



NORWEGIAN
REFUGEE COUNCIL



REPORT

A CRITICAL TURNING POINT

The Path to Durable Solutions for Refugees in Uganda

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Cover photo: A woman and her grandson process millet crops in the Southwestern district of Isingiro in Uganda. © Dixon Odur / NRC

TABLE OF CONTENTS

EXECUTIVE SUMMARY	4
INTRODUCTION	5
UNVEILING BARRIERS TO DURABLE SOLUTIONS FOR REFUGEES IN UGANDA	7
RETURN	7
LOCAL INTEGRATION	8
Access to Housing, Land and Property (HLP)	8
Freedom of Movement	9
Livelihoods	10
Access to Education	11
Social Cohesion	12
Safety and Security	13
RESETTLEMENT	13
COMPLEMENTARY PATHWAYS	14
THE WAY FORWARD IN POLICY AND PRACTICE	15
ADAPTING POLICIES	15
RETHINKING FUNDING	15
STRENGTHENING COORDINATION	16
RECOMMENDATIONS	18
METHODOLOGY	19

EXECUTIVE SUMMARY

Uganda is at an important crossroads. Decades of welcoming and hosting refugees through an exemplary open-door and rights respecting framework is starting to reach the limits of sustainability. The impact on refugees and Ugandans hosting them is worsening socio-economic outcomes and lives stuck in a cycle of aid dependency. Decisive action is needed now to pivot the response to one of long-term funding and planning, towards durable solutions and greater prosperity for all.

NRC's research shows that, without a structured long-term development response, current simmering tensions over land and resources will likely boil over into escalating communal conflict, irreparable environmental degradation, and extreme poverty. The steady reduction in humanitarian assistance is already pushing all communities into negative coping mechanisms and accelerating decisions to make premature and dangerous returns to home countries.

Absence of education pathways beyond primary level are endangering a generation of youth to lives of unskilled labour, while qualified refugee professionals are unable to translate their expertise into meaningful employment due to bureaucracy and lack of recognition of their home-grown qualifications and certification in Uganda.

The settlement policy combined with insufficient investment in skills training and diversification

of livelihoods have left largely rural farming refugee populations with few income generating options and dependency on aid.

As humanitarian funding priorities change, and available resources for Uganda reduce, the government should embark on a bold and innovative change in direction to ensure sustainability for their welcoming approach to hosting refugees. International donors should enable this change by committing to long-term partnerships to fully operationalise the responsibility-sharing aspirations of the Global Compact on Refugees.

Multi-stakeholder partnerships and coordination can start by supporting the pledges the Government of Uganda has already made ahead of this year's Global Refugee Forum (GRF), including commitments around a transition plan out of a humanitarian response, larger investment in livelihoods, greater localisation, and pathways to naturalisation for some refugees.

The government of Uganda has shown good faith in creating conditions for refugees to thrive, but they cannot bear this responsibility alone. Finding ways to support refugees living in Uganda to not only survive, but also become self-reliant and achieve durable solutions should be front and centre in discussions at this year's GRF and beyond.



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INTRODUCTION

“Life is impossible here, and in our country of origin let’s not even talk about it,” was the sentiment expressed by many refugees during interviews conducted for this report. Uganda hosts the fifth largest refugee population globally and largest in Africa. 1.5 million refugees and asylum seekers currently live in the country and an average of nearly 10,000 additional people arrive to seek international protection each month.¹ While the majority of refugees in Uganda come from South Sudan (57 percent) and the Democratic Republic of Congo (32 percent), a plethora of nationalities have sought refuge in Uganda including people from Somalia, Rwanda, Eritrea, Burundi and Ethiopia.² With the main countries of origin suffering from years of insecurity, the majority of refugees in Uganda are unlikely to return home any time soon, and many of them have lived in protracted displacement, often for decades.³

Uganda, a haven for refugees?

Thankfully, Uganda has enacted one of the most progressive legal and policy frameworks for refugees in the world, which has been deservedly welcomed and lauded. Based on this framework, Uganda has created a welcoming and protective environment for refugees where people fleeing conflict are granted *prima facie* refugee status and refugees are allowed to move freely, work, start a business, and access essential services such as health and education on the same level as Ugandan citizens.

The Ugandan refugee protection model aims to foster refugee self-reliance and resilience, recognising that host communities can also benefit through development support from both the government and the international

community, as well as the economic contributions of refugees. Central to enabling self-reliance for refugees in Uganda is the settlement approach and associated land allocation for refugees. When arriving in Uganda, refugees are not confined to camps as in most other countries in the region but are allocated plots of land where they can build a house and cultivate in “village-style” settlements.

Policy limitations and failed solidarity

“How long do you need to live here before you are integrated? There needs to be more done about integration.”

— Refugee, Nakivale settlement

Despite Uganda’s enabling legal and policy environment, the majority of refugees have not been able to achieve self-reliance and remain reliant on humanitarian assistance, including refugees who have lived in the country for longer periods of time.⁴ Refugees consistently earn less income, have poorer food consumption scores, and have lower employment rates compared to host communities living in the same geographical areas, notwithstanding the also poor socio-economic circumstances for host communities.⁵

These conditions highlight the limitations of a policy framework which, although favourable on paper, has been insufficient to deliver better and sustainable outcomes for refugees in practice. Significant funding cuts to humanitarian assistance over recent years have further exacerbated the fragility of Uganda’s refugee policy framework and the precariousness of refugees’ situation. By 2023, the refugee response financing gap had become so severe

1 Figure as of 30 September, 2023, UNHCR, “Uganda- Population Dashboard,” Accessed 10 October 2023, <https://data.unhcr.org/en/documents/details/103946>. The average number of refugees and asylum seekers arriving each month was calculated using the arrivals data for the months of January 2023 to September 2023.

2 Supra note 1.

3 UNHCR defines protracted displacement as living in displacement continuously for more than five years, please see UNHCR, “Global Trends Forced Displacement 2022,” Accessed 13 September 2023, <https://www.unhcr.org/global-trends-report-2022>; World Bank, An Assessment of Uganda’s Progressive Approach to Refugee Management, Accessed 13 September 2023 <https://openknowledge.worldbank.org/handle/10986/24736>, 2016; Nicholas Crawford, John Cosgrave, Simone Hysome, Nadine Walicki, “Protected Displacement: Uncertain Paths to Self-Reliance in Exile, HPG Commissioned Report, September 2015, Accessed 13 September 2023, <https://cdn.odi.org/media/documents/9851.pdf>.

