

RIGHTS IN EXILE POLICY PAPER

**Uganda's refugee policies:  
The history, the politics, the way forward**  
October 2018



THE *RIGHTS IN EXILE SERIES* BRINGS TOGETHER PUBLICATIONS  
THAT FOCUS ON KEY ISSUES OF REFUGEE POLICY AND REFUGEE  
RIGHTS.

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ABOUT THE INTERNATIONAL REFUGEE RIGHTS INITIATIVE

The International Refugee Rights Initiative (IRRI) was founded in 2004 to inform and improve responses to the cycles of violence and displacement that are at the heart of large-scale human rights violations. Over the last 14 years, we have developed a holistic approach to the protection of human rights before, during, and in the aftermath of displacement, by:

- identifying the violations that cause displacement and exile,
- protecting the rights of those who are displaced, and
- ensuring the solutions to their displacement are durable, rights respecting, safe and timely.

We work to ensure the voices of the displaced and conflict affected communities are not only heard but heeded at the international level through our evidence-based advocacy that is built on solid field-based research and analysis.

We are registered as a non-profit organisation in the US, the UK, and Uganda.

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ABOUT THIS PAPER

This paper was written by Lucy Hovil with significant input from Yotam Gidron. David Kigozi, Thijs Van Laer, Olivia Bueno, Andie Lambe and Salima Namusobya (IRRI board member) reviewed the report and commented on it. IRRI shared a copy of the report with the Refugee Department of the Office of the Prime Minister (OPM) prior to publication, and discussed it with an OPM official on 15 October 2018 in Kampala.

*Cover image: "Evening scene in Bidi Bidi refugee camp in northern Uganda", by Trocaire, licensed under CC BY 2.0.*

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## Introduction

The recent influx of South Sudanese refugees into Uganda has reignited debate about the country's refugee policy and, with it, discussions on the extent to which the "Ugandan model" can be implemented in other countries in Africa and around the world. Given the growing numbers of refugees globally, and the momentum surrounding the global compact on refugees and the Comprehensive Refugee Response Framework (CRRF), these are vital discussions.

Relative to many other countries across the globe, not least economically richer parts of the world, Uganda's willingness to host hundreds of thousands of refugees stands out as a positive example. While Europe and the US try ever more creative ways to create barriers to refugees reaching their territories, Uganda's open borders approach puts many other states to shame. Furthermore, the government has taken significant steps to allow for greater freedom of movement and access to work for refugees, again going against the global grain. The positive aspects of Uganda's approach, therefore, should unequivocally be applauded.

However, there is another side to this story. With so few success stories in the context of global displacement there has been a tendency to idealise Uganda's refugee response. In particular, debates around the benefits of Uganda's migration management and asylum policies have tended to remain somewhat blind to the multiple complexities associated with their implementation, the political context in which these policies are pursued, and the historical trajectories that fomented their creation. In order for the Ugandan "model" to reach its full potential, this other side needs to be understood. In response, this paper situates Uganda's current refugee policy in its historical and political context. It does this in order to promote a stronger and more constructive discussion about the qualities and durability of the current trajectory of refugee policy within Uganda.

Solidarity with refugees from neighbouring countries notwithstanding, Uganda's progressive refugee policies have been shaped and adopted as part of a broader strategy of engagement with the international community that has sought to boost Uganda's reputation and guarantee that its government has access to much needed external development and humanitarian aid. Moreover, the country's position as a showcase of progressive refugee policies has also given it considerable leverage in deciding how to implement these policies and what to focus on. The consequence of these dynamics, this paper shows, is that generations of supposedly transformative policies have only entrenched the settlement model and reinforced the idea that repatriation is the only viable durable solution. They have focused on enhancing the integration of refugee services into the national system – or arguably vice versa: enhancing the integration of nationals into the refugee service delivery system – while blocking the integration of the refugees themselves.

**The intention of this paper is not to belittle the progress made by Uganda but to ensure that there is a robust critique of it that makes it much better.**

The intention of this paper, therefore, is not to belittle the progress made by Uganda but to ensure that there is a robust critique of it that enables it to become much better. It argues for a debate over what is and is not working in the Ugandan context based on a strong evidence-base and for a discussion on durable solutions that is done within the context of genuine responsibility sharing. The paper begins with a brief history of displacement and refugee policy in Uganda, before looking at ways in which this evolving policy environment has interacted with national and international political realities. It then places the roll-out of the CRRF within this broader context and considers some of the implications of the current approach for refugees and host communities. Finally, the paper concludes with some broad recommendations.

## A brief history of displacement and refugee policy in Uganda

Uganda has a long history of both hosting and generating refugees. Mass movements, whether forced or otherwise, have long been a phenomenon in the borderlands of Uganda. In the case of the border between Uganda's West Nile and southern Sudan, this movement was only officially restricted and termed "cross-border" following the establishment of the boundary in 1914 by the British Secretary of State for the Colonies.<sup>1</sup> Since then, civil conflicts both in Uganda and Sudan have continued to create forced migratory movement in addition to ongoing migration for trade and other purposes.

The 1955 Control of Refugees from the Sudan Ordinance (the Ordinance) was enacted when refugees began fleeing southern Sudan into Uganda, before either country achieved their independence. The Ordinance was followed by the post-independence Control of Alien Refugees Act (CARA) in 1960,<sup>2</sup> which represented a restrictive approach to addressing forced displacement that was "based on control rather than protection," and therefore granted the authorities "wide discretionary power."<sup>3</sup> When tens of thousands of Rwandan refugees entered the country in the early 1960s, they were increasingly confined to designated camps, a policy that was primarily aimed at "neutralising their political intentions" and sought to prioritise "economic development and self-sufficiency rather than political citizenship."<sup>4</sup> Meanwhile, the growing numbers of Sudanese refugees fleeing the escalating violence in southern Sudan were also confined to camps in northern Uganda. This influx was temporarily halted by the Addis Ababa Peace Agreement signed in 1972.

The trajectory of displacement was then reversed as events in Uganda following the seizure of power by Idi Amin in 1971 led Ugandans to flee into southern Sudan, many to escape reprisals for their association with the prior regime. A similar pattern was repeated after Amin's ouster. By the mid-1980s, seven percent of Uganda's population was displaced,<sup>5</sup> with some 200,000 Ugandan refugees in southern Sudan and tens of thousands more internally displaced.<sup>6</sup> Ugandan refugees eventually returned to northern Uganda in the late 1980s as the fighting in southern Sudan once again intensified and their security was threatened.<sup>7</sup> Their return was soon followed by another influx of refugees fleeing renewed fighting in Sudan.

