least annual) disbursement will be institutionalized to ensure that communities benefit from the 20 percent of entry fees to which they are entitled. The funds will be used to implement community designed and approved projects to benefit the communities immediately neighboring the PAs."

These policies outline roles and benefits of local communities but do not sufficiently identify the needs of natural resource dependent communities. The closest these policies come is by stating: "It is just and fair to target communities in parishes that share boundaries with PAs as these are the people most affected by existence of the PAs and have a high potential to impact on conservation of the resources therein." (UWA 2000). In 2004, UWA also recognized the importance of access to resources, such as firewood, with a specific objective of promoting

“regulated utilization of wildlife resources within and outside protected areas so as to contribute to conservation and poverty eradication programmes” (UWA 2004).

District local governments are not always aware of the contribution of centralized natural resources to the economy and so may not prioritize or ensure their sustainability. UWA is required to provide district CEOs with an account statement showing revenue generated in the district parks and reserves each quarter but this process does not regularly occur. Currently, the Bundibugyo and Masindi environment and forest officers have an extremely limited budget that is not adequate for projects or travel around the district. As of the third quarter 2004-05 budget releases, none of the total expected grants for the Environment and Natural Resources had been released in Masindi district, leaving the Environment officer with no budget for an entire fiscal year. Annual disbursements in Bundibugyo were 20 to 50 percent of expected revenue (BDLC 2004). If district officers saw the money raised by PAs or forest reserves and were allowed discretionary power in resource allocation, they might be more likely to prioritize these sectors in planning and budgeting processes and to lobby central government to release these funds.

Environmental sustainability can be undermined in a centralized system as well because natural resource revenue received by central government is considered general revenue and is not re-invested back into the natural resource sector. UWA and the National Forestry Authority are unique because they retain their revenue in separate accounts. Natural resource revenue that remains in natural resource sectors can improve community attitudes towards the sector and lead to more sustainable use. When local governments are given discretionary power in allocating revenue to certain sectors, they can prioritize natural resources that contribute to livelihoods in their district, as they have in the fisheries sector.

Central government, Beach Management Units (BMUs), and private tenderers all collect some form of fisheries revenue. For example, central government sets the level of fees for fish permits and licenses and collects fees for vehicles which transport fish across districts.¹² Tenderers collect marketing permits, fish tender charges, and fish landing fees. These fees are not re-invested into the fisheries sector after collection (Bahiigwa et al 2003). BMUs are responsible for collecting fish movement permits. These permits are the most individually lucrative source of fisheries revenue. Revenue collection by BMUs in Masindi district illustrates the ways in which devolving revenue collection powers to more local levels can generate more revenue for districts and local communities while clearly demonstrating the importance of the natural resource sector to the district economy.

Since Beach Management Units began collecting fish movement permits, annual revenue increased from eight to ten million Ugandan shillings (Ugsh)¹³ to 60 million Ugsh. At the Butiaba landing sites, Masindi district, the local BMU collected 39,870,000 Ugsh between April 2004 and March 2005. Butiaba and Wanseko landing sites should be able to raise 60 million Ugsh per year (Interviews by author, Masindi district, 25 April 2005). The Masindi District Fisheries Officer successfully lobbied for an increase in his annual budget because the district budget and planning officers realized the contribution of fisheries in generating district revenue. Revenue generated by the fisheries sector is reinvested in district fisheries management, contributing to the purchase of surveillance equipment to monitor sustainable use and to educate the fishing community on sustainable harvest levels.

¹²Some of these fees include 10,000 Ugsh per year for a fishing license; 20,000 Ugsh annually for the right to sell the fish; 10-30,000 Ugsh per year as a fishing vessel license; depending on size and the existence of a motor; and fees for vehicles which transport fish (Bahiigwa et al 2003; Benson and Musiime 2005).

¹³The exchange rate is approximately 1700 Ugandan shillings to \$1 US. At the time, revenue would have increased from \$5,882 to \$35,294 annually.

Most forestry revenue accrues to central government although districts receive a percentage. Extension services such as tree planting are decentralized to District Forestry Services while revenue generating activities such as forest reserves are centralized at the National Forest Authority. In addition, District Forest Officers are paid by the central government which makes them upwardly accountable to the central government even though they are based in the district. Revenue from Bundibugyo and Masindi districts accrues to the National Forestry Authority although a percentage is supposed to be given to the districts and sub-counties (See Figure 3.). In practice, neither disbursement regularly occurs at the legal levels (Muhereza 2003; Interview by author, Masindi district, 25 April 2005).

Section 3: Local Institutions in Natural Resource Decentralization

Local institutions are increasingly being promoted as key partners in decentralized regimes. In his review of African decentralization, Ribot stresses that “the underlying developmentalist logic of decentralization is that local institutions can better discern, and are more likely to respond to, local needs and aspirations” (Ribot 2002a:v). In addition, he emphasizes the need to identify and transfer powers to *democratic* local bodies that are *accountable* to populations, rather than any type of local institution (Ribot 2005; Ribot 2003). There is often an assumption that “local” is better or that “bottom-up” community based natural resources management will result in sustainable natural resources management and rural livelihoods (Leach, Mearns, and Scoones 1999; Meynen and Doornbos 2004). This approach can be problematic because it does not distinguish accountable, democratic local institutions from local institutions in general. The importance of examining institutions is supported by Agrawal and Gibson who believe that focusing on institutions, rather than communities, is likely to yield greater potential for success in community based natural resource management. Within the

decentralization literature, this assumption is broadened to assume that local institutions are more likely to deliver improved outcomes at the community level.