4 Supra note 1 UNHCR; Development Pathways, Analysis of Refugee Vulnerability in Uganda: Working Paper, 2020, Accessed 5 June 2023, <https://www.developmentpathways.co.uk/publications/analysis-of-refugee-vulnerability-in-uganda/>.

5 Francesco Loiacono, Mariajose Silva Vargas, “Improving Access to Labor Markets for Refugees: Evidence from Uganda,” International Growth Centre, 2019, Accessed 5 June 2023 https://www.theigc.org/sites/default/files/2019/10/Loiacono-and-Vargas-2019-final-paper_revision.pdf; UNHCR, “Using Socioeconomic Data to Promote Employment Solutions for Refugees in Uganda,” Policy Brief, July 2021, Accessed 6 June 2023 <https://reliefweb.int/report/uganda/policy-brief-using-socioeconomic-data-promote-employment-solutions-refugees-uganda>; REACH, “The Realities of Self-Reliance within the Ugandan Context,” April 2023, Accessed 6 June 2023, <https://reliefweb.int/report/uganda/realities-self-reliance-within-ugandan-refugee-context>.

that many refugees were completely cut-off from food and cash assistance as part of a “prioritisation exercise” led by WFP and UNHCR. This has led many to rely on negative coping mechanisms to cover their basic needs. The situation is also negatively impacting Ugandan communities, who have been welcoming and hosting refugees, and benefitting from their contributions to the local economy, for decades, but are now also feeling the negative effects of refugees’ reduced spending power and coping.

Bringing refugees’ perspectives to the forefront

Based on findings from Focus Group Discussions (FGDs) undertaken for this research, refugees themselves have an overwhelming preference for return as their ideal durable solution, but see

this as unrealistic considering the ongoing insecure contexts in their home countries. In the interim, and due to the difficult conditions they currently live in, refugees see resettlement as the aspirational next best option, but places remain limited and highly selective. Local integration is therefore seen as the most practical and realistic settlement option for most refugees in Uganda. However currently, unable to return home and with little prospects for self-reliance and sustainable integration in Uganda, refugees are effectively living in limbo.

This report aims to bring refugees’ perspectives and lived realities to the forefront of discussions and strategies on how to better support them to achieve durable solutions, in policy and practice. Uganda needs international support to facilitate all options through legislative and policy reform, without being left to foot the bill themselves.

UGANDA'S REFUGEE POLICY FRAMEWORK

Uganda has adhered to, signed, and adopted the following laws and policies, constituting its current refugee policy and legal framework:

1951: Signed the Convention Relating to the Status of Refugees.

1967: Signed the protocol to the Convention Relating to the Status of Refugees.

1969: Signed the Convention Governing Specific Aspects of Refugee Problems in Africa.

2006: Adopted the Refugee Act codifying international obligations in domestic law.

2010: Adopted the Regulation to the Refugee Act bringing into force and operationalising the 2006 Act.

2015: Adopted the Settlement Transformation Agenda whereby refugees are allocated plots of land within a model of self-reliance.

2015: Included refugees in national development planning through its National Development Plan II.

2015: Adopted the Refugee and Host Population Empowerment strategy (ReHoPe).

2016: Adopted the New York Declaration for Refugees and Migrants and the Comprehensive Refugee Response Framework (CRRF).

2017: Signed the IGAD Djibouti Declaration on Refugee Education.

2017: Adopted implementation of the Global Compact on Refugees.

2017: Launched the Comprehensive Refugee Response Framework (CRRF).

2019: Signed the Kampala Declaration on Jobs, Livelihoods and Self-Reliance for Refugees, Returnees and Host Communities in the IGAD region.

2020: Included refugees in the National Development Plan III (2020-2025).

UNVEILING BARRIERS TO DURABLE SOLUTIONS FOR REFUGEES IN UGANDA

“The solutions we need are resettlement, the right to get citizenship of Uganda, and equal treatment.”

— Youth refugee, Rushinga settlement

A durable solution is achieved when displaced persons no longer have any specific assistance and protection needs linked to their displacement, and when they can enjoy their human rights without discrimination on account of their displacement. It is broadly agreed there are three settlement options available to refugees to achieve a durable solution: sustainable re-integration at the place of origin or ‘return’; sustainable local integration in the place where refugees take refuge or ‘local integration’; and sustainable integration in a third country or ‘resettlement’. The choice of settlement option should be voluntary and fully informed. In many refugee contexts, the medium-term solution may be local integration while the long-term solution of return may become a viable option later on. In addition, there are complementary pathways as viable bridging options to more permanent pathways, such as managed migration schemes linked to education or employment.

RETURN

“Our determination is not to stay here. Our determination is to go home. But if there is no peace, we cannot go home.”

— Male refugee, Bidibidi refugee settlement

“Going back would be like committing suicide. It is impossible. The few that are going back, it is only out of desperation because living conditions are impossible here”.

— Refugee, Rushinga settlement

When talking to refugees in Uganda, most dream of returning home one day, but see it as impossible now. Return, as a durable solution, should take place in safety and with dignity and requires measures to ensure that any choice made by refugees is voluntary, free from coercion, and based on accurate and objective information. It should be based on positive ‘pull’ factors, rather than negative or coercive ‘push’ factors, to ensure it is fully voluntary.

Both South Sudan and the Democratic Republic of Congo (DRC), the two countries from which about 89 percent of the refugees in Uganda originate, continue to experience long-term political and communal conflict, and are characterised by high humanitarian needs and ongoing displacement, making sustainable return to those countries, in safety and dignity, an unlikely pathway to a durable solution for refugees at the moment.

Nevertheless, in all FGDs with South Sudanese refugees, at least one participant knew someone who had returned to South Sudan within the last year but who had been killed or disappeared after arriving. Men and women also noted that women who return are at serious risk of rape during night-time raids, and that most people slept in the fields at night for security reasons, only returning to their homes during the day.