Meanwhile, in 1976 Uganda ratified the 1951 Refugee Convention and its 1967 Protocol but with several reservations; and in 1987 ratified the 1969 OAU Convention on Refugees. Some of the provisions in the CARA, such as the tight restrictions on refugees' freedom of movement, contradicted Uganda's obligations under these conventions. In practice, however, the CARA was not fully implemented: the government applied it "mostly to situations of mass influx," but

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<sup>1</sup> D. H. Johnson, *When Boundaries Become Borders: The Impact of Boundary-Making in Southern Sudan's Frontier Zones*, London; Nairobi, Rift Valley Institute, 2010, p. 102.

<sup>2</sup> Uganda: Control of Alien Refugees Act, Cap. 64 of 1960, 13 July 1960, available at: <http://www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=544e48d84> (accessed on: 28 April 2018).

<sup>3</sup> C. Mwalimu, "The Legal Framework on Admission and Resettlement of African Refugees with an Emphasis on Kenya, Tanzania, and Uganda," *Emory International Law Review*, 18: 455-491, 2004, 464.

<sup>4</sup> K. Long, "Rwanda's First Refugees: Tutsi Exile and International Response 1959-64," *Journal of Eastern African Studies*, 6 (2): 220-21, 2012.

<sup>5</sup> Z. Lomo, A. Naggaga and L. Hovil, "The Phenomenon of Forced Migration in Uganda: An Overview of Policy and Practice in an Historical Context," Refugee Law Project Working Paper No. 1, June 2001, available at: <http://repository.forcedmigration.org/pdf/?pid=fmo:5898> (accessed on 18 August 2018), p.4.

<sup>6</sup> T. Allen, "A Flight from Refuge: The Return of Refugees from southern Sudan to northwest Uganda in the late 1980s" in Allen T. (ed.), *In Search of Cool Ground: War, Flight and Homecoming in the Northeast Africa*, London: James Currey, 1996, p.226-8.

<sup>7</sup> The extent to which refugees were pushed back to Uganda is outlined in B. E. Harrell-Bond, *Imposing Aid: Emergency Assistance to Refugees*, Oxford: Oxford University Press, 1986.



implemented “practices in respect of individual refugees that were at least partly informed by Uganda’s regional and international obligations.”<sup>8</sup>

In 1986, Yoweri Museveni and the National Resistance Movement (NRM) came to power, but internal and external conflict continued. Multiple groups have taken up arms against the government since 1986, most notoriously Joseph Kony’s Lord’s Resistance Army (LRA), which held the population of northern Uganda to ransom for over 19 years.<sup>9</sup> At the same time, ongoing conflict in Sudan created a steady flow of refugees to Uganda. The Ugandan government’s support for the Sudan People’s Liberation Army (SPLA), alongside the government of Sudan’s support for the LRA, linked and further entrenched these two conflicts.<sup>10</sup> As a result, Uganda continued to see multiple waves of displacement within and across its borders.

Transnational conflict and displacement likewise amalgamated in Uganda’s south-western borderlands. Thousands of Rwandan refugees joined Museveni’s National Resistance Army (NRA) during the 1980s, later turning their attention back to Rwanda. A civil war broke out in Rwanda in 1990, and the Rwandan Patriotic Front (RPF) – which was formed in Uganda and led by now President Paul Kagame – invaded Rwanda from Uganda. The genocide in 1994 once more resulted in mass displacement into Uganda and neighbouring countries. By September 2000, there were in total an estimated 640,000 internally displaced persons and 202,000 registered refugees in Uganda.<sup>11</sup>

In 1999, UNHCR and the government of Uganda started implementing a Self-Reliance Strategy (SRS) for refugees. The SRS was part of a global approach that had been promoted by UNHCR since the early 1980s, known as the refugee aid and development approach (RAD).<sup>12</sup> The policy’s core idea was to transform refugees from being a “burden” or mere “beneficiaries” of humanitarian aid, into agents of development. The SRS was intended to complement the Ugandan Poverty Eradication Action Plan, designed to eradicate mass poverty in Uganda by 2017.<sup>13</sup>

In theory, the SRS sought to integrate services provided to refugees into existing public service structures and make refugee settlements self-reliant by allocating land to refugees and allowing them free access to government health and education services. The SRS was intended to “empower refugees and nationals in the area to the extent that they will be able to support themselves; and to establish mechanisms that will ensure integration of services for the refugees with those of the nationals.”<sup>14</sup> In other words, it was intended to benefit both refugees and host communities.

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<sup>8</sup> M. Sharpe and S. Namusobya, “Refugee Status Determination and the Rights of Recognized Refugees Under Uganda’s Refugees Act 2006,” *International Journal of Refugee Law* 24 (3): 2012, p. 565. (hereafter: Sharpe and Namusobya 2012)

<sup>9</sup> See, *The Amnesty Commission Report 2000 – 2003* (on file with one of the authors).

<sup>10</sup> L. Hovil, “Refugees and the security situation in Adjumani district, Uganda,” Refugee Law Project Working Paper No. 2, June 2001, available at: [https://www.refugeelawproject.org/files/working\\_papers/RLP.WP02.pdf](https://www.refugeelawproject.org/files/working_papers/RLP.WP02.pdf) (accessed on: 5 June 2018).

<sup>11</sup> UNOCHA, Consolidated Inter-Agency Appeal for Uganda, 2001, available at: <https://reliefweb.int/appeals/2001/uga01.pdf> (accessed on: 28 April 2018).

<sup>12</sup> S. Meyer, “The ‘refugee aid and development’ approach in Uganda: empowerment and self-reliance of refugees in practice,” UNHCR Research Paper No. 131, October 2006, available at: <http://www.unhcr.org/uk/research/working/4538eb172/refugee-aid-development-approach-uganda-empowerment-self-reliance-refugees.html> (accessed on: 17 May 2018).

<sup>13</sup> S. Dryden-Peterson and L. Hovil, *Local Integration as a Durable Solution: Refugees, Host Populations and Education in Uganda*, UNHCR, 2003, p. 18.

