UNPACKING DECENTRALIZATION:
A CASE STUDY OF UGANDA’S FORESTRY REFORMS

Krister P. Andersson, Forrest Fleischman, Pamela Jagger, Marty Luckert, Ruth Meinzen-Dick, Esther Mwangi, and Elinor Ostrom

Abstract. The term “decentralization” is applied to a wide diversity of governance arrangements around the world and has achieved positive, negative, and no results in its application to natural resource management. Part of the reason that the results have been so mixed is that the term decentralization is used as the name of widely diverse policies. The resulting formal governance arrangements vary substantially from one decentralization effort to another dependant both on the policies that are adopted and on many other factors including the broader economy of a country and the region where decentralization is occurring, the set of legal rights that had been in existence prior to the new policy, and multiple economic processes. Consequently, the behavior or resource users, private firms, government officials at multiple levels will differ substantially, resulting in variable livelihood and sustainability outcomes.

High level changes in decentralization trickle down to local people through complex paths. Our primary interest is in understanding the effects of these changes on local people in the face of these complexities. If the concepts and processes of decentralization are not unpacked into meaningful concepts and coherent theories of these processes developed, empirical studies of impact can only tell the world that the outcomes are different. We therefore present a framework to examine how various decentralization policies translate into changes in governance, property rights, behavior of key actors, and outcomes for resource condition and livelihoods. Although more broadly applicable, our focus is on the forest sector. The framework is then applied to the case of forest decentralization in Uganda.

Keywords: Decentralization, natural resource management, forests, local governance, incentives, property rights, Uganda.

1 Acknowledgements: This publication was made possible through support provided by the United States Agency for International Development (USAID) for the Sustainable Agriculture and Natural Resources Management Collaborative Research Support Program (SANREM CRSP) under terms of Cooperative Agreement Award No. EPP-A-00-04-00013-00 to the Office of International Research and Development (OIRED) at Virginia Polytechnic Institute and State University (Virginia Tech).

The authors would like to acknowledge the hard work of our partners on this project, including the Center for the Study of Economic and Social Reality (Bolivia), the Kenya Forestry Research Institute, the Uganda Forestry and Institutions Center, and the National Autonomous University of Mexico.
1. Introduction

Decentralization reforms, in which central government agencies transfer rights and responsibilities to more localized institutions, are high on the agenda in many countries and for many international development agencies. A major impetus for decentralization reforms is to bring the functions of national governments closer to the people, contributing to democratic governance and improved local welfare (Ribot 2008). Decentralization of natural resource management is further expected to improve the sustainability of the resource base by increasing local participation in management (Birner and Wittmer 2004; Meinzen-Dick et al. 2008). The extent to which such reforms fulfill their goals in practice varies enormously (Colfer and Capistrano 2005). Indeed, several studies in the forestry sector have even found that so-called decentralization reforms resulted in an increase in government control of the resources (Edmunds et al., 2003; Ribot and Larson, 2005). As noted by Tacconi et al. (2006:2), “the study and the design of decentralized forest management would benefit from the development and testing of a coherent theory that clearly outlined the assumed causal relationships among the many variable involved.” The purpose of this paper is to present a framework for unpacking the links between national decentralization policies and local impacts. The utility of our framework is illustrated using a case study of forest sector reforms in Uganda since the 1980s.

Theoretical development in studies of natural resource decentralization faces two major challenges. First, there is not a direct link between the adoption of reforms and resource conditions or local livelihoods. As we show in section two of this paper, existing frameworks concentrate on intermediate governance outputs rather than on material benefits that local peoples receive. While good governance is desirable in...
its own right, empirical evidence accumulated since the publication of these frameworks does not offer strong support for a linkage between improved governance and improved livelihoods or resource conditions. Second, as we show in section three, the content of reforms that are called “decentralization” varies enormously from one country to another, and even within a country. In section four, we present our framework, laying out governance characteristics that characterize the specific content of decentralization. We then describe the potential linkages that connect decentralization to changes in resource conditions and local livelihoods. In section five we present our case study of Uganda’s forest sector reform, which shows how the framework can help understand how decentralization may affect resource conditions and human welfare in practice.

2. Theoretical Frameworks for Analyzing Decentralization Outcomes

The most widely cited frameworks for analyzing natural resource decentralization concentrate on governance outputs such as accountability and transparency. Reflecting the general consensus among decentralization scholars today, Ribot (2008:4) defines decentralization as: “…any act by which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy.” At the broadest level Ribot (2008:4) draws on a longstanding distinction between Democratic and Administrative Decentralization:

“Democratic Decentralization (often also called Political Decentralization or Devolution) occurs when powers and resources are transferred to authorities—typically, elected local governments—that are representative of and accountable to local populations. …Deconcentration (also known as Administrative Decentralization) concerns transfers of power to local branches of the central state, such as prefectures, administrations, or local technical line ministries. These upwardly accountable local bodies are appointed administrative extensions of the central state. While some
downward accountability may be built into their functions, their primary responsibility is to central government.”

Ribot (2008) argues for democratic decentralization on normative grounds. However there is little theoretical or empirical evidence to suggest that democratic decentralization is necessarily better than administrative decentralization in terms of local level livelihood or forest cover outcomes (Tacconi 2007; Andersson and Gibson, 2007).

Agrawal and Ribot (1999) build on the distinction between democratic and administrative decentralization to argue that the benefits of decentralization will only materialize when the actors targeted by the reforms are downwardly accountable to the citizens they are supposed to serve. Their framework draws on evidence from four case studies to explain how reforms help local governments “serve local needs efficiently and equitably” (p 474).

Building on Agrawal and Ribot’s emphasis on actors, powers, and accountability, Larson (2003) presents a detailed framework that identifies several legal, political and administrative constraints associated with the performance of decentralized natural resource regimes. She notes that in many cases, decentralized forest governance processes are inhibited by a lack of administrative capacities, a constrained local mandate, as well as inadequate financial resources to implement reforms effectively. Her framework has turned out to be very helpful for the identification of factors that affect governance conditions, such as accountability, transparency, participatory decision making, and local commitment to natural resources management. The framework has been applied to numerous subsequent empirical studies, especially in Latin America (i.e. Pacheco, 2005; McCarthy, 2004, Tacconi, 2005).

Both of these frameworks have been extremely helpful for guiding the analyses of existing decentralization experiences around the world. The sheer number of empirical studies applying one or the
other of these is indicative of their relevance. It is becoming increasingly apparent, however, that existing frameworks are most applicable to the analysis of intermediate governance outputs, i.e. accountability, transparency, participation, and other features that are considered to be associated with good governance (Larson et al, 2008). They have not been developed, however, for the analysis of governance outcomes, i.e. environmental change and poverty reduction. Such outcomes, we argue, are more complex to analyze because there are many factors outside of the public policy domain that influence these outcomes. To be useful for analysts interested in the effects of decentralization on such outcomes, frameworks are needed that explicitly identify the broad range of potentially influential factors. Without new frameworks, future analyses of policy effects on environmental livelihood outcomes may be severely hampered by omitted variable bias (Clarke, 2005; Mahoney and Goertz, 2006).

