

Uganda's sub-national 'presidents':

Understanding the evolution,
role and function of Resident
District Commissioners



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March 2022



This research was funded by
the Konrad-Adenauer-Stiftung
Uganda and South Sudan.

FOREWORD

This year, Konrad-Adenauer-Stiftung celebrates 60 years of its international work. In Germany as well as abroad, our mission is: Shaping. Democracy. Together.

We strongly believe that democracy starts with all of us as citizens. As our name giver, Konrad Adenauer, once put it: "Democracy is best taught in communities. There, the practical work and the result of the election are seen directly. The work in the service of the community is therefore the best early stage for political democratic work."

For almost three decades now, we have been extensively engaging at the community level in Uganda. We have done so in various projects and with different partners. We have just celebrated 22 years of cooperation with the government of Uganda providing civic education for elected and appointed local and district authorities.

Often, when interacting with them, we realize that some of the conflicts on the ground result from the limited understanding of the respective roles, functions, rights and obligations. That's why we have not only developed materials on the different aspects of democracy and educative curricula for local councilors but also want to contribute to an academic research on the constitutional mandate and practical roles of different stakeholders.

We start our research with the Resident District Commissioners (RDCs) who have played an important role in the political system and reality of Uganda. However, their role is controversial. Their function as part of the decentralized system is disputed. There is no doubt about the extent of power wielded by the RDCs in Uganda. As an integral part of the governing structure of the State, RDCs as the President's representatives at the district level play numerous roles including as heads of security, arbiters of land and domestic disputes among others. These are sometimes in conflict with the roles of other officials, both elected and appointed.

Nonetheless, the long queues outside the offices of the RDC's also speak volumes. As it seems, ordinary citizens oftentimes prefer to seek their support instead of reaching out to other agencies or institutions. This raises the question for the causes of this perception and makes it valuable to look deeper into such aspects as the factual independence of different institutions, their actual powers, their financial endowment, their ability to perform and to deliver services.

This publication looks at a number of issues such as the evolution of RDC's, their profiles, their roles and how they fit into Uganda's broader governance framework.

We hope that you will find the findings insightful and useful for the debate on Uganda's state of democracy.

We thank the authors for the first of its kind analysis that examines the constitutional and the actual roles of the Resident District Commissioners.

Anna Reismann

Country Director

Konrad-Adenauer-Stiftung Uganda and South Sudan

INTRODUCTION

Resident District Commissioners (RDCs)¹ are integral to the function of the Ugandan state. In its current outline, the Ugandan state has two governing structures: a performative one where democratic rituals take place along with elite bargains² and a militarised-political one that is dominated by the NRM and that has a lot of formal and informal power. President Museveni serves as a broker of compromise between these two structures and RDCs play a comparable role at the district level.

This working paper provides an in-depth look at the functions of RDCs across Uganda. It seeks to better understand how the position evolved, who they are, the roles they play and the way they fit into Uganda's broader governance framework. It does so by drawing on extensive interviews undertaken in 2020 and 2021 with RDCs, elected and appointed local government officials and experts from government, academia and civil society across 16 districts of Uganda – four in each region of the country. These insights are further supported by data gathered through an RDC mapping exercise and two feedback workshops held with media professionals and political actors in Kampala in October 2021.

1 For the purpose of this report this also includes Resident City Commissioners, who are growing in number as new cities are created and who play the same role as RDCs.

2 Golooba-Mutebi, F. & Hickey, S. 2013. [“Investigating the Links between Political Settlements and Inclusive Development in Uganda: Towards a Research Agenda”](#). Effective States and Inclusive Development Research Centre. Working Paper No. 20. Manchester: University of Manchester.

SECTION 1:

The evolution of the 'district president'

The idea of a central government appointed official to oversee a district was a key part of Uganda's pre-independence dispensation. After the passage of the African Native Authority Ordinance in 1919, "the district commissioner, who was the representative of the governor, was the most important official in each district"³. In 1985, as the 'bush war' against the government of Milton Obote continued, the National Resistance Army (NRA) created an interim administration in parts of western and central Uganda under its control. To oversee and promote the revolution in these 'liberated' districts, the NRA created the position of Special District Administrator (SDA) – the precursor to the RDC.

Former Minister for the Presidency Frank Tumwebaze, speaking in 2014, described how "the SDAs were directly under the Secretariat⁴ and therefore, played the role of the Secretariat at district level"⁵. The title changed twice in the next decade – evolving from SDAs to District Administrator (DA) in 1987 and then to Central Government Representative – but their functions remained broadly the same. These appointees were charged with managing security in newly liberated areas and pushing forward the ideals of the revolution. Essentially, they were the commander-in-chief's listening and observation posts.

The RDC position is therefore embedded in the philosophy and approach of the NRA. Its primary functions were formally laid out in Article 203 of the 1995 Constitution:

"to coordinate the administration of government services in the district, to advise chairperson on matters of a national nature that may affect the district or its plans and programmes and particularly the relations between the district and the government and to carry out such other functions as may be assigned by the President or prescribed by Parliament".

In the 1990s the NRM also moved to introduce a local government structure as it had promised to do in its ten-point-programme and under pressure from multilaterals promising financial support in return for the enacting of structural adjustment programmes. A five-tier elected local council structure was introduced which stretched all the way from the district level – headed by the local council five (LCV) chairperson – down to the village. This was codified in the 1993 Local Government (Resistance Councils) Statute, which provided a legal framework for the transfer of political, administrative and fiscal powers to local governments and was subsequently enshrined in the 1995 Constitution and the 1997 Local Governments Act. In a further devolution of central

3 Tumushabe, G et al. 2010. ["Monitoring and assessing the performance of local government councils in Uganda: Background, methodology and scorecard"](#). ACODE Policy Research Series, No 31.