<sup>14</sup> Government of Uganda and UNHCR, “Self-Reliance Strategy (1999-2003) For Refugee Hosting Areas in Moyo, Arua and Adjumani Districts, Uganda, Report of the Mid-term Review,” April 2004, available at: <http://www.unhcr.org/protection/operations/41c6a4fc4/self-reliance-strategy-1999-2003-refugee-hosting-areas-moyo-arua-adjumani.html> (accessed on: 18 August 2018).

In practice, the SRS attempted to achieve all of this while maintaining refugees in camps, now re-hatted as “local settlements”. Refugees in settlements were granted small plots of land and, in the beginning, food. However, rations were decreased annually, and refugees were expected to have become “self-reliant” within four years, by which time, as the logic went, they would no longer need to receive aid. However, research in the early 2000s showed that the implementation of the policy was deeply problematic: as was soon evident, the concept of self-reliance without freedom of movement (including access to markets) was anathema. It gave the international community an excuse to reduce aid, but left refugees in conditions of terrible poverty. For example, research by the Refugee Law Project at Makerere University on the situation of Sudanese refugees living in Arua District in Northern Uganda concluded:

[M]aterial accessibility is severely limited for most of the refugees we spoke with. There is limited and insecure access to money for basic needs; food is scarce, uncertain, and not usually well balanced. Health care is available, although the follow-up prescription drugs are often unavailable or unaffordable. Moreover, the land and climatic conditions for the refugees in the settlements are inadequate to produce crops sufficient to meet the families’ needs. Education at the primary level seems satisfactory and well attended, but for refugee children to be able to advance to secondary level, substantial creativity and sacrifice on the part of individuals or families was required.<sup>15</sup>

There was also minimal benefit for host communities, who acted as first line humanitarians yet were constantly disempowered: with assistance focused entirely on creating and maintaining large camps, there was no support for many of the communities who offered support to refugees.<sup>16</sup>

Instead, many refugees voted with their feet against this system and “self-settled” in urban and peri-urban areas within Uganda.<sup>17</sup> They negotiated their own forms of local belonging with local government actors and communities, for example by paying local taxes, and remained largely “invisible” within the national political context. Officials at the local level often recognised the benefits that refugees brought. However, at a national level, their situation remained precarious.<sup>18</sup> In practice, the government and UNHCR had effectively redefined a “refugee” as someone receiving assistance and living in a camp, which was in direct contradiction to both the 1951 Convention and the 1969 OAU Convention.<sup>19</sup>

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In 2003, the SRS policy transitioned into the Development Assistance for Refugee-Hosting Areas (DAR) policy. The DAR was an upgraded version of the SRS that sought to achieve similar objectives while avoiding the pitfalls of its predecessor, primarily by enhancing the capacity of local stakeholders.<sup>20</sup> It did not change the precarious situation and ambiguous legal status of

<sup>15</sup> L. Hovil and E. Werker, “Refugees in Arua District: A Human Security Analysis,” Refugee Law Project Working Paper No. 3, 2001, available at: [https://www.refugeelawproject.org/files/working\\_papers/RLP.WP03.pdf](https://www.refugeelawproject.org/files/working_papers/RLP.WP03.pdf) (accessed on: 21 June 2018). See also other reports of the Refugee Law Project Working Paper series.

<sup>16</sup> L. Hovil, “Self-Settled Refugees in Uganda: An Alternative Approach to Displacement,” *Journal of Refugee Studies* 20, (4): 599–620, December 2007.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid. See also: K. Huff and R. Kalyango, “Refugees in the city: Status determination, resettlement and the changing nature of forced migration in Uganda,” Refugee Law Project Working Paper No. 6, July 2002, available at: [https://refugeelawproject.org/files/working\\_papers/RLP.WP06.pdf](https://refugeelawproject.org/files/working_papers/RLP.WP06.pdf) (accessed on: 5 June 2018).

<sup>19</sup> Ibid.

<sup>20</sup> The pitfalls of the SRS, as UNHCR summarised them, were “poor engagement of development partners, limited integration into national development plans and district planning and budgeting systems, weak local capacity and poor connections with UNHCR country programme.” See UNHCR, “Handbook for Planning and Implementing

those refugees who had opted to live in urban areas: they remained with little assistance and largely outside the scope of Uganda's formal refugee policies.<sup>21</sup> Furthermore, without freedom to move, any development potential was largely lost.

Meanwhile, the government began the process of enacting new legislation to replace the CARA. First tabled in 1998, the new Refugee Act was eventually passed in 2006 and entered into force in 2008. The complementing Refugee Regulations were introduced in 2010. Positively, the 2006 act introduced refugee definitions based on the 1951 UN and 1969 OAU Conventions, new administrative structures to deal with refugees in Uganda, and clear refugee status determination (RSD) procedures.<sup>22</sup> While in practice little changed on the ground at this point, inasmuch as humanitarian assistance continued to be targeted at the refugee camps with only minimal assistance, if any, provided to urban-based refugees, on paper the new legislation was more progressive and rights-respecting than the outdated CARA. At the very least, at a policy level it opened the door to freedom of movement and the right to work for refugees, even if conditions conspired against the realisation of these more progressive policies in practice.

In some respects, however, implementation of changes that were possible as a result of the new law became less of a focus with a major repatriation process to Sudan underway for the largest group of refugees in Uganda, an ongoing push for the cessation of refugee status for Rwandan refugees and the accompanying pressure on Rwandan refugees to return,<sup>23</sup> and a degree of optimism that the situation in both Burundi and DRC was stabilising. By 2009, Uganda's refugee population had reduced to less than 140,000 and its massive population of Internally Displaced Persons (IDPs) was also steadily decreasing as a result of reduced displacement from the war in northern Uganda.<sup>24</sup> At this point, refugee policy and its implementation were low down on national and international agendas and scarce attention was paid to the significant number of people for whom return was not viable at that point.

In 2013, war broke out once more in what was now the new state of South Sudan. Since then, one million refugees have fled to Uganda from South Sudan alone, bringing its total population (including arrivals of refugees from eastern DRC and Burundi) to almost 1,400,000 by the end of 2017.<sup>25</sup> The primary response to this influx remains the refugee settlement.<sup>26</sup>

## Uganda's refugee policies in national and international context

Uganda's refugee policies cannot be seen in isolation to national and international politics, which have fed off each other. They were shaped alongside a broader national political agenda in which the Ugandan government was pursuing other policies aimed at improving its international

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Development Assistance for Refugees (DAR) Programmes," January 2005, <http://www.refworld.org/pdfid/428076704.pdf> (accessed on: 17 May 2018), p.25.

