



## **INTEGRATED LAKE MANAGEMENT PROJECT**

### **Evaluation of decentralised fisheries licensing procedures on Lakes George and Edward**

**April 2003**

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## **EXECUTIVE SUMMARY**

### Background

1. In December 2001, the Department of Fisheries Resources (DFR) delegated responsibility for fisheries licensing to district governments. The Integrated Lake Management Project was asked to guide the new system on Lakes George and Edward.

2. New licensing procedures were designed to bring a focus on livelihood dependency, poverty and gender balance, and to increase participation, transparency and accountability. The design involved 2 key stages: recommendation of applicants by a local committee, then selection by a district board. The new procedures were implemented during 2002. This study aimed to evaluate their effectiveness.

3. The new procedures brought significant benefits for governance, participation, poverty reduction, gender and co-management. There were several challenges that limited achievement of these aims. However many difficulties, in particular gaps in the guidelines and limited awareness of procedures among communities, are characteristics of a young system. There are promising indications that poverty reduction and accountability can be enhanced in future years.

### Governance

4. Decentralisation reduced opportunities for abuse of the system in some areas and introduced new openings. Those who lose and gain are both liable to disrupt the intended aims.

5. The committee system did enhance accountability. The size of selection panels increased transparency and encouraged good governance at local levels.

6. Accountability and transparency could be further promoted through:

- Thorough sensitisation of communities regarding correct procedures.
- Clearly defined, unambiguous guidelines, and agreement on responsibilities
- Pro-active, vigilant and accountable monitoring.
- Efficient and thorough administration and record keeping.
- A shared vision and agreement on aims and design.
- Strong backing from central government through endorsement of the system's objectives and design, and secure transfer of power to enable genuine decentralisation and local ownership.

### Participation

7. Decision-making by a local committee enhanced participation. Communities appreciated the involvement of local leaders in the selection.

8. The assumption that local leaders represent community interests was problematic. Committee members have their own individual interests, and communities comprise different groups with divergent interests and varied levels of influence on their leaders.

9. The public meeting to scrutinise decisions provided an opportunity for involvement by the wider community. It had the potential to enhance accountability, but power

relations within and between the community and officials constrained full or genuine participation.

### Poverty reduction

10. The new system significantly increased the number of licence holders. This represents a considerable expansion in the number of legal livelihoods and a major contribution to livelihood security.

11. Quota allocations for stakeholder groups were a valuable tool for increasing representation of marginal groups. To enhance the impact, they need to be backed by measures in other areas of the process, particularly stronger sensitisation to ensure applications from targeted groups.

12. Poorer community members were not adequately informed about the opportunity to apply or appeal. To make use of the rights brought by a new system, community members need to understand regulations and procedures.

13. Ambiguous indicators for assessment of applicants reduced the poverty focus of Committee and Board recommendations. Indicator definitions must be reviewed and tightened. However, complex and varied livelihood situations challenge development of specific and universally applicable guidelines. This calls for a degree of flexibility, combined with strong participation and transparency so that flexibility enables a locally appropriate and optimal solution rather than abuse of the guidelines.

14. The lack of alternative livelihood opportunities for fishermen and barias removed from the lake is a serious constraint to poverty reduction.

15. The new procedures target existing control systems and social divides and aim to redistribute resources. The interests and resistance of those who enjoyed power and control under the previous arrangement limited the design of a pro-poor policy and implementation of guidelines. This resistance is almost inevitable, and means that radical change takes time. There are indications that the scope for change and poverty focus will increase in future years.

### Gender focus

16. Quota allocations helped to increase the representation of women to roughly 19% of licensees.

17. Barriers to entry by women included gender-insensitive implementation of certain guidelines; lack of representation on committees; and lower awareness of opportunities and procedures due to inadequate sensitisation and limited participation in community meetings.

### Management

18. Decentralisation has the potential to enhance management by increasing the powers of those responsible for monitoring. Central intervention that overturned local decisions and degraded local authority may threaten this.

## ACRONYMS

|         |  |
|---------|--|
| BMU     | Beach Management Unit                                |
| CAO     | Chief Administrative Officer                         |
| DFO     | District Fisheries Officer                           |
| DFR     | Department of Fisheries Resources                    |
| DSB     | District Selection Board                             |
| FO      | Fisheries Officer                                    |
| ILM     | Integrated Lake Management                           |
| LAGBIMO | Lake George Basin Integrated Management Organisation |
| LC      | Local Councillor                                     |
| LSVC    | Landing Site Verification Committee                  |
| LSC     | Landing Site Committee                               |
| MAAIF   | Ministry of Agriculture, Animal Industry & Fisheries |
| PEAP    | Poverty Eradication Action Plan                      |
| PMA     | Plan for Modernisation of Agriculture                |
| QENP    | Queen Elizabeth National Park                        |
| RFO     | Regional Fisheries Officer                           |

## 1 INTRODUCTION

The Integrated Lake Management (ILM) project aims to improve the livelihoods of poor people in communities around Lakes George and Kyoga by establishing a more integrated and participatory approach to the management of lake resources. To do this, the project is helping the Government of Uganda to build institutional management frameworks that cross district and sub-county boundaries and incorporate co-management approaches based on grassroots participation in planning and decision making.

The establishment of agreed lake wide management plans is a key component of project activities. An important aim of these plans is to regulate, in a participatory manner, access to and benefits from lake resources. Fishing vessel licences are an important tool for this regulation.

In December 2001, the Department of Fisheries Resources (DFR) within the Ministry of Agriculture, Animal Industry and Fisheries (MAAIF) delegated responsibility for fisheries licensing to district Chief Administrative Officers (CAOs). This followed Government policy of decentralising responsibility and increasing participation, and aimed to involve local stakeholders in an attempt to improve resource management.

ILM was invited by DFR and local governments to guide the new licensing procedures on Lakes George and Edward in 2002. In response, meetings were held with local stakeholders to develop and agree a new licensing system. The designed procedures aimed to bring a strong focus on livelihood dependency, poverty and gender balance, and to increase participation, transparency and accountability. Between April and October 2002, communities and local governments around the lakes used the new system to select licensees and issue licences.

The aim of this study was to evaluate the effectiveness of the new decentralised fisheries licensing procedures on Lakes George and Edward. It sought to examine strengths and weaknesses of the procedures in order to draw lessons for possible extension of the system throughout Uganda.

In particular, the study considers the following three broad issues:

- The performance of stakeholders in undertaking their agreed tasks in accordance with national and local guidelines
- The degree of transparency and accountability at all levels of the new licensing system.
- The effectiveness of the new guidelines and selection criteria in allocating licences to meet the focus on poverty and gender balance.

This report first indicates the study's research methods (section 2), then outlines the designed licensing process (section 3). Section 4 constitutes the main body of the report. It describes the events in practice at each stage of the licensing exercise, and considers the implications for effectiveness in meeting the intended aims and objectives. The report concludes with a summary of strengths and weaknesses, and recommendations for potential enhancement of the system (section 5).

## 2 METHODS

The study was undertaken by an independent consultant working in close consultation with ILM, local government and DFR staff. The fieldwork took place in late 2002 in the four districts surrounding Lakes George and Edward: Rukungiri, Bushenyi, Kasese and Kamwenge. Research employed 3 methods:

1. A review of relevant documents, including licence application forms, reports from workshops held to design the system, and District Fisheries Officers' (DFOs) reports on the licensing exercise.
2. Interviews with key informants, including:
  - ILM
  - Assistant Commissioner Control & Regulation (ACCR) in the DFR
  - Local government officials at district and sub-county levels, particularly members of the District Selection Boards (DSBs).
  - Fisheries officers at landing site, sub-county, district and regional level.
3. Focus group discussions with members of the Landing Site Verification Committees (LSVCs) and landing site communities, including women, barias, and successful and rejected applicants.

The interviews and focus group discussions employed structured checklists, covering the licensing process from sensitisation to issue of licences. Information on the same events and issues was sought from multiple sources to triangulate the findings and strengthen reliability of the data.

Terms of Reference for the study are given in Annex 1 and the fieldwork schedule is shown in annex 2.

### **3 THE NEW LICENCE SYSTEM**

#### **3.1 Background**

Two types of licence are relevant for this report. The Fishing Vessel Licence applies to a canoe and gives the licensee the right to access the fishery of a particular water body and to land catch in the authorised landing site of the licence (MAAIF, 21/12/01). Those holding these licences are known as 'boat owners' or 'fishermen'. In most cases, they do not fish personally, but hire a crew of barias. Each baria must have a Fishing Licence that entitles them to fish using the designated boat.

In 1952, Lakes George and Edward were designated as controlled fisheries, with restrictions on the number of people and vessels allowed to fish. Selected locations for landing the fish catch were established, and the number of vessel licences per landing site was fixed. Restrictions were also placed on the size of boats and number and mesh size of nets. Until 2001, fishing vessel licences were issued by the national DFR through the Regional Fisheries Officer (RFO) on an individual basis as they became vacant. A licence was effectively permanent. Once issued, it did not have to be renewed, and though inheritance of licences was illegal, it was common practice. Adding to these original licences, several further categories of licence were introduced during the 1980s and 1990s:

- Experimental licences were introduced in the late 1990s in response to delegations to the then Minister of State for Fisheries to demand an increase in the number of licences. Twenty experimental licences were issued per landing site, each for a fee of 100,000 US\$. The status of these licences was questioned because there was no legal basis for their issue.
- Veteran licences existed at some landing sites in Kasese and Kamwenge. These were issued to war veterans following their retrenchment to aid their integration into lakeside communities.
- At Kahendero landing site, there are several K numbers. These are licences given to WWII veterans who were previously fishing at another lake, and who subsequently transferred to Kahendero. The licensees had paid for these licences, but their legal status was unclear.
- At Rwenshama landing site, 6 licences were introduced for the Banyabutumbi ethnic group following their eviction from QENP in 1983.

These four categories of licence are no longer valid.

The fishing licences for barias, noted above, existed in legislation but were never implemented in practice.

Since the 1950s, pressure on the lakes has increased substantially because of increases in population and the value of fish. The limited number of licences and effective permanency of tenure restricted legal access to the fishery. Landing site communities were frustrated, and their livelihood options were limited. Illegal fishing was widespread, and fish stocks were depleted.

#### **3.2 New licensing procedures**

In 2001, new licensing procedures were introduced in an attempt to improve resource management. To encourage community self-monitoring and co-management, the

DFR decentralised the system by delegating responsibility for licensing to the district CAOs. In addition, the number of fishing vessel licences was increased for the first time since 1952 in response to discontent among landing site communities regarding the lack of access to fisheries. The number of licences rose from 144 to 266 on Lake George (6 landing sites), from 205 to 288 on Lake Edward (5 landing sites), and 44 to 60 on the Kazinga channel (2 landing sites).

A new system for licensing was designed through partnership between DFR and local government with ILM support. The guiding principles for the new system were that it should be transparent, clear and easily understood, accountable to the stakeholders, fair and equitable, based on a harmonised approach, and in compliance with national laws and regulations (ILM workshop report 24/4/2002).

The new procedures aimed to provide continuity for original licence holders whose livelihoods depended on fishing, but to introduce a strong poverty focus and gender balance by allocating a share of the additional licences to marginalised stakeholder groups, particularly barias and women. In addition, a more systematic and participatory selection process of licensees was designed to increase the transparency, accountability and fairness of the licensing system. An application form was developed (see Annex 3), local and district level committees were established to review the applications, and a ranking procedure of applicants was developed based on indicators of livelihood dependency on fisheries resources, compliance with fisheries regulations, residence, and the need to spread licences across as many households as possible and avoid licence sharing. Through this attention to social inclusion and local decision-making, the system promotes and applies the principles of the national Poverty Eradication Action Plan (PEAP) and Plan for the Modernisation of Agriculture (PMA).

The licensing system also included a fee for application forms (2000 US\$) and an increased annual fishing vessel licence charge (from 12,000 US\$ to 20,000 US\$). Procedures were designed to promote transparent financial management of revenue collection by local governments.

The specific guidelines and responsibilities at each stage of the licensing system are indicated below (see table 3.1). The guidelines for the process were given in ILM reports on the workshops held to design the process, in a MAIFF newspaper supplement, and on the application form. Note that the guidelines vary between and within these sources (considered in section 4). The procedure given below is thus a synthesis that may not match all understandings of the correct process.

The system was implemented in 2002 in the 4 districts bordering Lakes George and Edward: Kasese, Kamwenge, Bushenyi, and Rukungiri. 13 landing sites were involved, 4 on lake Edward, 3 on the Kazinga Channel, and 6 on Lake George. All but the Kamwenge sites are located within Queen Elizabeth National Park (QENP). The locations by water body, sub-county and district are given in Annex 4. The following section considers the implementation in practice of each stage of the new system.

**Table 3.1** Designed licensing system

|                                  |  |                                  |     |       |     |        |     |              |     |
|----------------------------------|--|----------------------------------|-----|-------|-----|--------|-----|--------------|-----|
| Sensitisation                    | <ul style="list-style-type: none"> <li>District, sub-county and parish fisheries staff, local government administration to give wide publicity in good time of the licensing system.</li> </ul>  |                                  |     |       |     |        |     |              |     |
| Application                      | <ul style="list-style-type: none"> <li>ILM prints the application forms and distributes them to sub-counties.<sup>1</sup></li> <li>The number of forms printed should be five times the number of licences available</li> <li>Forms should be translated into local language according to district.</li> <li>Responsibility for forms reaching the people lies with the sub-county chief, who may delegate it to the parish chief.</li> <li>Applicants pay 2000 US\$ at the sub-county for these forms.</li> <li>Sub-county chief receives revenue from application forms.</li> <li>All applications have a passport photo attached</li> <li>Applicant submits completed forms to LSVC.</li> </ul>   |                                  |     |       |     |        |     |              |     |
| Local assessment                 | <ul style="list-style-type: none"> <li>Landing Site Verification Committee comprises LCII chairperson (LSVC chairperson), Parish Chief, 2 LCI chairpersons, LSC chairperson, and fisheries staff of the area.</li> <li>LSVC receives application forms and displays a list of all applicants.</li> <li>LSVC scrutinises the applications according to the guidelines below: <ul style="list-style-type: none"> <li>Long-term residence of the applicant at the landing site.</li> <li>Continuity for previous licence holders.</li> <li>Good history of compliance with fisheries regulations.</li> <li>Gender consideration.</li> <li>One applicant per household.</li> <li>Good capacity to run a fishing operation.</li> <li>High family dependency on fishery.</li> <li>Registered organisations or companies subjected to selection criteria and allocated only one licence.</li> <li>Licences shall not be shared and remain personal to holder unless it is a registered partnership.</li> </ul> </li> <li>LSVC recommends all applicants suitable (i.e. recommended applicants may be more than number of licences available).</li> <li>LSVC submits applications to the DSB.</li> </ul>   |                                  |     |       |     |        |     |              |     |
| District level assessment        | <ul style="list-style-type: none"> <li>District Selection Board comprises the CAO, DFO, Secretary for Production, sub-county chief, LCII chairperson, and RFO.</li> <li>DSB receives and reviews all applications submitted to the LSVC, including recommended and not recommended applicants.</li> <li>Past record of compliance with fisheries performance is availed to local government from RFO.</li> <li>The Board ensures continuity of licensing of existing licence holders that were issued under the current fisheries law and who comply with selection criteria used by the LSVC in evaluating licence applications.</li> <li>After issuing licences in accordance with the above, the Board distributes remaining licences to the stakeholder groups as shown below: <table style="margin-left: 40px; border: none;"> <tr> <td>Experimental fishing boat owners</td> <td style="text-align: right;">50%</td> </tr> <tr> <td>Women</td> <td style="text-align: right;">20%</td> </tr> <tr> <td>Barias</td> <td style="text-align: right;">20%</td> </tr> <tr> <td>New entrants</td> <td style="text-align: right;">10%</td> </tr> </table> </li> <li>DSB displays names of successful and unsuccessful applicants at the District HQ and landing site.</li> </ul> | Experimental fishing boat owners | 50% | Women | 20% | Barias | 20% | New entrants | 10% |
| Experimental fishing boat owners | 50%  |                                  |     |       |     |        |     |              |     |
| Women                            | 20%  |                                  |     |       |     |        |     |              |     |
| Barias                           | 20%  |                                  |     |       |     |        |     |              |     |
| New entrants                     | 10%  |                                  |     |       |     |        |     |              |     |
| Launch                           | <ul style="list-style-type: none"> <li>Minister and Commissioner for Fisheries visit the region to launch the licensing by July 2002.</li> </ul>   |                                  |     |       |     |        |     |              |     |
| Appeals process                  | <ul style="list-style-type: none"> <li>Appeals to be made to the Minister of State for Fisheries within 30 days.</li> </ul>  |                                  |     |       |     |        |     |              |     |

<sup>1</sup> ILM undertook printing and distribution of application forms and provided funds for monitoring for the 2002 licensing exercise to facilitate the introduction of the new system. ILM's involvement will not continue, and responsibility for the forms and funding in future years is not yet decided.

|               |  |
|---------------|--|
| Licence Issue | <ul style="list-style-type: none"> <li>• CAO to print and issue licences.</li> <li>• Successful applicants must construct a recommended boat and buy nets before they are licensed.</li> <li>• Licensees pay 20,000 USh for the licence.</li> <li>• Sub-county chief to receive revenue from licences.</li> </ul>  |
| Monitoring    | <ul style="list-style-type: none"> <li>• DFO, in collaboration with RFO, designs and supports a harmonised monitoring programme to ensure compliance at all levels with agreed licensing procedures, conditions and obligations. Monitoring considers: <ul style="list-style-type: none"> <li>Level of community awareness.</li> <li>Deadlines for the various activities.</li> <li>Payment receipts for the application forms.</li> <li>The filling of application forms.</li> <li>Quorums of the sitting verification and selection committees (at least 2/3 members)</li> <li>Displayed lists of applicant, successful applicants and regulations.</li> <li>Implementation of the selection criteria.</li> </ul> </li> <li>• Districts to produce records of how the selections were made, including a comprehensive analysis of successful and unsuccessful applicants.</li> </ul> |
| Annual Review | <ul style="list-style-type: none"> <li>• Licences are reviewed annually.</li> </ul>  |
| Finance       | <ul style="list-style-type: none"> <li>• ILM covers the costs of application forms and monitoring.</li> <li>• Facilitation for community members on the LSVC and DSB (LCII, LCIs, LSC chairman) is provided by the districts and sub-counties, but the committee work is considered part of the normal duties of the civil servants (parish chief, FO).</li> <li>• The revenue from application forms and licences is retained by local government. 35% goes to the District, 65% stays with the sub-county, of which 25% goes to the parish and 5% to the villages.</li> </ul>  |

Sources: ILM workshop report 28/3/2002, ILM workshop report 24/4/2002, MAAIF New Vision supplement, 21/12/2002.