Existing frameworks would also benefit from incorporating recent empirical findings. Several of the factors that the early theoretical literature emphasized as critical intervening variables for decentralization—such as competitive local elections, inter-jurisdictional competition, availability of financial resources, and weak technical capacity of the local polity—have turned out to receive little support in the empirical literature (Cleary, 2005; Andersson, 2004; Gibson and Lehoucq, 2003, Revesz, 1999). To be as useful as possible for future empirical analyses, theoretical frameworks need to take such findings into account. Relevant frameworks need to provide guidance to analysts as to the categories of variables that need to be studied with extra care and detail.

3. Content of Formal Decentralization Reforms

The term decentralization conceals great diversity. The term is often used in a general and generic sense. Although some authors (e.g. Meinzen-Dick et al. 2008) attempt to distinguish according to whether powers are transferred to lower levels of state agencies, local government, user groups, or individuals, the empirical literature contains a broad range of regimes with very different internal characteristics that all
share the label of “decentralization”. For example, changes to national governance regimes in Bolivia, Cambodia, Chile, Guatemala, Indonesia, Kenya, Mexico, and Uganda have all been analyzed as cases of “decentralization.” But Table 1 shows that policies in each of these regimes vary a great deal when it comes to the political authority, financial resources, and administrative responsibilities that are transferred from central to local governments. The table highlights links to the forest sector, which is the focus of our subsequent analysis.

**Table 1: Local Mandate Variation in Regimes Labeled “Decentralization Cases”**

<table>
<thead>
<tr>
<th>Country</th>
<th>Local Mandate</th>
<th>Studies</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bolivia</td>
<td>Municipal governments are asked to monitor and enforce the national forestry law, and have only limited autonomy to create their own rules. They may not charge any fees or taxes to local resource users. They do, however, get relatively good financial support from the center to carry out their mandate.</td>
<td>Andersson (2003, 2004); D. Pacheco (2007); O’Neil (2004); Leon et al (2004)</td>
</tr>
<tr>
<td>Cambodia</td>
<td>Communes were the targets of the 2001 decentralization reform but real public service responsibilities have yet to be transferred. Central and provincial levels maintain most control. The communes rely almost entirely on financial transfers from the national government and no opportunities for local revenue-raising have been formalized.</td>
<td>Turner (2002); World Bank (2003); Smoke (2007)</td>
</tr>
<tr>
<td>Chile</td>
<td>Municipal governments carry out central government plans but have hardly any say in decisions regarding funding allocations in any sector, including health and education which were first decentralized during the Pinochet regime.</td>
<td>Bossert (2003); Parry (1989)</td>
</tr>
<tr>
<td>Guatemala</td>
<td>Municipal governments are asked to monitor and enforce the national forestry law but may also create their own rules and charge fees and some taxes to local forest users. They are also considered the formal title holders of communal forests. They receive relatively sparse little financial support from the center to carry out their mandate.</td>
<td>Gibson and Lehoucq (2003); Ferroukhi (2003)</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Local governments received vast service responsibilities through the 1999 decentralization reform. Most basic services are produced by the local governments and a cost-sharing formula determines the balance of central-local financing. User charges on services are allowed.</td>
<td>McCarthy (2004); Smoke and Lewis (1996); Smoke (2007)</td>
</tr>
</tbody>
</table>
Kenya 1986 Local Government Act established local governments as semiautonomous entities with significant public service functions. The transfer of responsibilities is managed by the Ministry of Local Governments and is carried out on a case by case basis, responding to local demands for increased control but also taking into account the existing capacities for handling the augmented mandate.


Mexico Decentralization was adopted by the federal government in the 1980s to establish a more egalitarian society. This brand of decentralization called for a thorough but gradual review of power and responsibilities among the three levels of government (federal, state, and municipal). So far most responsibilities have yet to be moved from the State to the municipal, and to the community levels. The federal government has transferred production of services to the states but has retained the provision decision functions.

Cabrero (2007); World Bank (2002); Merino Perez (2001)

Uganda Local Government Act of 1997 established five-tiered system of elected local councils. In forestry, powers have been decentralized and re-centralized several times since the reforms began in 1993. This brand of decentralization was launched as a way to resolve the government’s financial and legitimacy problems. Control over the necessary financial and human resources have remained centralized.

Bazaara (2007); Banana et al (2007);

With all of the variability in cases referred to as “decentralization,” it is no wonder that there are different reported effects of decentralization. Indeed, with decentralization policies so different, we believe that it is a mistake to draw inferences about general effects of decentralization. Instead, we propose that it is first necessary to unpack the concept of decentralization. A more nuanced characterization of decentralization is crucial to understanding outcomes that result from institutional structures of resource governance. A key challenge becomes how to classify or characterize the different types. In the framework that follows, we attempt to identify key features of decentralization that are thought to influence outcomes.

4. A Framework for Examining the Impacts of Decentralization

Whatever the content of decentralization reforms, they do not translate easily into predictable changes on the ground. Many intervening factors shape whether and how decentralization has an impact on people’s livelihoods and the condition of natural resources. Understanding these linkages is critical to
understanding the human and environmental impacts of decentralization. We build on the Institutional Analysis and Development Framework (IAD) (Ostrom, 2005) to develop links between specific types of decentralization policies and local level outcomes. Our goal is to be able to apply this framework for the development of empirically testable hypotheses on the conditions under which decentralization policies produce variable environmental and socioeconomic outcomes.

Figure 1 represents a conceptual framework of the linkages between decentralization policies and outcomes on the ground. Decentralization policies are shown to be represented by changes in governance, characterized by various types of rules. Following the sustainable livelihoods framework (e.g. Ellis 2000), local outcomes are represented by changes in capital stocks (i.e. social, natural, and other capitals including, financial and physical) that influence the sustainable livelihoods of local peoples. A crucial element connecting decentralization policies to outcomes is the behavior of political agents and households making decisions that influence the local production systems. We have also included the broad category of “other factors of influence” that encompasses determinants not directly related to our analytical approach, but that could nonetheless be of importance in assessing outcomes of decentralization reforms.