<sup>21</sup> J. Bernstein, "A Drop in the Ocean: Assistance and Protection For Forced Migrants In Kampala," Refugee Law Project Working Paper no. 16, May 2005, available at:

[https://www.refugeelawproject.org/files/working\\_papers/RLP.WP16.pdf](https://www.refugeelawproject.org/files/working_papers/RLP.WP16.pdf) (accessed on: 5 June 2018).

<sup>22</sup> Refugee Law Project, "Critique of the Refugee Act (2006)," 2006, available at:

[http://citizenshiprightsafrika.org/wp-content/uploads/2016/02/Uganda\\_RefugeesActRLPCritique.pdf](http://citizenshiprightsafrika.org/wp-content/uploads/2016/02/Uganda_RefugeesActRLPCritique.pdf) (accessed 28 April 2018); Sharpe and Namusobya, 2012.

<sup>23</sup> International Refugee Rights Initiative (IRRI) and Refugee Law Project (RLP), "A Dangerous Impasse: Rwandan Refugees in Uganda, June 2010, Citizenship and Displacement in the Great Lakes Region," Working Paper 4, June 2010, available at: <http://www.refworld.org/docid/53b3dd188.html> (accessed on: 28 April 2018).

<sup>24</sup> UNHCR, "UNHCR Statistical Yearbook 2009," available at: <http://www.unhcr.org/4ce5327f9.html> (accessed on: 28 April 2018).

<sup>25</sup> UNHCR Uganda, "Statistical summary as of 31 December 2017," available at: <https://ugandarefugees.org/wp-content/uploads/December-2017-Statistics-Package.pdf> (accessed on: 28 April 2018).

<sup>26</sup> IRRI, "South Sudanese refugees in Adjumani District, Uganda: Telling a new story?," July 2015, available at: <http://refugee-rights.org/south-sudanese-refugees-in-adjumani-district-uganda-telling-a-new-story-2/> (accessed on: 21 June 2018).

standing and gaining access to foreign political support and aid. Thus, in the past two decades as Uganda has consolidated its position as a strategic ally of the West not only in the “War on Terror” and in fostering peace and security through its participation in African peace operations,<sup>27</sup> but also in promoting international justice, its government became increasingly repressive in its domestic policies.<sup>28</sup> As a result of their geostrategic interest in maintaining a good relationship with Kampala, international actors have turned a blind eye. Refugee and IDP policies were part of this process.

In the years following the NRM’s rise to power and as the Cold War ended, the Ugandan leadership gave up on its earlier socialist rhetoric, adopting a World Bank Economic Recovery Programme. Western governments slowly increased their aid to the country, and it became “a potential ‘showcase’ for largely discredited neoliberal donor prescriptions.”<sup>29</sup> In 2003, Uganda also officially agreed to restore the multi-party system, a process that was formally completed in 2005 and paradoxically only strengthened the NRM’s and Museveni’s hold on power.<sup>30</sup> After 9/11, Uganda began to label local armed groups – most notably the LRA and the Allied Democratic Forces (ADF) – as “terrorists” and lobbied for them to be included in the US Terrorist Exclusion List. In 2007 it was the first country to contribute troops to the African Union Mission in Somalia (AMISOM), a move that has been described as an attempt to boost Museveni’s position as a regional leader and enhance Uganda’s relationship with the US.<sup>31</sup>

In 2004, Uganda referred the situation on its territory concerning the LRA to the International Criminal Court (ICC). The decision to refer the situation to the ICC came at the height of the war when the “fall-out from ‘Operation Iron Fist’ – the government’s military drive against the LRA that began in 2002, and incorporated operations in southern Sudan following the thawing of relations between Khartoum and Kampala – had only served to exacerbate the conflict.”<sup>32</sup> The war had spread further east and led to internal displacement numbers reaching approximately 1.8 million.<sup>33</sup> The ICC investigation and consequent arrest warrants against Kony and four other LRA commanders not only justified a growth in Uganda’s defence budgets,<sup>34</sup> but also ensured that Uganda controlled a narrative that international actors were more than willing to accept – namely, that the LRA was a terrorist organisation that could only be defeated militarily.<sup>35</sup> By implication, this also shielded the government from accountability for its own alleged human rights violations in northern Uganda and eastern DRC.

At the same time as effectively creating wide-scale internal displacement across northern Uganda by forcing much of the rural population of the north into “protected villages” as part of its counter-insurgency campaign, in 2004 the government adopted a National Policy on Internally Displaced Persons, which built on recommendations made by the then UN representative on IDPs, Francis

<sup>27</sup> IRRI, “‘They Say They’re Not Here to Protect Us’: Civilian perspectives on the African Union mission in Somalia,” May 2017, available at: <http://refugee-rights.org/they-say-theyre-not-here-to-protect-us-civilian-perspectives-on-the-african-union-mission-in-somalia/> (accessed on: 21 June 2018).

<sup>28</sup> D. Anderson and J. Fisher, “Authoritarianism and the securitization of development in Uganda,” in T. Hagmann and F. Reyntjens (eds.), *Aid and Authoritarianism in Africa: Development Without Democracy*, London: Zed Books, 2016, p. 67-90.

<sup>29</sup> Ibid, 72.

<sup>30</sup> S. Makara, L. Rakner, and L. Svåsand, “Turnaround: The National Resistance Movement and the Reintroduction of a Multiparty System in Uganda,” *International Political Science Review* 30 (2): 185-204, 2009.

<sup>31</sup> P. D. Williams, “Joining AMISOM: why six African states contributed troops to the African Union Mission in Somalia,” *Journal of Eastern African Studies* 12 (1), 2018, p. 174-176.

<sup>32</sup> Lucy Hovil, “Challenging International Justice: The Initial Years of the International Criminal Court’s Intervention in Uganda,” *International Journal of Security and Development*, March 2013, available at: <https://www.stabilityjournal.org/articles/10.5334/sta.ar/> (accessed on: 3 May 2018).

<sup>33</sup> Ibid.

<sup>34</sup> On the political benefits for the Ugandan government in increasing the defence budget, see: A. de Waal, *The Real Politics of the Horn of Africa: Money, War and the Business of Power*, Cambridge: Polity, 2015, p. 179.

<sup>35</sup> S. Nouwen and W. Werner, “Doing Justice to the Political: The International Criminal Court in Uganda and Sudan,” *European Journal of International Law* 21 (4), 2010.