## 4 RESULTS

### 4.1 Sensitisation

#### 4.1.1 Guidelines and process

The guidelines state that the decentralised licensing authority should give wide publicity in good time of the licensing system, but do not indicate consistently which officials are responsible for sensitisation, or how this should be done. However, there is general agreement that sensitisation was the combined responsibility of Fisheries Officers (FOs) at district, sub-county and landing site level and of parish and village level Local Councillors (LCs).

In practice, meetings held by the FOs and local politicians played the largest role in informing landing site communities about the licensing exercise. In a very few cases, radio and newspaper articles also contributed. Sensitisation about the application process was generally high, in part because the more forms purchased, the more revenue for local government, a strong incentive to promote application. Sensitisation appears to have been more thorough on Lake George than Lake Edward.

#### 4.1.2 Challenges

One shortcoming in sensitisation was that meetings tended to target community members already involved in fishing, limiting sensitisation of potential new entrants.

“The difficulty is that when a FO calls a community meeting, it is the boat owners and some barias who attend” (FO).

Women were less well informed. Household responsibilities and socio-cultural norms, including bias amongst local officials, reduced their participation in meetings.

“The LSVC neglected women by not mobilising women to participate in discussions” (Kahendero).

There was also some misleading sensitisation about the process and eligibility criteria. Firstly, in some cases, local officials raised communities’ expectations through unrealistic information on the probability of receiving a licence.

“The LSVC told everyone to apply and they would get a licence” (Hamukungu).

This may have been well intentioned, but increases subsequent disappointment among those rejected and wastes their time and resources.

Second, potential applicants were discouraged from applying by original licensees, who either did not inform other community members about the process, or suggested that only those already holding a licence were eligible to apply.

“Those with licences before were not active in telling others about the process, and told them only old licensees could get” (FO).

This was particularly evident at Rukungiri and Kayanja, and discouraged applications from potential new entrants, particularly barias.

This misleading sensitisation reflects strong opposition to the new procedures among original licensees (most stridently expressed and acted on at Hamukungu). Original

licensees are familiar with the centralised system and secure of their place within it. The change brings insecurity, and is felt as a threat to their status.

“The system confuses those who already had licences with new applicants and does not separate them sufficiently. The hereditary system will not be respected under the decentralised system. The old centralised system should be returned” (Hamukungu original licensee).

The entry of barias into the system is viewed as particularly unjust and disruptive.

“We had to work hard to achieve a licence, and barias should also work hard and save in order to become licensees” (Hamukungu original licensee).  
“There were no complaints before ILM came in. What you are doing is the same as what Mugabe is doing in Zimbabwe” (Hamukungu original licensee).

Partly reflecting these weaknesses, applications from women and barias were disproportionately low. Overall, the number of applications is high, more than twice the number of licences available for most landing sites. However, for the landing sites where data is available, women formed an average of 20% of applicants and barias constituted 12% (see annex 6, table 6.1).

A further challenge for sensitisation was uncertainty regarding the licensing process. Some aspects were not clearly or fully defined, so FOs could not always provide communities with accurate advice. One area of ambiguity concerned the status of alternative licence categories (especially the veteran licences and K numbers noted in section 3.1). At some landing sites, the need for these groups to apply was not evident or understood, resulting in their exclusion from the new system. A second area of confusion related to the process for application (considered in 4.2). These difficulties reflect the new introduction of the system. Systems were not firmly in place, and gaps in the guidelines were almost inevitable in the first year of operation.

#### 4.1.3 Recommendations

- Sensitisation must inform *everyone* in the community to ensure awareness among marginalized groups. This could be promoted by the involvement of Community Development Officers, separate meetings for women, and use of radio.
- Sensitisation must cover all aspects of selection, with clear guidance on eligibility.
- Guidelines and selection criteria should be written in the local language and displayed at the landing sites to counteract any misleading sensitisation.

## 4.2 Application

### 4.2.1 Distribution of forms and revenue collection

Application forms were printed by ILM and distributed to sub-counties. Responsibility for the forms reaching communities lay with the sub-county chief, who could delegate this to the parish chief. Applicants were to pay 2000 USh for the form at the sub-county. In most cases, the guidelines were followed well. Forms were made available easily, applicants paid 2000 Ush, and receipts were provided.

However, there were several challenges. Firstly, as noted above, the guidelines for application were not firmly established when the licensing exercise began. Neither officials nor communities were certain of the correct procedures.

“There were many conflicting statements before the forms arrived” (Kasenyei resident).

Consequently, several communities made an initial round of applications using forms that were either handwritten or, in one case, printed by the Landing Site Committee (LSC). These were submitted to L SVC members, and in some cases a fee was paid. The forms were cancelled when the official version arrived, and people applied again. Although an encouraging indication of local initiative, mobilisation and support for a new system, the double application wasted applicants' time and resources, and in some cases raises issues regarding the use of and accountability for revenue.

In Bushenyi and Kamwenge there were some irregularities at sub-county level in distribution of the official forms and revenue collection (open receipts in the former, and unreceipted fees of 6000 US\$ in the latter). In both cases, the DFOs and sub-county FO intervened to rectify the situation, indicating vigilant and active monitoring. In Kasese, collection of revenue at local level transgressed the guidelines at some landing sites. A few L SVCs charged an extra 500 US\$ to 'facilitate' the process, with receipts provided only for the agreed 2000 US\$. Those responsible for monitoring local actions did not report this and appear not to have intervened, perhaps partly reflecting a lack of concern and resignation that such charges are inevitable.

"If the communities paid 2500 US\$, well, these are human beings" (FO).

The majority of revenue from the forms feeds into the sub-county and parish budgets (65%), providing a significant potential contribution to local development. However, this is not clear to or appreciated by local communities. The revenue goes into overall budgets rather than being allocated to a specific project, and communities are not aware of how the money will be used. This feeds resentment regarding the 2000 US\$ fee. Rejected applicants feel their application money should be refunded, and some believe the fee contradicts the idea of poverty reduction:

"The aim of the exercise was poverty eradication, but because many people applied, this took money from the poor and gave it to the higher authorities" (Kasenyi).

#### 4.2.2 Completion of forms

- It was suggested during workshops that the forms should be translated into local language according to district (ILM workshop report 28/3/2002). However, this was not stated specifically in later guidelines, and the forms sold to applicants were in English. This was potential barrier to entry, but it seems that the efforts of local officials and social capital within communities meant it did not prevent applications. At most landing sites, FOs and local officials briefed the community on the form to translate the questions and explain how to complete it. The best practice was demonstrated by the Kahendero L SVC, which displayed a written translation. At all landing sites, those with weaker English literacy skills sought help from other trusted community members. Nevertheless, there are indications that the forms were not fully understood, and in some cases the answers given are incomplete or irrelevant.

Lastly, there were several common types of poor accountability among applicants:

- Answers given on the form were often inaccurate, especially regarding involvement in other business and illegal activities, or incomplete.
- Some of those who did not meet the criteria applied under the name of an eligible community member (e.g., absentee fishermen applied under their local agent).

- There were many applications from local government staff, politicians, and FOs involved in the exercise who did not meet the eligibility criteria (particularly at the Bushenyi and Kasese Lake Edward and Kazinga channel landing sites).
- Several pairs applied on one form using a 'joint' name (i.e. combining one name from each partner), often two people previously sharing an experimental licence. This made the LSVCs' local knowledge critical, which in turn makes it hard for those at higher levels to verify the LSVCs' decisions and monitor their work.

#### 4.2.3 Recommendations

- Procedures must be clearly established and understood by communities and officials to reduce space for abuse and enhance efficiency and accountability.
- Clearer responsibility for monitoring and increased vigilance and pro-activeness is needed to enhance accountability in revenue collection. Frequent visits to the landing sites and confidential discussions with applicants are needed.
- Forms and guidelines written in the local language are needed to ease application and ensure that poorer community members, with lower literacy skills and social capital, are not disadvantaged.
- Joint applications compromise transparency because the combined names complicate monitoring of the application forms and record keeping. If shared licences are legalised and agreed upon, those wishing to apply as partners should each submit a form.

### 4.3 L SVC Selection

#### 4.3.1 L SVC composition

At the majority of landing sites the L SVC comprised the LCII chairperson, Parish Chief, 2 LCI chairpersons, LSC chairperson, and area FO, as indicated in the guidelines. In at least two cases, additional community members were brought in, including the baria association chairman. There is no indication that this significantly affected the number of barias included in the committee's recommendations. None of the appointed L SVC members were women.

#### 4.3.2 Selection process

The role of the L SVC was to scrutinise and assess all applications in accordance with the agreed eligibility criteria (see 3.2). This was recorded by completing section B of the application form (in annex 3), which included space for:

- Verification of the information given by the applicant.
- Indication of more than one applicant from the household.
- A score based on residence at the landing site, compliance with fisheries regulations, and livelihood dependency on fisheries (see annex 5).
- Record of whether or not applicant was recommended by the L SVC.

There are many examples of good performance by the L SVCS. Most committees followed the guidelines closely, and many ineligible applicants were rejected. This included applicants with considerable influence, particularly original licensees and government figures at sub-county, district and higher levels.

However, some of those recommended at this stage do not meet the criteria. Some are absentees, fishing illegally, not dependent on fishing, or unable to afford the

equipment, and there are examples of more than one licensee and licence per household. Two causes of this were ambiguous guidelines and poor governance.

#### 4.3.3 Selection guidelines

The new system aimed to be clear and easily understood. Most LSVCs feel the guidelines were straightforward. However, there are many examples of vague and ambiguous guidelines. In some cases, the official guideline contradicted local understandings, in others the LSVC's definition clashed with that of the broader community. Although rarely felt to create practical difficulties for the LSVC, the openness to local interpretation meant criteria were not always used in the way intended by the system's designers. The ambiguity also creates space for allegations that guidelines were not followed, and makes it hard to hold the LSVCs to account.

"Guidelines are interpreted in differing ways" (FO).

##### a) Continuity

The LSVC guidelines include continuity for previous licence holders, but this is not included directly in the ranking system or the LSVC section of the application form. Continuity is only considered specifically in the DSB guidelines (see 3.2). As noted below, however, the division of work between the LSVC and DSB was often blurred, and continuity played an important role in LSVC recommendations.

Continuity was complicated by divergent interpretations of a 'previous licence holder'. Licences that are transferred from another site (considered by communities as 'permanent transfers') or inherited are not officially recognised. However, they were often treated as original licences by committees, reducing space for new entrants. Those holding other types of licence (experimental, veteran, K, or Banyabutumbi numbers) were not usually considered categorically as original licensees.

When those with transferred licences were not treated as previous licence holders by the LSVC, it was sometimes unclear where they should apply. Some were refused applications forms at both their landing site of residence and at that where the licence originated. In a few cases, this resulted in their exclusion from the new system, with potential livelihood and poverty implications.

Some LSVCs made continuity almost mandatory, recommending original licensees regardless of other eligibility criteria. This partly reflects the resistance of influential original licensees to the new system, noted in 4.1, and the presence of LSC chairmen and other original licence holders on the verification committee.

The focus on continuity has serious implications for the new system's poverty focus and gender balance. It reduces space for new entrants and, because the majority of original licensees were men, it lowers the proportion of female licensees. When continuity is made mandatory, it also hinders resource management as licences are given to absentees and those with a history of illegal fishing.

However, given resistance to the new system from original licensees, continuity was a necessary compromise. Without this protection for existing licence holders, more conflict and attempts to undermine the exercise could be expected. The scope for change is likely to increase in later years as the system becomes established and monitoring of illegal fishing improves. There is some feeling within communities that original licensees kept their licence as a 'last chance', and that it would not be renewed unless their compliance with regulations improved.

"It is good to include old licensees because this is a new beginning. They know this is their last chance. With the review next year, new entrants will get a chance" (DSB member).

#### *b) Household*

The guidelines indicate that only one applicant per household can receive a licence, but do not specify the definition of a household. In workshops it was agreed that household means family members who live and eat together. LSVCs applied this definition. Children living separately from their parents were considered as a different household, but the status of adult children living under the same roof as their parents but with their own dependants was unclear. Communities often interpreted a household more broadly to mean close family members. This brought accusations that the guidelines were not followed, but the pervasive inter-relationships of some landing site communities make it almost inevitable that close relatives receive licences.

In some cases, LSVCs allocated more than one licence to a household because of an overriding focus on continuity. This was especially the case where:

- An original licensee had more than one licence
- A married couple was composed of two original licensees.

This concentrated access to lake resources, lessening equity and poverty reduction.

The guideline was not gender sensitive, and formed a barrier to entry by women. Where a couple both applied, it was rare for the wife to be awarded a licence.

"We removed the wife's licence. If a woman has too much wealth it embarrasses the family" (FO).

#### *c) Residence*

The guideline of residence was also interpreted in different ways. Firstly, the area to be considered was uncertain. The Fish Instruments 2001 Notice indicates residence at the *landing site* and workshop guidelines initially agreed with this but later extended it to cover a parish within which the landing site is located. Scoring guidelines on application forms consider residence in the *parish* (see annex 5). This left ambiguity regarding the status of cells within the parish but away from the landing site, in some cases leading to disagreements and allegations against the selection committees.

Secondly, the score is based on *permanent* residence, but residence at many landing sites is fluid, with a high level of mobility. Some applicants originate from the landing site and their family lives there, but they work elsewhere (for example, to graze cattle outside QENP); others work at the landing site but were born elsewhere and have no permanent base there. The status of these applicants is unclear, and there were disputes between and within communities and committees regarding their eligibility.

The unclear definition of residence means some selected applicants are not at the landing site on a permanent basis. This raises the probability of hiring, and means licensees are not present for monitoring and decision-making about fishing activities.

#### *d) Dependence*

There were several ambiguities and disagreements regarding the dependency criteria, raising questions for the system's poverty impact. The LSVC guidelines consider dependence through two questions: the place of fishing in the applicant's

top three sources of income, and the number of years operating in fisheries at the landing site of application (see annex 5). Note that the latter question gives additional weight to residence. The interpretation of 'operating in fisheries' varied. Workshop reports state that 'operational on the landing site implies doing any activity such as fishing, baria, trader, etc.' (ILM workshop report 28/3/2002). Some LSVCs followed this and considered dependence on the fishery, i.e. a fishmonger or trader scores the same as a baria or boat owner. Others considered dependence on fishing rather than fisheries, i.e. a baria or boat owner scores most highly.

The former question also presented difficulties. Variable and complex livelihood strategies mean many people combine fishing with other activities, often on a temporary or seasonal basis, and so have unstable income flows. It is also unclear whether the question refers to the income of the individual or the family, making the eligibility of a woman whose husband has an alternative income source contentious.

Several LSVCs seemed to give the question of additional income sources less weight than other criteria. This partly reflects the influence of powerful community members and original licensees, who are more likely to have an alternative business. It also results from a feeling among some communities and officials that excluding those with another income source penalises their work and investment.

"Having another business is self-improvement and should not be penalised" (Katwe).

It is difficult to judge a fair 'cut off point', as illustrated in opposing comments among the communities:

"Some with alternative business got a licence. This is OK so this question is not needed on the form. People should not be penalised for working hard."  
 "But the one who depends only on fishing is more dependent. So the question should remain."  
 (Katunguru K)

Many comments within the landing site communities indicate concern for an applicant's *dependants* rather than *dependence*, i.e. the number of people he/she supports. This was evident in complaints that eligible people had been excluded:

"Those with 5 children in secondary school to support were left out. The form should show how many people an applicant supports" (Mahyoro).  
 "Numbers were given to those without responsibilities" (Katunguru K).

It was also used to justify selected licensees who have many other income sources and whose dependence on fishing is questionable:

"These officers support large extended families" (LSVC member).

#### e) Compliance

The prevalence of illegal fishing impeded consideration of compliance with fisheries regulations: if everyone is fishing illegally, it is hard to select between applicants. Some LSVCs dealt with this by considering an applicant's stated willingness to comply with regulations in future, an unreliable indicator. Furthermore, those not previously involved in fishing score only 1/10 for compliance (see annex 5), creating additional bias against new entrants.

Despite these difficulties, compliance was considered by the LSVCs (barring cases of overriding priority to continuity), and several committees describe this was their most important consideration in recommending applicants.

*f) Gender*

Gender is included in the LSVC guidelines, but they do not indicate how this should be considered, and gender is not specified in the LSVC section of the application form. Gender is considered directly through the stakeholder allocations at DSB level, and in some cases the division of work between the LSVCs and DSBs was unclear and the LSVC organised these quotas. Aside from this, however, there is no indication of attention to gender in the LSVCs' allocations.

*g) Capacity*

As with gender, capacity to run a fishing operation was in the LSVC guidelines, but not specifically defined or indicated on the application form. Many LSVCs did consider capacity, but they interpreted this in different ways, including socially approved behaviour (e.g. alcoholism impedes management) and ability to afford a vessel (the start-up costs are high, at over \$200 for a canoe, nets and bobbins).

Many applicants recommended by the LSVC cannot afford the equipment needed to fish. Some are original licensees selected on the basis of continuity. Others are new entrants. According to LSVCs, it is difficult to reject applicants who are saving for equipment and hard to predict whether they will manage.

"The applicants plead that they are mobilising to get money for the gear" (FO).

In addition, some communities believed loans would be provided for newcomers.