For Congolese refugees the security situation in DRC and fear was significantly more present in their minds. Notably, several Congolese refugees, but also some South Sudanese refugees, stated they would never return home due to the trauma they had experienced or witnessed which had prompted their original flight to Uganda. One Congolese elderly person explained,

“When I think about my future I feel fear. When I fled my country it was because people wanted to kill me, they burned my shop and my son and my cows. Those people are still present everywhere in my country, I would rather kill myself than return.”

Far fewer Congolese refugees knew of anyone who had returned in the last year (compared to South Sudanese) but, in the instances where they did, the majority said that person had been killed or detained since returning.

Recent cuts to food assistance dominated all discussions and both South Sudanese and Congolese refugees believed that food ration cuts had already compelled some people to return to their country of origin prematurely in order to not starve (‘push factor’). South Sudanese refugees reported the prevalence of pendular movements, mostly by men, who were travelling back and forth across the border, motivated by a lack of livelihood options and

food scarcity in Uganda. One elderly South Sudanese man explained:

“When there is no food here, we will decide to go back. Better to be shot with a gun. Hunger is a fight too. Here, everyone will die in this fight, but in South Sudan maybe only 1 or 2 will be shot and die.”

LOCAL INTEGRATION

“Some options are not open to us like studying law or medicine. We are told we can only study social sciences...We will never have the right to own land in Uganda according to the law, we will always be renters. That is why true integration is impossible”.

— Male refugee, Nakivale settlement

Most refugees do not aspire to have permanent citizenship or residence in Uganda, but for many of them – including refugees born in the country, protracted refugees who cannot return to their country of origin, and refugees who have already established close links to the host country – it has become the most likely prospect going forward for a fully self-sufficient and resilient life.

Local integration (as with all durable solutions) should include the achievement of economic, social, cultural, and legal safety, as well as social cohesion. Refugees should be able to attain a growing degree of self-reliance, without discrimination or exploitation.

While in theory Uganda’s current legal and policy framework should support such meaningful local integration, in practice there remain barriers preventing access to a full range of rights such as freedom of movement, housing, land and property rights, and access to some livelihoods. In FGDs with refugees, it was clear that the majority of them still experience discrimination based on their refugee status when accessing those rights, and the ability to achieve self-reliance is still difficult.

Access to Housing, Land and Property (HLP)

Securing Housing, Land and Property rights is a key enabling foundation for sustainable local integration. Security of tenure can provide refugees with an address for employment and other applications, and establish stable bases to access education and other services. Formalised and legal access to land and other property also enables livelihoods to thrive in a predictable and regularised framework. Failure to fulfil HLP rights can restrict temporary solutions from turning into durable solutions and creates the risk of multiple displacements, forced evictions, and exploitation.

In Focus Group Discussions, the most commonly cited challenge by South Sudanese refugees living in settlements was access to housing, land and property needed for accommodation and/or



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income generation activities. South Sudanese refugees are primarily agricultural farmers, but some communities, largely from the Dinka ethnic group, are pastoralists. South Sudanese refugees noted that both types of livelihoods require access to substantial tracts of arable land, much more than the plots currently allocated to refugee families by the Office of the Prime Minister (OPM).⁶ Congolese refugees reported that they did not even receive the land allocation, or had received it and then subsequently lost access to it. As a result, many refugees have to rent additional land from the host community for agriculture and grazing livestock. Refugees reported these land rental agreements are largely verbal and subject to arbitrary term use, duration, and cost, including restrictions on what crops they can grow.

In all locations refugees reported tensions over land and access to natural resources with local communities. As one Congolese refugee put it: *“The land given belongs to nationals and it creates tensions. They come to attack you or put their cows on the land to destroy your crops.”* Several South Sudanese refugees reported having to pay higher rent at the time of the harvest or that they had paid rent for land that turned out to be owned by someone else.⁷ There are already reports that landowners who had agreed to give the government their land for refugee housing plots are asking for their land back.⁸ Additional challenges inevitably affect female-headed households, who have limited access to HLP due to vulnerabilities linked to customary traditions and norms.

Urban refugees in Arua town and in Kampala had most challenges related to tenancy agreements and forced evictions and it is unsurprising that recent research has found that most refugees living in rented accommodation do not have leases or other documentation to secure their tenancy.⁹ While insecure tenancies is also the case for most Ugandan nationals, refugees are at higher risk of exploitation and eviction due to their refugee status. One South Sudanese refugee in Arua town recounted: *“The problem with the market price is that South Sudanese get charged more than Ugandans. With rent also, immediate evictions happen if you are late with rent. It doesn’t happen to Ugandans.”*

Host communities in Kampala particularly complained about rental inflation as a result of ‘wealthy’ refugees pushing prices up, while host communities in Arua town reported that many refugees would leave properties with significant arrears, or informally transfer the lease to a relative or community member without informing the property owner. Conversely, refugees in urban locations believed that property owners charged refugees more rent than Ugandans, and were more likely to exploit them.

Freedom of Movement

The *Refugees Act* guarantees refugees in Uganda freedom of movement, but in practice and in law, the right is subjected to restrictions. For example, according to the *Refugees Act* refugees require permission to reside outside of designated areas and can be required to report periodically to government authorities if they choose to reside in non-settlement settings. These restrictions align with the government’s settlement centred model of refugee protection, but can be a barrier to meaningful integration.

South Sudanese refugees confirmed in FGDs that, while they technically have freedom of movement, in practice it is not unfettered nor without challenges.¹⁰ They reported having to apply for permits if they wished to leave the settlement. For some, the process of getting the permit from the OPM was costly, due to travel expenses, and time consuming. Others noted the permits were time bound, as an example, only valid for one week, and only granted for ‘legitimate’ purposes. One FGD participant shared that he requested a permit to travel for his Easter break and this was denied on the grounds it was not a ‘valid’ reason.

