Decentralized Governance for Promoting and Strengthening Participative and Inclusive Governance and Public Administration for Sustainable Development: The Experience of Uganda


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Introduction

- The decentralization policy is at the core of Uganda’s governance framework. The Country has since independence practiced both decentralized and extremely centralized forms of local governance,

- The current decentralization reform as introduced in 1992, was an outcome of a review of the Resistance Councils system, related laws and statutory instruments.

- The review was borne out of the desire to make local governments effective centres of local decision making, planning and local development.
Objectives of the decentralization policy in Uganda

- There were 5 objectives at the inception of Decentralisation policy reforms and added the 6th on Local Economic Development (LED) in 2006:
  - The transfer of real power to the Districts with the aim of reducing the load of work on remote and under-resourced central officials.
  - Bringing political and administrative control over services to the point where they are actually delivered, thereby improving accountability and effectiveness, and promoting people’s feeling of “ownership” of programmes and projects executed in their Districts.
  - Freeing local managers from central constraints and enabling them to develop, effective and sustainable organizational structures tailored to local circumstances in the long-term.
Objectives cont’d

- Improving financial accountability and responsibility by establishing a clear link between payment of taxes and provision of services they finance.

- Improving the capacity of local authorities to plan, finance and manage the delivery of services to users.

- Promotion of *Local Economic Development* in order to enhance people’s incomes and widen the tax base of local governments.
Powers Decentralized to Local Governments

- **Political powers** – Councils headed by politically elected leaders
- **Financial powers** – Councils collect and appropriate resources in their budgets
- **Administrative powers** – Councils manage staff in their districts
- **Planning powers** – Councils make development plans for their areas
- **Legislative powers** – Councils make bye-laws or ordinances
- **Judicial powers** – Executive committees at the village and parish also double as local council courts. At sub-county/town council there is also a local council court. These powers are provided in a separate law-the **Local Council Courts Act**
- **Economic powers** – Local Economic Development policy
- LGs delivery a broad range of services as provided in the Second Schedule to the **Local Government Act**
Uganda’s Experience with Decentralized Governance and Local Development

- The devolution of the above powers was aimed at improving local democracy, accountability, efficiency, effectiveness, equity and sustainability in the provision of devolved social services country-wide.

- Following a review of the implementation of the decentralization programme the following challenges were identified:
  - The absence of strategies to stimulate local and community enterprise development.
  - Inadequate infrastructure development, which makes it difficult for entrepreneurs to access business development services and markets.
  - Low household incomes and savings. A narrow revenue base leading to low incomes for the Local Governments and over dependence.
  - Continued orientation of Local Government structures to serve as instruments of service delivery rather than catalysts of wealth creation and economic development.
  - Limited capacity of LGs to attract and retain competent staff.
  - Ineffective participation and coordination of stakeholders in locality development.
Uganda’s Experience with Decentralized Governance and Local Development

- **Political Decentralization**
  - **Electoral Democracy** - the decentralization policy has permitted localization of democratic practice with popularly elected local councils making decisions in response to locally determined priorities.
  - **Local Council Courts** - The Local council courts have been instrumental in the resolution of local conflicts in their areas of jurisdiction, and this has been pivotal for consolidation of legitimacy of local democracy
  - **Strengthening of Downward Accountability to the Electorate** – The decentralization policy has brought about political and administrative control over services to the point of delivery, thereby improving accountability and effectiveness, and promoting people’s feelings of ownership of programmes and projects executed in their local governments
  - **Grassroots Implementation of Government Programmes** - Apart from the minimization of transaction costs, use of grassroots entities as entry points for planning and execution of public programmes has encouraged popular participation, mass ownership and strengthened downward accountability.
Uganda’s Experience with Decentralized Governance cont’d

- **Administrative Decentralization**
  - The management structures of Local Governments are under the Local Council as provided for under the Local Government Act, Cap. 243.
  - The Council is the highest political authority within the area of jurisdiction of Local Government; and has legislative and executive powers which are exercised in accordance with the relevant provisions of the Constitution of Uganda.
  - The Local Governments Act Cap. 243 also provides for establishment of District Service Commissions, with powers to appoint technical persons to hold or act in the service of a District or Urban Council, including powers to confirm appointments and exercise disciplinary action except for Chief Executives (Chief Administrative Officer/Deputy CAO/Town Clerk of Municipalities)
  - Equally of critical importance for the efficiency and effectiveness of the institutional machinery is the adequacy of capacity at the local government level.
Fiscal Decentralization

- **Central governmental transfers** – in form of conditional, unconditional and equalization grants. Central Government transfers constitute the largest share (90%) of the total financing available for decentralized service delivery.