The capacity to fish is important for resource management, since inclusion of licensees unable to fish personally encourages hiring. However, it has evident implications for the system's poverty impact and gender focus. Women often lack the capital and control over household savings needed to finance a vessel.

"The system does not help the poor because the poorest cannot afford the equipment" (Katwe).

*h) Corporate bodies*

The interpretation of guidelines regarding companies was notably cloudy in relation to churches. Several religious organisations received a licence, but there is some confusion among committees over whether they were eligible. Some explain that "churches are exempt from the 'no societies' rule" (LSVC member). Others see their inclusion as against the guidelines, but realistic:

"The churches were allowed to get a licence through personal discretion. Selection involves local politics as well as following the criteria. If the Catholics get a licence, so must the Protestants" (FO).  
"We have to live in an integrated community. The church is people not a building, and offers important services for the community" (FO).

The guideline also posed difficulties when two people applied together. These pairs are not registered partnerships, but many had shared a licence for years, and some were given a joint licence. Shared licences were also awarded to a few applicants judged unable to afford the equipment or manage the fishing operation on their own.

#### 4.3.4 Governance

##### Participation

The LSVC is designed as a committee of grassroots community representatives, and forms an important part of a participatory system. Communities appreciate this, and there is strong support at many landing sites for selection by local residents.

“The new system is good as those selecting licensees are known by locals” (Kahendero).  
“The involvement of local communities is good. Local leaders are chosen by the people and know their problems so the system is fair” (Mahyoro).

However, as discussed below, there are clear cases where the LSVC is seen as acting against community interests and far from participatory. There is strong resentment within communities regarding unaccountable behaviour, and alarming indications that communities feel powerless to prevent it.

“Top officials have a mandate to step on you and you cannot protest” (Kazinga).

Additionally, as communities note, the disadvantage of local selection is that blame also falls locally, generating tensions and insecurity within the community.

“If someone isn’t selected and this decision is made by his friends, it creates enmity” (Hamukungu).  
“There were threats to the LSVC from the community” (LSVC member).

The high competition for licences makes allegations of malpractices almost inevitable, particularly when transparency is poor. Inaccurate completion of application forms, poor record keeping and confusion over the division of responsibilities make it hard to substantiate claims. However, there are examples where LSVC selection was evidently substandard. It is notable some of those responsible for monitoring are either unaware of the problems or unwilling to acknowledge them openly. Weak monitoring probably helped to reduce accountability.

##### Accountability

Some inappropriate recommendations can be explained by deficiencies in the guidelines. However, there are indications that the LSVC at some landing sites was not fully accountable. Local politics, nepotism, and bribery all played a role in selection, particularly around Lake Edward.

“Local leaders got numbers, and gave to their relatives and supporters “ (Kazinga).  
“The licensing exercise came after the local elections. It was pay back time and the chairman only gave licences to those who supported him” (Kashaka).

The tendency for political influence was aggravated by the LSVC’s composition: 3 of the 6 members are LCs. Many communities feel a committee without politicians would make more equitable decisions.

To some extent, bias towards relatives and supporters is inevitable given the cultural importance placed on sharing resources. LSVC members faced demands for accountability to the government and for accountability to their family and friends to

remain a respected member of the community. However, although these pressures did bias selection in some cases, these tendencies were marginal.

“You have to consider your relations. You cannot deny them. But having a committee of six minimises this” (Katunguru K).

As the quote indicates, the committee system was a valuable tool for minimising such bias. The size of the LSVC also proved a deterrent to other types of malpractice. In several cases where bribes were offered or accepted, this was counteracted by the influence of others on the committee.

“People tried to give bribes, but those on the LSVC did not take them because they feared being found out by the others on the committee” (Kasenyi).  
“Maybe some tried to use bribes but it is not possible to bribe everyone” (Katunguru K).

Consequently, bribery rarely had a significant affect on local recommendations. This holds promise for a reduction in attempted bribery in future years.

Vested interests among the LSVCs were widespread. Most LSVC members applied for and received a licence. Many did meet the eligibility criteria, but there are several examples of LSVC members who received unrealistically high scores in the ranking exercise or more than one licence for their household. In an extreme case, one LSVC told the community a Government Act stipulated that LSVC members all receive a licence automatically. In the absence of opposing information, they were believed.

Ethnic influences were reported at some landing sites, particularly Hamukungu, where tight ethnic networks formed a barrier to new entrants. There are allegations of sectarianism and ethnic rivalries elsewhere, but the overlap of long-term residence with ethnic identity makes this hard to substantiate.

### Transparency

At some landing sites, LSVC transparency was poor. Communities do not know how or why applicants were selected, or who was recommended.

“Those not on the LSVC do not know how decisions were made” (Kasenyi).  
“Only the LSVC know what they decided” (Kayanja).

To some extent, this reflects limited community understanding of the official procedures and the closed design of selection meetings. However, there are also indications of resistance to openness among LSVC members.

“Whenever the LSVC met they went far away and didn't let others in” (Kazinga).

Gaps in system design also lowered transparency. The guidelines stipulate display of the list of applicants, and this was done at most sites. However, the list of recommended applicants is not mentioned, and was displayed in only about half the sites.

Moreover, where LSVCs did display their decisions, confusion in the division of work between the LSVC and DSB meant they were not always understood. The guidelines indicate that LSVCs should recommend all suitable applicants, with the DSB selecting the final list using the stakeholder allocations. Thus, the LSVC may

recommend more applicants than number of licences available, and some of those recommended will not be selected. Furthermore, the applicants awarded the highest marks by the LSVC may not be recommended because of criteria not considered in the ranking score, for example, number of applications per household or capacity to fish. This was particularly noticeable at Rwenshama. The LSVC displayed applicants' marks, but did not indicate whether they were recommended. Consequently some rejected applicants believed they had been approved.

The lack of openness and transparency contributed to suspicion of the LSVCs among communities. However, note that the need for openness should be balanced against the value of confidentiality for ability to remove influential local figures and the need for protection in a tense situation. Some LSVCs did not want their decisions to be made public because of fears for their own security.

#### 4.3.5 Recommendations

- Open selection meetings and display of the LSVC scores and recommendations should be considered to increase transparency.
- The composition of LSVCs should be reviewed with the introduction of Beach Management Units (BMUs). Many believe the BMUs will inherit the selection duties, and this is widely seen as bringing a more participatory and accountable system.
- The LSVC must include representatives of barias and women to counter the resistance among original licensees and facilitate the entry of marginalised groups.
- To promote accountability and prevent entry by applicants whose inclusion is contrary to the system's aims, all selection criteria must be considered directly on the application form, unambiguous and clearly defined. For example:
  - 'Residence' – within what area? Stability? Of applicant or dependants?
  - 'Capacity to fish' – management experience? Capital? Personal disposition?
  - 'Dependency' – of the individual or household? On the fishery or on fishing?
- Space for additional information to assess dependence should be considered in view of complex livelihood strategies and situations.
- Additional gender-focused guidelines may be needed to counteract gender-insensitive criteria. For example, consider giving priority to a woman in cases of more than one applicant per household.
- However, specification of selection criteria must recognise that complex, varied situations mean selection decisions are rarely black and white. This calls for a degree of flexibility, combined with strong participation and transparency so that flexibility enables a locally appropriate, optimal solution rather than abuse of the guidelines.
- Tighter monitoring of LSVC decisions is needed to promote accountability. Necessary changes include clearly defined responsibility for monitoring, spot checks of forms against applicants, and investigation of, and feedback on, all complaints.

## 4.4 District level selection

### 4.4.1 DSB selection process

The DSB's role was to review all applications, ensure continuity for existing licensees who complied with the selection criteria, and distribute remaining licences in accordance with stakeholder quotas (see annex 3). As noted above, in some cases the quotas were organised by the LSVC. Combined with later changes by higher levels, this means the final allocations do not just reflect the work of the DSB, and hence they are addressed later in 4.6.

Poor records and transparency (see below) hinder evaluation of DSBs. The available data suggest the Bushenyi Board made most changes to LSVC recommendations. Elsewhere changes are minimal (under 5 per site). This is partly because the limited local knowledge of DSB members and incomplete information on application forms means they have largely to rely on the LSVC.

"It is difficult for the DSB to identify problems as they don't know the people" (DSB member).

The most frequent change was removal of selected applicants for non-compliance.

### 4.4.2 Governance

#### Accountability

There are many examples of good performance by DSBs. Some of their changes were based on a tighter interpretation of the guidelines (e.g. removing those with inherited licenses and cases of more than only one licence per household), counteracted poor governance at LSVC level (e.g. removing an LSVC member), or brought a more equitable selection (e.g. including applicants who had been fishing at a nearby illegal landing site). The DSBs in Kamwenge and Rukungiri performed particularly well. Governance in both districts is widely held to be good, and the Boards' changes were equitable.

In Bushenyi and Kasese, however, there were reports of vested interests and political influence, particularly around Lake Edward and the Kazinga Channel.

"The problem starts at the District. Big people have vested interests" (Bushenyi resident).

At some sites, most notably on the Kazinga Channel, the DSB selected officials rejected by the LSVC. In contrast, many grassroots applicants who appealed to the DSB did not receive any feedback. Their appeals may have been invalid, but an explanation is important for accountability between the community and District.

The bias towards higher levels is partly related to pressure on mid-level officers.

"It is hard to make a decision when you are an employee. One cannot offend a big man" (DSB member).

However, it also reflects limited commitment to the new system's aims and design. Some DSB members dispute the criteria of dependence and aim of poverty focus.

“It is not fair to say licences should go only to long-time fishers. These are the people who have been destroying the lake, and they won’t change their behaviour fast. We need to bring in business-oriented people from outside with new ideas” (DSB member).  
“The poor are not responsible. They think only of the next day and fish illegally. Management of natural resources should not be given to the poor” (DSB member).

This lack of shared vision can discourage accountability and block implementation of the guidelines. It indicates poor ownership of the system and shortcomings in consultation.

### Transparency

In Kamwenge and Rukungiri the DSBs’ work was transparent. The DFO reports indicate the number and type of changes made. Kamwenge is particularly specific, giving names and explanations for those removed and most of those brought in. The report also gives details of the complaints received by the DSB and action taken.

In Kasese and Bushenyi, there were challenges for transparency.

- The reports do not indicate the DSB’s changes
- Decisions were made without all DSB members present (Bushenyi)
- Changes were not explained to communities or LSVCs, raising local distrust of the DSB (particularly Bushenyi).
- A few communities did not see the list of selected applicants until DFR monitoring.

Poor administration of application forms is an additional and more widespread limit on transparency and accountability. Combined with inadequate reporting, this hinders identification of decisions made by the different committees, and thus independent monitoring of the process. Problems arising at DSB level include:

- Changes made to the information and decisions written on the form.
- No signatures by the DSB, particularly for applicants who are not recommended.
- DSB has not indicated whether or not applicant is recommended.
- No signatures by DSB members, or insufficient signatures to meet the quorum.

#### *4.4.3 Monitoring*

Responsibility for monitoring was delegated to the DFO, and ILM provided funds to facilitate this. In many cases DFOs did visit landing sites to supervise the process. As indicated in 4.2, there are positive examples of FOs responding to community complaints and addressing implementation problems at lower levels. However, there was a general lack of initiative and diligence in this area. There are no direct reports on monitoring for Kamwenge, Kasese or Rukungiri. The Bushenyi DFO report does include a clear table of findings for most of the agreed indicators (see 3.2), but many problems identified at community level are not reported. This suggests both weak monitoring and knowledge of events, and resistance to independent evaluation.

#### *4.4.4 Analytical reports*

Districts were to provide a comprehensive report, including detailed analysis of successful and unsuccessful applicants. Apart from Kasese, all the DFO reports include some analysis of the composition of selected licensees, particularly regarding stakeholder quotas. The Rukungiri and Kamwenge reports are most thorough. However, even here, the data is incomplete (e.g. total female licensees not new female entrants). Moreover, many figures given in reports differ from those given by landing site communities and the final printed lists. These discrepancies may reflect

incomplete information from communities and poor DFR administration rather than district level problems, but they create a further limit to transparency.

#### *4.4.5 Licence issue*

The issue of licences followed the visit and intervention of DFR, but under existing law, it is a District duty with the CAO responsible for issue of licences, delegating powers for this, and printing licences. Collection of revenue was delegated to the sub-county. Payment for licences appears to have been well managed. However, a few licences in Kasese and Bushenyi had not yet been issued (as of December 2002), either because the licensees had not yet paid or because of delays in the District administration.

The guidelines indicate that successful applicants must own a fishing boat and fishing gears that comply with regulations, before they are licensed. However, the guidelines do not clearly allocate responsibility for checking this. In Kamwenge and Bushenyi, checks were not made because of a lack of time and preparation. In Kasese and Rukungiri, the DFOs did visit landing sites to verify that licensees had legal equipment. Communities were asked to present illegal canoes, and these were destroyed before licences were issued. Best practice is indicated by Kasese: the DFO provided a clear report of the licence issue, indicating dates of landing site visits, challenges, and actions taken.

However, as clear from the high number of licensees without the capital to fish, verification that licensees had legal equipment was incomplete. Those who hire out their number because they cannot afford to fish presented the canoe of the person using the licence. In addition, many illegal boats remain. Some were broken by FOs, and there are encouraging examples of active co-management and community mobilisation to remove illegal vessels: when licences were not issued because illegal canoes were not presented, local leaders and licensees joined together to find and display illegal boats. However, many were hidden because of their importance as livelihood assets, and illegal boats destroyed by FOs are often quickly replaced.

#### *4.4.6 Recommendations*

- The composition of the DSB should be reviewed to include more people with local knowledge (e.g. sub-county FOs and BMU chairpersons) to facilitate verification of LSVC recommendations and enhance community understanding of DSB processes.
- To promote accountability and efficiency, the division of work between LSVCs and DSBs must be clearly defined: does the LSVC recommend or select?
- DSB decisions should be clearly displayed and explained to communities to bring openness and trust.
- Thorough record keeping is essential for transparency. Administration of application forms must be more efficient, indicating clearly whether applicants are rejected or accepted and by whom, and with signatures from all Board members
- Stronger agreement on the aims of the new system and tighter, more direct guidelines could help to reduce vested interests among DSB members and pressure from influential colleagues and employers. The involvement of a wider range of local government staff in reviewing and refining the system could encourage the necessary shared vision.

## 4.5 DFR Monitoring

### 4.5.1 Process and amendments

The ACCR visited each landing site to review the selection decisions. At each site, a list of recommended applicants was read out at a public meeting. The ACCR asked the community for any complaints, and the public then verified the appeals. A committee comprising the ACCR, LSV and DSB members and other local officials reviewed the complaints and amended the list accordingly. A final list was then read back to the community. Amendments at this stage are given below:

- The most frequent change was selection of original licensees rejected by lower levels. This included applicants who were absentees, fishing illegally, not dependent on fishing, or without capacity to fish. Most inherited and transferred licences were counted as original. These selections perhaps reflect the political power of original licensees and their connections to and familiarity with the DFR.
- Some new entrants were included. Many do not meet the selection criteria, and some provide a front for other fishers.
- A few who did not apply for a licence were included. Most meet the eligibility criteria, but the lack of application form hinders transparency and record keeping.
- Some recommended applicants who did not meet the guidelines were removed, including a few FOs and government officials.

As this suggests, the vast majority of changes were additions to the list. In line with this, many licensees were paired to create space for additional entrants. Thus, the number of licences at each landing site meets the legal limit, but the number of licensees is much higher. The sharing of licences violates official guidelines and the law.

### 4.5.2 Challenges

There are strong arguments in favour of this hands-on involvement by the DFR.

- Recourse to a higher level of authority can help communities overcome local malpractice and resist pressure from powerful officials. In some cases, the meeting gave communities a chance to remove ineligible licensees.
- The presence of the ACCR at the landing site is a more direct avenue for appeals that may be more accessible to community members than the office of the Minister.
- Public scrutiny can be an opportunity for the whole community to comment and approve the selection. Decisions made in a public meeting are, superficially at least, more transparent and participatory than those reached in small, closed committees.

"It is good for appeals to be done in the open as this avoids bribery and corruption" (Katunguru B).

- National government intervention facilitates amendments to the guidelines, viz. allowing shared licences, widely regarded as an improvement.

"Regulations can be rigid unless they can be overruled by higher authorities" (DSB member).

However, in practice several factors limited the equity, openness and thoroughness of the review by DFR:

- Original licensees were given more opportunity to appeal than other applicants, and there was little opportunity for public comments on their appeals.

"There was little chance for new entrants to complain. When people did start complaining the LCs

chased them away" (Kazinga).

- Complaints about rejection were prioritised over objections to selected licensees.
- Some segments of the community have more confidence and a louder voice. For example, women in Kahendero feel their complaints were marginalised by more forceful protests from other groups.

"The youth created chaos, threatening bloodshed unless the AC included them, so their feelings were considered" (Kahendero).

- National government officers lack the local knowledge to verify testimonies alone.

"The stage is not good as the Commissioner does not know the people and cannot verify their complaints" (Mahyoro).

- Communities were unwilling to contradict appeals, and approved many applicants who they knew were unqualified, sometimes due to close ethnic and community ties.

"The community supported everyone and confirmed everyone's story as they wanted as many people as possible to get a licence" (Kayinja).

- High-level officials selected by the DSB were not opposed due to their influential status. DFR intervention was not sufficiently proactive and accountable to overcome the local power relations and fear of recriminations.

"These are big men and there is no way to object" (Kayanja).

However, note that some officials were approved by the community because their inclusion can bring indirect benefits by giving powerful officials a stake in the development of the landing site and fishing industry.

"At the moment, community members get no response to their complaints about Congolese fishermen. Big men were brought in to increase action against them" (FO).  
"The road needs improving and they thought that if he became part of their community he would help" (landing site resident).

- Consultation with local committees was minimal at some sites (particularly those visited during the first days of the exercise), and changes did not have local approval.

"Some of those brought in were not agreed upon but included only on the basis of the Commissioner's opinion" (LSVC member).