Congolese refugees more readily reported insecurity, harassment, or discrimination if they chose to travel outside of the settlements. One Congolese woman explained, *“You are allowed to travel but the nationals will start saying “those are the refugees who ruin our country” so we don’t feel safe travelling.”*

Additionally, choosing to move permanently out of a settlement automatically nullifies your

6 The Refugees Act 2006 set out the institutional framework for refugee management and gave the Office of the Prime Minister (OPM) responsibility for all administrative matters concerning refugees in Uganda, including the coordination of inter-ministerial and non-governmental activities and programmes relating to refugees.

7 KII with INGO HLP Expert, 13 July 2023.

8 KII with Jogo Titus, Refugee Desk, OPM, Adjumani, July 4, 2023; KII with Protection Officer, UNHCR, Adjumani, July 4, 2023.

9 NRC, Reach, Refugee Access to Livelihoods, Housing, Land and Property, 2019.

10 KII with NGO Legal Expert, Kampala, July 13, 2023.

eligibility for aid, including WFP food assistance. The exception is if you move to Kampala and register there as a refugee, but this is complicated and there is currently a significant backlog.¹¹ All of the South Sudanese refugee FGD participants in Arua town were still registered in their original settlement, and regularly travelled back and forth in order to obtain assistance. The government's policy of only allowing refugees who reside in settlements to receive humanitarian assistance has the effect of disincentivising refugees from leaving settlements, indirectly curtailing freedom of movement.

THE CASE OF URBAN REFUGEES

A limitation of Uganda's policy framework is the fact that refugees who do not officially reside in settlements are assumed to be self-sufficient or "self-settled," and therefore do not have official access to humanitarian food distributions or other types of basic assistance.¹² However, refugees who decide to live outside of settlements mostly live in urban settings and are especially likely to be in direct competition with Ugandans for housing, livelihoods and education, which can increase tensions and prevent integration. NGOs working with refugees in urban areas have noted that recently relocated refugees are more likely to experience food scarcity and even starvation because they cannot afford basic needs, and are resorting to risky survival behaviours.¹³ With dwindling resources for refugees within settlements, it is likely that the numbers of refugees relocating to secondary cities will only grow, rendering the settlement approach to be increasingly obsolete.

Livelihoods

For all refugees, including those living outside of settlements who do not have access to humanitarian assistance, work and employment opportunities are critical factors to achieving self-reliance and local integration. Refugees in Uganda have the right to work but, unlike Ugandans, they require a Convention Travel Document in order to obtain a work permit, and this can be difficult to attain due to bureaucratic hurdles.¹⁴ In addition, due to complex employment laws, many employers are uncertain whether they can legally employ refugees.¹⁵ As a result, employment outcomes for refugees are markedly worse compared to Ugandans, and many refugees are limited to working in the informal sector or engage in self-employment initiatives.¹⁶

In FGDs everyone spoke of a dire lack of livelihoods, with many families resorting to negative coping mechanisms to deal with the reduced food rations and scarcity of income generating opportunities. Both South Sudanese and Congolese refugees reported agricultural farming as their main source of livelihood but pointed out the inadequacy of the land plots assigned to them by the government for income generation. The majority reported the plots were too small, even for living quarters for large families, and that repeated digging and soil degradation, combined with an unfavourable climate, had rendered the plots useless for cultivation. Beyond agriculture, there are few livelihood and employment opportunities available in and around the settlements, and research indicates that the main source of income for some refugees is the sale of their humanitarian food assistance.¹⁷

Refugees in settlements generally perceived refugees in town as having more resources and likely to be receiving remittances, as this was seen as the only way they could afford to live there. In the FGD with South Sudanese male refugees in Kampala, access to livelihoods was indeed the main motivation for moving out of the settlement and moving to Kampala. However, refugees in the Arua town FGD

11 Kill with International Donor, Head of Office, July 12, 2023.

12 Alex Betts, Refugee Economies in Uganda: What Difference Does the Self-Reliance Model Make?, Refugee Studies Centre, University of Oxford, 2019, Accessed 5 June 2023 <https://www.rsc.ox.ac.uk/publications/refugee-economies-in-uganda-what-difference-does-the-self-reliance-model-make>.

13 "Impacts of UNHCR funding and WFP ration reductions," HINGO Briefing Note, August 17, 2023.

14 International Rescue Committee, "Ruled out of work: Refugee women's legal right to work," December 2019, Accessed 5 June 2023, <https://www.rescue.org/sites/default/files/document/4312/ruledoutofworkpolicybriefv3.pdf>.

15 Supra note 5 Loiacano and Silva. Rebuild, An Analysis and Evaluation of Refugee Related Policies and Legislation, October 2022, Accessed 5 June 2023, <https://www.rescue.org/report/analysis-and-evaluation-refugee-related-policies-and-legislation-kenya-and-uganda>; UNHCR, Uganda Policy Employment Brief, 2021, Accessed 22 July 2023, <https://www.unhcr.org/media/unhcr-policy-brief-uganda-employment>.

16 Naohito Omata, "Rethinking Self Reliance and Economic Inclusion of Refugees Through a Distributive Lens: A case Study from Uganda," African Affairs, 121/485, 649-674, Accessed 5 June 2023, <https://www.rsc.ox.ac.uk/publications/rethinking-self-reliance-and-economic-inclusion-of-refugees-through-a-distributive-lens-a-case-study-from-uganda>; Ibid UNHCR.

17 Supra Note 4 Development Pathways.



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reported they were living just on income they had generated themselves, were not receiving remittances, and were still dependent on food assistance in the settlements.

Both Congolese and South Sudanese refugees reported in FGDs they were unable to work in specialised fields such as nursing, midwifery or teaching, due to their qualifications not being recognised in Uganda. One Congolese refugee explained: *“There is no work for refugees here. The government of Uganda can only give small informal jobs because there are issues like the language barrier or diploma recognition. The government needs to think about getting equivalent diplomas for refugees.”*

In the settlements both in West Nile and in Isingiro, vocational training and small business support was welcome, but there were frustrations related to lack of support after courses had finished and the lack of availability of relevant job markets for new skills which had been learned. Some people reported that loans or start-up costs for small businesses were either not available or wholly taken up with payment of interest and food, leaving nothing with which to invest.