4 The NRM Secretariat is a senior administrative organ of the ruling party charged with implementing the decisions of the party's executive council. <https://www.nrm.ug/party-organs/national-secretariat>

5 Tumwebaze, F. 2014. ["RDCs are political employees"](#). The Observer. 13 April.

authority, the position of Chief Administrative Officer (CAO), a civil servant and the chief technical administrator in a district, was created by the 1997 Act. The CAO was to be appointed by the District Service Commission⁶.

Even though the President had the power to appoint an RDC for each district, his control and knowledge of the affairs of the district were diminished by the provisions of, and positions created by the Local Governments Act, which gave the CAO and district civil servants more freedom to act independently of his oversight. At the same time, the army was becoming more professionalised, organising security through agencies like the Internal Security Organisation (ISO), External Security Organisation and Chieftaincy of Military Intelligence. This, formally at least, reduced the commander-in-chief's direct control over security information.

In 2005, constitutional amendments reasserted the power of the executive and his political appointee at the district level. The requirement for an RDC to be a senior civil servant was removed and the function of the RDC was changed from “**coordinate** government services in the district” to “**monitor** central and local government services”. In the realm of security, the RDC's role was no longer to “**advise** the district chairperson on matters of a national nature that may affect the district or its plans and programmes and particularly the relations between the district and the government”. This was replaced by a simpler responsibility— **to chair** the district security committee⁷. Given that all security agency representatives in the district report to this committee, it indirectly granted the President greater oversight over district-level security activities. There was also a recentralising of the CAO appointment process away from District Service Commissions to a central appointing authority—the Public Service Commission⁸. According to a CAO based in northern Uganda, who has worked in the role for over two decades, “the CAO, district chair and RDC were all under one office of the district commissioner. The NRM separated these roles, to have a direct hand and hold on government programmes”. It also reduced the ability of locally elected officials to exert pressure on the CAO to function in their own interests or face the threat of removal from office.

For academic Elliot Green it was “no coincidence that the recentralisation of control over CAOs took place at the same time as when Uganda returned to a multi-party democracy and President Museveni was concerned about the infiltration of opposition parties into the local government structure”⁹. RDCs, as the eyes and ears of the president at the district, were an integral part of these efforts to diminish the powers of elected district leaders.

⁶ See Government of Uganda. 1997. “The Local Governments Act: Chapter 243”. Article 63.

⁷ This reflected requirements already in place in the National Security Council Act of 2000.

⁸ The Public Service Commission is serviced by a Secretariat headed by the Secretary, Public Service Commission who is at the level of Permanent Secretary. He is deputised by the Deputy Secretary, Public Service Commission. The Commission is organised on the basis of three Departments namely: Guidance and Monitoring headed by a Deputy Secretary, Selection Systems headed by a Commissioner and Finance and Administration headed by an under secretary. <https://psc.go.ug/psc/public-service-commission>

⁹ Green, E. 2015. “Decentralization and Development in Contemporary Uganda”. *Regional and Federal Studies*. 25:5, p.496.

SECTION 2:

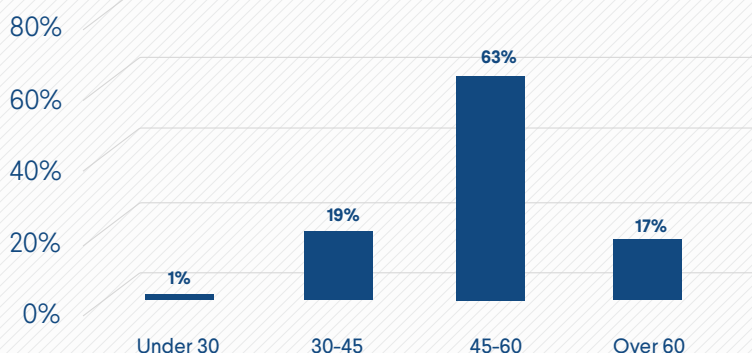
Who are RDCs?

RDCs are predominantly male (74%) and over the age of 45 (80%); but this is more a reflection of Uganda's wider political make-up than a specific feature of the RDC role¹⁰. An understanding of the region's political history and context, along with an ability to speak the language is also important. According to data collected by this study 66% of RDCs are assigned within their home sub-region or region. If the RDC is 'an outsider', his or her deputy¹¹ is nearly always from the immediate sub-region. However, there is some notable variation between the regions with only 48% of appointees to central Uganda – a key vote base for leading opposition party the National

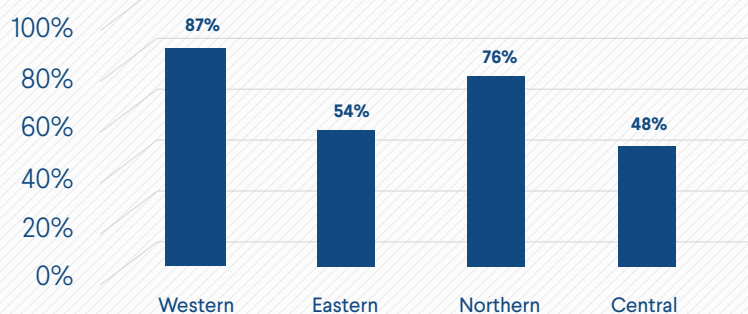
¹⁰ 94% of LCVs are male, with 75% over the age of 45

¹¹ Not all RDCs have deputies. As of January 2021, there were 87 deputies appointed to districts across Uganda. Their role is to support the functions and duties assigned to the RDC.