At the same time, empirical evidence that local institutions within a decentralized system will result in superior outcomes is limited. Agrawal and Gibson (1999) emphasize that complex community dynamics affect resources outcomes and local politics, problematizing the idealized assumption of an integrated community equitably and sustainably managing resources. Mosse (1997) suggests that idealized models of collective action cannot be assumed to produce more environmentally sustainable outcomes. This argument is supported by Leach, Mearns, and Scoones (1999) who found that institutional arrangements affected ecological outcomes. Li recognizes these challenges in her assertion that “bringing government to the people is not simply a matter of spatial arrangements” (Li 2002: 275). In addition, local institutions may simply reproduce unequal power and authority relations, creating an environment that allows local elite capture or inequity to develop (Ribot 2002a; Ribot 2002b; Mosse 1997; Li 2002). Olowu proposes minimizing elite capture by creating “an institutional framework that provides opportunities for the elite while constraining them from exploiting the system of local governance for their private interests” (Olowu 2003:46). These arguments underscore the importance of multiple levels of accountability and suggest that theoretical assumptions that local institutions or traditional systems provide improved environmental sustainability or poverty reduction outcomes may not hold true in practice.

More attention and research are needed to examine the way actual practice supports or deviates from the theory that local institutions are more likely to result in improved outcomes. Mosse (1997) suggests the importance of local level or community institutions is being encouraged after traditional natural resource management institutions have collapsed or become

defunct. Consequently, it is more important than ever to ensure that local institutions chosen to receive power transfers or created to manage natural resources are downwardly accountable, democratic institutions. This paper examines local institutions created at the local level to manage or participate in the management of Uganda's forests, fisheries, and wildlife to assess whether these local institutions deliver on decentralization outcomes.

Local institutions designed by both government and NGOs are in place in Uganda's forest, fisheries, and wildlife sectors to encourage local communities to appreciate the value of natural resources, to govern their use in a sustainable manner, and to oversee revenue sharing schemes. A local NGO, the Budongo Forest Community Development Association (BUCODO), has worked with communities living near the Budongo forest to create Community Land Associations (CLAs) in Masindi district. Uganda's 2003 Fishing (Beach Management) Rules provided for the creation of BMUs to manage fisheries resources at the community level. BMUs are responsible for issuing fish permits, enforcing fishing regulations, and developing programs for fisheries communities (MAAIF 2003). UWA created Community Protected-Area Institutions (CPIs) to coordinate between different stakeholders within PAs and their management. CPIs are charged with representing the interests of parish communities adjacent to national parks, enhancing the ability of communities to participate in PA management, and facilitating better relations between communities and local government authorities. BMUs and CPIs are based loosely on previous co-management groups in Uganda (Namara and Nsabagasani 2003; Bazaara 2003; Ibale 1998).

Each local institution is in varying stages of development. CPIs began in 1996 and exist in all communities adjacent to PAs. BMUs are regional institutions that are being implemented

across Kenya, Uganda, and Tanzania.¹⁴ 2003 legislation provides for the creation of BMUs in every fish landing site in Uganda but BMUs have not yet been implemented in each district. Masindi is the only district out of the five bordering Lake Albert that has implemented BMUs (Benson and Musiime 2005).¹⁵ Three of the seven landing sites in Masindi district currently have functional BMUs; the remaining four should be in place by early 2006 (Personal Communication, Masindi District Fisheries Officer, 25 April 2005). CLAs began in 2003 and exist in five out of the 60 community forests in Masindi district's Budongo forest (Interviews by author, Masindi district, 27 April 2005).¹⁶ BUCODO hopes that their model will be adopted across Uganda if enough resources can be secured.

Mixed decentralization outcomes amidst progressive laws suggest that local institutions play a critical role in Uganda's natural resource decentralization. CPIs have greater discretion in developing community RS projects than BMUs but the benefits of this discretion have been countered by lack of equitable participation in project decision-making and other negative influences. Positive examples from BMUs and CPIs suggest the potential for local institutions to play an important role in poverty reduction and environmental sustainability if locally democratic institutions are in place. The discussions below on poverty reduction and environmental sustainability are intended to provide additional evidence on the potential of local institutions to contribute positively to these areas.

Are Local Institutions Governed Democratically?

¹⁴Kenya, Tanzania, and Uganda all share a portion of Lake Victoria. All three Governments are committed to developing regional standards to ensure the sustainability of the fisheries sectors. For more information, see Benson and Musiime 2005 forthcoming.

¹⁵While implementation of Beach Management Units in Uganda has generally been a gradual process, the small number of districts who have implemented this legislation along Lake Albert is not representative of Uganda as a whole. All of the landing sites on Lake Kyoga and most of the landing sites on Lake Victoria have BMUs. This uneven distribution can be partially explained by available resources, existence of outside funding organizations, high time investment, and political will.

¹⁶The four pilot CLAs were in Onga, Tengele, Motokayi, and Wafala forests. Since then, Kapeka forest has been added.

Power structures and transfers of power within local institutions play a critical role in the potential for successful decentralization outcomes. Decentralization theory suggests that when power is transferred to a democratic, downwardly accountable local institution, there is greater potential for positive outcomes. It is important to examine when powers are transferred, to whom they are transferred, and why they are transferred to critically evaluate natural resources decentralization and the role of local institutions (Agrawal and Ribot 1999; Ribot 2002a). The timing of power transfers from central to more local levels of government, local institutions, or parallel line ministries is important; in some sectors, particularly the forest sector, powers of access and control of natural resources may not be transferred until after the extraction of local resources. The fisheries sector provides a positive example of gradual transfer of powers *after* a local democratic local institution was in place.