Congolese refugees also strongly felt there was discrimination against refugees outside of the settlements, and nepotism or corruption in

hiring practices inside the settlements. One refugee explained, *“As refugees we need to hide who we are to access opportunities. When they (the nationals) see we are refugees they don’t want to give us opportunities.”*

Despite the challenges reported by refugees, FGDs with host communities highlighted that they recognised the benefits of hosting refugees, reporting that refugee-operated businesses generated income for the whole community. There was also appreciation for vocational skills training opportunities brought in by I/NGOs, which Ugandan youth were particularly benefitting from.¹⁸

Access to Education

There are significant challenges in the education sector for refugees in settlements. The current primary school-to-teacher ratio is 1:73 and the 2022 average was 1:90. Many teachers are given short-term service contracts of less than 12 months leading to a sector-wide instability for teacher retention due to burnout and demotivation across settlements. The strain on the teacher workforce is compromising government investments made to date, and is endangering already planned programming to address the high rate of school push out, teacher retention, and school overcrowding.¹⁹

18 KII with Anyama Joseph, Chairman of Local Council 1, Egge Village, July 4, 2023.

19 “Impacts of UNHCR funding and WFP ration reductions,” Internal HINGO Briefing Note, August 17, 2023.

In Uganda, schools are permitted to charge a small fee for meals. However, ration cuts in refugee settlements have made it difficult for parents to contribute to the feeding programme, especially for younger students. Education actors have registered a corresponding increase in absenteeism, children engaging in income-generating activities, and in parents leaving the settlements for employment or agriculture activities in their country of origin, leaving children behind to head the households. Such activities expose children to child labour, forced marriage, teenage pregnancy, and survival sex which also affects retention and school push out. Children who do manage to attend school, often do so on an empty stomach, affecting their learning abilities. Teachers are also affected by the lack of food and must engage in other income-generating activities, leaving school early and/or absconding from work for alternate income generating activities.²⁰

South Sudanese refugees participating in FGDs in settlements were generally happy about their access to education, but did have concerns about overcrowding, quality of teaching, and associated costs. Congolese refugees were more disparaging and complained they did not have access to education, including to primary school. Some Congolese families had also felt forced to pull children out of school in order to send them to work, due to extreme poverty. One Congolese male refugee in Nakivale settlement noted: *“On education, prices are very high. So many refugees have not finished primary school or don’t have the money to continue. UNHCR told us they would pay half of school fees, but families are not able to pay the other half, so children drop out of school.”*

A major complaint from refugees was lack of secondary schools in the settlements. One local official in West Nile reported almost 80 percent of South Sudanese refugees who take the primary examination qualify for the next academic year, but do not have access to secondary education due to lack of schools and teachers in the settlements.²¹ The participants of the South Sudanese youth FGD were more likely to consider returning to South Sudan in order to overcome the education and livelihoods barriers they face in Uganda, compared to parents, particularly women, who saw education as being a major reason to stay in Uganda.

Alongside livelihoods, education is also a driving motivation for refugees to move from settlements to urban locations. Refugees in Arua town and Kampala noted that the quality of education was better in urban locations, although the costs were significantly higher.

Social Cohesion

“When we came, we found that partners’ support is 70 percent to refugees and 30 percent to the host community. Now the partners are saying there is no funding. When this 30 percent fails, we don’t know what will come. The host community may change their attitude towards us, when they stop benefitting from us.”

— Male refugee, Bidibidi refugee settlement

Many of Uganda’s policies enable integration of refugees with host communities and, as an example, the *Refugee Regulations 2010* explicitly references refugee integration with host communities. For the Government of Uganda and host communities, the hope is that hosting refugees will lead to greater investment in infrastructure, better access to services, and economic opportunities for all. There is evidence to suggest that service delivery for refugees and host communities is becoming more integrated. Sector specific response plans linked to national development plans have helped in this regard, but it remains to be seen whether integrated services will ultimately lead to the aim of broader social, cultural, and economic integration.

In FGDs, there was a marked difference in perception between host communities and refugees about their relationship. In general, host communities in settlements thought the relationship was positive. Host communities and local authorities spoke extensively about the benefits to the local community from hosting refugees. This had been particularly seen in the areas of health, education, water infrastructure, and roads.²² There was also an acknowledgement that government capacity and resourcing was indebted to UNHCR, although this meant they were equally susceptible to funding cuts as the response was wholly dependent on international donor funding.

²⁰ Ibid.

²¹ KII with Jogo Titus, Refugee Desk Officer, OPM, Adjumani, July 4, 2023.

²² KII with Richard Kaijuka, District Vice-Chair, LC 5, Adjumani, July 3, 2023; KII with Amaruma Vincent Manza, Assistant Settlement Commandant, Adjumani, July 3, 2023; KII with Richard Edema, Principal Assistant, Chief Administration Officer, Adjumani, July 3, 2023; KII with Jogo Titus, Refugee Desk, OPM, Adjumani, July 4, 2023.

However, refugees were more negative. In settlements respondents expressed that they thought the welcome and tolerance they receive from host communities were dependent on the benefits they received from the UN and INGOs. They opined that if those benefits were to reduce or disappear, there will be increased social tension between refugees and host communities, more discrimination towards refugees, and refugees will be more isolated. These perceptions underlie that the current level of co-existence is less robust, potentially superficial, and more vulnerable to negative influences than perhaps understood.

In FGDs most refugees were fairly negative about their relationship with host communities, citing disputes over access to land and resources as the number one source of tension between the communities. One Congolese refugee reported: *“There is tension these days. I rent a house from a national but they say they will chase all refugees from their land. They say they don’t want to deal with refugees anymore. One refugee was even assaulted by nationals.”* South Sudanese refugees in urban locations and Congolese refugees also talked extensively about discrimination when accessing education, health, and other services. Perceptions that services were cheaper for Ugandans or that they were prioritised were prevalent.

In several districts in West Nile the refugee population now outnumbers the host population. This has, potentially, been encouraged to expedite land development and settlement, and is a reflection of how welcoming and progressive the open-door policy is. However, it is not without risk, and experts and refugees pointed out it is likely to exacerbate tensions and conflict over access to land and resources between refugees and host communities over time.²³

Safety and Security

Overall, FGDs showed that South Sudanese refugees and host communities in settlements felt that the general security situation was calm and they felt safe walking around the settlement, although voiced concerns over security at night due to lack of lighting. This was in marked contrast to Congolese refugees in settlements in the south of the country who felt they had much higher levels of insecurity, even within the settlements.