- Where there was consultation, genuine participation was limited by the hesitance of both communities and committees to contradict a national government official.

"The Commissioner said that all old licensees should get a number. He asked the community for their opinions, but how can you oppose the Commissioner? They disagreed but did not have the authority to say so" (Kahendero).

- Shared licences were appreciated, but they were not agreed in a participatory manner on the basis of local knowledge. Although some pairs were chosen through consultation with local committees or communities, many were decided ad hoc.
- Transparency was compromised by previous contacts between the DFR and applicants and indications that some changes were decided outside the public meetings (particularly in relation to original licensees and fishing companies).

- There are no reports of the monitoring and intervention undertaken by the DFR or records of how decisions were made.

Finally, DFR intervention generated significant local opposition, and was widely felt to contradict the spirit of decentralisation. Some objections by local officials reflect their own poor accountability, but many local committees had performed well. The DFR's changes compromised their authority and ownership of the process, discouraging committee members and threatening their future participation and efforts.

"If the AC is going to come and change everything, why should the LSVc sit?" (LSVC member).  
"It was demoralising to delegate the RFO to monitor then send his boss as if the RFO was not enough" (FO).

This loss of local ownership and authority threatens co-management and so contradicts the primary rationale for the new licensing system.

"It is hard to enforce the law when licences are given by the centre. Fishermen say 'I was given my licence by the centre – you can't tell me how to fish'" (FO)  
"For co-management and community participation, higher authorities should not overpower community decisions" (Mahyoro).

#### 4.5.3 Appeals

Appeals were to be made to the Minister within 30 days of the ACCR's finalisation of licensees at the landing sites. Communities were informed of this procedure during the public meeting. However, particularly in Kasese and Bushenyi, many community members were unaware of their right to appeal, or uncertain of the correct procedure.

"We had nowhere to appeal" (Kazinga).  
"The AC told us we could appeal, but we didn't know where to start from to reach the Minister." (Katunguru K)

At several landing sites, those who did understand the process were discouraged from appealing by the apparent finality of the list decided by the ACCR and their lack of power. Others were persuaded that their chance had to wait for the annual review.

"We do not have power to complain" (Kasenya).  
"The Commissioner said he was the 'final man'. We were told changes could come next year" (Kashaka).

In addition, although the appeals process is open to everyone, some officers believed that only original licensees who lost their licence were entitled to appeal (as implied by the ACCR when the licensing exercise was launched). This may have led to misleading sensitisation among landing site communities.

At some landing sites, appeals were made. Some received no response, but in Kamwenge two licensees were added at each landing sites. There are indications that these amendments do not meet the guidelines of residence and dependency.

"These people should not have got licences. They got them because of political influence with the Minister" (Kayinja).

#### 4.5.4 Administration

There are many inconsistencies in the final lists of licensees prepared by the DFR. These compromise transparency and accountability. Problems include:

- Lists returned from the DFR do not match those agreed at the public meetings.

- Handwritten amendments to final lists stamped by the ACCR.
- Errors on the final list, e.g. missing licensees and licences.
- No application form for some licensees indicated on the final list.

#### *4.5.5 Recommendations*

- The scope of DFR intervention must be critically reviewed given the severe implications for local ownership. Monitoring must be done in a sensitive manner and in co-operation with local government. Efforts to develop a shared vision and understanding of the system's aims and agreement on the guidelines could improve co-operation between different areas of government. Involvement of all levels in reviewing the system and defining the way forward could contribute to this.
- In view of the limitations of a public meeting for disclosing inappropriate decisions, a first step in central monitoring should be review of application forms and selection lists.
- Skilled facilitation is needed for public scrutiny to provide for genuine participation. One option could be community review of the list and appeals in small groups.
- To enhance the transparency of DFR monitoring, all decisions and amendments must be clearly explained to communities and documented by DFR.
- If the new licensing procedures are spread nationwide, personal visits from the central DFR to each landing site will not be practical. The role of RFOs could be considered.
- In view of the poor administration and record keeping of the selection process and its results, further research should be undertaken to fully analyse the selection procedure and composition of selected licensees. Application forms must be fully processed, with gaps in the data filled in. Records of the licensees will facilitate future accountability and co-management.

## **4.6 Stakeholder allocations**

### *4.6.1 Guidelines*

Quotas were agreed for marginalised groups as a means of affirmative action to ensure their representation (see 3.2). Some indication of whether the quotas were met can be given. However, the assessment has several limitations:

- Although the application form clearly states that the quotas should be done by the DSB, in some cases, as indicated earlier, the LSVC addressed the quotas. Changes made through appeals to the ACCR and Minister also influenced the results. The difficulty of distinguishing specific decisions taken at different levels means the figures given in this section apply to the final selection of licensees, and do not necessarily reflect work of LSVCs or DSBs.
- Interpretations of the 10% allocated to new entrants varied. At early workshops, this proportion was allocated to the youth. In some cases licences were considered reserved for youths, but this was not consistent, and so is not considered below.
- It is unclear whether allocations should apply to licences or licensees. With the introduction of shared licences, figures for the two categories differ.
- Finally, constraints in the research methods and poor record keeping (e.g. contradictory evidence; forms that are missing, altered, or incompletely filled; lack of final list) severely hinder thorough and confident analysis of the data. Thus, figures given below are based on incomplete information and cannot be considered exact.

#### 4.6.2 Results

The total number of licences for the 13 landing sites was increased from 393 to 614. Due to the shared licences the number of licensees is around 789, of which 60%, are new entrants. This represents a considerable change in the composition of licensees. Overall, 19% of new licensees are women, and 13% are barias. 20% of licences were allocated to women, and 12% to barias. Note that the difference between licensees and licences is minimal. See tables 6.2, 6.3 and 6.4 in Annex 6 for estimated numbers by landing site.

Going beyond the quotas to consider the total number of licences and licensees, the figures change little for women. Females form 19% of licensees and hold 18% of licences, reflecting their representation among original licensees. For barias, the proportions fall, to 8% of licensees and 6% of licences (table 6.5).

#### 4.6.3 Challenges

The stakeholder allocations are an important step towards poverty-focused licensing, and provided an essential tool to overcome local opposition to the inclusion of barias.

"The LSC chairman was defending boat owners and furthering their interests. We countered this by showing him the percentages and guidelines" (FO).

However, several factors reduced the potential impact. First, overlapping categories. A woman who had held an experimental licence may be considered for either the experimental or women's quotas. Inclusion in the latter reduces space for 'completely' new female entrants (and likewise for barias). This was often the case. If the 20% quota was met, further women and barias were unlikely to be included in the experimental category. Excluding those who had an experimental number, the proportion of new licensees who are women falls to 14%, and that of barias to 11%. Similarly, the proportion of licences allocated to women falls to 15%, and the proportion for barias drops to 9%.

Secondly, the quotas cannot ensure representation of the stakeholder groups without support in other areas of the system. In several cases there were insufficient applications from the stakeholder group to meet the quota, partly because of inadequate sensitisation. Beyond this, problems such as lack of capacity to fish and local resistance reduced the probability of acceptance for those who did apply. For the landing sites where data is available, female applicants were less likely to be awarded a licence than male (53% and 61% respectively), and barias who applied much less likely to be accepted (39%, see table 6.6). This meant the quotas were often not met. Excluding those previously holding an experimental licence, barias constitute less than 10% of new licensees in at least 7 landing sites, and women in 3.

Thirdly, there is a risk that some women and barias are a front for ineligible fishers. For example, there are indications of female licensees acting as a cover for their husband. However, balancing this, there are examples of named licensees who do not meet the selection criteria, but whose licence is used by a fisher within the target groups. For example, an absentee's licence is used by a locally resident wife.

Note that the status of baria licensees is an issue for future management. Many hold both a boat and fishing licence, and their eligibility for baria associations is unclear.

#### 4.6.4 Recommendations

- Responsibility for the quotas between the DSB and LSVC must be clarified. Making this a role for the LSVC would enhance local participation and efficiency.
- Agreement is needed on the status of those in cross-cutting categories, experimental licence holders, the youth/new entrant quota, and the licences to which the quotas apply (all licences or just those not taken by existing licensees?).
- For future years, the experimental category of applicants will not exist, so the quotas need amending. The new proportions must be poverty and gender focused. A split of 40% each to women and barias and 20% to youth/new entrants seems appropriate.
- To assess the poverty impact of allocated licences, research on the use of licences is needed to indicate the prevalence of indirect licence holders and distribution of benefits.

### 4.7 Management issues

The final selection of licensees raises three important issues for resource management: hired licences, shared licences, and rejected applicants.

#### 4.7.1 Hired licences

Hired licences are a feature of almost all landing sites. Hiring is illegal, but has some important benefits for poverty reduction, and there is some support for legalisation.

- First, hiring can ease entry to fishing for poorer community members who lack the capital to start fishing by providing a source of income to purchase the equipment. Partly because of this, regulations against hiring are not fully enforced by FOs.

“Most hirers are those who cannot yet manage to buy the gear. They hire out the licence to raise money. Bending the rule allows new people to come into the system. FOs have to overlook hiring for this year to give them a chance. Penalising them would victimise the weakest section of the population who they want to bring in” (FO).

- Second, hiring spreads wealth between both the licence owner and the fisherman using the licence, and can be a stable source of income.

“The idea is to give a licence to one individual and to improve his livelihood, but if he can earn money by hiring out a licence, this should be done” (FO).

- Third, licensees hire out their number on an occasional short-term basis to provide income when they cannot use the licence themselves. For example, ill health may prevent them from overseeing the fishing, or their barias may be unable to work.

“Hiring is not a problem. If one’s nets are stolen or lost, they have to hire out or the canoe is idle. People would get problems if regulations against hiring were strictly enforced” (Kayinja).

- Finally, the opportunity to hire a licence provides an opening for those who depend on fishing but did not receive a licence.

“Hiring is good as those with gear and interest but no licence get a chance” (Rwenshama).

However, the impacts for poverty reduction are not all positive. Most licences are hired by richer community members: they have the needed capital, and licensees regard them as more reliable and profitable clients (particularly those with their own

licence). Some are established fishers who received a licence and rent additional numbers. This concentrates access to the lake within a small group of people.

“Hiring is a problem because the rich get a chance to have more than one licence while others are at a loss” (Mahyoro).

When poorer members of the community do rent a licence, they often experience harassment from the licence owner and have difficulty in raising the hire fee.

“Hiring would be good but we are harassed by the license owners who prefer to hire out to those with their own numbers” (Kashaka).  
“Hiring is a problem when you get a poor catch you cannot afford to pay the fee” (Kazinga).

In addition, hiring deters effective resource management by encouraging illegal fishing. Those renting the licence are concerned to maximise returns to recover the hire fee, and do not stand to lose the licence if they are caught fishing illegally.

“Those who charter are irresponsible and likely to misuse the licence as they want to get their money back quickly” (Mahyoro).

#### 4.7.2 Shared licences

Under the centralised system, sharing was widespread (especially with experimental numbers), but unofficial. There has been no legislative change, but the DFR verbally endorsed sharing and it is now essentially authorised. Overall, 44% of licensees are sharing (see Annex 6 table 6.7). This change has been widely welcomed as an important social safety valve. It eases the pressure for licences, brings more people into legal fishing and spreads benefits from the lake more widely.

“Sharing is good and allows more families to benefit” (Kayanja).

However, the organisation of pairs for shared licences was not poverty or gender focused. The income for each partner is lower with a shared licence because the legal number of nets per boat, and hence size of catch, is the same as for a single licence. New entrants, women and barias were paired more often than men and original licensees, reducing the income these groups receive (see Annex 6 table 6.7). For future selection, an equitable system is needed to determine which applicants to join. Some community members suggest those with fewer dependants should share.

“Not all the licences should be shared as some people have more responsibilities and need the money from the whole licence” (Kashaka).

Shared licences also raise management issues. First, there is no official system for use of shared licences, and the arrangement varies between pairs. Some split the input costs and profit, others fish on different days, others each set their own fleet of nets. While some pairs co-operate well, there are many disagreements (for example, the partners favour different fishing methods or suspect the catch is shared unfairly). Second, sharing adds to illegal fishing: the split income creates pressure to increase the catch by fishing illegally, and monitoring is impeded by uncertainty over who is responsible: having two names on the licence hinders accountability. These challenges arise partly because many pairs were chosen ad hoc during DFR intervention without sufficient local consultation. Locally selected pairs and stated agreements between partners would ease management and monitoring.

#### 4.7.3 *Rejected applicants*

The high competition for licences made it inevitable that many fishers were rejected and forced off the lakes. They often lack skills for other livelihood activities and there are few alternative income sources, particularly inside QENP. Consequently, many are now either unemployed or fishing without a licence. Increased monitoring has cut illegal fishing, but in the absence of alternative income sources, resumption is expected.

“Licences were given to those never involved in fishing, rather than to the experimentals, who have no skills for other work and will have to fish illegally” (Kayanja).  
“At present, people are still scared of the authorities and hoping for help, but if there is no change illegal activities will increase” (Kasenyi).

There is an urgent need to establish alternative income generating activities if the exercise is to meet aims of poverty reduction and improved resource management.

Assistance is needed for unemployed barias. Licensed boat owners must have a crew of three registered barias per boat on Lake George, and four per boat on Lake Edward. Some landing sites have a surplus of barias, leaving many unregistered. Secondly, some of registered barias are unemployed because they have been registered by a licensee who a) cannot afford to fish; b) is an absentee; c) has transferred their canoe to a different landing site, or d) employs unregistered barias or uses their children for crew. Note that all these situations violate official guidelines. The baria permit is tied to the boat licence number, so the registered baria cannot work for another licence holder. The result is a further group who have been removed from the lake and lack alternative livelihood strategies.

#### 4.7.4 *Recommendations*

- A legal but carefully regulated system for hiring could maintain its value for poverty reduction and avoid some of the negative impacts for resource management. For example, records of hiring could be kept by the BMUs, indicating the days on which a number is hired and to whom. Combined with a system of fines, this could encourage responsible fishing by those hiring licences.
- Agreement is needed on the situations where hiring is acceptable, for example, long-term absenteeism and hiring would remain illegal, short-term hiring in the case of lost nets may be allowable.
- The status of shared licences must be reviewed to consider legalisation.
- If sharing is legally recognised, there must be an agreed system for distributing the licences and selecting pairs. To ensure that pairs are able and willing to co-operate, applicants should indicate their willingness to share and preferred partner on the form.
- Agreement is needed on the scope of sharing (all licences, or just applicants who prefer to share?).
- If licences are shared involuntarily, the distribution must be poverty and gender focused. This means an equal proportion of shared licences among women, barias, new entrants and existing licensees.
- Signed agreements between partners could enhance accountability and facilitate monitoring of illegal fishing and apprehension of offenders.
- Alternative income generating activities for boat owners and barias removed from the lake are needed to avoid increased poverty and illegal fishing.

## 4.8 Review process

### 4.8.1 Sustainability

Widespread praise for the new procedures among different stakeholder groups holds promise for the continued implementation of the system. Fisheries officers note the benefits for resource management, local governments appreciate the revenue, and communities value the increased participation in decision-making and opportunities for new entrants.

### 4.8.2 Guidelines

Although there is strong support for continued decentralisation, there is disagreement regarding the specific mode of future operation.

A first area of debate is the degree of continuity. The guidelines state that a licence is terminated in case of change in the law, breach of the law, or death. Stakeholders disagree over whether renewal of licences should be treated in the same way, or whether applicants should again be judged against all the agreed criteria (i.e. capacity, residence, and dependency as well as compliance). Some feel there should be no priority for existing licensees and that all applicants should be treated equally. As might be expected, current licensees favour a greater degree of continuity, while rejected applicants want to increase opportunities for new entrants. The question of inheritance also needs to be agreed. There is some feeling that a member of the deceased licensee's family should keep the licence provided they meet the criteria.

Second, the process for licences that fall vacant before the annual review needs discussion. General opinion holds that in the case of death, licences should be kept by the family until the review, and that non-compliance should be registered and considered in the review rather than leading to immediate removal of a licence.

Thirdly, there is some opposition to an annual review of licences (as stipulated in the fisheries legislation). Some feel this is essential as an incentive to fish legally and to bring chances for new entrants. Others suggest the review should be at intervals of 2 years or longer, first because of the time and resources a review demands of the local authorities; second to increase stability and livelihood security for licensees and to provide time to recover the outlay on fishing equipment. A small minority believe full reviews are unnecessary; licences should be allocated individually when they fall vacant due to death or non-compliance.

The debate over future guidelines partly reflects divergent understandings of the new system's approach and objectives. The guiding principles are nebulous terms that can be easily agreed upon but interpreted in very different ways (for example, "fair and equitable"). There is strong verbal support for a poverty focused system among some senior FOs, but many stakeholders do not regard poverty reduction as a specific goal, or see the impact as indirect (i.e. through the generation of revenue). The system can and will have different benefits for different groups, but a tighter shared vision and agreement on the desired objectives would facilitate agreement on the guidelines for implementation, and also strengthen accountability.

#### *4.8.3 Recommendations*

- Agreement among all stakeholders on the system's aims and procedures is essential for sustainability. There are many aspects of the system where the guidelines are not clear. Widespread involvement of local and national government officials in workshops to review the system and clarify procedures could promote ownership and shared vision. LAGBIMO could play a valuable role here.
- A proportion of the revenue from application forms and licences should be set aside to cover the costs of an annual review (e.g. printing forms).

## 5 CONCLUSION

The new licensing procedures brought significant benefits for governance, participation, poverty reduction, gender and co-management. There were difficulties, but many reflected the new introduction of the system, and can be reduced in the future through relatively minor amendments.

“There are hic-cups in any new activity. This was the first time the new system was implemented. Next year it will be clear” (DSB member)

### 5.1 Strengths

#### 5.1.1 Governance

- The size of the LSV and DSB and involvement of two committees acted as a check on malpractices and encouraged good governance at local levels.
- Public scrutiny has much potential as a tool for enhancing openness, and in some cases worked to counteract poor accountability at earlier stages.
- Strong commitment to the decentralised system among many committees and officials promoted accountable selection and vigilant monitoring.
- Communities are now aware of correct procedures. This will enable them to make active use of the new frameworks in future and hold committees to account.