We characterize decentralization reforms in terms of three major categories of rules: constitutional, collective choice and operational (Ostrom, 2005). Descriptions of these three types of rules as they relate to forests are contained in Table 2. Generally speaking, constitutional and collective choice rules are the procedural rules that govern the processes that define and change operational rules. Constitutional and collective choice rules determine who can participate in decisions that alter the operational rules, and the procedures by which such decisions are to be made. In specifying the operational rule-making process, constitutional and collective choice rules influence the behavior of political agents.
Table 2: Levels of rule-making interactions as they relate to forest governance (adapted from Gibson et al, 2005)

<table>
<thead>
<tr>
<th>Levels of Interactions</th>
<th>Rules Affecting Action Arenas</th>
<th>Examples of Decisions/Institutions</th>
<th>Examples of Actors Involved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitutional</td>
<td>Highest level of rule-making authority, defines the decision-making process at the collective choice level</td>
<td>Decisions to modify property-rights system customary rules and/or norms</td>
<td>Village elders, elected officials, spiritual leaders</td>
</tr>
<tr>
<td>Collective Choice</td>
<td>Procedural rules that govern the processes that define and change operational rules</td>
<td>Decisions re who makes forestry policy, changes property rights, logging permit systems, land use zoning requirements.</td>
<td>Natural resource managers, legislative bodies including community assemblies, village councils, government agency personnel, resource users</td>
</tr>
<tr>
<td>Operational</td>
<td>The rules that define the format and content of day-to-day activities</td>
<td>Forest management plans, property rights, harvesting regulations, monitoring assignments</td>
<td>Resource users, resource managers, monitors, law enforcement officials</td>
</tr>
</tbody>
</table>

The operational rules that constitutional and collective choice processes create may apply to either political agents or local households. Operational rules define the format and content of specific day-to-day activities (Gibson et al, 2005). In cases where operational rules apply to political agents, we refer to these as operational administrative rules. In cases where operational rules apply to households, we refer to these as operational property right rules (see below). Unlike administrative rules, which influence political behavior, operational property right rules influence the benefits that holders of property rights receive through their production decisions that are made with respect to local resources. Though our primary concern relates to those property rights held by households, property rights that governments hold may also represent important variants of decentralization. Overall, these rule sets generate incentives
(or disincentives) to political agents and resource users that will influence whether forest resources are used and managed sustainably and whether resource users and households will derive benefits from them.

Within the context of governance and political behavior, constitutional/collective choice rules and operational rules may be further specified by the following characteristics:

**Constitutional/Collective Choice Rule Characteristics:**

- *Degree of local political authority and autonomy.* What specific decision-making powers are devolved to the target actors? What are the boundaries of the politically autonomous domain? What political rights do local governments have to create their own place-specific rules and strategies?

- *Political accountability.* To whom are local officials and decision makers accountable—the central government, local populace, or a subset/user group? What avenues and mechanisms exist for holding officials accountable? Are decision makers democratically elected? Can local citizens participate in decisions? Do local forest users have recourse at central, regional, and local forums, or just limited access to one of these?

- *Extent of local fiscal powers.* What authority does the local government have to levy local taxes? In which sectors may they do so? Can the local government charge user fees for services delivered? How are local revenues recorded and accounted for? What recourse does the local government have if local residents evade taxes and fees? Does the local revenue stream satisfy the local unit’s budgetary needs? If not, how financially dependent is the local unit on central government financial transfers? What strings are attached to centrally provided funds?
Operational Administrative Rule Characteristics:

- **Administrative mandate.** What is the content of the new local mandate? What is it that the local government unit has been empowered to do? What responsibilities do local actors have, e.g. for providing specific goods and services? What happens if they do not do this?

- **Targeted actors.** From whom to whom have political power, financial resources, and/or administrative responsibilities been transferred and under what conditions? Have these been transferred gradually and conditionally or suddenly and with no specific performance targets?

The above lists of questions may be used to differentiate decentralization policies in ways that could have important impacts on local level outcomes, as they influence, and are influenced by, the political behavior of agents at multiple levels. If we are to understand how changes in these rules translate into changes in local outcomes, however, we must also understand how new policies change the benefit streams, or property rights, that local peoples receive.

Property rights are a key link between changes in governance, brought on by decentralization, and changes in local level outcomes. The benefit streams that make up property rights to natural resources have been characterized in a number of ways. For example, property rights may be characterized as a bundle of rights. Schlager and Ostrom (1992), distinguished between five types of rights that are frequently allocated as part of a property right system:

---

2 Though these categories are useful for describing many different types of property right systems there are empirical situations that may be difficult to fit within this framework. For example, usufruct rights to earn income from a resource (even without using it directly) can be separate from use and management of the resource, as when communities in parts of Eastern and Southern Africa collect a charge from tour operators within common lands (Mwangi and Meinzen-Dick, 2009).
1. Access rights – the right to enter a resource and enjoy the non-subtractive benefits generated by the resource such as clean air, beauty, or a place to exercise.

2. Withdrawal rights – the right to harvest specific quantities of resource units such as fish, trees or non-timber forest products, or to withdraw water at specific times and locations.

3. Management rights – the right to define rules related to maintenance of the resource and/or to physically change the structure of the resource (such as pulling out invasive species, cleaning the canals of an irrigation system, building related facilities).

4. Exclusion rights – the right to determine who has any of the above three rights.

5. Alienation rights – the right to sell, bequeath, or otherwise transfer any or all of the above rights.

Based largely on empirical observation, it is widely thought that property right bundles generally become more complete in the numerical sequence indicated above, with the lowest bundle including only access rights, and the most complete bundle including all five types of rights. Unbundling of rights allows for the possibility that resources can provide different benefits to different resource users simultaneously.

Such characterizations of property rights clearly include concepts of collective choice and operational rules. Whereas access and withdrawal are use rights that arise from established operational rules, management, exclusion and alienation are control rights that involve collective choice rules governing how operational rules are determined. As such, property rights from this perspective encompass both political and production behavior.

In order to connect property rights to household livelihoods, we now focus our conceptualization of property rights on the sole domain of those operational rules that influence production behavior; hence

---

3 There is evidence that substantial benefits can be accrued even when individuals do not have exclusion and alienation rights (Migot-Adholla et al, 1991) i.e. with ‘incomplete’ but well-defined rights under customary law. Unbundling of rights separates the question of whether a right is ‘well-defined’ from that of the effects of having a particular set of rights (Ostrom, 2000).
our nomenclature of operational property right rules. Our focus on property rights and production behavior arises as we wish to understand how property rights provide incentives to use and manage capital stocks, which include natural resources and influence sustainable livelihoods. In an attempt to understand production behavior, we employ concepts of property rights that focus on the benefits that holders of property receive. For example, Bromley (1991:15) proposes the following definition: “capacity to call upon the collective to stand behind one’s claim to a benefit stream”. According to Commons (1968) property rights are enforceable claims which authorize individuals and/or groups to undertake specific actions in a given domain; they define actions that individuals and/or groups can take in relation to other individuals/groups with regard to some ‘thing,’ and are thus critical to the range and magnitude of benefits that individuals/groups can enjoy from a resource. In short the focus is on property rights as benefit streams that are conditioned by property right rules that are a subset of operational rules.