The institutions examined in this paper vary in the power transferred from central or local government, the authority derived from central government and local communities, in equitable access to membership and decision-making structures, and in their degree of upward and downward accountability. BMUs scored the highest in each of these areas while CPIs and CLAs performed more poorly. The performance of CPIs was also highly uneven across parishes within Bundibugyo and Masindi districts. CPIs performed better in Masindi than in Bundibugyo and in certain parishes and sub-counties within Masindi district.

The powers transferred from central government to the local institutions varied among the institutions and were correlated with the degree to which these local institutions are provided for in national legislation. Relevant fisheries and wildlife legislation outline the rights and responsibilities of BMUs and CPIs. CLAs are not covered under national legislation; however, after their creation, BUCODO successfully lobbied the Masindi local government to pass a

district ordinance recognizing them (Interviews by author, Masindi district, 27 April 2005). Consequently, the Government of Uganda is required by law to transfer certain powers to the BMUs and CPIs but has no legal requirement to devolve forest management powers. The only legal recognition of CLAs is at the district level. Powers transferred to the BMUs are greater than the CPIs. For example, central government transfers the power to collect revenue and the power to enforce regulations to the BMUs which affects their ability to influence environmental sustainability and poverty reduction. This difference may be partially attributed to the fact the 2003 Fish (Beach Management) Rules were passed to specifically create BMUs while CPIs rights and responsibilities are articulated in multiple legislation and policy papers.

Authority derived from central government was highest among BMUs, medium in the CPIs, and minimal in the CLAs. As noted above, provisions for BMUs and CPIs in national legislation ensure their authority from central government and provide a sense of legitimacy. In addition, park wardens and local government officers recognize the authority vested in these groups. In contrast, the lack of national legislation on CLAs limits any potential for official authority from central government. District Forest Officers (in Masindi) do recognize CLAs.

Local community recognition of authority was independent of legislation and dependent on site specific experiences. BMUs exist in three landing sites in Masindi district while none of Bundibugyo's landing sites have BMUs. In two of the landing sites, local communities recognize the authority of the BMUs and respect their work. In the third landing site, however, local communities chased the BMU chairman out of town (see below, in the environmental sustainability section). Local communities in Masindi district recognized the authority of the CPIs in most parishes. In parishes where CPIs members submitted proposals without full community support or RS projects were not successful, communities did not respect or recognize

the legitimacy of the CPIs. In Bundibugyo, where RS projects have not yet been implemented, local communities were much more likely to disregard the authority of the CPIs because they had not yet seen any tangible outcomes. It is still too early to judge the authority of CLAs, as recognized by local communities. Some community members respect CLA forest management plans which suggests at least a minimal recognition of the group. However, it is unclear if communities respect CLAs or believe they have the power to produce positive outcomes. This evidence suggests that local communities are more likely to recognize the authority of local institutions if the institution provides tangible benefits to the community, regardless of the official authority vested in the institution.

Access to membership and decision-making structures varied among local institutions. In theory, equitable access to natural resource decision-making among each interest group within a community should increase the chance of equitable, sustainable decisions surrounding resource use (Agrawal and Gibson 1999). BMUs provide the most equitable access among the three local institutions. Access to membership and decision-making is more restricted in CPIs. CPIs follow a model of representative democracy rather than the direct democracy model of the BMUs. The CLA model is neither a direct nor a representative democracy and represents the most inequitable form of access out of the three local institutions.

Access to membership is more inclusive under BMUs than past co-management regimes, such as traditional Gabunga leaders, Landing Management Committees, Fish Rehabilitation Committees, Co-management Committees and Taskforce Committees (Benson and Musiime 2005). Meetings are open to all registered fishers. Under previous co-management regimes, boat owners usually had exclusive rights to membership, which excluded poorer members of the fishing community and women. In comparison, every community member in the fishing

community with a permit to fish is automatically a BMU member. Boat owners, crew members, fishmongers, and women all have equal voting power within the organization to elect the BMU Executive Committee.

The BMU Committee is composed of fifteen members. Everyone in the community who is 18 years of age and literate is eligible to serve on the BMU Committee, except those who already hold public offices, such as the LC1.¹⁷ Boat owners, crew, and other stakeholders compose thirty percent of the committee while ten percent of the offices are reserved for fishmongers (MAAIF 2003). In addition, Ugandan law stipulates that women must compose thirty percent of any government office, committee, or institution. Consequently, each committee has 4 to 5 women filling the above positions. Once elected, the Executive Community has the authority to identify projects to implement with RS funds. Funds support projects such as fish cleaning slabs, latrines, and roads to improve access to markets (Benson and Musiime 2005). To date, most community members report satisfaction with this process.

CPIs are elected members of Production and Environment Committees in their villages who also serve on the CPIs. The number of members serving on the CPI varies by the number of parishes in the sub-county. According to UWA regulations, CPIs are authorized to facilitate RS project proposals but all community members must support proposed project. In practice, however, CPIs often do not consult with all stakeholders in the community and several examples exist of CPIs submitting unauthorized project proposals for RS. These proposals often represent the views of elite in the village rather than majority opinion.¹⁸ Some CPIs meet often and seem to

¹⁷The LC 1-LC5 system is the Ugandan system of local government. LC1 is the lowest level of representation (village); LC2 (parish) and LC3 (sub-county) are middle level, while LC5 is the highest (district).

¹⁸For a detailed analysis on the effectiveness of Community Protected-Area Institutes and UWA's Revenue Sharing program, see Benson 2005.

have a solid knowledge of their responsibilities and of community needs. In these communities, the CPIs are more downwardly accountable.

CLAs, in comparison, are not a legal institution and are neither a direct nor a representative form of government. Ten community representatives are chosen through an informal election process to work with BUCODO to draft a CLA constitution for the community forest. Meetings are held with community members but do not include all affected stakeholder groups or ensure equal voting powers. Participation in revenue sharing projects was not assessed because CLA does not yet receive any revenue with which it can implement community projects.