#### 5.1.2 Participation

- Decision-making by a local committee greatly enhanced participation, and communities appreciate the involvement of local leaders in the selection.
- The process of public scrutiny provided for involvement by the wider community.

#### 5.1.3 Poverty reduction

- The number of licensees was significantly increased. This means a considerable expansion of legal livelihoods and a major contribution to livelihood security.
- A local committee has the knowledge to target needy applicants.
- The stakeholder allocations were an important tool for entry by barias, and a considerable number of barias were included.
- Shared licences spread access to resources and enable more families to benefit.
- The revenue generated can make an important contribution to local development.

#### 5.1.4 Gender

- The quotas significantly raised women’s representation, and women now form a fifth of licensees.

#### 5.1.5 Resource management

- There are indications of a reduction in illegal fishing.
- Selection based on local knowledge enables removal of illegal fishers.
- The annual review is an important disincentive to illegal fishing.
- Residence at the landing site assists management and monitoring. This is now included in the criteria and many absentee fishermen were removed.
- Local decision-making discourages illegal fishing because those selecting the licensees are also involved in monitoring.

## 5.2 Challenges

### 5.2.1 Governance

Transparency was poor in several areas of the exercise. Many communities were not fully informed about the process, and it is difficult to identify at what stage selection decisions were made, why and by whom. Problems include:

- Closed selection meetings
- Inconsistent display of LSVC recommendations and DSB selections
- Poor administration and inadequate record keeping by District and DFR.
- The confused division of work between the LSVC and DSB.
- Lack of feedback from DSB to communities.
- Unexplained decisions during DFR monitoring and appeals process.

There was a lack of accountability at all levels, from applicants to national government. Factors contributing to this include:

- Incomplete sensitisation of communities regarding the correct procedures.
- Ambiguous guidelines
- Lack of clear systems and procedures, particularly regarding personnel.
- Inadequate monitoring, and malpractice among those responsible for monitoring.
- Composition of LSVC and DSB, with many politicians and vulnerable employees.
- Pressure for upward accountability to influential officials.
- Limited local knowledge at district and higher levels constrains monitoring.
- Vulnerability of communities and lack of power to challenge malpractices.
- Lack of shared vision and disagreement on the intended aims and design.

### 5.2.2 Participation

- The assumption that local leaders represent community interests is problematic. Communities comprise different interest groups with varying levels of influence, and committee members do not always act in the interest of the majority.
- Power relations within the community and between the community and officials limited full and genuine participation in decision-making during public meetings. Facilitation of the public scrutiny procedure was not sufficiently proactive, accountable and equitable to overcome these constraints.
- Transfer of power was not secure and DFR intervention reduced local ownership.

### 5.2.3 Poverty reduction

The number of barias did not meet the target of 20% of new licences. Inclusion of poorer members of the community was limited by:

- Few applications due to limited sensitisation by FOs and misleading information from existing licence holders concerned to protect their position.
- Opposition to the inclusion of barias among original licensees, including LSVC members, and no representation of barias on the selection committees.
- Ambiguous guidelines that facilitate local resistance.
- The difficulty of determining dependence due to complex livelihood strategies
- Poorly targeted indicators that create additional bias against new entrants.
- Lack of capacity to fish (no capital for equipment)
- Limited voice and political power, unfamiliarity with official procedures, and lack of connections, constraining the ability of poor community members to appeal.
- The overwhelming focus on continuity and inclusion of applicants not dependent on fishing, which removed space for new entrants without other income sources.

Other factors also reduce the poverty impact:

- Hiring can concentrate access to the lake within a small group of richer licensees.
- The distribution of shared licences is biased against new entrants and barbas.
- The annual review reduces livelihood security for licensees.
- Lack of alternative income generating activities for displaced fishers severely impedes poverty reduction.
- Unspecified use of the revenue, so that its development impact is not guaranteed.

#### 5.2.4 Gender

Several factors hindered entry by women and lowered their representation:

- Inadequate sensitisation lowered awareness of licensing opportunities and procedures and limited applications from women.
- The lack of specific guidelines for the LSVC to ensure a gender consideration.
- Lack of representation on the LSVC or DSB.
- Guidelines that, combined with socio-cultural norms, act against female applicants, particularly criteria of one licensee per household, dependence on fishing and capacity to fish.
- The focus on continuity and allocation to experimental licensees, since most previous licence holders were men.

#### 5.2.5 Resource management

The reduction in illegal fishing is reputedly small, temporary, and partly a reflection of increased monitoring rather than new licensing procedures. Several factors lower the system's impact here:

- Inadequate attention to capacity to fish, resulting in a high level of hiring.
- The unclear definition of residence means some licensees are not at the landing site on a permanent basis, contributing to hiring.
- Central intervention threatened co-management by overturning local decisions and so degrading the authority of those responsible for future monitoring.
- Shared licences increase pressure for profit and hamper monitoring.
- The absence of alternative income sources for rejected applicants.

### 5.3 Recommendations

#### **Widen sensitisation**

- Thorough sensitisation on all aspects of selection.
- Sensitisation that informs *everyone* in the community.
- Forms and guidelines written in the local language and displayed at the landing sites to counteract misleading sensitisation.

#### **Enhance transparency**

- Open selection meetings and display of LSVC recommendations.
- Thorough feedback from the DSB to the community.
- Efficient administration of application forms and thorough record keeping.
- Further research to fully analyse the selection procedure and composition of selected licensees.

#### **Strengthen accountability**

- Established procedures and guidelines, clearly understood by communities.

- Clearly defined and agreed roles and responsibilities.
- Increased shared vision through involvement of all levels in reviewing the system and defining the way forward.
- Review the composition of the LSVCs and DSB.
- Pro-active and vigilant monitoring by FOs.
- Strong commitment from the centre and direct guidelines to counter pressures for from influential officials.
- Participatory methods to facilitate genuine participation during public scrutiny.
- Sensitisation and community consultation on the use of revenue.

#### **Refine selection criteria**

- Clear and specific selection criteria for targets to be met as intended.
- Agreed definitions (e.g. 'permanent residence', 'household').
- All criteria directly considered on the application form (e.g. capacity to fish).
- Consider adding more information to assess dependence.
- Consider additional gender-focused guidelines.

#### **Assist new entrants**

- Forms and guidelines written in the local language to ease application.
- Representatives of barias and women on the LSVC.
- Refined guidelines for the stakeholder quotas to clarify cross-cutting categories.
- Poverty-focused distribution of shared licences.
- Research on the use of licences to indicate the prevalence of indirect licence holders and distribution of benefits, and so assess the poverty impact.

#### **Promote resource management**

- Alternative livelihood generating activities for fishers without a licence.
- A systematic process for shared licences that promotes co-operation.

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## **ANNEX 1 TERMS OF REFERENCE**

### **Evaluation of decentralised fisheries licensing procedures on Lakes George and Edward**

#### **1. Background**

The Integrated Lake Management (ILM) project aims to improve livelihoods of poor people in lakeside communities by establishing a more integrated and participatory approach to the management of lake resources. To do this the project will help the Government of Uganda build institutional management frameworks on lakes that cross district and sub-county administrative boundaries and incorporating co-management approaches based on grassroots participation in planning and decision making processes. The establishment of agreed lakewide management plans is a key component of project activities on Lakes George and Kyoga.

An important aim of lakewide management plans is to control, in a participatory manner, the access to and benefits from lake resources. Under a co-management regime, this will be determined jointly by lake dependent communities and local governments partners. However, overall legal mandate for regulating access to resources resides at national government level in the Department of Fisheries Resources (DFR) within the Ministry of Agriculture, Animal Industry and Fisheries (MAAIF). In December 2001, DFR delegated responsibility for fisheries licensing to district Chief Administrative Officers (CAO). On Lakes George and Edward, where licence numbers are controlled by law, the number of fishing vessel licences was increased by DFR.

The ILM project was invited by DFR and local governments to guide new procedures for licensing on these lakes in 2002. In response, a number of meetings were held with local stakeholders to develop and agree new procedures in accordance with national guidelines. The new procedures aimed to provide continued licensing of original holders whose livelihoods depended on fisheries, but at the same time, to introduce a strong poverty focus and gender balance by allocating a share of the new additional licences to marginalised stakeholder groups such as barias and women.

The new procedures were also designed to increase transparency, accountability and fairness of the licensing system by introducing a more systematic and participatory selection process of licensees. A ranking procedure of licence applications was introduced that was based on criteria that included indicators of livelihood dependency on fisheries resources, history of good fishing practice, and the need to spread licences across as many households as possible, avoid licence sharing and avoid holding multiple licences by an individual or organisation.

The licensing system also included a fee for application forms and an increased fishing vessel licence charge. Procedures were therefore designed to promote transparent financial management of revenue collection by local governments.

#### **2. Purpose**

The overall aim of this study is produce an independent and critical evaluation of the effectiveness of new decentralised fisheries licensing procedures on Lakes George and Edward, to examine strengths and weaknesses of the procedures so that lessons can be drawn for possible extension of the system throughout Uganda.

### **3. Implementation**

The consultant selected for this study is Ms Katharine Gooding, a local consultant who has recently successfully completed an evaluation of the GEF Small Grants Programme in Uganda published by UNDP. This study examined lessons learned and best practices of the GEF programme. The consultant has experience of research and M&E consultancies, NGO project evaluations and the UNDP Participatory Development Management programme in Uganda. The consultant will hold a series of consultations at national and local level. Around Lakes George and Edward, the consultant will work closely with local government staff associated with ILM implementation. The project will provide the consultant with transport for consultations in four districts and 13 landing sites on Lakes George and Edward. Towards the end of the study, the consultant will present the main findings at a feedback workshop for local and national stakeholders. Responses from workshop participants will be incorporated into the preparation of a final report.

### **4. Specific Tasks**

The consultant will undertake the following specific tasks:

1. Be briefed by the Commissioner for Fisheries, Assistant Commissioner Control & Regulation, the ILM Team Leader and other members of the ILM team.
2. Examine all relevant documents particularly those generated by the project and its partners, and familiarise herself with roles and responsibilities of different stakeholders under the new licensing procedures.
3. On the basis of briefings and examination of relevant documentation, design a check-list of areas of enquiry for a range of different stakeholder groups. These will be approved by the ILM Team Leader before being applied in the field.
4. Visit four riparian districts around Lakes George and Edward (Bushenyi, Kamwenge, Kasese and Rukunjiri). In collaboration with project staff and partners, hold consultations with a wide range of stakeholders including boat owners who obtained licences this year and those who did not, representatives of marginalised groups (barias and women), members of Verification Committees and District Selection Boards, representatives of sub-county government and parish councils, and fisheries officers.
5. Undertake a comprehensive, detailed analytical appraisal of the new licensing system and its methods and timing of implementation by delegated authorities in each of the four districts on Lakes George and Edward. Particular attention should be paid to issues listed in Task No. 6-12 below.
6. Evaluate the performance of various stakeholders including the District Selection Boards, District Fisheries Officers, other Fisheries Officers, sub-county authorities, Evaluation Committee members, licence applicants and national fisheries authorities, in undertaking their agreed functions and tasks in implementing licensing procedures in accordance with national and local guidelines.
7. Assess the extent of local and national interference in implementing licensing procedures according to agreed guidelines, identifying in generic terms the source, nature and impacts of such interference.
8. Undertake an appraisal of the degree of transparency and accountability at all levels of the new licensing system, including financial transactions in the collection and transfer of fisheries related revenue.
9. Examine the selection criteria used to rank applications e.g. livelihood dependence, history of good fishing behaviour, limit of one licence per

- household etc, and assess how well they were used by the Verification Committee, and how useful each criterion was in screening applications.
10. Assess the performance of the District Selection Boards in issuing licences in accordance with agreed allocations to different stakeholder groups, with particular attention to allocations to women and barias.
  11. Assess the performance of local and national government authorities in undertaking agreed monitoring and evaluation of the new licensing procedures.
  12. Assess the performance of local and national authorities in applying appeal procedures in accordance with existing legislation.
  13. Provide a summary of strengths and weaknesses of the licensing system and draw lessons for wider application in Uganda.
  14. Present main findings of the study to a feedback workshop for local and national stakeholders. Responses of workshop participants will be incorporated into the final report of the study.

## **5. Outputs and Reporting**

Outputs will comprise:

One copy of the report, plus an electronic version in MS Word compatible format. The main report should be clear, concise and analytical and be no more than 30 pages, including an Executive Summary, and all other background descriptive information should be contained in annexes to the report.

Originals or photocopies of all documents, including licence application forms, collected and reviewed as part of the consultancy

### **Back to office report**

A standard requirement of all consultants employed on the ILM project is a back to office report (BTOR). The primary objective of the BTOR is to allow consultants to make recommendations, record insights or note any confidential matters that may not be appropriate to include in a technical report. The report will remain confidential to the project and should be submitted to the Team Leader at the conclusion of the consultancy.

All correspondence and reports should be submitted directly to the Team Leader of the ILM Project and the Commissioner for Fisheries, DFR, Uganda.

## **6. Timing and Duration**

A total of 35 working days have been assigned to the consultant for completing the assignment between 18 November 2002 and 31 January 2003. This includes time for consultations, preparing, presenting the report and, if necessary, modifying it following comments from the GoU and the ILM project.

The report will be submitted on or before 31 January 2003.

**ANNEX 2 FIELDWORK SCHEDULE**

| <b>Date</b> | <b>Activity</b>  |
|-------------|--|
| 18/11/2002  | Document reviews, brief from ILM team leader   |
| 19/11/2002  | Brief from ACCR  |
| 20/11/2002  | Brief from ILM Kasese  |
| 21/11/2002  | Hamukungu landing site   |
| 22/11/2002  | Kasenyi landing site   |
| 23/11/2002  | Kahendero landing site   |
| 24/11/2002  |  |
| 25/11/2002  | Discussions with ILM Kasese  |
| 26/11/2002  | DFO Kasese, Katunguru sub-county FO  |
| 27/11/2002  | Kayinja landing site, DFO Kamwenge   |
| 28/11/2002  | Mahyoro landing site   |
| 29/11/2002  | Katunguru K landing site   |
| 30/11/2002  | Katunguru B landing site, DFO Bushenyi   |
| 1/12/2002   |  |
| 2/12/2002   | Muhokya and Lake Katwe sub-county administration.                                      |
| 3/12/2002   | Kayanja landing site.  |
| 4/12/2002   | Nyakyumbu sub-county administration, Kasese district administration.                   |
| 5/12/2002   | Katwe landing site (Kabatoro town council)   |
| 6/12/2002   | Kashaka landing site.  |
| 7/12/2002   | Rwenshama landing site.  |
| 8/12/2002   |  |
| 9/12/2002   | Rukungiri district administration, DFO Rukungiri (Bwambara sub-county administration). |
| 10/12/2002  | Kisenyi landing site. Bushenyi district administration.                                |
| 11/12/2002  | Kazinga landing site.  |
| 12/12/2002  | RFO. Katunguru sub-county administration. (Kamwenge district administration)           |
| 13/12/2002  | Discussions with ILM Kasese  |
| 14/12/2002  |  |
| 15/12/2002  |  |
| 16/12/2002  | Document reviews. Discussions with ILM.  |
| 17/12/2002  | Document reviews. Discussions with ILM.  |
| 18/12/2002  | Document reviews. Discussions with ILM.  |

Note that constraints of transport and availability meant some informants (those in brackets) could not be met.

**ANNEX 3 APPLICATION FORM**

**APPLICATION FOR A FISHING VESSEL LICENCE (FORM 1)**

**WATER BODY.....LANDING SITE..... YEAR.....**

Applicant should complete Section A and submit to Landing Site Verification Committee.

**SECTION A: PERSONAL DETAILS**

- 1. FULL NAME (Block letters).....
- 2. Nationality.....3.Age.....4. Sex (M/F).....
- 5. Married (Yes/No).....6. Number of children .....
- 7. Residential Address: District.....Sub-County.....  
Parish.....Village.....
- 8. How many years resided at above address with family.....
- 9. Who else in your family has or will apply for a fishing vessel licence, give names.....  
.....
- 10. Fisheries profession (e.g. boat owner, baria, fishmonger, fish processor etc)  
specify.....
- 11. List in order of importance the top 3 sources of income.....
- 12. If boat owner, give registration category of boat (Reg No.,V,E,U).....
- 13. Number years that you personally operated in fisheries at the landing site of  
application.....
- 14. List specific years.....
- 15. Have you held a fishing vessel licence (Yes/No).....16.At which landing site.....
- 17. List years licensed..... 18.Last licence No.....
- 19. Have you ever been convicted in law for a fisheries offence (Yes/No) .....
- 20. Have you been ever warned for breaking fisheries regulations by a fisheries officer/landing site  
committee/rehabilitation committee (Yes/No).....
- 21. If not already owned, are you able to purchase legal gears and a fishing vessel

**Applicant: I certify that the above information is true and correct**

**Signature.....Date.....**

**SECTION B: LANDING SITE VERIFICATION COMMITTEE**

**1. Verification of Application**

The above information is verified as true and correct (Yes/No). If not give detail

.....  
 .....  
 .....  
 .....  
 .....

2. Have other members of the applicant’s household applied for a fishing vessel licence: Y/N.  
 If yes, then only one member of the household can be recommended by the Verification Committee.

**II. Recommendation on Applicant**

Q21 Applicant’s history of compliance with fisheries regulations.

Scoring system:

Always abides by fisheries regulations = 10

Sometimes abides by fisheries regulations =5

Never abides by fisheries regulations = 0

Never involved in fishery = 1

| Criteria for Selection | Q 8 | Q11 | Q13 | Q22 | Total |
|------------------------|-----|-----|-----|-----|-------|
| Residence              | x   |     |     |     |       |
| Livelihood dependency  |     | x   | x   |     |       |
| Compliance             |     |     |     | x   |       |
| <b>TOTAL</b>           |     |     |     |     |       |

It is verified that this application is the one and only recommended application for applicant’s household.