Operational property rights rules directly affect benefit streams, by specifying what property right holders can, and cannot do, with natural resources and what their concomitant responsibilities are (e.g. Scott and Johnson 1983, Ostrom, 1990; Haley and Luckert 1990; Ostrom et al, 1993; McKean, 1998). Examples of characteristics of property right rules include concepts of: duration (how long may rights be exercised); exclusiveness (who may be excluded from the benefit stream); transferability (how can the rights be sold, gifted or inherited); zoning (can land uses be changed); comprehensiveness (which natural resources are included in the rights); and operational requirements (what harvesting, management and processing requirements are there). By specifying these types of rules, the substantive content of the property rights is characterized in a way that lends itself to explaining production behavior.

Property rights rules also have a procedural element. For rights to be realized in practice (i.e for rights holders to enjoy the stream of benefits) they must be enforced. Weak enforcement results in uncertainty about benefits and an inability to defend rights in case of disputes (Ostrom, 1998). The effectiveness of enforcement depends on the legitimacy of the authority that defends the rights. When local users do have
rights to harvest from a resource, they are usually more willing to engage in monitoring and enforcement
of local rules leading to better forest conditions (Ostrom and Nagendra, 2006; Hayes, 2006). Enforcement
has been demonstrated to be necessary for sustainable forest management (Chhatre and Agrawal, 2008;
Coleman and Steed, 2009). Property rights also imply that others (e.g. non rights-holders) are duty bound
to respect the conditions that protect the stream of benefits (Bromley, 1991).

The changing social contexts (e.g. decentralization) in which property rights are held imply that the
content of property rights is rarely a static phenomenon. Property rights change as operational rules (and
other factors) change through processes such as decentralization. The changes that operational rules
undergo are subject to the governance structures that are in place. That is, constitutional/collective choice
rules provide the rights to change property right rules which in turn change rights. Furthermore,
decentralization changes the enforcement authority. Therefore, our considerations of local property rights
to forest resources must go beyond understanding the content of property rights, embodied in a given set
of operational rules, to understanding property rights in a dynamic context, where collective choice rules
allow property rights to evolve.

As changes to property rights occur, the security, or assurance, of those rights may be affected (Sjaastad
and Bromley 2000). Changing operational rules may increase, decrease, or have a neutral effect on benefit
streams. Insecurity implies that benefit streams are uncertain and may be reduced by changing rules, or by
the prospect that benefits will be lost or appropriated by others, including non-claimants. Insecure
property rights give their holders little confidence in maintaining benefit streams over time and can
undermine incentives for managing forest resources (Luckert 1989). Therefore, in addition to considering
the content of property right, dictated by property right rules, we also consider the assurance, or security,
of property rights which are influenced by the collective choice rules that influence changes in these
benefit streams. Moreover, as is the case for political behavior, dynamic relationships between production
behavior and property rights also suggest interactive causality. That is, households may choose to
undertake production activities in ways that increase the assurance of their property rights, such as investing in land improvements.

Recognizing the dynamics of property rights, it becomes clear that decentralization changes not only affect the benefits derived from existing resources, but also influence the incentives that local people have to invest in future benefit streams. As households go about their production activities, they use various combinations of capitals. The livelihoods approach (e.g. Ellis 2000) recognizes a number different types of capital: natural (e.g. forest resources), human (e.g. education), physical (e.g. implements), financial (e.g. savings) and social (e.g. goodwill of neighbors). These accessible stores of wealth are largely responsible for defining the available choices for households as they undertake their production decisions which define the flows of goods and services that they derive. Moreover, the choices that households make, in turn, influence the remaining capital stocks. Social capital plays a slightly different role as relationships among people can more directly interact with political processes rather than just production behavior.

Another potentially important aspect of property rights is their clarity. Benefits derived from property rights occur within social settings where perceptions of rules may vary, at any given point in time, among community members. The larger the variation in perceptions of rules, the less clear are the property rights. The clarity of property rights may influence benefit streams in a similar manner as the assurance of those rights. Given that property rights may be interpreted as a claim on a benefit stream within a given social setting (source) a lack of consensus on rules can lead to confusion regarding who gets what from resources, and how the rules that influence these benefits can be changed. As a result, a lack of clarity can undermine current and future benefits that flow from resources. This is especially relevant in the case of decentralization, when changes often lead to conflicting understanding of the rules and enforcement authority, as illustrated in the Uganda case discussed below.
In sum, defining property rights in terms of content, assurance and clarity within the context of the IAD framework allows us to consider changes to benefits and management incentives that may result from changes in decentralization. At the operational level, these reforms may translate into changes in the content and clarity of property rights. At the collective choice levels, these governance reforms may translate into changes of rights to change rights which may also influence the assurance of property rights.

In formulating the above framework, we have tried to begin to fill the void between various forms of decentralization and their on the ground impacts. Along these lines, we believe that recognizing the linkages in Figure 1 is essential for explaining the role decentralization plays in affecting livelihoods and resource conditions. We must first identify how decentralization was implemented by understanding how governance conditions (including changes to collective choice rules, and operational rules that encompass administrative and property right rules) changed; how those changes, in turn, affected political and production behavior, and how these behavioral changes influenced changes to capital stocks and livelihoods. And we must account for the role of other factors at each of these points. Examining each of these linkages helps to explain why decentralization reforms do not all have the same outcomes. In the remainder of this paper we explore these links drawing from the case of Uganda’s forestry sector decentralization.

5. A Case Study of Decentralization in Uganda: A history of legal uncertainty

In Uganda, the first attempt to decentralize the forestry sector was in 1939-1947 with legislation establishing Local Forest Reserves under the districts administration. Recent governance reforms in the forest sector in Uganda were initiated in 1993 as part of the general devolution policy of the government—under the structural adjustment policy of the IMF. The national government has for the past decade and a half been implementing reforms that seek to decentralize forest sector management and authority to lower levels of governance. Uganda, therefore, provides a suitable case for illustrating how rule sets (including
property rights) at different levels of decision making, affect resource sustainability and livelihoods at local levels.

Forest management in Uganda is guided by a long history of legislation. The Forests Ordinance of 1913 was amended in 1938 in order to institute a new class of forest reserves, the native forest reserves. The amendment also renamed and placed local forest reserves under local administration. This early amendment provided for forest management by an African Local Government that comprised a District Council constituted by councillors and chiefs. While the District Council had powers to make by-laws, the chiefs had the powers to arrest offenders, issue licenses, collect revenues, regulate the cutting of timber and prevent wasteful exploitation of natural resources on public and private lands. The amendment also expanded the definition of forest produce to include litter, soils, stones, gravel and sand. The power of licensing forest produce, however, was vested centrally in the Chief Conservator of Forests. Forest rules of 1947 were amended in 1964 (Forests Act of 1964) and became the principal legislative instruments for Uganda’s forestry sector up to 2003. The local forest reserves established in 1937 were later abolished in 1967 and converted into central forest reserves (i.e. centralized) ostensibly to improve efficiency in forest management. Local administrators were thus stripped of their powers, which were taken up by the Forest Department, the official designated authority for forest management.