Age of RDCs

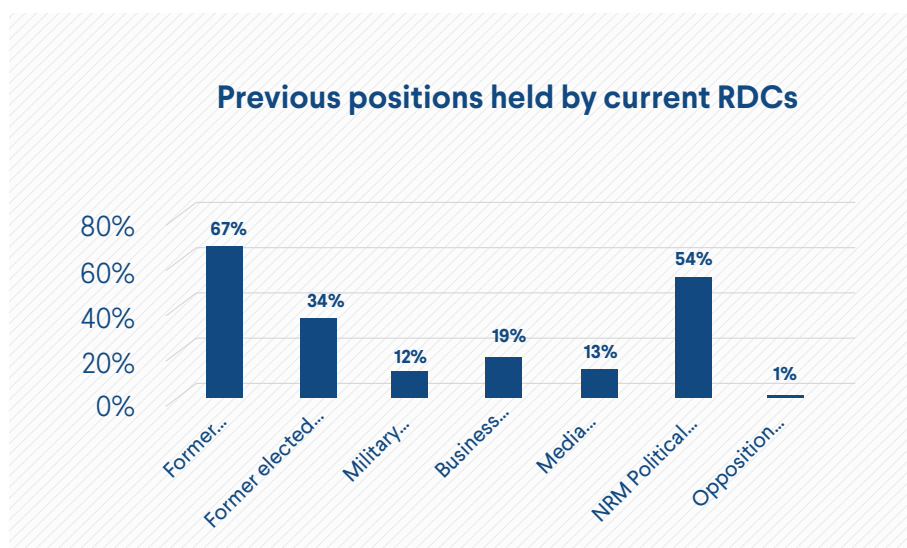


RDC appointments to 'home region'



Unity Platform (NUP) – hailing from the region as compared with 87% from western parts of the country. In fact, 44% of RDCs in the central region are from western Uganda, the political base of the NRM.

When it comes to experience, our profiles of current appointees found that 67% had previously been either an RDC or a deputy in another district before their current appointment, whilst 34% had previously held an appointed or elected government position. RDCs with a security background do still exist (12%), but the profile of who is likely to be appointed has widened. Individuals with connections to opposition political parties can also be co-opted by being appointed to the position, but just two of the current RDCs – Stanley Bayoole (Butaleja) and Ahamed Washaki (Mbale City) – have a background of affiliation to opposition political parties. For the most part, a key attribute to becoming and staying an RDC is to be an NRM cadre and party loyalist. 54% have previously worked in some capacity – often activism – for the ruling party.



The main trait that connects all RDCs is loyalty to the appointing authority: the president. “RDCs as apolitical is fiction” succinctly captured the sentiments of several individuals interviewed for this study. A CAO echoed these thoughts noting that “the practice is they are political appointees whose loyalty is to the appointing authority. Which is why during elections you see RDCs come out clearly to perform a certain role in politics”. As elective politics has become more dynamic, “it has become clearer and clearer that RDCs are a part of the NRMs political apparatus” noted one expert. Something some RDCs appear happy to admit. In a speech to local council employees in 2020, Lt Col James Mwesigye, the then RDC of Mbarara, told civil servants, “you have to support and campaign for the government and NRM that is employing you, let’s go out, including you [civil servants] and solicit votes for President Museveni”¹². One deputy RDC working in the

12 Mukombozi, R. 2020. [“Support NRM or lose jobs, officials tell civil servants”](#). Daily Monitor. 30 October.

Buganda region argued that “being an RDC does not mean I am not partisan, I have a party that I am partisan to” as he sat in an office displaying NRM posters from the recently concluded 2021 elections. Education qualifications and relevant experience are not considered to be as important as regime loyalty according to one expert familiar with the appointment process.

However, the removal of the constitutional provision for RDCs to be senior civil servants in 2005 means that there is no legal requirement that they should be apolitical. The fact that the budget for their salaries is drawn from the Consolidated Fund has led to an assumption that they are public servants even though they are not appointed by the Public Service Commission¹³. A legislator familiar with the process around the removal of the civil servant requirement said that “the language was deliberately left hazy so that public funds could be used to pay them”. A view supported by an independent researcher who argued that “the whole idea of them being classified as a public servant is so that they can be on the state’s payroll and not the NRMs. Regardless of debates around whether RDCs should be partisan or apolitical, the reality and practice is that many are openly supportive of the current government.

But RDCs are not appointed on a fixed-term basis and can be replaced or reshuffled at any point at the directive of the President. Significant national reshuffles have taken place every three or four years in the last decade – February 2014, September 2018, and January 2021. That process involves the development of a longlist, which is done by the Office of the Presidency with input from NRM cadres and the executive, the vetting of the names by ISO – especially new ones – before a final list is returned to the President for his consideration and approval. According to one individual familiar with the selection process “it is very sophisticated and political. It seeks to serve multiple interests of different power brokers but above all else it serves the interest of the President”.

The 2021 reshuffle, which happened on the eve of presidential elections saw a fairly even split between newly appointed RDCs (28%), those who had been in post but who were moved to a new district (37%) and those who remained in their district (35%). Despite speculation that the proximity of the reshuffle to the election suggested the decision was motivated by political calculations, our research revealed no obvious patterns to the districts where individuals were assigned. That is not to say district stability is not a factor in selecting where to appoint RDCs. In Kasese and Bundibugyo, which saw violent clashes with security forces in 2016, RDCs with a military or security background are in place. And in 2021, responding to a series of murders in the Greater Masaka area, several RDCs were replaced¹⁴ in a mini-reshuffle by more experienced appointees, with direct knowledge of security. This suggests RDCs ability to navigate the political environment appears to be an important additional consideration.

¹³ There is no explicit mention of RDCs in the Public Service Act, 2008.

¹⁴ Kutamba, W. 2021. [‘Masaka RDC, RCC reshuffled twice in one week’](#). Daily Monitor. 23 September.