Based on the evaluation of the information given above we the undersigned

**RECOMMEND / DO NOT RECOMMEND** (delete where appropriate) that the application be approved by the delegated Selection Board

| Position                              | Name | Signature |
|---------------------------------------|------|-----------|
| Parish Chairman<br>(Chairperson)      |      |           |
| Parish Chief                          |      |           |
| Chairman LC1                          |      |           |
| Chairman LC1                          |      |           |
| Landing Site Committee<br>Chairperson |      |           |
| Fisheries Officer<br>(Secretary)      |      |           |

**SECTION 2 DISTRICT SELECTION BOARD**

- 1 The Board will receive and review all applications submitted to the Landing Site Verification Committee including RECOMMENDED and NOT RECOMMENDED applicants.
2. The Board will apply a licence allocation procedure to distribute licences taking into account different stakeholder needs.
3. The Board will ensure continuity of licensing of existing licence holders that were issued under the current fisheries law and who comply with selection criteria used by the Verification Committee in evaluating licence applications.
4. After issuing licences in accordance with (3) above, the Board will distribute remaining licences to the stakeholder groups in the table below.

| <b>Stakeholder Group</b>           | <b>Percentage allocation of remaining licence numbers</b> |
|------------------------------------|---|
| Women                              | 20%   |
| Barias                             | 20%   |
| “Experimental” fishing boat owners | 50%   |
| New entrants                       | 10%   |

5. On the basis of the evaluation of the Landing Site Verification Committee and the allocation system shown above in paragraphs (3) and (4), the District Selection Board has concluded that the applicant :  
(delete as appropriate)

**APPLICATION APPROVED**

**APPLICATION NOT APPROVED**

The Board recommends that a licence be issued by the Chief Administrative Officer as the delegated district fisheries licensing authority.  
Endorsed by:

| <b>Position of Board member</b>               | <b>Name</b> | <b>Signature</b> |
|---|-------------|------------------|
| Chief Administrative Officer<br>(Chairperson) |             |                  |
| District Fisheries Officer<br>(Secretary)     |             |                  |
| Secretary for Production                      |             |                  |
| Sub-county Chief                              |             |                  |
| Parish Chairperson                            |             |                  |
| Regional Fisheries Officer                    |             |                  |

**ANNEX 4 LANDING SITE LOCATIONS**

| <b>Landing site</b> | <b>Sub-county</b>     | <b>District</b> | <b>Water body</b> |
|---------------------|-----------------------|-----------------|-------------------|
| Kashaka             | Katunguru             | Bushenyi        | Lake George       |
| Hamukungu           | Lake Katwe            | Kasese          | Lake George       |
| Kasenya             | Lake Katwe            | Kasese          | Lake George       |
| Kahendero           | Muhokya               | Kasese          | Lake George       |
| Kayinja             | Mahyoro               | Kamwenge        | Lake George       |
| Mahyoro             | Mahyoro               | Kamwenge        | Lake George       |
| Katunguru B         | Katunguru             | Bushenyi        | Kazinga channel   |
| Katunguru K         | Lake Katwe            | Kasese          | Kazinga channel   |
| Kazinga             | Katunguru             | Bushenyi        | Lake Edward       |
| Kisenyi             | Katunguru             | Bushenyi        | Lake Edward       |
| Katwe               | Kabatoro town council | Kasese          | Lake Edward       |
| Kayanja             | Nyakyumbu             | Kasese          | Lake Edward       |
| Rwenshama           | Bwambara              | Rukungiri       | Lake Edward       |

## **ANNEX 5 SCORING GUIDELINES**

### **Scoring system**

**Q8** How many years resided at above address with family

Residence

Permanently lived 10 or more years in parish = 10

Resident 6-9 years = 7

Resident up to 5 years = 5

No years = 0

**Q11** List in order of importance the top 3 sources of income

Livelihood Dependency Criteria:

Score Answers:

Fishing as only source of income = 10/10

Fishing as top of 3 incomes =8

Fishing as 2nd of 3 incomes =6

Fishing as 3rd of 3 incomes =4

Fishing not mentioned =0

**Q13** Number years **from this site** that you personally operated in fishing at the landing site of application

Livelihood Dependency Criteria

Score Answer:

10 years or more = 10

1 to 9 years = 1 mark per year

Never =0

**Q20** Applicant's history of compliance with fisheries regulations

Scoring system:

Always abides by fisheries regulations =10

Sometimes abides by fisheries regulations =5

Never abides by fisheries regulations =0

Never involved in fishery = 1

**ANNEX 6 LICENSEE DATA**

Note that the figures below are based on incomplete data and may not be accurate.

**Table 6.1 Proportion of applicants by stakeholder group**

| Landing site | Total applicants | Women |     | Barias* |     |
|--------------|------------------|-------|-----|---------|-----|
|              |                  | No.   | %   | No.     | %   |
| Kashaka      | 96               | 16    | 17% | 22      | 23% |
| Kayinja      | 106              | 21    | 20% | 14      | 13% |
| Mahyoro      | 98               | 18    | 18% | 7       | 7%  |
| Katunguru B  | 62               | 17    | 27% | 6       | 10% |
| Kazinga      | 69               | 15    | 22% | 9       | 13% |
| Kisenyi      | 114              | 20    | 18% | 9       | 8%  |
| Total        | 545              | 107   | 20% | 67      | 12% |

\*including barias with an experimental licence.

**Table 6.2 Number of licensees by stakeholder group**

| Landing Site | Original Licensees |       | Experimental Licensees |       |        | New entrants |       |        | Institution | Total |
|--------------|--------------------|-------|------------------------|-------|--------|--------------|-------|--------|-------------|-------|
|              | Men                | Women | Men                    | Women | Barias | Men          | Women | Barias |             |       |
| Kashaka      | 23                 | 6     | 4                      | 1     | 3      | 25           | 2     | 2      | 0           | 66    |
| Hamukungu    | 37                 | 2     | 0                      | 0     | 0      | 9            | 3     | 6      | 1           | 58    |
| Kasenyi      | 27                 | 4     | 8                      | 1     | 2      | 6            | 4     | 1      | 0           | 53    |
| Kahendero    | 19                 | 7     | 15                     | 4     | 0      | 20           | 0     | 6      | 0           | 71    |
| Kayinja      | 10                 | 2     | 11                     | 0     | 0      | 24           | 6     | 4      | 0           | 57    |
| Mahyoro      | 20                 | 3     | 13                     | 0     | 0      | 12           | 9     | 2      | 0           | 59    |
| Katunguru B  | N/A                | N/A   | N/A                    | N/A   | 3      | N/A          | N/A   | 1      | 2           | 36    |
| Katunguru K  | 9                  | 4     | 9                      | 8     | 3      | 7            | 0     | 3      | 0           | 43    |
| Kazinga      | 12                 | 1     | 8                      | 1     | 0      | 6            | 5     | 4      | 0           | 37    |
| Kisenyi      | 19                 | 2     | 11                     | 2     | 2      | 7            | 5     | 5      | 1           | 54    |
| Katwe        | 29                 | 9     | 21                     | 6     | 0      | 39           | 20    | 9      | 1           | 134   |
| Kayanja      | 12                 | 1     | 7                      | 2     | 0      | 15           | 4     | 6      | 1           | 48    |
| Rwenshama    | 20                 | 10    | 4                      | 0     | 0      | 31           | 6     | 2      | 0           | 73    |
| Total        | 237                | 51    | 111                    | 25    | 13     | 201          | 64    | 51     | 6           | 789   |

**Table 6.3 Proportion of new licensees by stakeholder group<sup>2</sup>**

| Landing site | New female entrants |     | New females, including experimental licensees |     | Barias |     | Barias, including experimental licensees |     |
|--------------|---------------------|-----|---|-----|--------|-----|--|-----|
|              | No.                 | %   | No.   | %   | No.    | %   | No.                                      | %   |
| Kashaka      | 2                   | 5%  | 3   | 8%  | 2      | 5%  | 5  | 14% |
| Hamukungu    | 3                   | 17% | 3   | 17% | 6      | 33% | 6  | 33% |
| Kasenya      | 4                   | 18% | 5   | 23% | 1      | 5%  | 3  | 14% |
| Kahendero    | 0                   | 0%  | 4   | 9%  | 6      | 13% | 6  | 13% |
| Kayinja      | 6                   | 13% | 6   | 13% | 4      | 9%  | 4  | 9%  |
| Mahyoro      | 9                   | 25% | 9   | 25% | 2      | 6%  | 2  | 6%  |
| Katunguru B  | N/A                 | N/A | N/A   | N/A | 1      | 6%  | 4  | 25% |
| Katunguru K  | 0                   | 0%  | 8   | 27% | 3      | 10% | 6  | 20% |
| Kazinga      | 5                   | 21% | 6   | 25% | 4      | 17% | 4  | 17% |
| Kisenya      | 5                   | 16% | 7   | 22% | 5      | 16% | 7  | 22% |
| Katwe        | 20                  | 21% | 26  | 27% | 9      | 9%  | 9  | 9%  |
| Kayanja      | 4                   | 12% | 6   | 18% | 6      | 18% | 6  | 18% |
| Rwenshama    | 6                   | 14% | 6   | 14% | 2      | 5%  | 2  | 5%  |
| Total        | 64                  | 14% | 89  | 19% | 51     | 11% | 64                                       | 13% |

**Table 6.4 Proportion of new licences allocated to stakeholder group<sup>3</sup>**

| Landing site | New female entrants |     | New females, including experimental licensees |     | Barias |     | Barias, including experimental licensees |     |
|--------------|---------------------|-----|---|-----|--------|-----|--|-----|
|              | No.                 | %   | No.   | %   | No.    | %   | No.                                      | %   |
| Kashaka      | 1.0                 | 5%  | 1.5   | 7%  | 1.0    | 5%  | 2.5                                      | 12% |
| Hamukungu    | 1.5                 | 17% | 1.5   | 17% | 3.0    | 33% | 3.0                                      | 33% |
| Kasenya      | 3.0                 | 17% | 4.0   | 23% | 0.5    | 3%  | 1.5                                      | 9%  |
| Kahendero    | 0.0                 | 0%  | 2.0   | 8%  | 3.0    | 12% | 3.0                                      | 12% |
| Kayinja      | 3.5                 | 13% | 3.5   | 13% | 2.0    | 8%  | 2.0                                      | 8%  |
| Mahyoro      | 6.0                 | 28% | 6.0   | 28% | 1.0    | 5%  | 1.0                                      | 5%  |
| Katunguru B  | N/A                 | N/A | N/A   | N/A | 0.5    | 5%  | 2.0                                      | 20% |
| Katunguru K  | 0.0                 | 0%  | 4.5   | 26% | 1.5    | 9%  | 3.5                                      | 21% |
| Kazinga      | 4.0                 | 19% | 4.5   | 21% | 3.0    | 14% | 3.0                                      | 14% |
| Kisenya      | 4.0                 | 17% | 5.0   | 21% | 4.5    | 19% | 5.5                                      | 23% |
| Katwe        | 16.0                | 19% | 22.0  | 26% | 6.0    | 7%  | 6.0                                      | 7%  |
| Kayanja      | 3.0                 | 14% | 4.0   | 19% | 3.0    | 14% | 3.0                                      | 14% |
| Rwenshama    | 4.5                 | 14% | 4.5   | 14% | 1.0    | 3%  | 1.0                                      | 3%  |
| Total        | 46.50               | 15% | 63.0  | 20% | 30.0   | 9%  | 37.0                                     | 12% |

<sup>2</sup> The stakeholder quota allocations relate only to applicants who did not previously hold a licence. This table shows the number of licensees as a proportion of this group of new entrants (e.g. if there are 10 licensees who did not previously hold a licence and 2 of these are women, the figure is 20%).

<sup>3</sup> The shared licences mean the number of licensees per stakeholder group differs from the number of licences. This table shows the proportion of new licences (i.e. those not given to previous licence holders) allocated to each group. This is calculated by allocating 0.5 for each shared licence and 1.0 for an individual licence (e.g. if there are 10 new licensees, of which 4 share a licence, the total number of new licences is (4 x 0.5) plus (6 x 1) which equals 8).

**Table 6.5 Stakeholder group proportions of total licensees and licences<sup>4</sup>**

| Landing site | Proportion of licences |     |        |     | Proportion of licensees |     |        |     |
|--------------|------------------------|-----|--------|-----|-------------------------|-----|--------|-----|
|              | Women                  |     | Barias |     | Women                   |     | Barias |     |
|              | No.                    | %   | No.    | %   | No.                     | %   | No.    | %   |
| Kashaka      | 7.0                    | 15% | 2.5    | 5%  | 9                       | 14% | 5      | 8%  |
| Hamukungu    | 3.5                    | 7%  | 3.0    | 6%  | 5                       | 9%  | 6      | 10% |
| Kasenya      | 8.0                    | 17% | 1.5    | 3%  | 9                       | 17% | 3      | 6%  |
| Kahendero    | 7.0                    | 15% | 3.0    | 6%  | 11                      | 15% | 6      | 8%  |
| Kayinja      | 4.5                    | 13% | 2.0    | 6%  | 8                       | 14% | 4      | 7%  |
| Mahyoro      | 8.0                    | 20% | 1.0    | 3%  | 12                      | 20% | 2      | 3%  |
| Katunguru B  | N/A                    | N/A | 2.0    | 7%  | 12                      | 33% | 4      | 11% |
| Katunguru K  | 8.5                    | 28% | 3.5    | 12% | 12                      | 28% | 6      | 14% |
| Kazinga      | 5.5                    | 16% | 3.0    | 9%  | 7                       | 19% | 4      | 11% |
| Kisenya      | 6.0                    | 15% | 5.5    | 14% | 9                       | 17% | 7      | 13% |
| Katwe        | 30.5                   | 25% | 6.0    | 5%  | 35                      | 26% | 9      | 7%  |
| Kayanja      | 5.0                    | 15% | 3.0    | 9%  | 7                       | 15% | 6      | 13% |
| Rwenshama    | 14.0                   | 23% | 1.0    | 2%  | 16                      | 22% | 2      | 3%  |
| Total        | 107.5                  | 18% | 37.0   | 6%  | 152                     | 19% | 64     | 8%  |

**Table 6.6 Proportion of applicants receiving a licence by stakeholder group<sup>5</sup>**

| Landing site | Men* |     | Women |     | Barias** |     |
|--------------|------|-----|-------|-----|----------|-----|
| Kashaka      | 52   | 90% | 9     | 56% | 5        | 23% |
| Kayinja      | 45   | 63% | 8     | 38% | 4        | 29% |
| Mahyoro      | 45   | 62% | 12    | 67% | 2        | 29% |
| Katunguru B  | 18   | 53% | 12    | 71% | 4        | 67% |
| Kazinga      | 26   | 58% | 7     | 47% | 4        | 44% |
| Kisenya      | 26   | 58% | 9     | 45% | 7        | 78% |
| Total        | 223  | 61% | 57    | 53% | 26       | 39% |

\*excluding barias.

\*\* including barias with an experimental licence.

<sup>4</sup> This table shows the stakeholder group as a proportion of all those allocated a licence, including previous licence holders, those with an experimental number, and new entrants (i.e. if there are 100 licensees in total and 30 are women the figure is 30%) .

<sup>5</sup> This table shows the proportion of applicants from each stakeholder group that received a licence (e.g. if 10 barias applied and 2 were successful, the figure is 20%).



**Table 6.7 Proportion of stakeholder group with a shared licence<sup>6</sup>**

| Landing site | Original licensees |            |           |            |           |            | New entrants** |            |           |            |            |            | Barias*** |            | Total      |            |           |            |            |            |
|--------------|--------------------|------------|-----------|------------|-----------|------------|----------------|------------|-----------|------------|------------|------------|-----------|------------|------------|------------|-----------|------------|------------|------------|
|              | Male               |            | Female    |            | Average   |            | Male*          |            | Female    |            | Average    |            | Male      |            | Male*      |            | Female    |            | Total      |            |
|              | No.                | %          | No.       | %          | No.       | %          | No.            | %          | No.       | %          | No.        | %          | No.       | %          | No.        | %          | No.       | %          | No.        | %          |
| Kashaka      | 3                  | 13%        | 1         | 17%        | 4         | 14%        | 24             | 83%        | 3         | 100%       | 27         | 84%        | 5         | 100%       | 27         | 52%        | 4         | 44%        | 36         | 55%        |
| Hamukungu    | 2                  | 5%         | 0         | 0%         | 2         | 5%         | 9              | 100%       | 3         | 100%       | 12         | 100%       | 6         | 100%       | 11         | 24%        | 3         | 60%        | 20         | 35%        |
| Kasenyei     | 1                  | 4%         | 0         | 0%         | 1         | 3%         | 4              | 29%        | 2         | 40%        | 6          | 32%        | 3         | 100%       | 5          | 12%        | 2         | 22%        | 10         | 19%        |
| Kahendero    | 3                  | 16%        | 4         | 57%        | 7         | 27%        | 29             | 83%        | 4         | 100%       | 33         | 85%        | 6         | 100%       | 32         | 59%        | 8         | 73%        | 46         | 65%        |
| Kayinja      | 6                  | 60%        | 2         | 100%       | 8         | 67%        | 29             | 83%        | 5         | 83%        | 34         | 83%        | 4         | 100%       | 35         | 78%        | 7         | 88%        | 46         | 81%        |
| Mahyoro      | 7                  | 35%        | 2         | 67%        | 9         | 39%        | 21             | 84%        | 6         | 67%        | 27         | 79%        | 2         | 100%       | 28         | 62%        | 8         | 67%        | 38         | 64%        |
| Katunguru B  | 0                  | 0%         | 0         | 0%         | 0         | 0%         | N/A            | N/A        | N/A       | N/A        | 8          | 67%        | 4         | 100%       | N/A        | N/A        | N/A       | N/A        | 12         | 33%        |
| Katunguru K  | 0                  | 0%         | 0         | 0%         | 0         | 0%         | 14             | 88%        | 7         | 88%        | 21         | 88%        | 5         | 83%        | 14         | 56%        | 7         | 58%        | 26         | 60%        |
| Kazinga      | 0                  | 0%         | 0         | 0%         | 0         | 0%         | 1              | 7%         | 3         | 50%        | 4          | 20%        | 2         | 50%        | 1          | 4%         | 3         | 43%        | 6          | 16%        |
| Kisenyei     | 9                  | 47%        | 2         | 100%       | 11        | 52%        | 10             | 56%        | 4         | 57%        | 14         | 56%        | 3         | 43%        | 19         | 51%        | 6         | 67%        | 28         | 53%        |
| Katwe        | 4                  | 14%        | 1         | 11%        | 5         | 13%        | 9              | 15%        | 8         | 31%        | 17         | 20%        | 6         | 67%        | 13         | 15%        | 9         | 26%        | 28         | 21%        |
| Kayanja      | 2                  | 17%        | 0         | 0%         | 2         | 15%        | 16             | 73%        | 4         | 67%        | 20         | 71%        | 6         | 100%       | 18         | 53%        | 4         | 57%        | 28         | 60%        |
| Rwenshama    | 3                  | 15%        | 1         | 10%        | 4         | 13%        | 17             | 49%        | 3         | 50%        | 20         | 49%        | 2         | 100%       | 20         | 36%        | 4         | 25%        | 26         | 36%        |
| <b>Total</b> | <b>40</b>          | <b>17%</b> | <b>13</b> | <b>25%</b> | <b>53</b> | <b>18%</b> | <b>183</b>     | <b>59%</b> | <b>52</b> | <b>58%</b> | <b>235</b> | <b>59%</b> | <b>54</b> | <b>84%</b> | <b>223</b> | <b>41%</b> | <b>65</b> | <b>46%</b> | <b>350</b> | <b>44%</b> |

\*excluding barias.