The degree of upward accountability in each local institution is influenced by its governing legislation. While downward accountability is often assumed to be superior, upward accountability can also improve the downward accountability of local institutions (Ribot 2003:58-9). BMUs face the most upward accountability pressures because they are directly responsible to both local and central government for certain responsibilities. CPIs, in theory, should remain upwardly accountable to UWA but are less accountable than BMUs because UWA does not conduct regular monitoring and evaluation of the CPIs. Individual community conservation wardens choose the level of oversight they devote to overseeing the CPIs. In a district like Bundibugyo, CPIs are rarely held upwardly accountable to UWA while the warden in Murchison Falls National Park does oversee the CPIs and assist them as appropriate. CLAs are not upwardly accountable to any official government body although they are upwardly accountable to BUCODO for funding, training, and other forms of logistical support.

Downward accountability depends on the selection of members and the potential for local communities to participate in decisions. In theory, local communities elect representatives for the BMUs and CPIs so these officials are likely to be more downwardly accountable. BMUs have

two year terms (with no term limits); this power to sanction BMU officers through regular elections increases downward accountability mechanisms. CPIs must also be elected regularly. Local communities lack the power to sanction CLA officials through official elections, with the one exception of the Secretary for Production and Environment (who is an automatic member). However, CLA members live in the communities and so are subject to an informal form of peer pressure.

Poverty Reduction

A variety of arguments support both the roles of centralization and decentralization in poverty reduction. In a country with widespread poverty, there are likely to be more homogenous needs and services across the population, supporting the centralization of some functions and grants which can also contribute to balancing local priorities with national goals (Prud'homme 2001; Prud'homme 1995; Smoke 2001). Central government is best positioned to ensure redistribution from wealthier jurisdictions to the poorest jurisdictions. Such inequality-reducing transfers can ensure that areas of the country which are lagging behind benefit from increased government funding and services through targeted grants, resulting in decreased poverty (Ravallion and Chen 2003; Veit 2005).

On the other hand, decentralization is widely believed to increase service delivery and efficiency (UDN 2003; Smoke 2004; Saito 2000; Goldman 1998; Crook 2003). Local governments are likely to be more aware of causes for poverty in their district and therefore are better placed to implement poverty reduction programs. Central government can ensure some level of national standards at local levels through minimum standards. Minimum standards can alleviate the burden on local governments to participate in the development of time-consuming management plans while leaving room for local discretion (Ribot 2004). Minimum standards in Uganda have not been developed for all areas and have focused mainly on poverty priority

program areas (which include agriculture, health, roads, and water). In addition, Uganda's decentralization may not result in greater poverty reduction because local government is not allowed sufficient discretion or flexibility to allocate funds in a pro-poor manner (Benson 2005). While Crook and Sverrisson ([2000] cited in Ribot [2002a]) concluded that greater responsiveness to the poor is less likely under decentralized government, evidence from the two case studies does not support this theory.¹⁹ When local institutions were allowed discretion and flexibility, they often choose to target the poor and implement projects intended to improve local livelihoods.

Local community institutions demonstrated their capability to contribute to poverty reduction within their limited mandates. Each local institution incorporated poverty reduction concerns in their organizational objectives and activities. For example, one goal in the Beach Management Guidelines is "Poverty in fisheries communities eradicated and the sector contribution to national economic growth maximized" (MAAIF 2003). In addition, the BMUs and CPIs currently ensure that communities receive a portion of revenue generated from natural resources.²⁰ The CLAs currently have no revenue sharing scheme in place, but plan to ensure that local communities receive a portion of forest resources. Further links between poverty eradication, participation, and revenue sharing among natural resource dependent communities is discussed in the 2005 Poverty Eradication Action Plan (MFPED 2004).

Two factors influence the potential for the RS program to contribute to poverty reduction. First, the uneven performance of the CPIs results in situations where local communities often lack the opportunity to participate in project development and advocate for projects which will

¹⁹Crook further differentiates this idea by saying that pro-poor outcomes are more likely when central government programs challenge the local elite (2000).

²⁰In addition to receiving direct monetary benefits, communities also benefit from collaborative resource management projects. In SNP, communities are allowed to harvest fish, rattan, palm fruits, medicine, handicraft materials, and firewood.

contribute to improvements in local livelihoods. In addition, and perhaps most importantly, the amount of revenue generated in the PA has a significant effect on the potential for poverty reduction and improvements in attitudes of local communities towards PAs. Communities receive 20 percent of gate entry fees from PAs; consequently, the amount of revenue available for local communities depends on the number of visitors the park receives per day. Bundibugyo and Masindi districts provide an excellent comparison of the effects of park revenue on local livelihoods and community attitudes.

The communities adjacent to MFNP have acquired a substantial number of benefits in comparison to other communities surrounding national parks. In 2001, parishes received an initial RS amount of 680,000 Ugsh. While this amount is higher than in other districts with national parks, UWA officials, CPIs, and community members agreed it was too small to complete substantial projects and an informal agreement was made to delay further disbursements until more substantial revenue accrued. In 2004, each parish adjacent to the park received 6.2 million Ugsh to complete projects.