But RDCs are rarely appointed to their 'home district' for several reasons. Firstly, this is done to deter them from starting a campaign to move into parliamentary politics in the district, whilst they are in post. Secondly, and linked to the first point, it is to prevent clashes with elected representatives, including those from the ruling party, at the district level who may see them as a political threat: nearly all political actors contest for elective office in their home district or constituency in Uganda. Finally, according to one expert, the thinking is driven by a desire to place individuals somewhere that they do not have their own personal networks they can rely on, which "forces you to rely on the existing security assets to get your job done effectively". This, combined with the fact that the majority of RDCs are shuffled around every four years or so, prevents them from building any sort of alternative power base in a district and ensures they remain loyal to the appointing authority; the president.

SECTION 3:

RDC roles and responsibilities

A key point of contention in Uganda's governance discourse is over the wide mandate that RDCs have to enter into any issue at the district level. Our research highlights that the "informal" roles played by RDCs arise out of the broad language of their three primary formal roles – (1) to monitor the provision of services, (2) ensure security and (3) take on tasks as directed by the president – laid out in the Constitution and any additional guidelines provided by the Office of the Presidency. RDCs are the "governor of the district" according to one political commentator and as such can intervene on any issue they see fit or when they are directed to do so by the President. "They can stop political activities from happening, have journalists arrested, prevent someone from appearing on a local radio show, negotiate with local businessmen and investors and even advise them as to how best they can align their interests with that of the government. Equally they are the people to speak to if you want to move cows from one district to another".

Underpinning these efforts is the unwritten but well understood requirement to promote the agenda of the ruling NRM party and the President in the district—concepts which have increasingly merged in Uganda. One expert commented on how the unwritten and informal power that RDCs have is backed up by the tools and laws at their disposal. Within this debate is a discussion about the type of orientation and training that RDCs receive to be able to carry out the numerous tasks in which they engage. Experts interviewed for this study were unclear on whether RDCs intentionally refuse to understand their role or whether there is confusion between the instructions they receive and the way their role operates within the law. Monitoring of the district is an overlapping responsibility of the district chairperson¹⁵, the CAO¹⁶ and the RDC according to the legal framework.

Our research finds that the broad mandate of RDCs work and power stems from the deliberate breadth and hazy nature of the three primary roles laid out in the Constitution coupled with a lack of on-going training on the many issues that come to the RDCs office. While they receive a general induction on how local government works, once they have been selected for deployment there is no refresher training on how to handle most issues that come under the RDCs purview such as public administration, civil law and conflict resolution. This lack of regular training extends to elected and appointed members of the district executive committee, which, coupled with overlapping monitoring and reporting mandates creates potential for conflict as none of the key leadership figures at the district have sufficient ongoing support in understanding their roles and

¹⁵ See Article 13 (b, c and d) of the Local Governments Act 1997.

¹⁶ See Article 64 (c) of the Local Governments Act 1997.

responsibilities. The decision to have RDCs chair the COVID-19 district taskforce without any orientation on public health strategies led to clashes with district health officers and other district officials.

(1) Monitoring service delivery

***“This [RDC] role was initially for a militant man who would command the district security apparatus to manage any form of civil disobedience. However, now the role encompasses service delivery and will continue to move in that direction”.
Deputy RDC, eastern Uganda.***

All sub-national policies are formulated by the district executive committee¹⁷, which in turn presents plans to the district council for approval. RDCs work to align the district service delivery plans with government priorities. They help ensure the delivery of government social services in their district by checking on “whether hospitals and health facilities are working as they should, including whether staff are present, medical supplies are in stock, health workers are present and have the equipment they need to serve the community. RDCs are supposed to monitor whether schools are open, teachers are working and whether parents are sending children to school”.

Former Minister for the Presidency, Tumwebaze spelled out the monitoring function in 2014, “as you advocate for and monitor all those central and local government programmes, you may need to ask yourselves frequently, questions like: Are these projects being funded and implemented by MDAs [Ministries, Departments and Agencies] economically transforming the citizenry? Are the people of your district aware that for example bigger-rewarding markets for their farm produce lie beyond their district boundaries/country borders and therefore sectarianism, be it tribal or religious won't at all liberate them socially and economically?”¹⁸

There are many examples of RDCs doing this work. During his tenure as RDC of Kasese, Muhindo Aminadab led a crackdown on schools operating without meeting minimum standards.¹⁹ Sheema RDC, Frank Kyerere, is noted for his leadership in ensuring value for money for government projects and proper utilisation of government interventions to fight poverty. In October 2020 he threatened to arrest anyone misusing government inputs like animals, seeds and agricultural tools aimed at helping people to fight poverty.²⁰ During his tenure as Kitgum RDC, Christopher Omara was credited for fighting corruption in government projects aimed at dealing with nodding syndrome. But monitoring can be challenged by a lack of official vehicles – several RDCs interviewed for this study did not have one – and insufficient fuel provisions to cover all sub-counties in a district effectively.

17 The District Executive Committee is comprised of the district chairperson, the vice chairperson and up to five secretaries. See Article 16 of the Local Governments Act 1997. Its functions are set out in Article 17.

18 Tumwebaze, F. 2014. “RDCs are political employees”. The Observer. 13 April.

19 Thembo, K. “Kasese RDC closes schools over poor sanitation.” Uganda Radio Network. 18 May.

20 MK Newslink. 2020. “Dare use government cows to pay your sons brides price, prison awaits you- Sheema leaders warn beneficiaries.” 15 October.

RDCs also work to educate residents of the districts on government programmes and services. They are responsible for community mobilisation and sensitisation, as well as attending public gatherings and events to inform community members on district development plans. To enable this RDCs are allocated a weekly hour of radio airtime which the LCV does not get. In districts where there is a good relationship between the RDC and LCV, this platform can support public education about services being delivered.