M. Deng. As with the SRS, the benefits of this new policy were not felt on the ground: protection remained perilous, humanitarian access was minimal, and government commitment, as evidenced by a deficit in resources and lack of government participation in committees mandated by the policy, was weak.<sup>36</sup>

Yet despite this reality, in the following years, Uganda positioned itself as one of the leading forces in promoting the adoption of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (also known as the Kampala Convention). The convention was adopted (in Kampala) in 2009, and Uganda was the first country to ratify it. Again, international actors were happy to laud this as a success, despite minimal evidence of a plan to implement the convention. By then, the LRA had been dislodged from northern Uganda and many IDPs were starting to return to their homes – or at least, they were no longer trapped in IDP camps. Meanwhile, even the rhetorical momentum surrounding the Kampala Convention had been lost. A decade after its adoption, it is yet to be “systematically and comprehensively translated into practice” anywhere in Africa.<sup>37</sup>

A similar logic applied to the government’s use of the SRS policy. The 1990s saw a dramatic rise in the number of people displaced globally. Several large-scale emergencies, starting with the 1991 Gulf war and the crisis in Somalia and followed by emergencies in the Balkans and Africa’s Great Lakes region, meant that by 1994, in the aftermath of the Rwandan genocide, some 27.4 million were displaced globally.<sup>38</sup> These developments, coupled with the fact that a growing number of refugees from the global south began to seek asylum in the West, led to the emergence of new approaches to migration management and refugee protection. Soon the international agenda was driven by an ever-growing pressure to outsource refugee protection responsibilities to regions of origin in order to contain displacement crises in these regions, and by a new focus on voluntary repatriation, which came to be viewed as the ideal solution to the problem of international displacement.<sup>39</sup>



Kyangwali Refugee Settlement, Uganda 2017  
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The DAR agenda was part of this process, driven by the international community’s aspiration to address large-scale refugee crises while also preventing the secondary movement of refugees from their first countries of asylum to Western countries.<sup>40</sup> The Ugandan SRS policy tapped into international momentum surrounding these initiatives, thereby improving Uganda’s reputation internationally as the champion of refugee rights, while also strengthening its government by guaranteeing that high-level political actors had access to external funds. For instance, it brought revenue into certain areas over which local leaders had some control, and additional spending

<sup>36</sup> L. Hovil and M. Okello, “Only Peace Can Restore the Confidence of the Displaced,” Internal Displacement Monitoring Centre, Refugee Law Project, October 2006, available at:

<https://reliefweb.int/sites/reliefweb.int/files/resources/35090DBE5D00EAC98525721000649188-idmc-uga-31oct.pdf> (accessed on: 28 April 2018).

<sup>37</sup> ICRC, “Translating the Kampala Convention into Practice,” February 2017, available at: <https://www.icrc.org/en/publication/4287-translating-kampala-convention-practice> (accessed on: 28 April 2018), p. 9.

<sup>38</sup> UNHCR, Statistical Overview 1994, figure 1, available at: <http://www.unhcr.org/3bfa33154.html> (accessed on: 28 April 2018).

<sup>39</sup> B. S. Chimni, “The Geopolitics of Refugee Studies: A View from the South,” *Journal of Refugee Studies*, 11(4), 1998.

<sup>40</sup> Convention Plus Core Group on Addressing Irregular Secondary Movements of Refugees and Asylum Seekers, “Joint Statement by the Co-Chairs,” 8 November 2005, available at: <http://www.refworld.org/pdfid/46b6ee6a2.pdf> (accessed on: 28 April 2018).

power of international staff which boosted local economies. By 2005, Uganda was celebrated as a model for the implementation of the DAR initiative, attracting the attention of the UN and donor governments.<sup>41</sup>

Meanwhile, however, the Ugandan position as a showcase of progressive refugee policy gave it considerable leverage in the *de facto* implementation of the SRS, as international actors were now invested in guaranteeing that the policy framework it came up with was, at least on paper, adopted. In other words, the existence of the policy was valued over its implementation, and as Kaiser has argued, the Ugandan leadership was able to use the SRS policy “instrumentally to advance the government’s wider goals, at the expense of the refugees’ priorities and of protection of their rights”:

First, it offers an opportunity to strengthen political links between the NRM and the people of West Nile, the latter having only recently come into the fold of Ugandan politics with the disbanding of their own insurgent movements and the inclusion of their representative, Moses Ali, at a senior level in the cabinet. Second, it allows the state to assert and possibly extend its control over this remote border area; to “harden” its presence there’. This is important both for its own sake and for the strong image it allows the president to project nation-wide. Relocating the refugees to West Nile is clear evidence of his capacity to do so, and this speaks to his wider claims of control over the conflict-affected north more generally.<sup>42</sup>

Ultimately, then, the SRS policy not only guaranteed access to international aid but, by implication, also allowed the government to extend its networks of patronage into politically and economically marginalised areas of the country by allocating resources to them. Whether or not the resources reached the citizens of these constituencies – which remain until today among the most marginalised areas of the country – is another question. Moreover, against the background of the Ugandan focus on settlements under the SRS, and the international celebration of the policy, officials were able to claim that the country did not need an urban refugee policy or an Alternatives to Camps policy, because it did not have refugee camps at all.

## The CRRF

In July 2016, South Sudan’s fragile peace agreement, signed less than a year earlier in Addis Ababa, collapsed. Fighting once more broke out in the capital, Juba, spreading into other areas in the country’s south, and sending hundreds of thousands of refugees into Uganda. By July 2016, Uganda had received some 200,000 South Sudanese refugees – a significant number by any standards. By August 2017, the figure had skyrocketed, and Uganda hosted around one million South Sudanese refugees.<sup>43</sup>

The crisis in Uganda took place shortly after the extraordinary scale and speed of displacement from the conflict in Syria had altered the international environment. With the arrival of over one million refugees into Europe during 2015,<sup>44</sup> a global crisis that had been incubating for years was suddenly made visible. It also unsettled the notion that emergencies can be largely contained

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<sup>41</sup> UNHCR, High Commissioner’s Forum, “Progress Report: Convention Plus,” 8 November 2005, available at: <http://www.unhcr.org/uk/protection/convention/4371c24c2/progress-report-convention-plus-forum20056.html> (accessed on: 28 April 2018).