The recent decentralization of the forest sector in Uganda is a consequence of broader governance reforms that began in the late 1980s. The enactment of the Resistance Councils and Committees Statute of 1987 established a five-tiered, nested system of elected Local Councils (LCs) modeled after administrative hierarchy of the Buganda Kingdom (Banana et al, 2007). The implementation of the Local Governments (Resistance councils) Statute in 1993 resulted in the government relinquishing ownership (including withdrawal, management, exclusion, and alienation rights) of the Central Forest Reserves to local government. Two years later, however, under Instrument No. 52 of 1995, Central Forest Reserves were again recentralized due to perceived lack of capacity of district councils to manage forestry.
resources (Nsita, 2005). Another two years later, in 1997, the Local Government Act transferred management functions over forest reserves back to the districts and sub-counties, but the 1998 Forest Reserves Order qualified these functions (Bazaara, 2006; Ribot et al., 2006). It reduced their territorial jurisdiction over forests, entrusting ownership and management of forest reserves of less than 100 ha to local governments while retaining forest reserves larger than 100 ha under the central government. These constraints on local government were imposed because of their perceived lack of capacity to manage forestry resources (Nsita, 2005). In 2003 a new Forest Act was promulgated, which delineated responsibilities for forest management in Uganda. The Forest Inspection Division (FID) in the Ministry of Water and Environment was formed to supervise the activities of the newly-created and autonomous National Forest Authority (NFA) and the District Forest Services.

Overall, in the years prior to the adoption of decentralization reforms, the forest administration and management structure of Uganda was centralized in government bureaucracies (the Forest Department), was under-resourced and faced motivational and capacity constraints that undermined its mandates. It was silent on the roles of community level actors in forest decision making, but allowed minimal use and access for subsistence by forest adjacent communities. Earlier in Uganda’s institutional history, forest control and management was decentralized to local authorities, who had broad powers. The close to three decades of District Council control was ended in 1967. The recent effort at decentralization is undermined by legal uncertainty. Between 1987 and 2003, six different legal instruments were enacted. Within this 13-year period rule changes were concentrated in five years, with four of the six instruments adopted within that timeframe. These rule changes largely shifted the authority to manage and alienate forest resources, (especially the high-value timber, high biodiversity Central Forest Reserves) from District Councils to Central Government. As illustrated in later sections, this legal uncertainty has resulted in ambiguities regarding the roles and responsibilities of Central and District Level authorities. The latter are also demotivated and resentful that Central Forest Reserves are no longer under their authority.
Forest management in Uganda: Administrative structure

a) Before decentralization

Before the reform the Forest Department (FD) was directly responsible for the management of both Central and Local Forest Reserves. The District Forest Office was at the center for the management of the forests within districts including forests in Central Forest Reserves (CFR), Local Forest Reserves (LFR) and trees on both private and public lands. Environmental nongovernmental organizations worked at the District level, while community based organizations CBOs, which are community based, operated at the local level. See figure 2 for an illustration of the pre-reform forest management/administration structure.

b) After decentralization

After reform, about 70% of the total forests were categorized as private land under the jurisdiction of the District Forest Service (DFS), while 15% of the forests were categorized as Central Forest Reserves managed by the National Forest Authority. A similar percentage (14.5%) of forests occurs as National Parks under the management of Uganda Wildlife Authority, while a small amount (0.03%) are LFRs under the District Forest Service. This last category did not exist prior to 1997.

The forest sector reform process relied on the development of three institutions. These included the Uganda Forest Policy (2001), the National Forest Plan (2002), the National Forestry and Tree Planting Act (2003). These three institutions authorize and coordinate the actions and activities of government organizations involved in forest management. These include the Ministry of Water and Environment under which the Forest Inspection Division falls, the National Forest Authority (NFA), Uganda Wildlife Authority and Local Governments, as well as a host of ‘new’ actors such as local communities, civil societies, universities and research organizations. The Forest Sector Support Department (FSSD) under which the forest inspection division falls, is responsible for planning, policy formulation, legislation and standards for the forest sector. FSSD provides oversight to the NFA and the DFS. Other key functions of
the Ministry include coordination of the National Forest Plan, ensuring cross-sectoral linkages, and resource mobilization for the forest sector. National Forestry Authority (NFA), an autonomous body that replaced the Forest Department is the lead agency for the management of Central Forest Reserves in partnership with local governments, private sector and local communities, while the Uganda Wildlife Authority (UWA) is the lead institution for wildlife management.

Local government, through the District Forest Services is responsible for technical planning, formulation and enactment of district by-laws affecting the forest sector in the district as well as extension to farmers, watershed protection, law enforcement, licensing and taxation of extractive activities. The DFO, the prior forest department, is now under the Ministry of Local Government in what is currently known as the District Forest Services and is mandated with the management of Local Forest Reserves. Note that the Resistance Councils and Committees Statute of 1987 and the Local Government Act of 1997 introduced a five-tiered system of elected Local councils (LCs): LC1 (village), LC2 (parish), LC3 (sub-county), LC4 (municipality), and LC5 (district) (Banana et al, undated). Each local council is run by an executive committee of nine members; these committees formulate by-laws for the management of natural resources. The secretary for environment is in charge of the management of forestry resources. The LC1 includes all residents of the village. The higher-level LCs includes all executive committee members from the LC at the level immediately below them. The LC3, LC4, and LC 5 executive committee members are paid; LC2 and LC1 committee members serve as volunteers. The District Council is also empowered to hire staff to manage and enforce the by-laws.

In addition to these formal organizations, local communities and the private sector are empowered to participate in various ways in forest management. Local communities have the option of drawing collaborative management plans with NFA or DFS, while private sector operatives have the opportunity of securing plantation concessions, financing timber development and supporting local communities.
Decentralization in the forest sector resulted in two centers of authority for the management of Uganda’s forest estate, the NFA and the DFS. In addition, communities are now seen as legitimate actors in forest management. Figure 3 illustrates the range of actors and their interactions after the reform. The operations of both the NFA and the DFS are supervised by the Forest Inspection Division (FID) also under the Ministry of Water, Lands and Environment. The relationship between the NFA and DFO is expected to be collaborative and communities living adjacent to both Central and Local Forest Reserves are expected to derive benefits from these forests especially for their domestic use. Other relationships depicted in Figure 3 relate to the provision of operational funds, monitoring, community mobilization, information sharing, instruction, etc. Revenues collected from the Central Forest Reserves are for the National Treasury, while revenues collected from the Local Forest Reserves are for use within districts where they are allocated under the guidance of the District Local council five (LC V). It is worth emphasizing that decentralization reforms transferred the management of large forest reserves (i.e. greater than 100ha) to the NFA and the district councils have now been left with smaller forests, many of which have been degraded.