Both Sudanese and Congolese refugees felt less safe when leaving the settlements. In FGDs collecting resources such as firewood and grasses for roofing was noted as a flashpoint for both refugee and host communities, most acutely felt by refugee women. Concern was mostly related to abuse from host community members for the harvesting, but others also raised concern about sexual and gender-based violence, including rape, as a hazard for women when outside the settlements.

Some refugees, both Congolese and South Sudanese, noted there were security issues for people with specific protection concerns related to why they had left their home country. Intra-refugee reprisal was a concern, while intra-refugee conflict between ethnic groups was seen as much more of an issue, with perceptions from both refugee and host communities that disagreements often escalated to violent confrontations.

Refugees and host communities in FGDs noted there had already been a marked increase in theft since the food prioritisation exercise began. One South Sudanese refugee woman from Bidibidi settlement noted: *“This stealing started when the food was being reduced. When we were getting 12kg no one was stealing food. When it was 8 and then 6 and then 4, the rate of theft is now too high. Even the crops from the garden.”* Response actors have also recorded an increase in reported cases of theft, including stealing food and livestock from host communities and refugees in Palorinya, Rhino Camp and Imvepi Settlements.²⁴

RESETTLEMENT

“We would love to be resettled, but to a place where we won’t have this feeling of pain. Living in hunger, living with a lot of challenges.”

— Female refugee youth, Bidibidi refugee settlement

Resettlement of refugees to a third country where they can enjoy long-term protection and integrate into the host society can be a solution for some refugees, particularly those with limited prospects for local integration or return, or for those with specific needs who cannot find adequate protection in their country of origin or the country of asylum. It is also a mechanism for international responsibility-sharing, providing countries like Uganda with options to share the

23 KII with Richard Kaijuka, District Vice-Chair, LC 5, Adjumani, July 3, 2023.

24 Impacts of UNHCR funding and WFP ration reductions,” Internal HINGO Briefing Note, August 17, 2023.

commitment of international protection for those fleeing persecution with other States.

UNHCR's projected global resettlement needs analysis indicates that, as a country of asylum, Uganda hosts the fourth largest number of refugees determined to require resettlement globally, with 41,800 cases and 125,405 individuals.²⁵ However, the number of settlement submissions from Uganda and departures remain disproportionately small.²⁶ The resettlement numbers for Uganda have trended downwards almost every year since a peak in 2016 of 6,299 resettlement submissions and 5,424 refugee departures to third countries.

This downward trend belies the protracted nature of the conflicts and forced displacement from South Sudan and DRC among other countries of origin. Funding, some integrity issues with the pipeline, the effects of the Covid-19 pandemic and the Trump Presidency's slashing of US resettlement places are all contributory factors. There is, however, now new funding to UNHCR for resettlement, as well as a new system to proactively identify persons

eligible for resettlement. This has increased intake and verification capacity,²⁷ as well as State commitments for available places.

In Focus Group Discussions, refugees were unanimously favourable of resettlement as a durable solution and wished to benefit from it, regardless of age, gender, or location of current residence. However, there was widespread misunderstanding about the eligibility criteria for resettlement, lack of information over the procedure, and suspicion as to the integrity of the process. Most people knew it was for people with specific protection issues but did not understand why some people they knew had qualified with what they perceived to be less serious protection issues than others.

Some of these issues are due to insufficient information about the process and lack of transparency about the procedure, largely related to the extreme confidentiality of the system and the tense dynamics that often characterise closed selective processes. The pathway is also not a right and resettlement spaces are scarce, with the criteria for eligibility very high.

COMPLEMENTARY PATHWAYS

Complementary pathways are safe and regulated routes for refugees, often linked to education or employment schemes to facilitate access to third countries. They complement resettlement by providing lawful stay in a third country.

The number of refugees in Uganda accessing complementary pathways increased by 500 percent in the last year compared to previous years and, in 2023, the number of refugees accessing complementary pathways will overtake those departing for resettlement.²⁸ The main pathways available for refugees in Uganda revolve around access to education and employment. Concurrently, private sponsorship and family reunification have been increasing.

All these pathways allow for participants to convert their visas to permanent residency or apply for asylum once in-situ, thus opening up local integration as a durable solution in those third countries. This also potentially enables participants to apply for family reunification for other members of their family, dependent on the criteria of the national laws and guidelines in their location.

Major challenges with these pathways will be possession and verification of supporting documentation, including high school and other education certificates. Language proficiency will be an issue and, although there is language support, those on education pathways will need to be fully fluent in the language of instruction in order to fully access the education opportunities provided by these pathways.

With 1500 refugees sponsored to move to Canada this year alone, and the US due to open a new private sponsorship programme for Uganda, this modality has the potential to snowball for specific communities.

25 UNHCR, Projected Global Resettlement Needs 2023, Accessed 5 June 2023, <https://www.unhcr.org/media/2023-projected-global-resettlement-needs>.

26 Ibid.

27 KII with International Donor, Kampala, July 11, 2023; KII with Michael Wells, Senior Resettlement and Complementary Pathways Officer, UNHCR, July 12, 2023.

28 KII with Vivian Otieno, Complementary Pathways Expert, UNHCR, July 12, 2023.

THE WAY FORWARD IN POLICY AND PRACTICE

Focus Group Discussions with refugees and host communities conducted for this report have laid bare some of the limitations pertaining to the national policies regulating how refugees live in Uganda, the modalities and practices of global financing for the refugee response, and the coordination between all stakeholders involved in the response.

In order to move towards durable solutions for refugees in Uganda, the government and international community should listen to what refugees and host communities themselves articulate as the main challenges they face and what they see as the best way forward.

ADAPTING POLICIES

Given the prevailing insecure conditions in the main refugee countries of origin, the legal and policy frameworks in Uganda need to be reviewed and updated to ensure more structured and supported pathways to local integration for refugees in protracted displacement in the country.