Whilst RDCs can, and do, play a role in complementing the work of local government structures, one expert criticised their “duplication without a mandate”. Arguing that their duties often compete with that of the formal local government structures including the CAO, District Internal Security Officer (DISO) and elected leaders in a way that inhibits or politicises the work of these entities. However, during interviews, the RDCs, CAO and LCVs claimed an understanding of the complementary nature of the roles within this tripartite arrangement. The general sentiment being that if each leader stayed within their ascribed roles, there should be no overlap and little room for conflict:

“LCV office is political and works to implement government programmes, supervising and monitoring activities in the district. We have to work with the CAO as the technical staff, to foster cooperation; we give political ideas and they give us technical aspects. The RDC represents the president and monitors activities and delivers information; we more or less do the same job but from different sides”. LCV, eastern Uganda.

Even in some districts where there is an opposition Mayor or LCV – which is currently the case in 28 districts – monitoring can be done, at least away from election periods, with a degree of harmony:

“there have not yet been issues of this party and that party, we put communities first when it comes to monitoring for now”. Mayor, eastern Uganda.

In these contexts, RDCs can add another layer of accountability by ensuring that the government agenda is well implemented at the district level. One expert noted how RDCs can complement the functions of the elected district heads to make sure that government resources are directed to the right place in the right quantity and with the necessary quality. A government official added that without RDCs it might be difficult for the central government to implement policies in areas where the LCV is not from the ruling party. Citing a review of rules of procedure for local councils, where districts with opposition chairpersons stated their position that as the ruling party in the district, the NRM should be considered opposition in that district. The implication for this being that the funds disbursed to the district should be spent at the discretion of the party in power at the district, not the national, level. Without an RDC in place to push the agenda of the central government, these local councils may have sought to push their own party-political agenda, with impacts for the delivery of basic services.

But the RDCs duplication of monitoring roles can cause confusion. It can interfere with that of elected political heads and technical staff in ways that either promote or undermine the agenda of these offices in the district depending on the relationship that exists among the different individuals. In their role as monitors of government programmes, RDCs sometimes give direction to the district CAOs who by law should enjoy a level of autonomy, with oversight from the district political leadership only.

“We could do without RDCs, their role is monitoring but the council does that already. RDC role is more political work from the centre. RDC monitors and does whistleblowing but we have the IGG [Inspector General of Government] and others who are paid to do that work. Apart from political issues we could do without them. Perhaps we could have a regional RDC”. Deputy CAO, central Uganda.

In addition, the sentiment from elected leaders at the district was that while RDCs oversee government projects, it is elected leaders to whom citizens come for service delivery and who are held to account for their delivery at the ballot box. This disconnect undermines the real and perceived authority of elected leaders.

Discussions on this point from our feedback workshops echoed the view of one expert who emphasised that “it is one thing to say what RDCs should do, but this can be very different to what they do in reality: the whole debate is not about what RDCs are supposed to do, but what they actually do”. Officially the RDCs role is to ensure the implementation of the government’s agenda – be that the president or the party – which is not at odds with Uganda’s governance structures. But this is not always how things work.

(2) Security oversight

During our interviews with RDCs, it was clear that most of their actions stemmed from the requirement to monitor and maintain security in the district, and that any issue, from domestic violence to un-monitored opposition political activity can be seen as a ‘security event’. The integral place of security in governance is one shared by the central government. Writing in September 2021, Minister for the Presidency Milly Babalanda, stated that “stability is the main reason the NRM has kept power this long. Therefore, anything that threatens security is an immediate emergency”²¹.

As the presidents’ eyes and ears at the district level, security oversight is the primary function of a RDCs role. Appointees attend the National Leadership Institute in Kyankwanzi for basic military drills and ideological orientation. All work closely with police, military and ISO in the district to

²¹ Babalanda, M. 2021. “Why districts are the anchors for national security”. New Vision. 20 September.

stay informed of any security issues and incidents and to develop and implement the district security strategy. RDCs are the chairpersons of the district security and intelligence²² committees and are commonly referred to as the heads of security at the district. This birds eye view, “puts you in a position to understand what is going on at the community level, to understand what is on the ground – you really understand the dynamics of the district”, one RDC in western Uganda explained.

As formal heads of the district security committee that receive reports from the lower-level intelligence gathering units, RDCs assume the dual role of intelligence gathering at the district level and channelling relevant information directly to the Office of the President. One expert explained how the president might receive an intelligence report from one of the formal institutions and verify it directly with the RDC in a specific district, instead of going through the District Police Commander (DPC). A second expert added that the RDC's office acts as the “political cover for the informal security activity of the state”. In their view RDCs cover up a lot of clandestine security activity such as phone tapping, investigating NGOs and INGOs at the district level and profiling citizens and private businesses. Identifying allies and enemies at the community level may be done by other security organs under the cover of the office of the RDC.

Experts cited how reports from security agencies and clandestine operations that have no institution are presented as information received from the RDCs' office even though the information is probably illegally gathered by formal state security structures. Whilst branches of the security agencies have very specific constitutional mandates which prevent them from carrying out certain types of intelligence gathering against individuals and institutions, the RDCs' broad mandate office provides legal cover.

Discussions in our feedback sessions emphasised the danger of having a partisan political appointee as the head of the district level intelligence gathering apparatus. Uganda's recent history is rife with top security operatives being accused of “doctoring intelligence reports”²³ or manufacturing intelligence to suit a specific narrative²⁴. “Intelligence should not be political, but in Uganda it is. If the President announces that x and y are responsible for insecurity in a district, it is often the case that the intelligence operators seek to find evidence to support this statement, than actually look for the real culprits or issues” was a concern raised by one legal expert.

22 This is comprised of the RDC, DISO, District Special Branch Officer, the military intelligence officer and any other person whom the committee deems fit to co-opt on the committee. See National Security Council Act (2000). Section 6 (3).