Few communities receive comparable levels of benefits from the RS program. As shown in Figure 1, MFNP and Queen Elizabeth National Park raised between 80 to 100 million Ugsh in 2003-2004 (UWA 2003-2004). Kibale National Park generated 26 million Ugsh and the remaining parks and reserves all generated under 20 million Ugsh, with most of the parks barely on the graph (UWA 2003-2004). In Semliki National Park (SNP), 4 million Ugsh has been generated since 2000 which must be shared among ten parishes (composed of 32 villages). This figure is less than the total amount received by each parish adjacent to MFNP. It is in fact so

small that UWA has not implemented even *one* revenue sharing project.²¹ Other parks which receive few visitors face similar situations.²²

The potential for poverty reduction is significantly influenced by the amount of revenue generated. Most parks and reserves do not receive sufficient revenue to influence local livelihoods or contribute to poverty reduction. Parks that generate significant revenue then face the additional challenge of local institutions in implementing projects. Some CPIs listen to local priorities and execute projects which contribute to poverty reduction while other CPIs implement projects that only benefit small groups within communities.

There is a positive trend towards projects which contribute to local livelihoods. In areas where RS projects have been implemented for several years, there is a growing number of projects which improve local livelihoods. For example, a list of projects funded by UWA in all national parks from 1994-2002 documents the high number of schools, health clinics, roads, and other infrastructure type projects (See Figure 2.). Income generating projects, such as goat rearing, bee keeping, or poultry schemes made up only 14 percent of projects (Mutebi 2004). The tendency towards income generating projects is increasing among districts with greater experience in receiving RS funds while communities who have not received as much money still choose more traditional projects. Lessons learned from projects are often not shared or incorporated into any formal reports and so knowledge gained by CPIs or communities does not contribute to improving other projects.

²¹At the time of publication, communities surrounding SNP had submitted project proposals for school construction and tree-planting and were awaiting allocation of funds for their first RS projects.

²²Communities surrounding parks which generate less money bear similar costs from their protected areas but receive fewer benefits. Uganda's two gorilla parks, Bwindi Impenetrable National Park and Mgahinga National Park, face a unique situation because admission is limited to 18 people per day for gorilla activities. Each visitor pays \$325 (?) per day to visit the gorillas which includes a \$10 gate entry fee. Therefore, \$2 goes to the revenue sharing fund while \$323 accrues to the central government. As a "sign of good will," UWA is now considering a supplementary program that will allocate US \$5 from each permit to the local community.

Local institutions, such as the CPIs and park wardens, play a role in encouraging shifts from infrastructure to income generating projects. In areas where the CPIs and park wardens spent the most time in communities and promoted a democratic process of submitting a project proposal, income generating projects were chosen most often. For example, in MFNP, UWA officials recognize that targeting individuals is more effective than schools or health clinics. The community conservation warden is particularly committed to improving local livelihoods. His commitment is slowly being assimilated by the CPIs in the area. In Murchison Falls RS projects, communities were much more likely to implement income-generating activities than any other region. In comparison, the communities adjacent to SNP seem less cognizant of their potential to contribute to poverty reduction and have submitted their first proposal for a tree planting project and money to complete school construction.

Koch-Goma parish in Gulu district (adjacent to MFNP) provides an example of the way a community can implement a pro-poor strategy in allocating RS funds. Communities wanted their 6.2 million Ugsh to go towards a project with a direct impact on their livelihoods and submitted a proposal for a goat rearing project. The communities ensured that this project would provide tangible benefits to the poor in their communities by developing pro-poor criteria for the project. Community members developed a list of poor and vulnerable individuals, including widows, orphans, and elderly. Level of income also played a role in placement on the list. These criteria were combined to place community members on the list according to level of need. When the funds were disbursed, people at the top of the list received goats. When one of the goats produces a female goat, the owner is required to notify the “goat implementing committee”. This offspring is then given to the next community member on the list (Kato Stonewall, Personal Communication, 23 April 2005). Similar projects are now being emulated by parishes in nearby

sub-counties and districts. This project is an exemplary strategy that shows the ways in which communities can contribute to alleviating poverty and targeting their poor when given the opportunity.

Changes in poverty levels among community members and among parishes and districts receiving RS funds are more difficult to quantitatively assess. While some projects place the possibility for income-generation in the hands of poor communities, the overall percentage of RS projects that contribute to income generation is low. At the same time, when poverty is viewed as a lack of empowerment or a feeling of helplessness, the RS program has contributed to poverty reduction. Parishes who receive RS funds report feeling greater ownership of the park and natural resources and believe their voice now matters. In this sense, the RS program makes a noteworthy contribution to reducing poverty in districts with significant revenue from PAs.

Contribution to poverty eradication in the fisheries sector is similar to these qualitative improvements in feelings of empowerment and ownership. As briefly mentioned, previous fisheries management bodies were exclusive and undemocratic. In particular, fishmongers and boat crews, typically women and the poor, were excluded from membership or participation in management decisions. In BMU legislation, however, the right to participate in fisheries management is no longer granted according to one's level of investment as it was in previous regimes (Townesley 1998). Access to membership alone has resulted in significant increases in empowerment and ownership among these previously marginalized groups.

Although none of the projects implemented by BMUs have targeted the poor as effectively as the Koch Goma goat rearing project, several aspects and strategies used by the BMUs could strengthen the CPI RS program. BMUs receive 25 percent of all fish movement permits compared to the 20 percent received by CPIs. These funds are managed by the Beach

Management Unit Committee on behalf of all fishermen in the landing site. Funds support projects such as additional motors for boats to increase patrolling and enforcement activities, fish cleaning slabs, latrines, and roads to improve access to markets. In comparison to the revenue received by the CPIs, fishing communities raise the money that they receive. Consequently, fishermen realize that they will receive greater revenue if they collect more permit fees.

While UWA's current design does not provide opportunities for communities to collect revenue, greater access to information could ensure increased support for PAs, particularly in areas which receive smaller amounts of money. Posting total revenue received and percentage of RS amounts in local communities, similar to requirements about district budgets under decentralization, would be an important first step. This information could also be published in UWA's annual report which currently only sporadically reports amounts disbursed for selected parks and does so in sections on the park rather than in a community conservation or RS section (UWA 2003-2004).