Livelihoods and HLP rights appeared as the most urgent sectors to adapt to the realities of refugees and host communities in FGDs. The challenges faced by refugees in accessing work highlight that the legislative regime regarding work authorisation needs to be streamlined and made clearer for everyone involved in the domestic labour market. In practice, the process for obtaining work permits is cumbersome, and there is a clear need to reduce the documentary burden. Similarly, there are reports that refugees, particularly those living outside of settlements, face challenges in setting-up and registering businesses because they often cannot provide a fixed address,²⁹ and Ugandan banks remain reluctant to lend to refugees due to a perceived sense of flight risk and inability to demonstrate a strong credit history, while banks and local lenders charge very high interest per annum (up to 48 percent).³⁰

In addition, as indicated by refugees in FGDs, professionals such as teachers, lawyers, and doctors are required to re-qualify over multiple years before being able to hold positions in Uganda.³¹ Uganda has agreements with some countries, including Commonwealth nations, for mutual recognition of professional qualifications, but no such agreement with South Sudan or DRC exists, impacting access to employment and further studies. These challenges are affecting the most qualified refugees who could otherwise get employment in higher paid jobs outside of the settlements.

Of equal importance were the issues refugees reported on access to land, which have at their core the prohibition on non-citizens owning land in Uganda. Article 237 of the *Constitution of Uganda* states that land in Uganda “belong” to Ugandan citizens, and specifies that non-citizens are only allowed leasehold tenure in accordance with Ugandan law. The *Refugee Regulations* states that refugees do not have the right to acquire freehold interest in land in Uganda, and also stipulates they do not have the right to lease, sell, or alienate land that has been allocated to them in settlements. However, it also states that refugees living outside of settlements can legally occupy property and lease land.

Removing some of those legal and policy barriers identified, particularly around improving access to livelihoods for professionally qualified refugees and increasing HLP rights for all, could pave the way towards meaningful local integration in Uganda, reduce dependency on aid and indirectly benefit the Ugandan economy and society as a whole.

RETHINKING FUNDING

A key enabling factor for durable solutions planning and implementation is predictable, long-term funding tied to longer term response plans that promote self-reliance. Humanitarian assistance is typically conceived and delivered through short term frameworks and is therefore

29 UNHCR, Refugee Policy Review Framework and Country Summary, 30 June 2020, Accessed 5 June 2023, <https://reliefweb.int/report/uganda/uganda-refugee-policy-review-framework-country-summary-30-june-2020-march-2022>.

30 “Impacts of UNHCR funding and WFP ration reductions,” Internal HINGO Briefing Note, August 17, 2023.

31 KII with INGO Representative, Adjumani, July 4, 2023; KII with Refugee Representative, Kampala, July 11, 2023.



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less likely to be able to fund the breadth or depth of support necessitated by durable solutions pathways. In most contexts, a critical measure to overcome the reluctance of governments to engage in fostering durable solutions for refugee groups they are hosting is additional dedicated development assistance supporting an integrated approach that targets both refugees and local populations.³²

Although Uganda has long embraced a holistic framework of support benefitting both refugee and host communities, to date the bulk of assistance has been funded through humanitarian budgets which are vulnerable to cuts and shifting global political priorities, making it harder to implement long term strategies and planning.

The financing gap for the refugee response in Uganda continues to grow every year and has directly led to drastic cuts to services including to protection response. In 2022, the planned budget for the refugee response was \$804,000,000 but only 45 percent of that amount

was available for that year.³³ The sectors most affected by underfunding in 2022 included self-reliance and economic inclusion, education and health, so refugees and host communities received less livelihoods support and agricultural inputs, teacher salaries were decreased, and fewer teachers were employed leading to overcrowded classrooms; procurement of critically needed medicines was also postponed.³⁴ In 2023, the funding gap in Uganda meant that life-saving assistance, including food assistance, had to be reduced through the aforementioned “prioritisation exercise”.

While it is clear that, globally, priorities for humanitarian funding streams are shifting, money available for protracted displacement contexts is likely to decrease. There is an urgent need for the development donors and international financial institutions, with the Government of Uganda, to take on more responsibility for refugees living in protracted displacement. In September 2017, Uganda became eligible for the World Bank’s IDA18 Regional Sub-Window for Refugees and Host Communities (RSW), which has already provided financing to sustain and scale up some of the Government’s policy framework. However, better coordination between humanitarian and development actors, and stronger engagement from development donors and the government would allow funding to be more specifically funnelled into strategies in support of durable solutions. This would also then free up humanitarian budgets to focus on life-saving assistance for the most vulnerable, and retain flexibility in case of emergencies.

STRENGTHENING COORDINATION

Gaps in coordination between the government of Uganda, humanitarian, and development actors and donors seem to be central to the international community’s inability to create the conditions for greater self-reliance, sustainable transition of some aspects of the refugee response to the government, and the achievement of durable solutions by refugees. These bottlenecks are not just reliant on increased financing, but require all those actors, together with refugees, to be able to regularly

32 A. Betts, “Development assistance and refugees: Towards a North-South grand bargain?,” Forced Migration Policy Briefing 2, Refugees Studies Centre, University of Oxford, June 2009.

33 Uganda RRP Funding Dashboard Q1 2023 Funding Update, Accessed 3 November 2023, <https://data2.unhcr.org/en/documents/details/96808>.

34 Ibid.

discuss, plan and coordinate programming and settlement options, to enable and facilitate sustainable living outcomes for all.

One tool that already exists and could be maximised for its coordination potential is the Comprehensive Refugee Response Framework (CRRF). In Uganda, the CRRF explicitly represents a platform to link humanitarian aid and development initiatives to help refugees achieve durable solutions. A considerable coordination structure is already in place to support implementation of the CRRF, including a CRRF Steering Group led by the Ugandan government, with representatives from UN agencies, donors, INGOs, national NGOs, refugees, and host communities among other key stakeholders.