23 The Independent. 2020. [“Uganda's head of counter intelligence sacked”](#). 8 October.

24 The Observer. 2018. [“From NRM cadre to jail: Gen. Kayihura's story”](#). 20 June.



Criminal investigation as portrayed by cartoonist Jimmy Spire Ssentongo

(3) Tasks assigned by the President

In January 2018, President Museveni issued a directive to all RDCs in the West Nile sub-region to oversee the eviction of all herdsmen commonly known as balaalo. The president issued this directive with the aim of reducing conflicts between residents and the nomadic pastoralists who were accused of attempting to grab land. A significant informal role that many RDCs play is to monitor and arbitrate disputes in their districts of jurisdiction. All the RDCs and deputies interviewed in the field mentioned

dispute resolution, especially over land issues, as a regular part of their tasks. They described their role in dispute resolution as informal, in that they do not make judgements but direct parties to the appropriate office such as the police, courts or try and mediate to settle the matter. RDCs in western Uganda noted that:

“People are used to our office as a saviour office, even if someone has fought with the wife at night, they come here, we do a guidance role in our offices, we refer people to the relevant offices. We try as much as possible not to judge anything”.

“people see the RDCs’ office as a place for quick solutions...the formal processes are very long”.

A 2020 Saferworld study exploring issues of equal access to resources in two districts – Nwoya and Adjumani – found that women preferred to go to the RDC to resolve land conflicts because of their perceived neutrality and ability to refer cases to other relevant institutions, even if these decisions are nearly always viewed as being political²⁵.

25 Saferworld. 2020. “Strengthening inclusive development and equal access to resources in Uganda”. November. p.9.

In fact, RDC involvement in arbitrating land issues has become so commonplace that former Minister for the Presidency, Frank Tumwebaze gave guidelines on how they can, and should, engage in land disputes as far back as 2013.

“while you should continue to receive and handle those petitions, your roles should not be to replace courts by issuing judicial orders. You should study the petitions received from people on a case-by-case basis and offer to mediate between the parties involved in the dispute, especially if the parties are all local residents. In case you discover unfair treatment or denial of justice to one of the parties in the dispute on account of his or her status of being poor by the justice system, then you should approach the responsible offices to officially complain about the injustices discovered. Cases of RDCs quashing court orders and the undue interference in court decisions and processes, choosing to take a partisan interest in any of those land conflicts brought before them and taking sides with one of the parties at the expense of the other, involving and interfering in procurement matters at district level are illegal and not in any way close to roles expected of an RDC”²⁶.

In eastern Uganda, one RDC admitted that “mediation in land disputes is a key role we can play but some RDCs want to behave like a court and issue verdicts, but this only furthers conflict in some cases”. However, they can also play a positive role. As RDC of Mukono, Fred Bawmine created space for dialogue over land disputes in the district. During the COVID-19 lockdown his office moved under a tree at the district headquarters to continue efforts to resolve land disagreements between community members.²⁷ In Kitagwenda, RDC Reuben Katemba was leading the campaign to ensure that the new district gets land titles for all its public land to protect it from land grabbing before he was replaced in January 2021. The reality is similar across the country. RDCs spoken to for this research highlighted that long queues of residents looking to resolve land disputes were a regular sight outside of their office.

But RDCs have also been implicated, directly and indirectly, in several instances of land grabbing despite the former Minister for the Presidency, Esther Mbaya, warning in 2020 that she would “not hesitate to take action against RDCs involved in land grabbing”²⁸. In November 2019, the Gombe LCV, Bavekuno Mafumu, blamed RDC Ruth Sabiiti for the suffering of people evicted from their land by a tycoon. Mafumu said that the office of the RDC had allowed the tycoon to open the boundaries of the contested land without involving the residents.²⁹ In February 2020, Kiryandongo RDC Peter Debele was named in a land saga in the district where hundreds of people were evicted from their land. Debele responded to the accusations by stating that he was in fact leading efforts to resolve the land wrangle.³⁰

26 The New Vision. 2013. “[RDCS must not abandon cardinal role](#)”. 13 February.

27 Nsubuga, H. 2020. “[COVID-19: Mukono RDC takes office under a mango tree](#).” New Vision. 8 May.

28 Kiyonga, D. 2020. “[How Covid-19 has resurrected debate on the role of RDCs](#)”. Daily Monitor. 24 April.

29 Mambule, A. 2019. “[Lands Minister reinstates 600 people evicted from their land](#).” Uganda Radio Network. 26 November.

30 Buluba, A, B. 2020. “[You are being used by crooks: Kiryandongo RDC tells Kadaga](#).” Watchdog News. March.

But the fact that RDCs play this informal land dispute resolution role is problematic as they bypass and disempower formal institutions at the district when doing so. One former legislator noted that the prevalence of RDCs involvement in land disputes highlights the failure of institutions in Uganda, asking “if the Land Tribunals were working correctly, why would I need to go to an RDC? If the police were working correctly, why would I go to an RDC to solve my domestic violence issue?”

RDCs are also active in the political space. In fact, they have become notorious for working against the development of opposition political actors and parties at the district level, especially during election periods.



NUP flagbearer Bobi Wine reflecting on his experiences engaging with RDCs during the 2021 election campaign, Twitter, 23 November 2020.

A 1999 Human Rights Watch report noted how RDCs were expected to campaign for the incumbent; those who did not support Museveni were seen as disloyal³¹. While serving as RDC in Rukungiri, Martin Mugabi was accused of using his position as head of security to target and harass opposition politicians. During the 2018 by-election for the districts' Woman Member of Parliament, several opposition politicians were arrested and detained while their political rallies and activities were

frequently disrupted by security operatives.³² In 2020 in Kabale, RDC Darius Nandinda ordered a raid on the offices of the NUP in which party items were confiscated and party supporters and leaders arrested. The RDC warned community members that anyone caught wearing a red beret – a popular party symbol associated with the NUP presidential aspirant – would be arrested.³³ During campaigns for the 2021 general election, similar actions were taken by RDCs in other parts of the country, particularly towards NUP presidential candidate Bobi Wine, on the grounds that political rallies posed a risk to public health in the context of COVID-19 or would “disrupt the peace of residents”.³⁴ From our interviews with RDCs, it became clear that elections

31 Human Rights Watch. 1999. [“The Movement system and political freedoms in Uganda”](#).

32 Amany, S. 2018. [“Rukungiri By-Elections: FDC candidate protests arrest of supporters”](#). Uganda Radio Network. 31 May.