CLAs currently do not directly contribute to poverty reduction. The bylaws created by BUCODO and the CLAs for community forests limit access to community members. When an outsider enters the forest and extracts anything, even non-timber forest products, he can be fined 289,000 Ugsh (LC2 Chairman, Nyantonzi parish, Masindi district, 27 April 2005). This money goes to forest management schemes, such as purchasing seedlings to replace destroyed trees. No revenue goes directly to local communities or to RS schemes for community projects.

Environmental Sustainability

Environmental sustainability arguments are often made to promote the centralization of government resources. Governments and other stakeholders often suggest that central governments are more far-sighted than local communities in developing countries, are better able to manage natural resources or that local communities, institutions, or governments lack

technical capacity to manage resources. Minimum environmental standards are one way in which central government can decentralize local natural resource decision-making and governance while still ensuring ecologically sound natural resource management (Ribot 2004). Natural resource decentralization can also allow for greater inclusion of local knowledge, promote increased enforcement of resource use, and increase local ownership in natural resource management decisions.

One of the greatest strengths of the local institutions is in raising awareness on the importance of environmental sustainability. Local communities all said that if the local institution for the natural resources was not in place, they would use as much of the resource as possible:

If the park [and park authorities] were not there, “the park would be destroyed and there would be no more rain for our crops. Poaching would be rampant until there were no animals left.” Alimugonza Primary School teacher

“Before BUCODO came with CLA, the forest was destroyed because we were ignorant. Now we are learning how to manage”. CLA member, Budongo forest

“I would use smaller nets if I could because I could get more fish...but we understand that we have to save some for tomorrow. When you get ten fish which are big it is better than getting 50 which are small.” Fisherman, Piida A landing site, Butiaba

While local people still comment on potentially using these resources in unsustainable manners, many also recognize the benefits of the resource. These institutions have made substantial progress in educating communities about sustainable development and the importance of ensuring that the resource is not here just today or tomorrow but next year. Communities cited the ecological benefits of carbon sequestration and regular rainfall from forests, the larger fish harvested in a sustainably managed lake, and the importance of their grandchildren seeing giraffes and elephants in MFNP. BMUs, CLAs, and UWA allocate a percentage of revenue into sustainably resource management. Most importantly, each institution discussed is an excellent first step at truly involving communities in more than just sustainable education and use.

These local institutions contribute to environmental sustainability by enforcing laws regarding illegal use. These institutions relieve pressure from the central and district officials and allow for enforcement and monitoring by the communities who use the resources. Greater enforcement can take place since the enforcers live in and are a part of the community. Local communities are devolved different powers of enforcement: the BMU Chairman has an identification card that grants him the power to arrest while the CLAs and CPIs lack this power. The CPIs compensate by liaising with UWA wardens. CLAs conduct patrols on their own and share reports with the district. Both UWA and the Masindi District Fisheries and Forests Officers said that the number of illegal activities has reduced significantly with the involvement of the local community. Two examples, below, illustrate the ways in which enforcement by local institutions, or the lack thereof, has contributed to greater accountability and improved enforcement of environmental regulations.

At Buoigo landing site, BMU committee members abused the authority granted to them by the district government to enforce fishing laws. The committee chairman would patrol the landing site, confiscate illegal nets from fishermen, and charge heavy fines. This chairman then resold the nets to other fishermen at the same landing site and pocketed the money. These actions angered the fishermen whose nets had been taken and who paid the fines. The Buoigo fishermen eventually chased the BMU chairman out of town. The entire BMU committee has been suspended, and power has been temporarily delegated to the District Fisheries Officer and the LC3 until the matter can be fully resolved. While this example shows that BMUs can abuse the power granted to them, fishermen also exercised their power to hold the committee accountable for its actions. The committees' suspension sends a strong message that corruption

and abuse of power will not be tolerated as it was in previous fisheries co-management regimes (Interviews by author, Masindi district, 28 April 2005).

In Murchison Falls Conservation Area, communities play a substantial role in assisting park rangers in monitoring poachers and encroachers in the park. For example, in November 2004, four fishermen from a nearby community rowed their canoe along Lake Albert and illegally entered the park. These fishermen noticed that several tourists camping in the delta left their cameras and other valuables behind in their tent when leaving for a hike. The fishermen stole these belongings. When they returned to their village, other community members realized that the fishermen had stolen these items from tourists visiting the park. Several community members informed the CPI Chairperson who then notified park authorities that “these fishermen are spoiling our name; you come and get them”. The park warden sent a community conservation ranger to arrest the fishermen who are now serving four years in jail for their offense. The stolen items were returned to the tourists. In this situation, the community members were aware that they received benefits from tourists visiting the park. They knew if similar incidents continued to occur, tourism levels might decrease and their percentage of funds would also decline. As a result, the awareness of local communities about the benefits from national parks helped to ensure continued good relations between tourists, park officials, and communities (Interviews by author, Masindi district, 26 April 2005). Similar examples exist with communities who identified illegal poachers in national parks or illegal fishermen on Lake Albert (Manyindo and Makumbi; 2005 Benson and Musiime 2005; Benson 2005).

In contrast, CLA officials are not always viewed as having the authority to enforce environmental regulations. While the DFO recognizes the role CLAs play in conducting patrols and monitoring, they are not legally devolved this responsibility. The CLA officers still view

enforcement of resource access and use as a central role. They stop outsiders from illegally accessing the forest or chopping down trees, but often pay a heavy price. CLA members have been challenged and physically attacked when trying to enforce rules. While patrols identify instances of illegal use, the area in which CLAs can enforce use is minimal.