\*\* including those with an experimental licence.

\*\*\*including barias with an experimental licence

<sup>6</sup> This table shows the proportion of successful applicants in each group who share their licence (e.g. if 10 women received a licence and 4 of these share their number, the figure is 40%).

## **ANNEX 7 LANDING SITE SUMMARIES**

### **7.1 Hamukungu**

Sensitisation about the application process was high. Local officials were keen to encourage applications because of the attached revenue. This led to some misleading information regarding the likelihood of receiving a licence:

“The LSVC told everyone to apply and they would get a licence.”

When the new system was announced it encountered considerable resistance from original licensees, and delegations were made to the DFR to complain about decentralisation. The community views the involvement of the District administration with apprehension (see below), and there is concern to protect the position of existing licensees, focused on strong opposition to the inclusion of barias.

There are no indications of problems in distribution and revenue collection for the forms.

The community petitioned the CAO to allow the inclusion of the parish councillor, 2 elders and a baria on the LSVC (the latter faced considerable resistance from some community members). Most of these additional representatives were original licensees. This contributed to an overriding focus on continuity by the LSVC. Continuity was prioritised over residence, dependence or compliance. Transferred licences, bought by Hamukungu residents following the collapse of the fishing company at Kasenyi and considered as ‘permanent transfers’, were treated as original, and inherited licences were also considered for continuity. Through this, some licences were given to people incapable of managing fishing personally (especially to orphans of original licensees who have a licence managed by their mother). This bias meant that very few new entrants were selected.

The prioritisation of continuity compromised the allocation of one licence per household. Several old licensees had more than one licence, and some of their households received more than one licence under the new system. There is conflicting evidence regarding the frequency of this, partly because of ambiguity regarding the status of a grown son with dependants living under the same roof as his father.

There is no evidence of particular bias towards LSVC members, allowing for the overall predisposition towards continuity. There was pressure from some District officials for a licence, but this was resisted. Some original licensees who are opposed to the decentralised system make claims of extensive bribery at local level, but most residents feel the size of the LSVC and DSB prevented effective bribery.

Additional community representatives (the chairmen of the barias association and LSC) were included on the DSB, largely to ease tensions between the community and District administration (see below). The DSB removed some original licensees who were not resident in Hamukungu, and instructed the LSVC to select replacements. The definition of permanent residence clouds this issue, as according to the FO, these ‘non-residents’ have their family and business at the landing site, but stay outside QENP to graze cattle.

During DFR monitoring, the LSVC and community complained to the ACCR about the amendments made by the DSB, and all original licensees were brought back in.

The ACCR disputed the community's designation of 'permanent transfers', but considered the holders of transferred licences as original licensees in making his selection. The confirmation of the LSVC's focus on continuity was probably influenced by the community's earlier delegations to the DFR, noted above. The ACCR also advised the LSVC to select more people from marginalised groups, and apparently removed licences in some cases where more than two were allocated per household. The ACCR made decisions with the LSVC present and asked the community whether they agreed. DFR monitoring was welcomed by the community.

"The selection system was very open, especially when the Commissioner was involved" (LSC member).

However, his views were at odds with DSB opinions. District officials did complain but "the community and Commissioner would not listen".

Some community members were not aware of the official appeals procedure. Some who might have appealed were promised by the LSVC that there was no need to complain and that next year they would receive a licence, "to keep the peace".

The 'final' list of licensees stamped and signed by the commissioner has handwritten changes and errors (e.g. the list has only 45 licensees, when there are 48 licences and several people sharing).

A District team made checks on equipment before issuing licences. The team instructed that illegal boats should be displayed voluntarily. Since fishermen depend on the boats for their livelihood, this was not done, and so when the team first visited the landing site to inspect the boats they did not process the licences. The local leaders organised people and displayed the boats, and when the licensing team made further visits the illegal canoes were destroyed and licences were issued.

However, although all the licences were issued, some licensees do not yet have the equipment needed to fish. In addition, illegal boats are still common. There are suggestions that this is partly because of the smaller size of boats at Hamukungu compared with some landing sites. The Hamukungu canoes can only accommodate the nets of one person. Where the boats are bigger, those without a licence can share someone else's canoe to spread their nets, reducing the need for illegal vessels.

The registration of barias has been problematic at Hamukungu because boat owners at the landing site often use their children to fish in place of their registered barias. The children do not consider themselves to be barias and are not registered as such. This is illegal, creates management problems, and means that many registered barias lack employment.

The number of new licences available is a controversial issue at Hamukungu. If the change in official figures is considered, there are 28 new licences. If transferred licences are treated as original, there are very few new places. The community largely agree with the LSVC's view that there was little space for new entrants, partly reflecting inadequate sensitisation on the guidelines and status of transferred licences. There is a general view among rejected applicants that many people qualified but because there were few new licences available, "selection was a matter of luck".

Linked with this, there are many demands for an increase in the number of licences. However, some of those who might be expected to support this (e.g. rejected applicants) note that

“there is nowhere to bring in new licensees. With the low production of the lake, it is not possible to increase numbers”,  
an encouraging indication of community support for resource conservation.

Ethnic allegiances are an underlying issue that affected many aspects of the licensing process. The majority of the landing site community are Basongola, a minority group that fear marginalisation by the Bakanzho-dominated District administration. This created distrust of the DSB and decentralised system, and contributed to the focus on continuity and exclusion of district personnel. The LSVC feared their decisions would be overturned by the DSB, and so delayed in submitting the list of recommended applicants. The antagonism is clear in community comments:

“The top District administration is dominated by Bakanzho, and they feel their tribe should receive licences. However the Bakanzho are not lake dwellers and should not have power. Decisions should be made either at the centre, or authority should be with the village.”

“There were problems with the District administration, who did not agree with local decisions. Those with authority belong to a different tribe, and they want their people to do the fishing.”

This antagonism is one factor in community support for DFR monitoring.

“Neutral people from central government are needed” (baria).

## **7.2 Kasenyi**

The correct procedures for application were not clear. The community were initially told to apply for licences using handwritten forms. Some did apply in this way. They paid 2500 USh to certain LSVC members, but were not given receipts, and do not know how this money was used. When the official application forms arrived, people applied again. The printed forms were obtained from LSVC representatives, and again many people paid 2500 USh. They were given a receipt for 2000 Ush and told 500 Ush was “for tea”.

The LSVC selection process appears to have met the guidelines. There is a general feeling that LSVC decisions were fair, and that those on the LSVC “know everyone’s characters” and so are well-placed to make the selection. There are some allegations of tribalism, but the overlap of ethnicity with length of residence means that a bias towards those born at the landing site may be linked to this rather than ethnic attachments. The guideline of one licence per household appears to have been followed, assuming that a son or daughter with their own responsibilities is considered as a different household to their parents. There are suggestions that some applicants did attempt to influence the selection through bribes, but these were not accepted by LSVC members because they feared discovery and exposure by others on the committee.

The DSB made few changes. Some original licensees selected by the LSVC were removed, but they were brought back in when they complained to the DSB.

The intervention of the DFR overturned some decisions that did not meet the guidelines. In particular, a licence awarded to the AFO was removed because the community complained that he was neither a local resident nor dependent on fishing.

However, there are indications that the replacement licensee is a front for a second licence for another local official. As elsewhere, the DFR made continuity a priority. Some of the original licensees awarded a licence at this stage are absentees or have a poor record of compliance with fisheries regulations. However, note that some of those who previously stayed elsewhere have moved back to the landing site because of the licensing exercise. New entrants who may have qualified were discouraged from applying and appealing to the ACCR by the focus on continuity and small number of licences available.

“Before the Commissioner came, people were told that very few licences were available, and that it was therefore not possible to get a number even if they did complain. There were 48 licences and 20 experimentals, and 28 previous licence owners. If you complain, who can you reject?”

The ACCR did consult with local government regarding changes made.

Many community members were unaware of the official appeals procedure and thought they were unable to complain about the selection decisions.

The District licensing team visited Kasenyi in October and issued all 48 licences. However, several licensees cannot afford the equipment to fish. Most do not have funds for the nets, but in a few cases their boats were destroyed during the licensing exercise and they do not yet have the capital for a canoe of legal size. These people are hiring out their licence. Those renting the numbers are mainly wealthier community members able to hire more than one licence. In addition, there are also several licensees who use an agent, the majority of whom are original licensees. Absentees are expected to hire out their licence if monitoring by the fisheries authorities becomes less vigilant.

There are suggestions among the community that illegal fishing has been reduced by increased attention from FOs, but that if no alternatives are provided for those removed from the lake, illegal activity will increase again.

Unemployment among barias is a serious problem at Kasenyi. Unregistered barias with no employment or income source have allegedly formed a gang that steals fish from others' gill nets, and threatens licensed barias who try to resist. There are also many registered barias who are unemployed because some boat owners are absentees, cannot afford to fish, or have transferred their canoe to a different landing site.

### **7.3 Katunguru K**

There are no indications of problems in distribution and revenue collection of application forms.

The LSVC rejected at least one district official, and there are no suggestions of more than one licence per household. However, there is some feeling among the community that political rivalries and bias towards family relatives affected the selection. Most LSVC members received a licence, and there are suggestions that some of these were not involved in fishing and did not meet the criteria for qualification. There are also claims that some LSVC members were accepting bribes, though bribery was not effective because applicants could not bribe every committee member.

Several problems are apparent in the DSB level selection. The Board included at least one high level official rejected by the LSVC, and there are indications that changes were made to some application forms at District level. In some cases there are only 2 DSB signatures for recommended applicants, not meeting the quorum. According to the community, the list of DSB recommendations was seen only at DFR monitoring.

During DFR monitoring, the ACCR listened to complaints from the community, particularly from original licensees and those with experimental licences, asked the public and LSVC to verify appeals, and consulted with the local government on changes. The application forms suggest that some of those brought in at this stage had been disqualified by the LSVC and DSB because they were not fully dependent on fishing, new residents, or not complying with regulations. The community apparently approved original licensees who were rejected by the LSVC because they pleaded their dependence on the income from the licence (e.g. for school fees).

The community was informed about an appeals procedure, but felt unable to take action because of the assumed complexity of the process.

“We did not know how to appeal. The Commissioner told the community we could appeal but some didn’t know where to start from to reach the Minister.”

There are several inconsistencies in the application forms and final lists. Some who were recommended by the LSVC and DSB are not named on the final list, and some of those named on the list do not have application forms. These inconsistencies could reflect cases of applicants using a joint name.

The issue of licenses went smoothly, and it seems that all licensees can afford fishing equipment. Some licences are hired out, but this is mostly on an occasional basis, for example, boat owners hire out their licence if their barias are unable to work that day. Hiring is limited by a bye-law developed by the LSC which stipulates that licences can be only hired out to those who have their own licence. The rationale given is that: “if a licence is hired to someone without a number, they want to get money quickly and so fish illegally, which spoils the lake”.

While the conservation aspect of this bye-law has some basis, it contradicts higher laws and is thus illegal. Moreover, it limits the distribution of wealth and creates difficulties for those who used to depend on hired licences for their income, as noted by those without a licence.

“The jobless here cannot even hire licensed boats. Some people were hiring before and buying nets, but they now have to work as barias and do not have enough money to sustain their family. Fishermen who were hiring do not have the skills to be barias and have a problem now.”

“The hiring bye-law restricts involvement. Those who have their own licence do not need to hire another one – they have an income source. Some people who used to hire have the equipment to fish, but now cannot use it and do not get income.”

Those without a licence are now jobless or barias, and are likely to fish illegally as no alternative income sources are available.

#### **7.4 Kahendero**

Distribution and revenue collection for the application forms appear to have been handled smoothly. Completion of the form was facilitated by a version in the local language that was translated and displayed by the LSVC.

The LSVC included the baria association chairman, partly because of the political value of this for one local official. In general, the LSVC appear to have followed the guidelines, most notably by rejecting absentee original licensees. Most original licence holders belonged to a fishing company that previously controlled licences at the landing site, and many company members were not resident at the landing site.

However, the selection largely excluded female and youth applicants. There are indications of vested interests among the LSVC, and there is resentment within the community regarding the number of committee members who received a licence:

“The LSVC members automatically award themselves licences.”

In addition, there are suggestions that one LC who was not selected by the LSVC mobilised a group of women to appeal to the CAO that few women had been recommended. No additional women were brought in, but the LC was awarded a licence. There was also some lack of transparency regarding the finality of the LSVC's decisions. The community were told that they could not disagree with the list proposed by the LSVC.

“People only learned that they could complain when the Commissioner came towards the end of the exercise.”

The guideline of residence created disagreement between the local, sub-county and district levels. The LSVC had focused on residents of the landing site cells, but the DSB brought in some applicants living elsewhere in the parish and in a neighbouring parish. There was also some confusion over the status of fishers who have their home elsewhere but work at Kahendero landing site every day. The disagreements brought allegations of sectarianism and ethnic rivalries, but the overlap of long-term residence with ethnic identity makes this hard to substantiate.

Kahendero was the first landing site visited during DFR monitoring. The public meeting appears to have been disorderly, limiting fair and participatory decision-making.

“There was chaos at the meeting, with stone throwing and threats of bloodshed.

The Commissioner was tired of the community's arguments, and used his central powers to give licences.”

The ACCR challenged the application form, and made several changes to the list of selected licences. There was little consultation with the local government regarding these changes.

As elsewhere, continuity was prioritised at this stage, and the original licensees who had been rejected by the LSVC were awarded a licence. This includes absentees living in Kampala and abroad. The company members have close links to the DFR, and it seems some had appealed to the RFO before the public meeting.

However, the community did approve these absentee fishermen during the public scrutiny. According to community members, this was partly because of hesitation to oppose suggestions from more powerful figures, but also because those who had been rejected would rather that licences return to the original licensees than go to other new entrants, and because the absentees' licences are often used by locally resident families.

Some new entrants were brought in. The youth were particularly forceful in voicing their complaints at the meeting, and the ACCR responded by asking the community

to select 3 youths to receive licences. Women also appealed that they had been excluded, but it seems their complaints were less aggressive and there was no active response.

The ACCR also removed some recommended applicants from the list on the basis of community complaints. Those brought in by the DSB who did not live at the landing site were removed because of complaints that they were not involved in fishing, and the sub-county FO was rejected because he was not a permanent resident.

The ACCR informed the community about the official appeals procedure. It seems the limited number of new licences prevented complaints:

“People could make complaints but there was no space to address them.”

There is still confusion regarding the licensees for one number. When the final list arrived from the DFR, one applicant rejected by the community during the DFR monitoring was on the list, and one of those selected was not. There has not been any clear explanation for this. At present, one licence remains vacant, and the problem is still being resolved.

There were good examples of community mobilisation and co-management during the exercise to issue licences. The CAO closed the landing site because the community would not display illegal canoes, and in response licensees joined together to find and display the illegal boats. When the licensing team returned, several canoes were destroyed and the site was reopened.

However, some licensees cannot afford the equipment to fish, and together with absentees, they hire out their licence. In addition, some illegal canoes were left intact because of the lack of alternative livelihood generating activities, and some were hidden from the FOs to avoid their destruction. Nevertheless, a fall in illegal fishing has been noticed.

‘K’ numbers are an outstanding issue. These are licences given to war veterans who were transferred to Kahendero. Those holding K numbers did not apply, because they believed their licences were in a separate category, and those implementing the system were uncertain about their situation. Consequently they did not receive licences, and there is strong feeling that they now need to be brought into the new system.

## **7.5 Katwe**

Applications were initially made using forms printed by the LSC and sold for 2000 USh. No receipts were provided. When the official form was brought to the landing site it was also sold for 2000 Ush and people applied again. The money for the first form was not refunded, apparently because it had been needed by the LSC to print the forms.

The LSVC prioritised continuity over the other criteria, and recommended all the holders of original or experimental licences who applied. The earlier transfer of licences from Katwe to other landing sites (e.g. Kayanja) caused disagreements. The holders of these licences were refused at the site where their licence is used, but were rejected at Katwe as non-resident. There are no indications of more than one licensee per household, or of strong bias towards LSVC members. The AFO was recommended, but this is generally supported by the community because it is

believed he will soon be retiring and will help develop the landing site. However, there are suggestions that political alliances influenced the LSVC's recommendations, and there is evidence that politicians and officials in the district administration received a licence, in some cases indirectly.