**Rule changes and anticipated incentives for resource management and benefits**

While the range of actors and activities have increased the structure of decision making introduced by the reform appears to have diffused the prior centralization of decision making authority. The Forest sector support division of the ministry of water and environment supervises all activities in the forest sector, including of the National Forest Authority and of the District Forest Services. So both organizations that have day to day contact with local communities are not the final authority, but are under the oversight and regulation of a third authority. In addition, both organizations are also subject to oversight by a fourth actor at the local level, the District Environmental Committee, which coordinates their activities at a more localized level.
Tables 3 and 4 map out the specific authorities and rights that have been devolved in Uganda’s decentralization program. It also indicates the level of decision making (i.e. whether constitutional, collective choice or operational) to which the rule changes apply. The rest of this section elaborates on the rule changes and outlines the incentives stimulated by these rule changes.

Local government is now a key actor in forestry, officials of which are subjected to periodic elections. The communities, through local government, are now supposed to be participants in rule making (and not just in monitoring as before) via the opportunity to define by-laws. Additionally, local government has the authority to not only vet the licensing of forest extraction, but to also collect and retain revenue from some of these activities. Unlike before, the private sector can now lease forest land for the planting of commercial plantations. Because the Local Government Act requires that the District Local Councils receive 40% of all revenue collected from Central Forest Reserves located in the district and 100% of all revenue collected from the Local Forest Reserves, local government is now theoretically able to develop effective forest services at the district level and to invest in forest enterprises—an activity that was previously controlled by the center. Revenues collected from product taxation and permits can be ploughed back to reward community managers involved in patrolling and forest improvement activities.

Uganda’s decentralization program is characterized by rule changes at all the three levels of decision making illustrated in our framework. At the constitutional choice level, authority to determine who can legitimately participate in rule-making and rule changing (such as licensing) has shifted to District Councils. Collective choice decisions such as budgetary allocations, personnel deployment, and revenue generation likewise shifted to District Councils. Some of these collective choice decisions touch on property rights. For example, the power to alienate resources, previously residing in the Minister of Forests is now shared between the Parliament of Uganda and the District Councils. Similarly, District Councils hold rights to income streams that are generated through taxation and licensing of forest products, just as they hold rights to determine what management interventions can be undertaken within...
their jurisdictions. By devolving authority to the District Councils, these changes in both administrative rules and in property rights provide a strong set of incentives to decision makers and implementers to engage in sustainable use and management of forest resources, since they are the designated beneficiaries of these actions. As indicated above, their decisions and actions are also subject to scrutiny through various mechanisms, including regular elections. Officials can be directly rewarded or punished for their performance. Local actors have an assortment of actors and options if they seek redress over grievances and/or advisory support for their activities. Note that these actors are in turn subject to oversight by higher and lower authorities.

Rule changes at the operational level have also had the effect of including communities and their representatives in operational decisions such as the crafting of by-laws for the use and management of forest resources. The Local Council structure serves as a mechanism for aggregating and channeling decisions and information by men and women (who are all members of the village council), both upwards and downwards. Unlike before, local communities now have rights to a share of the revenues generated from valuable forest products. There is recognition of the importance of forests for livelihoods and incomes of forest adjacent communities. These elements are fundamental for enhancing community interest and sustaining participation in decision making sustainable forest management. Communities, however, have new responsibilities for forest monitoring and enforcement.

Overall the design of Uganda’s decentralization program appears to align the incentives of disparate actors from local to district level and can thus be anticipated to result in the desired outcomes of resource sustainability and the enhancement of the livelihoods of forest adjacent communities.

**Forest decentralization: What effects on livelihoods and resource sustainability?**
The purpose of this section is to assess livelihoods and resource sustainability outcomes of
decentralization and to attempt to make the links between these outcomes and the incentive structure
engendered by changes in constitutional, collective choice and operational rules during the reform
process. The section draws heavily from three sources: Banana et al (undated), Banana et al (2007) and
Jagger (2008). All three sources have used innovative research designs in their bid to quantify outcomes
and trace the pathways through which institutional change impacts resource sustainability and livelihood
benefits.

In a cross-sectional survey of 43 forests in eastern, central and western Uganda, Banana et al (undated)
show unregulated harvesting and use of forest products. Forty percent of 1216 sample plots had evidence
of consumptive utilization of various forest products such as charcoal burning, firewood collection and
timber. 61% of forest plots located in Mpigi district, showed similar evidence of unregulated consumptive
harvesting. Such unregulated harvesting especially of timber was more widespread in forests located far
(aboot 50 Km) from the district administrative center. Timber trees were on average 15 cm smaller for
each 50-kilometer increase in distance away from the administrative center.

Banana et al (undated) point to four reasons why resource conditions may decline regardless of the major
rule changes outline in prior sections. First, members of village and Parish committees (who conduct
monitoring and enforcement as there are no Forest Guards at this level, which is distant from
administrative centers) are volunteers and receive no tangible benefits from forestry resources. Hence
they are unwilling to invest in monitoring and enforcement. Second, the 40% of incomes from permits
and licenses do not trickle down to the village council but instead provide budgetary support to the district
and sub-county councils. Moreover, access to valuable commercial forest products (such as timber) is
restricted to a few individuals who hold licenses issued by the Central Government. Monitoring,
enforcement, and sanctioning of forest rules by the elected Village, Parish and Sub-county governments is
thus lax, if not altogether absent. For example, in 2000 only 14 people were prosecuted for illegal
harvesting of firewood, charcoal, and timber in Mpigi District and less than ten in 2001, an election year during which local councilors and Environmental Committee members did not want to risk antagonizing voters. Third, disincentives to local level monitoring are further aggravated by the fate of illegally harvested products impounded on transit to markets. Revenues generated from the auction of impounded forest products such as charcoal and timber (which are higher than revenues collected by local councils from the legitimate sale of forest produce) are appropriated by Central Government. Finally, because many District Local Councils (including Mpigi District) lack financial, human and technical capacity, forest management has been left to the District Forest Officer, a central government employee who is supervised by the District Local Government. The latter is however responsible for the employment of Forest Rangers and Forest Guards who support the DFO and not for the employment of the DFO. The District Forest Office however does not receive adequate budgetary support from the Central Government because the government considers forest resources decentralized. This fragmentation of supervisory roles contributes to unwillingness by various tiers of local government to take budgetary responsibility for services provided by the DFO.