33 Busingye, E. 2020. [“Kabale RDC warns NUP supporters who still don berets”](#). Ekyooto Uganda. 25 October.

34 Kazibwe, K. 2019. [“Lira RDC “bans” Bobi Wine, People Power from “his” district”](#). Nile Post. 25 September.

are seen through the prism of security. Rather than a democratic process, RDCs view elections as a security event that needs to be managed by taking an offensive approach to any opposition political activity at the district level.

According to one expert, several RDCs see themselves as proxies of the party and the President, tasked with demobilising and antagonising political opponents. Critics argue that RDCs have done a disservice to multiparty politics; that their role does not support opposing views, or people that subscribe to values outside those of the ruling party. One RDC in western Uganda admitted that the district had been controlled by the Forum for Democratic Change (FDC) when he was appointed but that since then he had worked to “explain to the wananchi that the opposition was not doing the right things...I spent time camping in the mountains asking community what was wrong. As I talk now, 3 out of 6 MPs are NRM, 25 of the 44 sub counties are NRM [up from 11] and 52 of the 75 councillors, [up from 20] including the district chairperson, are now NRM”. He went on to argue that “a key part of my role as a mobiliser was to bring ‘political harmony’ to the district”. Political harmony in this instance appears to refer to ensuring that the national and district governments are controlled by the same party.

It has been argued that opposition parties in Uganda have failed to build a rural base in the country and have primarily been too urban to win enough votes or to contest effectively at parliamentary level across the country. But for one expert consulted for this study, a key reason for this failure is that RDCs have played a significant role in inhibiting any efforts that the opposition have tried to make in this regard, “they are an effective blocking curtain, between the opposition and the rural areas.” In 2019, the RDC and police switched off two radio stations in Mubende and Kabale districts respectively for hosting former presidential aspirant Kizza Besigye.³⁵ In Bugiri district, the RDC and DISO cancelled a show on which Besigye was due to appear.³⁶ This is a pattern that has spanned the last decade and more. In 2011, the European Union election observation mission report³⁷ documented numerous instances of RDCs interfering with local radio stations’ programming when political actors are involved. Even prior to the multi-party era, aspirants seeking to challenge the incumbent president found RDCs to be an obstacle.

RDCs also regularly intervene in the work of the district NGO monitoring committee – a creation of the NGO Act of 2016. The committee is chaired by the CAO but RDCs increasingly bypass its operations and interact directly with NGOs. RDCs can request registration documents, funding and donor information and grant or revoke permission for NGOs to hold activities in the district, despite this being the mandate of the NGO monitoring committee. Two of the RDCs interviewed for this study cited ‘briefcase NGOs’ as a major challenge facing their district.

35 The Daily Monitor. 2019. “Police, RDC switch off radio station in attempt to stop Besigye talk”. 18 April.

36 Okello, G. 2020 “[Besigye left seething as Bugiri RDC blocks his radio talk show](#)”. 11 May.

37 European Union. 2011. “[Election Observation Mission: Final Report, Uganda](#)”. 10 March.

SECTION 4:

Where power lies

The recentralisation of power has been a feature of Uganda's multiparty era despite the mushrooming of districts – from 33 in 1986, to 69 in 2006, to 146 currently. The RDC represents one of the symptoms of re-centralisation of power in Uganda's governance. For the most part, RDCs are perceived by residents to be the highest power in the district – above the CAO and LCV – by virtue of their direct connection to the President. “You are the President of the district...so many things are first brought to you” remarked one RCC in eastern region. An RDC from western Uganda noted that “the intermediary role of the RDC is very important, having an RDC in the community gives the public hope that the centre is here”. Whether or not that perception of power is accurate is largely immaterial for the everyday function of the district.

As ‘district Presidents’, RDCs reflect the ways in which presidential power bypasses formal institutions at the national level. The President is perceived by citizens as the person that can solve any issue, and RDCs by virtue of their connection to the presidency are viewed through this lens as well. The direct connection they have to the president is important in understanding how they relate to district governance structures but also how those district governance structures see them. As one local government official from the central region stated, “the office of the RDC is above everything else in the district”. The President relies on RDCs to channel security concerns, solve potential political issues and recently to enforce public health measures against the spread of COVID-19. They are plentiful, cheap³⁸, loyal and easily deployed.

CAOs are also powerful figures at the district level given that they control the purse strings and oversee the issuance of government contracts. Their loyalty has also been more towards the centre and not the district since 2005. According to academic Lazarus Nabaho, “the [2005] recentralisation of CAOs confused reporting, reduced the autonomy of sub-national governments in civil service management, undermined accountability of CAOs to elected councils, and shifted the loyalty of CAOs from local governments, with and for which they work to central government that appoints and deploys them”³⁹. Notwithstanding these issues, recentralisation has had some benefits for the independence of the CAO from the district. What this means is that elected local representatives, such as the LCV, are often the least powerful, even though they are the only one directly accountable to the district's residents. They do not hold the purse strings like the CAO, nor do they, in the majority of districts, have the President's ear in the same way an RDC has.

38 RDCs are paid a monthly salary of UGX2.8 million and are assigned security, a vehicle, driver and fuel allowance. Though several RDCs we spoke with were currently using their personal vehicles.

39 Nabaho, L. 2013. “Recentralization of local government chief administrative officers' appointments in Uganda: Implications for downward accountability”. *Commonwealth Journal of Local Governance*. 13-14. p. 17.