<sup>42</sup> T. Kaiser, “Participating in Development? Refugee Protection, Politics and Developmental Approaches to Refugee Management in Uganda,” *Third World Quarterly* 26 (2), 2005, p. 363-4.

<sup>43</sup> Based on UNHCR statistics as presented at: <https://data2.unhcr.org/en/situations/southsudan/location/1925> (accessed on: 28 April 2018).

<sup>44</sup> UNHCR, “Over one million sea arrivals reach Europe in 2015,” 30 December 2015, available at: [www.unhcr.org/afr/news/latest/2015/12/5683d0b56/million-sea-arrivals-reach-europe-2015.html](http://www.unhcr.org/afr/news/latest/2015/12/5683d0b56/million-sea-arrivals-reach-europe-2015.html) (accessed on: 28 April 2018).

within a region (which, to a certain extent, they still are). The result was to baton down Europe's hatches even tighter to ensure that refugees stay in first countries of asylum or, at the very least, outside of Europe.<sup>45</sup> Partly out of recognition of the scale of displacement, and partly driven by the political impulse to be seen to be doing something, one tangible outcome was the momentum that led to the New York Declaration for Refugees and Migrants (the NY Declaration), adopted by the UN General Assembly in September 2016.

UNHCR praised the NY Declaration as “a milestone for global solidarity and refugee protection.”<sup>46</sup> There was little that was new: through the NY Declaration, states merely reaffirmed their commitment to protect the rights of refugees and other migrants in accordance with the existing norms of international law, acknowledged “a shared responsibility to manage large movements of refugees and migrants in a humane, sensitive, compassionate and people-centred manner,” and committed “to a more equitable sharing of the burden and responsibility for hosting and supporting the world's refugees...”<sup>47</sup> Although UNHCR may have seen the re-commitment to international principles as a win in the global context of eroding respect for those protections, in legal terms the NY Declaration's main contribution to the existing framework of international refugee and human rights law was the recognition it affords to the importance of responsibility sharing among states in the context of hosting refugees.

To promote the goals of the NY Declaration, states also committed to implementing a “comprehensive refugee response framework”. The four objectives of the CRRF, as articulated in the NY Declaration, were “to ease pressures on the host countries involved, to enhance refugee self-reliance, to expand access to third-country solutions and to support conditions in countries of origin for return in safety and dignity.”<sup>48</sup> UNHCR was called upon to apply the CRRF in selected situations with the involvement of various stakeholders. In Africa, seven countries agreed: Djibouti, Ethiopia, Kenya, Uganda, Tanzania, Somalia, and Zambia. Tanzania has recently announced its decision to pull out of the process, “for reasons of security and lack of funds,”<sup>49</sup> while Rwanda has announced its intention to join.<sup>50</sup>

The arrival of hundreds of thousands of refugees from South Sudan into Uganda, therefore, took place in a context in which the Ugandan government was willing to grasp the opportunity to further solidify its leadership in refugee response and its position as a reliable partner of the international community, and the international community had created a policy structure in which this could take place. A Ugandan Steering Group and a “multi-stakeholder Secretariat” were established to support the application of the CRRF locally, and it was decided through multiple discussions and consultations that the implementation of the CRRF would focus on “five mutually reinforcing pillars”, namely, “admission and rights, emergency response and ongoing needs,

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<sup>45</sup> IRRI and SOAS, “Tackling the root causes of human trafficking and smuggling from Eritrea: The need for an empirically grounded EU policy on mixed migration in the Horn of Africa,” November 2017, available at: <http://refugee-rights.org/wp-content/uploads/2017/11/IRRI-KP-final.pdf> (accessed on: 28 April 2018).

<sup>46</sup> UNHCR, “Bringing the New York Declaration to Life: Applying the Comprehensive Refugee Response Framework (CRRF),” January 2018, available at: <http://www.unhcr.org/593e5ce27> (accessed on: 28 April 2018).

<sup>47</sup> UN General Assembly, “New York Declaration for Refugees and Migrants,” 3 October 2016, A/RES/71/1, available at: <http://www.refworld.org/docid/57ceb74a4.html> (accessed on: 28 April 2018), para. 11 and 68, (hereafter: New York Declaration).

<sup>48</sup> New York Declaration, Annex I, para. 18. See also: R. Hansen, “The Comprehensive Refugee Response Framework: A Commentary,” *Journal of Refugee Studies*, 2018.

<sup>49</sup> New Vision, “Tanzania withdraws from UN refugee programme,” 10 February 2018, available at: [https://www.newvision.co.ug/new\\_vision/news/1470880/tanzania-withdraws-refugee-programme](https://www.newvision.co.ug/new_vision/news/1470880/tanzania-withdraws-refugee-programme) (accessed on: 28 April 2018).

<sup>50</sup> UNHCR, “Rwanda becomes official CRRF roll-out country,” 14 February 2018, available at: [http://www.globalcrf.org/crrf\\_highlight/rwanda-becomes-official-crrf-roll-out-country/](http://www.globalcrf.org/crrf_highlight/rwanda-becomes-official-crrf-roll-out-country/) (accessed on: 18 August 2018).

resilience and self-reliance, expanded solutions and voluntary repatriation.”<sup>51</sup> A CRRF Roadmap was adopted in January 2018.<sup>52</sup>

Implementation of the CRRF in Uganda is supported by the government’s Refugee and Host Population Empowerment Strategy (ReHoPE) – a “transformative strategy” that is meant to “bring together a wide range of stakeholders in a harmonised and cohesive manner to ensure more effective programming.” ReHoPE, in turn, supports the integration of refugees into Uganda’s National Development Plan II, which is done through the Settlement Transformation Agenda (STA). The STA is supported by a loan from the World Bank targeted at Uganda’s refugee-hosting northern districts. From the side of the World Bank, support for the STA is part of a broader lending programme – the Development Response to Displacement Impacts Project in the Horn of Africa (DRDIP).<sup>53</sup>

Crucially, through this bricolage of policy frameworks – all designed by the government of Uganda in cooperation with international actors, and all reflecting a top-down approach – the refugee settlement is incorporated into Uganda’s development agenda.

## Implications for refugees and communities hosting refugees in Uganda

While political expediency as a driving force for positive change is not necessarily bad inasmuch as there is significant scope to leverage that goodwill, it is important that motivation is sufficiently understood. It has implications not only for the immediate and longer-term situation facing refugees and communities hosting refugees, but also for the replicability of Uganda’s “model” elsewhere. This section looks at some of the main pitfalls that come with the dynamics described earlier.