- LG transfers constitute 16% of the National budget

- **Local Governments’ own revenues** - Local governments are empowered to levy, charge and collect fees and taxes, including rates, rents, royalties, stamp duties and registration and licensing fees, and the fees and taxes are specified in the Fifth schedule of the Local Governments Act, Cap 243
Framework for participation and inclusive decentralised governance

- **Local Councils**- from village to district: The marginalized and vulnerable categories including women, youth, people with disabilities and the elderly who constitute a big proportion of the population are also represented and allowed to participate in the decision-making process in areas where they live.

- **Planning and budgeting fora**

- **The Barazas** (peoples parliaments) at community level where government officials account to the people and can be held accountable for tier actions

- **Electoral system**- Universal adult suffrage to elect the leaders

- **High leader: Led ratio**- At village and parish levels: 1 leader to 48 people: Opportunity for people to engage their leaders (34m/0.715m)
Emerging Trends in Decentralized Governance and Public Administration for Sustainable Development

- **Emphasis on results focus of service delivery** – Government of Uganda has introduced and progressively refined reforms aimed at strengthening performance management and accountability in public service including performance contracts for top executives in Government.

- **Increased usage of Public Private Partnerships (PPPs) in service delivery** - Government of Uganda has been undertaking a structured effort towards rationalization and strengthening of PPPs, at local government level, including formulation of the requisite Public-Private Partnership policy, and operational Guidelines.

- **Information Communication Technology** - Information Communication Technology (ICT) is important in today's life as almost everything has an aspect of ICT in it. The information generated using ICT helps in decision making and service delivery in LGs and other institutions.
Emerging Trends cont’d

- **Sustainable local governance in the context of globalization** – The sustainability of local governance in the context of globalization has tended to be premised on the social planning model, calling for further integration of local populations into the global system in the hope that new forms of partnerships may evolve. However, there is need for concerted *global, national and local recognition and support* of the rights and capacities of the local communities to be at the forefront of sustainable self-development.

- **Regional integration and the role of Local Authorities** – Within the context of the broader integration process, the crucial role of the local government system in localizing the regional agenda cannot be underestimated.

- **Emphasis on Local Economic Development (LED)** – The purpose of LED is to build up the economic capacity of a local area to improve its economic future and quality of life for all. The theme of Uganda`s LED policy is – *stimulating partnerships for sustainable equitable local development*
Challenges in the Implementation of the Decentralized Governance

- **Financing of decentralized service delivery** - There have been persistent concerns about the mismatch between the volume of resources allocated to local governments in Uganda and the actual cost of decentralized service delivery (unfunded mandates).

- **Capacity of local governments**
  - Local governments have remained constrained by shortages of staff, largely attributed to inadequacy of funding for staff recruitment, inability to attract and retain highly qualified personnel.

- **Inadequate local revenue generation** - the capacity of local governments to mobilize own revenues from devolved sources have steadily declined over the years, reducing their contribution towards the cost of service delivery to the population.

- **Inadequacies in inspection and monitoring of local governments by central government departments** - Inadequacies in this regard by line ministries have stifled efficient and effective decentralized service delivery.
Challenges cont’d

- **Phenomenon of rapid urbanization** - Some of the challenges in this regard include how decentralized power sharing can lead to efficient and effective governance of the cities and other urban authorities; metropolitan planning and development; sustainability of financing mechanisms for urban service delivery; and the safeguard of important ecosystem services.

- **Intra-Local Government conflicts** - These sometimes occur between political leaders and technical staff; and among the elected leaders themselves along party lines – which of necessity paralyzes service delivery and local government operations.

- **Inadequate support to community level service delivery structures** - Membership to these committees has largely been voluntary, based on the notion of civic duty. Over time, though, this has tended to undermine the levels of commitment and willingness to serve.
Conclusion: Looking into the future

- The decentralization policy has made a significant contribution towards good governance, improved service delivery, transparency, accountability and participatory democracy in this country.

- The challenges are being tackled through improvement of systems, processes and institutional reforms.

- The transition from MDGs to SDGs should lay more emphasis on localising the development goals and strengthening capacity of local institutions and stakeholder to effectively deliver on local development.

- Effective local development tools and approaches such as LED are critical in sustainable local development.