Section 4: Conclusions and Recommendations

There are a number of publications devoted to the issue of improving natural resources decentralization. Some of the common recommendations in the literature focus on sequencing decentralization reforms and power transfers, improving accountability mechanisms, ensuring transfers of appropriate, secure, and sufficient powers, and developing minimum environmental standards (Ribot and Larson 2004; Smoke 2003; Saito 2001, Ribot 2004, Bazaara 2003; Muhereza 2003). Many of the recommendations made in these publications are applicable to Uganda's natural resources decentralization. This section provides general recommendations on Uganda's natural resources decentralization and local institutions as well as specific recommendations for institutions in the forest, fisheries, and wildlife sectors.

Less attention is given to the role of local institutions in achieving democratic decentralization of natural resources in the literature. Local institutions, in Uganda and elsewhere, can significantly affect the potential for on the ground success of national policies. Even the most well articulated decentralization policies can fail due to lack of support at local levels. As central governments and centralized ministries devolve powers and resources to more local levels, local institutions are increasingly playing a role in the implementation of decentralization. The importance of choosing democratically accountable institutions to receive such powers cannot be overstated.

The Beach Management Units in Uganda were the most democratic local institution examined in this case study. BMUs are codified in national and international legislation and

ensure that sufficient transfers of powers are devolved to local institutions over time. These institutions have the authority to collect their own sources of revenue, the power to enforce natural resource use, and allow equitable access to membership and decision-making structures for all registered fishers in a community. In addition, the structure of BMUs ensures both upward and downward accountability and BMUs have gained the respect of both central and local government and local communities.

Community Protected-Area Institutions are less democratic but have still influenced significant poverty reduction and environmental sustainable outcomes. CPIs are more centralized and remain upwardly accountable to the Uganda Wildlife Authority. These institutions lack sufficient downward accountability mechanisms, do not ensure democratic access to decision-making, and perform poorly in some areas, in part due to limited capacity and commitment of CPI representatives. In this case study, upward accountability and revenue centralization provided a type of safety net for CPIs that performed poorly. Legal requirements on revenue sharing, even when managed at the local level, ensured that at least minimal positive outcomes were recorded even where local institutional performance is inadequate. This finding suggests that minimum standards or appropriate enabling legislation can be an important mechanism for ensuring accountable local institutions, especially as they are becoming familiar with their new roles and responsibilities. In addition, examples from the CPIs illustrate that decentralization may be less effective when local institutions are not democratic or held downwardly accountable.

Community Land Associations are the least democratic local institution analyzed. The CLAs lack real transfers of power, are not legally upwardly or downwardly accountable, and do not provide equitable access to decision-making processes. This type of institution is much less likely to result in improved levels of poverty or more sustainable forests than an institution that is

equitably and legally created. While CLAs are viewed most critically, it is important to note that CLAs are extremely young institutions and are being implemented without government support or significant funding. The goals and objectives of the CLA are creditable and it is possible that over time, the CLAs can become accountable, democratic, and inclusive local institutions.

The local institutions examined in this paper are created or chosen by the central government or NGOs to receive power transfers. The idea that local is better has resulted in central creations of local. Some of these institutions are based on previously existing structures which are legitimized by the central government. The local institutions created and codified in law by central government performed better than the institution created with the most local involvement. Prior to initiating the Community Land Associations in Masindi district, the Budongo Forest Community Development Association, an NGO, carried out priority needs assessments with local communities living in the Budongo forest (Interviews by author, Masindi district, 25-27 April 2005). The creation of CLAs was based on this survey, designed with the best intentions, and created with the inclusion of some members of the local communities. This process is likely to be assumed to be more successful than an institution created by central government. However, the analysis in this paper provides strong evidence that a bottom-up, local institution cannot be assumed to be superior to a centrally created local institution; rather, it is the democratic nature of the institution that makes it most likely to succeed.

While the idea of the superiority of a central creation of a local institution seems counter-intuitive to much of the community based natural resource management literature, the BMUs and CPIs performed better in all areas than the locally created CLA. This finding suggests that deconcentrated institutions can achieve poverty reduction and environmental sustainability goals representative of local community interest even when accountability mechanisms are not in

place. Other studies globally have also identified ways in which deconcentrated institutions are responsive to local interests (Ribot 2005).

While this paper does not specifically address the creation of new local institutions versus working with previously existing local institutions, the three local institutions examined within the context of this paper provides limited insight. Both BMUs and CLAs were newly created institutions which responded with differing success to local community needs and contributed at varying levels to poverty reduction and environmental sustainability goals. The democratic nature and accountability mechanisms built into the local institutions had the largest influence on its success rate which success that previously existing institutions which are democratic and accountable are more likely to be successful than existing institutions or newly created institutions which empower the elite rather than enfranchising local populations.

The amount of time each local institution was in existence appears independent of its potential to achieve positive outcomes. BMUs and CLAs both began in 2003 and BMUs have accomplished many more results in that time. CPIs have been in existence for an additional seven years but have not recorded more positive outcomes throughout that period. Again, the existence of central government support may play a role. Throughout their two year existence, the CLA committees have tried to acquire land tenure to provide security of tenure to the community. This attempt has been thwarted because Masindi district has not had a land title officer during this time.

Several overall recommendations emerged from this case study on the role of local institutions in forests, fisheries, and protected area decentralization. These include incorporating some of the strengths of local institutions into weaker local institutions, such as CLAs and CPIs. For example, CPIs should be elected in a manner similar to the BMU committee which has direct

elections and does not allow other local government officials to serve on the committee. Second, there is greater transparency in the amount of revenue generated by BMUs compared to the CPIs. Revenue generated on a quarterly basis, along with the percentage available for revenue sharing projects, should be provided to the district Chief Financial Officer, posted in the community, and published in a special section of Uganda Wildlife Authority's Annual Report. Most importantly, academicians, policy-makers, and researchers focusing on decentralization should examine institutional choice in natural resource decentralization. Environmentalists in particular should encourage and work with such groups. Each local institution must be examined to determine if it is democratic: from where does it derive authority, to whom and to what degree is it accountable, and is access to membership and decision-making is equitable.