An over-time analysis of forest condition echoes and builds upon results presented in the above study. Forest plot data collected before (1994/95) and after (1999/2000) decentralization in nine forest patches in Mpigi District reveal an aggregate and significant decline in the number of trees, aggregated basal area, mean tree density, and total above-ground biomass. The decline was uneven. Regardless of broad property regime (i.e. whether Local Forest Reserves or State, or private, individual), some forests were degrading whereas others were stable. Higher levels of rule compliance were associated with better forest condition and lower compliance levels with degrading forests. All forests analyzed were located in areas close to the main capital city of Kampala and had similar, high population densities. While monitoring and enforcement were critical to enhancing compliance, the parties that undertook this activity varied. For example strict nature reserves (e.g. Mpanga forest) were protected by well-motivated central government (UWA) personnel supported by donor funds. Here, high levels of monitoring and enforcement
discouraged non-compliance to timber and fuelwood harvesting rules. Similar high levels of compliance to harvesting rules were found in privately/individually owned forests, in which the forest owner permitted forest-adjacent communities to harvest forest products, but worked collaboratively with them and the village council to regulate harvesting. In yet another Central Forest Reserve (Kizzikibi forest), cooperation between local councils, community members and the DFO in initiating and enforcing harvesting regulations was motivated by a rapid decline in tree cover and increasing scarcity of forest products.

The forests in which forest-adjacent communities did not comply with timber and fuelwood harvesting rules before or after decentralization were characterized by a lack of organized forms of monitoring or rule enforcement by either the DFO or the forest owners. Large quantities of timber and fuelwood sold in the nearby capital city’s timber yards originated from these forest patches. Several reasons were found to account for this lack of enforcement and compliance. First, a loss of ownership and decision-making power due to a recentralization of forests demoralized local council personel. Second, ever since the enactment of reforms in 1993, the district forest service has been characterized by a drastic decline in funding; annual funding declined from Ugshs 70 million prior to the 1993 decentralization reforms to Ugshs 8 million. Similarly, staff employed declined from 28 FGs and 11 casual patrol workers before decentralization to only 14 guards for the entire forest estate in Mpigi District.

In a recent comparison of two time period (i.e. 2003 and 2006-7) incomes of households living adjacent to forests managed by the District Forest Service and those managed by the National Forest Authority, Jagger (2008) finds that reform implementation results in a modest decline in incomes of those living close to DFS forests. The decline is experienced by the poorest households in as much as the gains in income from forest resource use are concentrated amongst wealthier households. For female-headed households the decline is particularly severe, with up to 32% of them registering declines. On the other hand, households living adjacent to NFA forests recorded income increases with the reform’s
implementation, especially the wealthiest households. Overall, livelihoods of forest-adjacent communities are only marginally improved if not altogether worse off following decentralization reforms.

Two reasons have been advanced to explain this failure. First, there is a lack of forest extension capacity. District Forest Officers in the areas where the forests are located are spread thin, spending most of their time collecting revenues from timber and charcoal transportation rather than providing the necessary information that would see households diversify forest use from subsistence to commercialized, income-generating enterprises. Second, local resource users are generally excluded from accessing markets for high-value forest products, a market that is limited to selected private actors.

Taken together, these three studies suggest that the decentralization program set out on paper does not match the on-ground reality. While the objectives of the reform and the structure of institutions should provide a set of incentives anticipated to improve resource management and benefits, the failure of critical actions such as monitoring and enforcement and market access for forest-based enterprises speak to a range of disincentives (such as insufficient budgets/personnel or lack of rights to raise revenues) that limit the extent to which relevant actors engage in sustainable resource use or the extent to which resource users accrue livelihoods/income benefits from resource use.

Unpacking decentralization in Uganda: Assessing the framework

The purpose of this framework is to provide a tool to facilitate the analysis of decentralization. It provides a conceptual pathway from the enactment of reforms, through the sets of rules (including property rights) that condition behavior, to outcomes with respect to forest condition and livelihoods, two principal outcomes are anticipated under such reform programs.

By applying the framework to Uganda’s reform program, we find that even though substantial authority to define rules (at constitutional, collective choice and operational levels) have shifted from the center to
the district level, and even though a large number of sticks in the bundle of property rights now reside at
the district level, and some with communities and/or their representatives, the devolution is imperfect and
incomplete. Some central control over budgetary allocations is maintained. The ability of district and
lower level actors to raise revenues (e.g. from timber) is circumscribed. Monitoring and enforcement at
the lowest administrative level is undermined by a lack of reward for monitors (and hence lower
compliance levels), while a lack of personnel at district level has similar implications. Resource users, on
the other hand, are locked into subsistence use, with few benefits to absorb the burdens and
responsibilities that newly acquire management and decision making rights impose on them. The structure
of the reform process itself with the shifting back and forth of rights and decisions between the central
administration and the districts has dampened the morale of district level actors who resent the final
decision to devolve authority and management over smaller, more degraded forests. This spiral of
disincentives, contrary to the original intent of the reform program, has had unanticipated consequences
for resource users’ livelihoods and for the condition of the forests.

The usefulness of the framework is in its focus on rules and incentives and in mapping out those rules
critical to outcomes, intermediate outputs have not been touched on. Several caveats are in order. First,
the Uganda case is illustrative and by no means captures all the possible sets of relationships implied by
the framework. For example, much of the analysis focused on enforcement, yet duration, clarity and
security are principle dimensions of property rights that can be analyzed. An expansion of empirical work
in other settings will likely shed light on the influence of these dimensions. Second, the role of ‘other
factors of influence’ requires further elaboration beyond the scope of this paper. Yet the studies in
Uganda from which we drew our examples were carefully designed to hold potential drivers such as
market and population pressures and political regimes constant. Expansion of analysis to different settings
will require innovative designs in order to reduce the influence of other factors to allow for meaningful
comparisons.
Implications for forest devolution policies

Despite the enthusiasm for decentralization policies, the expectation that such reforms would bring decision-making closer to the people and thereby improve both resource conditions and local livelihoods, have not been met. Decentralization has not and will not necessarily lead to better outcomes, because the programs themselves and the environments in which they are implemented are highly variable. Our framework can help identify the necessary causal links from policy changes to actual changes in governance structures, rules, and property rights, and from this to behavior changes, and whether those, in turn, lead to better or worse forest conditions and livelihoods. As demonstrated by the application of the framework to Uganda, the nature of changes at each of these stages will shape the outcomes of decentralization. Better understanding of these relationships of reforms, property rights, and behavior can help shape the outcomes of reforms to live up to expectations.
References


Matiru, Violet. 1999. Forest cover and forest reserves in Kenya: Policy and practice. IUCN.