This presents a remarkable opportunity for the government of Uganda to use the existing

coordination mechanisms under the CRRF to create a dedicated platform on durable solutions. This should aim to better communicate, coordinate, and plan funding and programming to enable self-reliance and durable solutions for refugees in Uganda, across sectors and for the long-term. Honest and productive discussions on what assurances and government commitments development donors may need, in order to step up their contributions and investments in the refugee response, are also needed and could be facilitated by such a platform. Greater coordination would enable the government and other stakeholders to properly navigate the dynamic, non-linear, and ever shifting nexus and transitions between emergency, recovery, and development, which is essential to supporting refugees in a way they can sustainably integrate in Uganda, in safety and dignity.



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RECOMMENDATIONS

1. The Government of Uganda should acknowledge the limitations of the current refugee policy framework and settlement model. In consultation with all stakeholders to the refugee response, including refugees and host communities themselves, they should take steps towards relevant legislative and policy reform that better reflect communities' lived realities. Notably, this should include:

→ **Reforms to support refugees' right to work** such as streamlining and liberalising the work permit application process, including usage of different forms of acceptable identification and digitisation of the process; abolishing existing restrictions on employment options for refugees, including access to public sector jobs; increasing and expediting credentials equivalency processes for refugees with professional qualifications; and establishing agreements with South Sudan and DRC to enable professional and academic qualification recognition in Uganda.

→ **Reforms to guarantee refugees' access to housing, land, and property** such as developing localised land use and management policies; exploring rationalisation of allotments to allocate some land for habitational purposes, and other land for agricultural use; working to identify more viable land for refugee housing and livelihoods, including options to voluntarily relocate to other parts of the country without loss of status or assistance; and taking immediate measures to confer legal tenure security to refugees who are lacking it.

→ **Reforms to ensure urban refugees** access to vital assistance, such as revising refugee policies to facilitate improved access to refugee registration in secondary cities; and explicitly permitting humanitarian agencies to provide essential services to refugees in secondary cities.

→ **Reforms to implement commitments made in June 2023, through the IGAD-EAC Ministerial Statement on options for citizenship for categories of refugees.** Eventually this should also entail aligning the provisions of the Constitution, the 2006 Refugee Act and those of the Citizenship and Immigration Control Act and put in place

procedures for naturalisation of refugees in protracted displacement in Uganda, especially the ones at risk of statelessness.

→ **Reforms to facilitate refugees' equal access to essential services such as health and education**, including rebalancing the national budget to increase investments going towards education and health so that they can cater to the ever-growing population of refugees in the country, and ensuring the full integration of refugees in national education system planning and financing.

2. Development and humanitarian donors, the government, UN agencies, civil society, and refugees should coordinate and work together to plan for and fund programmes and initiatives to support self-reliance, a sustainable transition, and local integration as a durable solution option for refugees in Uganda.

→ **In the immediate term**, this will require donors to pledge enough funds to bridge the financing gap of the Uganda Country Refugee Response Plan for 2020-2025, to prevent the loss of coping capacities for refugees heavily affected by the most recent cuts to humanitarian assistance, which would seriously hinder and delay their ability to become self-reliant.

→ **Humanitarian donors also need to revise their internal policies** to improve the flexibility and predictability of funding made available for the Uganda refugee response and enable a swift transition from humanitarian to development funding and programming in support of durable solutions; and facilitate and increase direct financing to local, community-based and refugee-led organisations.

→ **In the medium to long term**, this will require development donors, including development banks and international financial institutions, to initiate or significantly increase their contributions to the refugee response in Uganda, and coordinate with the government and humanitarian donors and actors to ensure the implementation of nexus-style programming that supports self-reliance and local integration as a durable solution. More

innovative forms of support should be explored, specifically by international financial institutions, to improve the macro-economic conditions in Uganda for hosting refugees, including debt relief, and expanding the fiscal space.

→ **To facilitate the above**, the government of Uganda, supported by its partners, should establish a new coordination mechanism, possibly embedded within the CRRF, dedicated to greater communication, coordination and planning for durable solutions among all stakeholders to the refugee response. Planning for a sustainable transition should be a key priority for this mechanism, with a clear timeline and milestones, so that development partners can commit with a fully agreed transition and exit plan.

3. Global governments should continue and increase their support to return and resettlement as durable solutions options for refugees in Uganda. Specifically, global governments should:

→ **Commit to more efforts to address the root causes of displacement into Uganda.** This includes the use of increased diplomatic engagement on protracted crises in the region in order to support a political solution to the conflicts and restore a conducive environment for safe returns, especially in DRC and South Sudan, which continue to be the main countries of origin for refugees arriving in Uganda.

→ **Grow resettlement programmes** to ensure that more vulnerable refugees can be resettled from Uganda to a third country each year, thus supporting the decongestion of settlements in Uganda and the improvement of living conditions for other refugees in the process. Governments should also increase investments and expand work on complementary pathways to offer more opportunities to refugees including education and employment pathways, as well as family reunification.

METHODOLOGY

This research used a mixed-methods approach relying mainly on qualitative approaches to gather primary and secondary data from a variety of sources over the course of a desk review period and two research trips to Uganda. This research focused mainly on South Sudanese refugees and host communities in the West Nile region and Kampala, and Congolese refugees and host communities in Isingiro in Southwest Uganda.

During the field research a total of 24 FGDs were conducted with 237 recipients of NRC services (139 women, 98 men) in July and September 2023. 6 of these FGDs were with host communities in settlements in West Nile and Isingiro as well as in Kampala city, while 18 were with refugees in settlements in West Nile and Isingiro, as well as in Arua town and Kampala city.

Focus group participants were randomly selected from a list of NRC beneficiaries, with the sample weighted by gender, age, ethnicity, geographic location, and length of stay in

Uganda. The locations selected are representative of the areas in the West Nile and Kampala where NRC has operations. There were approximately ten participants in each focus group discussion. Age and gender specific focus group discussions were also undertaken.

30 Key informant interviews were also undertaken with stakeholders including refugee and host community leaders, government officials including stakeholders representing the Office of the Prime Minister, representatives from the donor community, local government authorities, and NRC staff members.

As the research methods were mainly qualitative, the sample size was not representative of the size of population and the gender and age disaggregation of each geographic location chosen. In addition, key informants were selected using purposive sampling methods because they comprised of experts and specialists regarding the refugee situation in Uganda.



NORWEGIAN
REFUGEE COUNCIL