The revenue sharing programs among the local institutions could be improved in a few specific ways. The CPI revenue sharing amount should be increased to 25 percent, equal to the amount received by the BMUs. CLAs could also model a revenue sharing program after this amount. In addition, CPI revenue sharing funds are double taxed; first, they are taxed upon collection at the parks and then they are taxed when used for projects. Revenue sharing projects should be awarded the same special status as local government development projects which are not taxed. Removal of these taxes will increase funds available for communities. Finally, CPIs have recorded some positive results when implementing income-generating projects. These projects should be encouraged by all CPIs and should also be emphasized among the BMUs.

The Uganda Wildlife Authority should also consider adopting a common revenue sharing pool. National parks generate varying amounts of incomes based on their tourist levels. Accordingly, some communities surrounding national parks receive substantial benefits while others receive little to no benefits. A small percentage from each park should go to a common

pool that would then be disbursed to communities in the less popular parks to ensure more equitable benefits.

Local institutions remain a promising means through which to implement natural resources decentralization in Uganda. The criticisms of Beach Management Units, Community Land Associations, and Community Protected-Area Institutions contained within this article are not to suggest that local institutions lack capacity to perform their roles or will promote greater elite capture; rather this analysis aims to suggest possible areas in which policy reforms could take place to enable local institutions to better perform their roles. One of the biggest challenges identified is that each institution required substantial investment in financial and human resources to train communities, and establish organizational and institutional structures.. Investment in these local institutions requires substantial human and financial resources up front but has the potential to result in many long-term benefits. In addition, the findings of this research suggest that local institutions created or designed by more central levels of government should not be dismissed as extensions of central government and may actually be more likely to foster democratic inclusions of local communities.

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Appendix A

Figure 1. Amount Generated for UWA's Revenue Sharing Program 2003-2004.

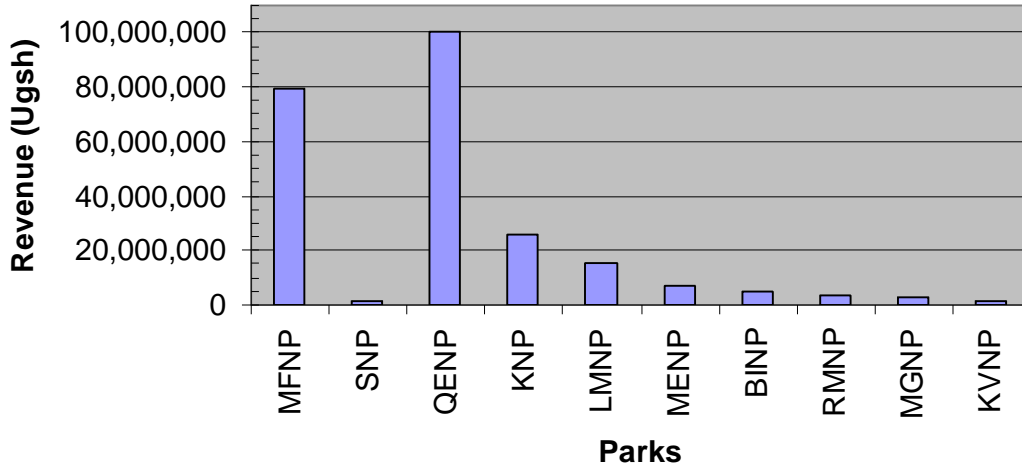


Figure 2.

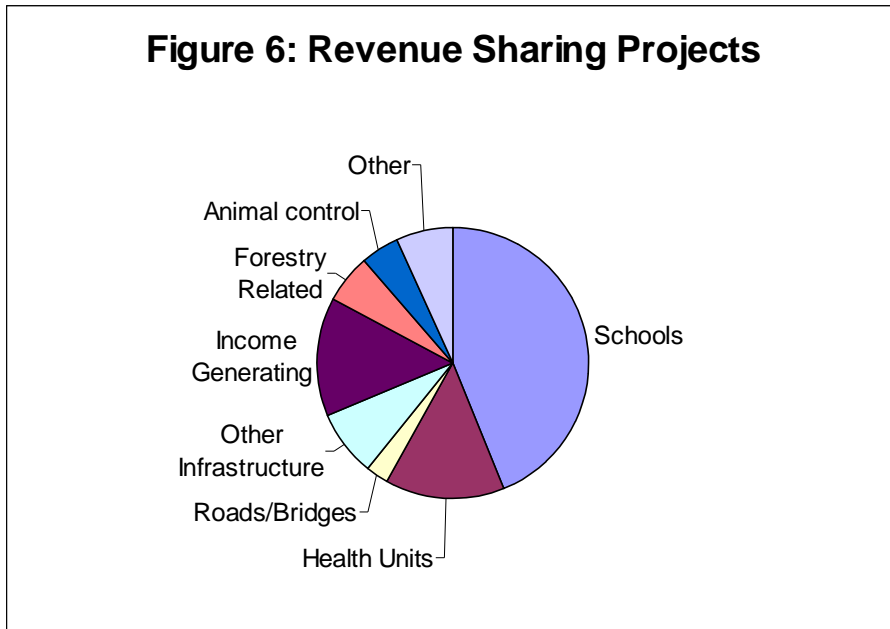


Figure 3.

Figure 3. Distribution of Fish Movement Revenue