The DSB made a few changes to the LSVC selection. In particular, the Board paired licensees to create space for some applicants who complained following the LSVC's decisions.

During DFR monitoring, the ACCR read out names of selected applicants in a public meeting for the community to approve. The ACCR added one original licensee who had not applied. Apparently the public approved this applicant because it was felt he was part of the community and should receive a licence in place of certain absentees who were appealing for a licence.

There were no appeals to the Minister, partly because some community members were not informed about the appeals process in time.

The District team visited the landing site to make checks for legal equipment. Licences were not issued at the first visit because some fishers had no boats, but a second visit was made and all licences have now been issued. However, not everyone has paid the licence fee, some new entrants are still constructing their canoes, and some cannot afford the equipment. The community claim there are few illegal canoes at Katwe because the boats are bigger, so those without their own licence can share someone else's boat to spread their nets. This provides additional entry points to fishing, and reduces the pressure for illegal vessels.

## **7.6 Kayanja**

Sensitisation about the application appears to have been limited and sometimes misleading. Original licensees neglected to inform other community members about the process and suggested that only those who already had a licence were eligible to apply. This seems to have discouraged applications from barias and limited applications from women.

The application forms were sold for 2500 US\$, and applicants were given a receipt for 2000 US\$. The extra 500 US\$ was agreed by the community to facilitate the work of the LSVC (lunch and transport to the sub-county and District). Apparently the local government did not provide any funding for this.

There is strong feeling in the community that the LSVC did not follow the guidelines. First, there are allegations that the guidelines of dependency and residence were not followed. Experimental licensees were rejected in favour of those not involved in fishing, and many of those recommended live elsewhere but come to Kayanja to fish. However, the definition of permanent residence is problematic here, as most people in Kayanja were not born at the landing site and have a home elsewhere. A second problem concerned those holding transferred licences, who were refused application forms both at Kayanja and at the site where the licence originated (as noted in 7.5). Third, several LSVC members received a licence, and according to the community, some do not meet the criteria of dependence, residence and capacity to fish. In addition, several government officials at sub-county and higher levels received a licence.

Underlying the above, there are firm indications of bribery. The LSVC allegedly approached potential applicants asking for bribes, and their demands discouraged some people from applying. Some of those who paid bribes but did not receive a licence had their money returned. In at least one case, bribery this was reported to the police and the money was refunded.

The DSB made few changes to the LSVC's recommendations. There were complaints from the community when the DSB list was displayed, and it seems the LSVC responded by making additions to the list. Some community members complained in writing to the authorities alleging malpractice, but received no response.

During DFR monitoring, the ACCR discussed the list of selected licensees with local government representatives, and the list was then read back to the community. One original licensee who had not applied was included. The community did not raise objections to the high level officials who had been included, partly because of their power and influence, and partly because the list was presented as final and community members had little opportunity to comment. However, some feel that although the inclusion of these officials is against the guidelines, it can help the community by encouraging their support for development in Kayanja, particularly through increased security against Congolese fishermen and a new road.

The community was not well informed about the procedure for appeals.

Administration of the application forms and selections is poor. For example, no application form is available for some licensees, and there are several handwritten changes to the final list.

The District team visited Kayanja to check equipment and issue licences. However, 4 licences have not been issued because the licensees cannot afford the licence fee, and some others have not yet paid the full amount. In addition, some licensees do not yet have the equipment to fish and are hiring out their licence.

Reflecting the poor accountability of local government at Kayanja, there is a feeling within the community that the selection process should be changed so that decisions are taken in a more transparent manner involving the whole community. The general consensus is that selection should be undertaken either by a specific committee elected by the community, or by the whole community in the presence of someone from the centre.

“With decentralisation, the power should be exercised by the community, not just a few within the community.”

## **7.7 Kashaka**

Sensitisation regarding the application process appears to have been adequate, and the FO informed the community that all were free to apply. There are allegations of substandard receipting in the distribution of application forms, but this does not appear to have caused serious problems.

The community feel that the LSVC did not follow closely the guidelines of dependence and residence. The issue of residence is complicated by the transience of the population. Kashaka has relatively few full time residents, and most people come to the landing site to fish but have land elsewhere. Continuity appears to have

been overriding for the LSVC. For example, the application forms suggest the LSVC recommended original licensees who they acknowledge to hire out their licence. There are also strong complaints that political rivalries affected the LSVC's decisions. The indications of political influence have not been registered by those responsible for monitoring. There is a general image among those at higher levels of the Kashaka LSVC as organised and accountable, and few complaints were registered.

Kashaka is unusual in that some original licences were shared. These pairs often applied together, and the LSVC awarded them a joint licence. The LSVC also paired some original licensees whom they judged as incapable of managing fishing independently, and joined two selected applicants who belong to the same household.

The division of work between the LSVC and DSB is unclear. There is disagreement within and between committees as to what, if any, changes were made. The application forms are confused, and several alterations to the information and recommendations have been made. Complaints were made when the DSB list was displayed. The DFO report states that the Board asked the LSVC chairman to amend the list in response to the complaints, but some community members claim they did not get any feedback on their appeals.

During DFR monitoring, original licensees who had not been recommended were given a chance to explain their case. All old licensees were brought in, including some who were not resident. The community was asked if they supported the complaints, but apparently had little chance to speak. New applicants had less time to appeal, but some new entrants were brought in at this stage. The ACCR also awarded licences to a few people who had not applied.

The community was not aware of an appeals process, and believed the decisions made during DFR monitoring could not be changed. They were told opportunities for change could come with the annual review.

Some licences have not yet been paid for because of delays at district level.

Some licensees do not yet have the equipment to fish, but there is no evidence that this group are hiring out their licence. Some non-resident licensees hiring out their licence, often to official licensees with their own number. In addition, some licensees have agents (for example, if a licensee does not have time to manage the business they might present their son to the LSC as an agent), and this is viewed much more positively than hiring.

## **7.8 Katunguru B**

Applications were initially made using handwritten forms. There are suggestions of bribery during this first round of applications. When the official forms were distributed, the sub-county used open receipts. The District intervened to replace these with the standard Bushenyi local government version.

The LSVC generally followed the guideline. Several absentees and powerful figures at sub-county and higher levels were rejected. Transferred licences were considered as original provided the holders had been resident at the landing site for a significant period of time. In one case, two licences were awarded to a household where a couple were both original licensees (this was approved by the DSB). The Church of

Uganda and Roman Catholic Church were both recommended. The community feel this was in line with the criteria, while FOs say it is against the guidelines, but realistic in view of local politics and community relations. There are some indications of vested interests, but these are focused on one committee member.

The DSB made several changes to the LSVC's recommendations. Some applicants were removed, and several people rejected by the LSVC on grounds of non-residence and non-dependence were brought in. This includes influential figures at local and higher levels. According to the DSB, the changes were suggested by the LCII, who did not agree with the local committee's decisions. The changes were not explained to the community and LSVC, and there are allegations of malpractice at this level.

Further changes were made during DFR monitoring. The ACCR listened to complaints from original licensees who had not been recommended, and brought in some of these on the basis of continuity. Continuity was not as overriding as at some landing sites, perhaps because of more vocal comments from the community. Some original licensees were not included, either because they were hiring out their licence, or because the licence had been inherited by children who were not involved in fishing.

In addition, some of those brought in by the DSB were removed because of community complaints. However, at least one high-ranking official was approved. This was largely because of hesitation among the community to oppose such a powerful figure, but there are also suggestions that the licence will be used to support a local family, and hopes that the licensee will assist local development and security.

The community were aware of the appeals procedure, but it was not used.

There are suggestions that the District has added one licensee to the list since DFR monitoring. This change gives one household a second licence.

All licensees have received their licence. However, some licensees cannot afford the equipment, and together with absentees, they are hiring out their licence. Those who rent the licences include both wealthy licence holders and rejected applicants. There is widespread illegal fishing, but this mainly involves the wrong size and number of nets. There are relatively few illegal boats, partly because it is easier to catch offenders on the Kazinga channel than on the lakes, where illegal fishers can hide in bays or islands.

## **7.9 Kazinga**

Applications were initially made using handwritten forms given to the LSC chairman. Later the printed forms were obtained from the sub-county. The sub-county issued open receipts, but these were replaced with the official Bushenyi local government version by FOs.

There is strong feeling within the community that the LSVC did not follow the guidelines and favoured their relatives and political supporters. Vested interests were prominent: LSVC members informed the community that a government Act stipulated that all the LSVC members automatically receive a licence. In the absence of any opposing information, they were believed. There was also a clear lack of transparency. The LSVC meetings were all held away from the landing site, and

other community members were not allowed to enter. The list of LSVC recommendations was not seen, and it seems the LSVC told the community that certain people had been recommended, but later changed its decisions. In addition, there are allegations of chains of bribery involving both local and district level officials.

Perhaps partly reflecting this last point, the image of the Kazinga leadership presented outside the community is much more positive. District and higher level officers describe this as a particularly smooth landing site. According to the DSB, no changes were made to the LSVC's recommendations. The DFO report states that the list of DSB recommendations was displayed, but the community say it was only seen at DFR monitoring. This may explain why the District did not receive any complaints from the community regarding the DSB selection.

During DFR monitoring, the list of selected applicants was read out and people were given a chance to appeal. Many community members feel they did not have sufficient space to give their views on the list or appeals, partly because of hustling from local officials. Changes were discussed in a private meeting between the ACCR and local leaders, following which a final list was read out. Some additional licensees were brought in at this stage.

The community was not well informed about an appeals process. Those who had not been included were told they had to wait until the annual review.

Licensees include non-residents, people fishing illegally, and those with significant additional income sources. The names of some of those selected are unknown to the community, and there are suggestions that several licensees have more than one licence. There is evidence to suggest that high level fisheries officers and district administrators have indirect licences.

Some licensees do not yet have a canoe. They hire out their number to those who have the equipment but did not receive a licence. There is still a high level of illegal fishing, including among selected licensees.

### **7.10 Kisenyi**

The community feel sensitisation was not sufficient. The licensing process started on Lake George, and Lake Edward communities received less information. In addition, most sensitisation meetings were held at the water's edge, where people already involved in fishing are working. This meant those working in the village were less well informed, biasing the sensitisation away from potential new entrants.

The LSVC meeting was delayed by disagreements between committee members. The committee did not have the detailed scoring guidelines when they first made their recommendations, so the ranking exercise was repeated during a District monitoring visit.

Kisenyi was a particularly problematic site in terms of accountability and transparency, and there are allegations of malpractice between all levels. Political influences were notable, partly because one LSVC member is also a district politician. In addition, the LSVC's recommendations were changed by some committee members before the DSB meeting, allegedly to include their relations.

The DSB received several complaints from the community regarding the LSVC's decisions. These were investigated, and the DSB found there were some inappropriate recommendations, particularly giving more than one licence to a household. These recommendations may reflect the changes made to the list after the LSVC meeting rather than the work of the whole committee. The DSB made several changes, including removing one LSVC member and eliminating those with inherited licences who were fishing illegally.

Many complaints were made about the DSB's first recommendations. Consequently, the Board held a second meeting to review the complaints and amend the list of successful applicants. This new list also met with complaints from the community. A further meeting involving selected DSB members was held to consider particularly controversial cases. Some high-level district officials who had been included because of their powerful position and influence were removed. Community political representatives made appeals to the Minister before the DFR visit to complain that the selection process had been mishandled and alleging among the DSB.

Further changes were made when during DFR monitoring. The ACCR called for appeals from rejected applicants, then asked the public for their comments, and discussed changes with local leaders. Some of those rejected by the DSB were included at this stage, notably original licensees and those with inherited licences who were not resident or not compliant. In addition, some experimental licensees who were rejected by the LSVC due to poor compliance records were brought in. The particularly high level of illegal fishing at Kisenyi clouds the issue of compliance. Those using illegal methods justify this through comparisons with the Congolese fishers, and when everyone is fishing illegally, it is hard to select between them.

The community were not well informed about the procedure for appeals.

Some people have not received their licence because of delays at District level. Some licensees cannot afford the equipment, and together with some non-residents, they hire out their licence to those who can.

### **7.11 Kayinja**

The guidelines for application were not clear, so some people initially applied using a handwritten form submitted to the LCII. When the official forms arrived, the sub-county asked applicants to pay 6000 US\$. This was not received. Intervention by FOs and ILM rectified this, and those who paid 6000 US\$ had their money refunded.

The LSVC generally performed well, but there are allegations of favouritism and vested interests. There is some evidence for this, for example, some LSVC members received unrealistically high scores in the ranking exercise or more than one licence for their household.

The DSB removed four people for reasons of residence, compliance, and one licence per household. One of those removed was an LSVC member. Two fishers were brought in from Nyakere, an illegal landing site near Kayinja. The inclusion of fishers at this landing site had been recommended during the preparatory workshops.

The Kamwenge landing sites were the last visited by the ACCR, and the public scrutiny exercise was undertaken in a more co-operative manner than in the early stages of DFR monitoring. Some community members feel they were not given

sufficient space to present their views, but others point to the limited time and large number of complainants. It seems that the ACCR selected some of those who wanted to appeal (particularly the women, youth and elderly) and gave them an opportunity to present their case. Other community members were then asked to verify the appeals. Apparently the community apparently confirmed everyone's explanations whether or not they qualified because they wanted as many people as possible to get a licence (partly because the community is closely inter-related). The ACCR reviewed the appeals with local officials, though the committees did not agree with all the changes. Those awarded a licence at this stage included original licensees who were not capable of fishing, not complying with regulations, or not resident; the LSVC member removed by the DSB; and some who had not applied. This latter group had been away from the landing site to attend to sick relatives or other business.

Some applicants who had not been selected appealed to the Minister, and two received a licence. There are suggestions that at least one of these was not previously involved in fishing.

All licences have been issued. Some licensees are hiring out their number, either because they cannot afford legal equipment or because they do not want to manage the fishing personally. There is still considerable illegal fishing, and some licensees have a second unlicensed boat.

### **7.12 Mahyoro**

As with Kayinja, applicants were asked to pay 6000 US\$ for the forms by the sub-county, and this was not receipted. ILM and FOs intervened, and those who paid 6000 US\$ had their money refunded.

In general the LSVC performed well. However, there are indications of bribery and political influence on the committee's decisions. There are also suggestions that government administrators were given a licence, in some cases indirectly.

The DSB removed one applicant (an LSVC member) and added one replacement (the wife of a local official).

Many people wanted to appeal during the DFR monitoring exercise. The ACCR selected a sample of these and gave them time to present their case. The community are closely interrelated, and this reduced objections to the appeals. Changes were reviewed with local leaders. All the original licensees who had been rejected were given a licence at this stage. In some cases where an original licensee had died the licence was awarded to the children. Some of those selected at this stage were not resident, not fishing legally, or not dependent on fishing.

The community was informed about the appeals procedure, and the Minister added two people. They had been rejected by the LSVC and DSB because they had not been involved in fishing, and they are still not fishing personally.

Those with veteran licences did not apply because they believed that they would automatically keep their licence. They complained to the District and to higher levels after the DFR's visit, but no changes were made.

All licences have been issued. Some are hired out. In some cases this is because the licensees are not resident or do not depend on fishing and work on other activities, but the majority are hiring because they cannot afford the nets. A few licensees (“those who do not want to comply with regulations”) hire out their licence and fish illegally at a different landing site. Those who rent the licences are mainly the richer community members, and some rent more than one number.

### **7.13 Rwenshama**

Misleading information from original licensees discouraged some potential applicants. Existing boat owners were concerned to protect their position, and informed others that only those already holding a licence could qualify. This seriously reduced applications from barias.

There are no indications of problems in delivery and sale of application forms.

The LSVC seem to have largely followed the guidelines. However, the community feel that some applicants who were not involved in fishing or not resident were ranked highly. In addition, there are indications of bias towards original licensees, related to the role of the Rwenshama fishing company. The company previously controlled licenses at the landing site, and all the original licensees were company shareholders. Some used their licence personally, others were hiring it out. There was considerable resistance to the new licensing system from the company, and it mobilised its members to apply in order to retain its licences. The company is a powerful local institution, and the MD is also the parish chief and was thus on the LSVC. However, the LSVC did reject over a third of company members.

There were previously 6 licences allocated to the Banyabutumbi, who were evicted by QENP in 1983 and came to Rwenshama. With this exercise, all 6 applied and 4 received a licence.

The LSVC displayed the applicants' marks and rank, but their decisions were not clearly presented to or understood by the community. Some applicants who scored highly were not recommended by the LSVC because of criteria not included in the score (e.g. one licensee per household), and the LSVC did not indicate on the display whether applicants were recommended. The committee describe the difference between ranking and recommendations as a needed cover - they had been physically threatened by some applicants and feared for their security.

The DSB selected applicants from those recommended by the LSVC using the stakeholder quotas. The Board used the RFO's record to eliminate some who were fishing illegally, and rejected one applicant with an inherited licence. Appeals from the community to the DSB were investigated, but the Board did not feel they should be upheld. There is general agreement that the DSB performed well.

Several changes to the list were made during the DFR monitoring. The ACCR first heard the complaints of original licensees, some of whom had come from homes away from the landing site to attend the meeting. Several original licensees were brought in, including applicants rejected by the LSVC and DSB because they were not compliant, not involved in fishing, not resident, or not capable of fishing personally. The company had close links to the DFR, and there are suggestions of malpractice relating to this stage of the exercise.

Some applicants holding experimental licences were also included. Other community members feel their complaints were not fully considered. The changes were discussed with local leaders, but it seems the local committees did not agree with these additions.

The community were informed about the appeals process. Some people did appeal but they received no response.

All the licences have been issued. However, some licensees cannot yet afford the equipment to fish, and hire out their number. Some of these were recommended by the LSVC because the committee believed there would be loans for new entrants to purchase equipment. Others were brought in during DFR monitoring. As at some other landing sites, those who cannot afford the equipment presented the boat of the person hiring the licence to the DFO. Several absentee licensees, primarily company members, also hire out their licence.

There are indications that the barias who received a licence have not been able to buy equipment, and that arrangements were made before the selection that a local officer would use this licence indirectly.