**While political expediency as a driving force for positive change is not necessarily bad inasmuch as there is significant scope to leverage that goodwill, it is important that motivation is sufficiently understood.**

First, there is a danger that the promotion of progressive refugee policies ends up being mainly a rhetorical exercise and, therefore, the policies are in effect no more than window dressing. This is doubly problematic: not only does it mean that they fail to deliver, but they create a smoke-screen that squeezes out meaningful discussion and debate on robust alternatives. In other words, while new policy frameworks (such as the ones now pursued under the CRRF in Uganda) are presented as transformative solutions to existing problems, in reality they do not question or uproot the grounded interests that have facilitated the expansion of refugee policies to date and need to be addressed.

In addition, the formal adoption of new internationally-backed policies all too easily involves a considerable amount of procedural labour at the high levels of government but is primarily geared towards maintaining the existing state of affairs on the ground in the refugee-hosting districts rather than introducing any changes to it. The risk is not only that seemingly progressive policies only sustain the existing situation but that just like the older refugee policies they are supposed to improve or “transform”, they are underlined by problematic objectives that in

<sup>51</sup> UNHCR, “Comprehensive Refugee Response Framework UGANDA,” May 2017, available at: <https://data2.unhcr.org/en/documents/download/63267> (accessed on: 28 August 2018).

<sup>52</sup> UNHCR, “Global Update on the Comprehensive Refugee Response Framework,” January 2018, available at: [www.unhcr.org/5a854c8d7](http://www.unhcr.org/5a854c8d7) (accessed on: 28 April 2018).

<sup>53</sup> “ReHoPE – Refugee and Host Population Empowerment Strategy: Strategic Framework – Uganda,” June 2017, available at: [https://reliefweb.int/sites/reliefweb.int/files/resources/ReHoPE\\_Strategy%20Brochure%202017.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/ReHoPE_Strategy%20Brochure%202017.pdf) (accessed 20 August 2018).



practice curtail refugees' access to protection, rights and durable solutions. The SRS, for instance, justified an ongoing focus on settlements, which legally and practically restrict refugees' freedom of movement. The 2006 Refugee Act arguably sought to amend this legally, but the practice of settlement-based aid provision kept the practical restriction in place and, unfortunately, the CRRF has not reversed this trend.

Thus, refugees in urban areas in Uganda – including South Sudanese, Somalis, Eritreans, Congolese and Burundians – continue to be largely excluded from any support beyond a legal status, and sometimes cannot access even that.<sup>54</sup> Once more, therefore, refugees are effectively being defined as those who live in designated settlements. It is no surprise that UNHCR's 2009 policy on refugees in urban areas, and even more so its 2014 Alternatives to Camps policy, never attracted the same levels of attention and enthusiasm that settlement/camp-focused policies did, in Uganda as elsewhere. Overall, and not only in Uganda, exclusion remains "the default position for those who have been exiled from their state."<sup>55</sup>

Moreover, amidst the growing focus on access to services and self-reliance, the idea of local integration and access to citizenship as a durable solution to the condition of protracted forced displacement has been virtually abandoned. In Uganda, the CRRF pillar of "expanded solutions" specifically refers to solutions in third countries (that is, resettlement), a durable solution that the Ugandan government can do little to promote and one that is so rarely available to refugees that no one seriously considers it to be a viable solution for any meaningful number of them.<sup>56</sup> Resettlement opportunities are remarkably limited globally, but even more so in Uganda. And Uganda has no control over these numbers. Refugees are aware of this, of course, and there has been a minor yet notable trend among South Sudanese refugees in recent years to leave Uganda for Egypt, as many believe that they are more likely to be resettled from there. Some Eritreans and Somalis have also been leaving Uganda via South Sudan and Sudan for Europe.<sup>57</sup> It begs the question as to how the system can function if one of the three pillars is so blatantly disrespected.

**Amidst the growing focus on access to services and self-reliance, the idea of local integration and access to citizenship as a durable solution to the condition of protracted forced displacement has been virtually abandoned.**

More worryingly, while there is absolutely no discussion about local integration and limited opportunities for third country resettlement, it has become increasingly common for "voluntary repatriation" to feature as a legitimate and even central part of refugee protection policies, as, for example, in the CRRF and its Ugandan Roadmap mentioned above. But safe return remains, in most cases, unrealistic, and any policy approach that assumes an imminent peaceful resolution

<sup>54</sup> IRRI, "Eritrean refugees and the Ugandan asylum system," 25 July 2018, available at: <http://refugee-rights.org/wp-content/uploads/2018/07/Eritrean-refugees-in-Kampala.pdf> (accessed on: 18 August 2018).

<sup>55</sup> IRRI, "Aligning Refugee Policies with Refugee Realities," July 2017, available at: <http://refugee-rights.org/wp-content/uploads/2017/07/Realigning-refugee-policy-FINAL.pdf> (accessed on: 28 April 2018).

<sup>56</sup> During 2016, some 6,299 refugees were resettled from Uganda, and in 2017 the number stood at 1,905. These numbers are not significantly lower than those in other countries in the region, but there are significantly more refugees in Uganda than in other countries such as Tanzania and Kenya. See <http://rsq.unhcr.org> (accessed on: 17 May 2018).

<sup>57</sup> IRRI, "Statement on Israel's latest deportation scheme," 22 February 2018, available at: <http://refugee-rights.org/statement-on-israels-latest-deportation-scheme/> (accessed on: 7 April 2018); IRRI, "I was left with nothing: 'Voluntary' departures of asylum seekers from Israel to Rwanda and Uganda," 8 September 2015, available at: <http://refugee-rights.org/i-was-left-with-nothing-voluntary-departures-of-asylum-seekers-from-israel-to-rwanda-and-uganda/> (accessed on: 7 April 2018). See also IRRI, "Protection for refugees not from refugees: Somalis in exile and the securitisation of refugee policy," October 2017, available at: <http://refugee-rights.org/wp-content/uploads/2017/10/Somalis-in-Exile-2.pdf> (accessed on: 4 May 2018).

to the protracted conflicts in both DRC and South Sudan is inevitably going to unravel. At best, this means that refugees remain with no viable solution to their situation. At worst, it leads to them being pressured to return to their homes prematurely and/or against their will.<sup>58</sup>

Finally, there is a risk that amidst the international and local pressure to address mass displacement and guarantee that “the Ugandan model” survives, host communities and local authorities go unheard. To begin with, the definition of “host communities” in policy documents remains remarkably vague and unsophisticated, as are the means for their representation in policy-making and implementation. It remains unclear as yet whether or not local authorities are genuinely being drawn into the policy conversations (which largely take place in Kampala and Geneva), and when local actors are being consulted, it is not entirely clear whether they genuinely represent the “host communities” in any meaningful way.