This contributes to the challenge of maintaining their popular support: 72% of LCVs elected in 2021 are serving their first term in office.

An elected official in central Uganda shared concerns about the way “central government is bypassing elected leaders more and more. During the distribution of COVID-19 relief funds, the Prime Ministers’ Office bypassed elected leaders and worked only with technical staff to identify the needy community members which led to a lot of gaps. The technical district staff does not interact with community members to the same extent as elected leaders”. A Mayor in Teso sub-region bemoaned how “over the years central government has interfered with how local governments work”. To their detriment. According to an RDC in West Nile, “decentralisation has a lot of gaps in service delivery at local government, central government does a lot of work that should be the work of local government...the recruiting of teachers is done at central government so too are some procurement processes and projects are assigned with conditions. Central government should give the district government the mandate to handle local government issues.” The counterpoint to this argument is that local governments’ ability to deliver effective services remains a challenge in a number of districts. According to one governance expert, trusting local leaders with these responsibilities would make sense only where the centre is willing to hold them to account, and has the capacity to do so.

The ability of LCVs to function effectively is further weakened by central government control of revenue and budget allocations. Since 2016, locally generated revenue must first be sent to the national level Consolidated Fund before it can be reallocated for district-level expenditure⁴⁰. This is a reversal of past practice where districts oversaw the collection and allocation of local revenue. With funds being sent first to the Consolidated Fund, “if the roof blows off a school, we have to ask central government for funds to repair it, before we had available funds to take this decision within a district” noted one elected official.

The lack of fiscal autonomy is a key challenge across districts in Uganda. In places where existing districts have been divided to create cities – this includes Lira, Masaka and Mbale – the challenge of raising revenue without an urban base is only going to become more acute in the coming years. Especially as raising local taxes is unlikely to be politically popular among voters. For Green, “much of the initial gains associated with decentralisation reforms in the 1990s have not been matched in recent years”⁴¹. The priority given by the central government to extending political control over local governments as compared to public goods provision has impacted on the ability of the district and its elected leadership to deliver development effectively. Ultimately, RDCs are accountable in their actions, not to Ugandans, but to the executive, to whom they regularly report.

The fate of the RDC role will depend on how the wider political transition plays out in Uganda in

40 For more on this see Akena, W. 2021. ‘[Management of local government revenue](#)’. The Independent. 23 September.

41 Green, E. 2015. “Decentralization and Development in Contemporary Uganda”. *Regional and Federal Studies*. 25:5, p.497.

the long-term. If the transition swings towards a more centralised state with the military in charge, officially or behind the scenes, RDCs could see their powers increase. In the case of a transition towards an opposition government, the position would likely be scrapped given that RDCs are designed to serve the function of the current system of government, argued one expert. Another added that if Uganda were to move towards a more democratic future, “a move to abolish the role of RDCs completely” would not be a surprise.

For now, with the President and ruling party set to maintain power, RDCs will continue to play a prominent role at the district level as a key tool of patronage, information gathering, and executive control. The way this role is set up benefits the President and as long as he can justify the budget, it will remain as is. “The role is a freebie in the patronage system that works to maintain the Presidency” was the view of one expert. In fact, as local government district infrastructure weakens – its expansion has not been accompanied by greater resources – several experts foresee the RDCs’ office gaining more power and funding. One believes that “if the current government stays, the RDC role will stay as it is, the weaker the President becomes, the more he needs these patronage anchors and RDCs are the most formidable of them.” As one RDC from western Uganda argued, “the role will remain important because our office is like a shock absorber for the community, we check that the local government does not do a disservice to the central government. I am here purely for the government!”

SECTION 5:

Further research

This working paper offers an overview of the functions and roles of RDCs in Uganda and how they are situated in the wider decentralised government structure. But it is far from definitive and there remain areas for further research that can contribute to an improved understanding of the way RDCs operate and how the rationale for their office shapes everyday governance and politics in Uganda given that they appear likely to remain a feature of its governance structure in the short-to-medium term at least. Further areas for potential study or analysis could be:

- Understanding citizen perceptions of RDCs. Why do they contact them? Who else do they turn to solve their problems? And how much power do they believe RDCs have?
- How powerful are RDCs in terms of influencing the decisions taken by those at the centre when it comes to allocate projects or infrastructure initiatives to a district?
- How does the relationship between RDCs and CAOs work? How might this influence what projects happen in the district? And given the three competing centres of power that exist at the district level, is Uganda over-governed?
- Does the way in which RDCs operate reflect the extent to which Uganda is governed by informal roles and rules, even when formal provisions exist? Is this how the state is designed to function and what does this mean for the creation of institutional accountability?
- Are RDCs as integral to the function of a district as the president is to the function of the Ugandan state? And if so, what does this mean for the delivery of basic services? And Uganda's electoral democracy?

APPENDIX 1:

Sources

All quotes and data used in this report, unless otherwise cited in the footnotes, were captured using key informant interviews and through a mapping exercise. Anonymity was employed throughout the data collection process which spanned 2020 and 2021 and included the following elements:

- 12 key informant interviews undertaken between September and December 2020 with civil society experts, government officials, academics, political analysts and researchers.
- A mapping of the current cohort of RDCs undertaken first in October and November 2020, and updated in April 2021.
- Interviews with RDCs, or their deputies, in the following districts: Lyantonde, Mityana, Masaka, Kasese, Bushenyi, Hoima, Mbarara, Arua, Maracha, Oyam, Lira, Mbale, Tororo, Manafwa and Jinja. These were complemented by conversations in the same districts with either the LCV, the vice-chairperson, the CAO or the deputy CAO. All were held in September and October 2021.
- Two interactive feedback workshops held in Kampala in October 2021. One was with a group of media professionals, the other with current and former elected representatives.

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