39


Figure 1 [insert from attached file]
Figure 2: Pre Decentralization Reform Management Structure, Uganda
Figure 3: Post Decentralization Resource Management Structure, Uganda
### Table 3: The structure of decentralization/devolution in Uganda’s forest sector

<table>
<thead>
<tr>
<th>Function</th>
<th>Description</th>
<th>Barriers to implementation.</th>
</tr>
</thead>
</table>
| **Powers decentralized/devolved to District Councils** | 1. Establish district forest service to manage district forest resources and provide advisory services to private forest owners and tree growers (Constitutional choice level)  
2. Craft forest by-laws and enforce them (Collective choice level)  
3. Source for funding to invest in the forest sector in the district (Operational level)  
4. Generate income from issuing permits for harvesting forest produce in the district (Operational level)  
5. Generate income from permits for transporting forest produce through the district (Operational level) | 1. In some districts, limited revenue collected  
2. In some districts, the district forest services have not been established or are poorly staffed and financed  
3. Revenue not plowed back into the forest sector but used as a general revenue for the district |
| **Structure of reform process**   | 1. It has been flip flopping from central to local over time.  
2. Since 1995, small forests and the management of forests (70% of forest estate) outside the protected area network and on-farm trees were transferred to the local governments; large productive forests retained by the central government but managed by an autonomous body  
3. Government assumed that District Councils did not have capacity to manage the big forest reserves | District forest services have limited authority on private and ungazetted forests hence rampant deforestation occurring in these forests. |
| **The role of the central authority or other actors in facilitating the transfer of powers** | A Forest Sector Support Dept was formed in the Ministry of Water and Environment to build capacity in the District Forest Service, monitor its performance, and source for funding for district forest services | This department is poorly staffed and poorly financed. |
| **Responsibilities decentralized/devolved to District Councils** | 1. Rule-making,  
2. Monitoring & enforcement  
3. Restoring degraded areas  
4. Managing forests located outside protected areas  
5. Advisory services to private forest owners | 1. Limited human and financial capacity to effectively carry out these responsibilities  
2. Political interference  
3. Corruption |
<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>**Consequences of non-</td>
<td>1. Reduction of budgetary support from central government</td>
<td>1. Corruption in hiring of technical staff</td>
<td></td>
</tr>
<tr>
<td>performance of District</td>
<td>2. Threat of re-centralization</td>
<td>2. Voters rank forestry issues low and may not punish a</td>
<td></td>
</tr>
<tr>
<td>Councils</td>
<td>3. District Council can suspend the operations of the unit that</td>
<td>councilor who is misusing forest resources</td>
<td></td>
</tr>
<tr>
<td></td>
<td>has failed to perform</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>**Accountability of local</td>
<td>Central government and the local populace:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>officials</td>
<td>1. The technical staff are responsible to the Council who can</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>dismiss them if they do not perform</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. The technical staff is also accountable to the central</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>government through the Forest Sector Support dept.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. The council members are accountable to the local populace</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>and can be replaced through regular elections</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Some technical staff are hired on contracts which may not be</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>renewed if one does not perform</td>
<td></td>
<td></td>
</tr>
<tr>
<td>**Participation by</td>
<td></td>
<td>1. It takes a long time for the decisions made at the local</td>
<td></td>
</tr>
<tr>
<td>communities in decision</td>
<td>1. Through consultative meetings between district forest</td>
<td>level to be implemented by the district councils</td>
<td></td>
</tr>
<tr>
<td>making</td>
<td>officials and local communities</td>
<td>2. Some decisions may be significantly altered by the time they</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Local men and women are part of village councils that make</td>
<td>reach the district council</td>
<td></td>
</tr>
<tr>
<td></td>
<td>decisions that are forwarded to the higher council</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Local men and women can express their views to their sub-</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>county or district council members. Women and the youth</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>are represented at each level of local governance. Women</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>councilors at the districts are directly elected by</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>universal suffrage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>**Budget allocations</td>
<td>1. Central government supports the district through conditional</td>
<td>1. Conditional grants are used for provisional</td>
<td></td>
</tr>
<tr>
<td></td>
<td>grant transfers up to 90% of the district budget</td>
<td>social services such as schools, health, roads and not for the</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Sub-county councils also get conditional grant from the</td>
<td>forest sector</td>
<td></td>
</tr>
<tr>
<td></td>
<td>district councils</td>
<td></td>
<td></td>
</tr>
<tr>
<td>**Responsibility for conflict</td>
<td>Local councils, Land tribunal and the courts</td>
<td>1.Conditional grants are used for provisional</td>
<td></td>
</tr>
<tr>
<td>resolution</td>
<td></td>
<td>social services such as schools, health, roads and not for the</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>forest sector</td>
<td></td>
</tr>
<tr>
<td>Right in bundle</td>
<td>Who held rights before decentralization?</td>
<td>Who holds rights after decentralization?</td>
<td>Conflicts?</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Access rights                           | 1. In forest reserves: any citizen of Uganda.  
2. For private forests: the private owner | 1. Any citizen of Uganda  
2. Any citizen of Uganda | No | |
| Withdrawal rights                        | 1. Local communities had rights to withdraw reasonable quantities of resource units such as fish, trees or non-timber forest products for subsistence use.  
2. Forest dept had rights to issue permits and licenses to harvest forest produce on a commercial basis. | 1. Local communities have rights to withdraw reasonable quantities of resource units such as fish, trees or non-timber forest products for subsistence use.  
2. NFA has rights to issue permits and licenses to harvest forest produce on a commercial basis from central government forest reserves  
3. District Forest Services has rights to issue permits and licenses to harvest forest produce on a commercial basis from local forest reserves and forests outside protected areas | 1. Private forest owners would like to harvest their forest produce without first consulting and paying harvesting fee to the district forest services.  
2. Illegal harvesting is still widespread. | |
| Rights to earn income from a resource by using it directly or indirectly | 1.Any one who would have purchased a permit to harvest forest products on a commercial basis from the forest department. | 1. Anyone who would have purchased a permit to harvest forest products on a commercial basis from the NFA or DFS.  
2.Local communities or local councils have a right to share of revenues from valuable timber and non- | 1. Private forest owners would like to harvest their forest produce without first consulting and paying harvesting fee to the district forest services |
| Management rights | Forest Department | National Forest Authority (NFA)  
|                  |                  | 2.District Forest Services (DFS)  
|                  |                  | 1.NFA has the resources to effectively manage.  
|                  |                  | 2.DFS do not have the resources but yet have to manage a much larger forest estate.  
|                  |                  | 3.Forest resources are stolen from central forest reserves.  
| Exclusion rights | Forest Department | 1.NFA  
|                  |                  | 2.DFS  
|                  |                  | No  
|                  |                  | 2.District councils  
|                  |                  | None  

<table>
<thead>
<tr>
<th>Timber products, revenues from tourism</th>
</tr>
</thead>
</table>