**...host communities and refugees have neither economic resources nor sufficient political leverage to influence the policies that are meant to benefit them.**

The acquisition of land for refugee settlements, for instance, is often taken for granted and presented as a straightforward process in which local communities simply give up their lands out of solidarity with refugees and ostensibly with the hope that new settlements will enhance development and stimulate economic growth. In

reality, the process is often highly problematic. As a recent IRRI paper showed, some communities in the Acholi region, where land was recently acquired to accommodate South Sudanese refugees, are both sceptical of the government’s intention to return the land and feel that the process of its acquisition was neither transparent nor inclusive.<sup>59</sup> Since the mass influx of refugees from South Sudan, there have been reports on similar grievances in other parts of northern Uganda.<sup>60</sup> In addition, some of the people displaced from land that was used for refugee settlements in the mid-west are still awaiting resettlement.

What should also be acknowledged is that in the process of policy-making, the bargaining power of host communities, as that of the refugees themselves, is low: while international actors have the funds and the government has the capacity to sanction the policy that international actors want to see implemented, host communities and refugees have neither economic resources nor sufficient political leverage to influence the policies that are meant to benefit them.

The failure to sufficiently take into account the multiple local contexts in which refugees are being hosted is particularly negligent given that both northern Uganda and West Nile are recovering from years of civil war between the government and multiple rebel groups.<sup>61</sup> Not only did conflicts decimate livelihoods and lead to post-displacement land disputes, they exacerbated one of the core drivers of the conflicts – namely marginalisation of northern and north-western

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<sup>58</sup> For a broader discussion of this issue across the Great Lakes region, see L. Hovil, *Refugees, Conflict and the Search for Belonging*, Switzerland: Palgrave, 2016.

<sup>59</sup> IRRI, “My Children Should Stand Strong to Make Sure We Get Our Land Back’: Host Community Perspectives of Uganda’s Lamwo Refugee Settlement,” 28 March 2018, available at: <http://refugee-rights.org/wp-content/uploads/2018/03/Lamwo-policy-paper-FINAL.pdf> (accessed on: 30 March 2018).

<sup>60</sup> The Guardian, “Tensions rise as Uganda neighbourly refugee policy starts to feel the strain,” 21 May 2017, available at: <https://www.theguardian.com/global-development/2017/may/21/uganda-refugee-policy-breaking-point> (accessed on: 30 March 2018); International Crisis Group, “Uganda’s Slow Slide into Crisis,” 21 November 2017, available at: <https://www.crisisgroup.org/africa/horn-africa/uganda/256-ugandas-slow-slide-crisis> (accessed on: 30 March 2018).

<sup>61</sup> In addition to the LRA, these include the Former Uganda National Army (FUNA), the first Uganda National Rescue Front (UNRF), the UNRF II, and the West Nile Bank Front (WNBFB). For an overview of the West Nile conflicts, see Z. Lomo and L. Hovil, “Negotiating Peace: Resolution of conflicts in Uganda’s West Nile Region.” Refugee Law Project, Working Paper 12, June 2004, available at: [https://www.refugeelawproject.org/files/working\\_papers/RLP.WP12.pdf](https://www.refugeelawproject.org/files/working_papers/RLP.WP12.pdf) (accessed on: 3 May 2018).

Ugandan communities and local authorities by the national government. Some of this dissatisfaction and frustration is already playing out in northern Uganda, where minor disputes, often over non-refugee related issues, are quickly unravelling into violence targeted at the refugee response actors.

## **Moving forward: thinking outside the settlement**

Uganda has, without a doubt, made huge strides forward in creating a rights-respecting environment for refugees and showed genuine generosity in allowing people who are fleeing a terrible conflict access to safety within its borders. But it would be a huge mistake if, out of desperation for success stories in an otherwise bleak global context, international and national actors alike ignored the broader political dynamics around Uganda's refugee policies, not least as this has implications for implementation and sustainability.

As this paper has outlined, Uganda adopted progressive refugee policies not only out of good-will but also because its geographic and diplomatic circumstances allowed its government to adopt such policies without paying a high political price domestically and with at least the hope that these policies would translate into benefits at the international and national levels. Against this backdrop, it is vital that there is a clear understanding of both the gap between rhetoric and reality, and the pitfalls and blind spots of the settlement policy, especially in those areas in which the ostensibly progressive approach that the international community promotes actually curtails access to rights. This is important not only for improving refugee protection but also for supporting the needs and priorities of host communities and, therefore, for building sustainability into a situation that is unlikely to resolve any time soon.

**... it is vital that there is a clear understanding of both the gap between rhetoric and reality, and the pitfalls and blind spots of the settlement policy.**

**First, international actors need to deliver on promises of significant financial support.** For meaningful positive changes to be achieved, there are no shortcuts. The Ugandan government has taken the decision to capitalise on progressive refugee policies instead of capitalising on the scapegoating of refugees. Given that its ongoing commitment stems not only from altruistic concerns but also from local and national political (and economic) gains that potentially come from international aid, any failure by the international community to deliver on its promises could make the whole system collapse like a house of cards.

**Second, the reality that the current situation in Uganda is likely to become a protracted refugee crisis needs to translate into a braver and more robust discussion around durable solutions (plural).** This will involve a paradigm shift from the current status quo, where repatriation is the only serious option on the table, to a genuine discussion about other solutions. However, this cannot be done purely at a national level: it has to take place within an international context in which "responsibility sharing" is not just a rhetorical tool, but an implemented reality. In practice, this means that alongside a discussion on local integration there is a dramatic increase in resettlement to wealthier states across the globe.

**Third, as with refugees, local communities must also be consulted in a more meaningful and systematic way.** This also implies a more nuanced understanding not only of who the "host communities" are and how are they defined, but also who represents them.<sup>62</sup> This consultation is

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<sup>62</sup> In practice this also needs to include a recognition of "hosts" both as people living in proximity to refugees in specific geographical locations and as geographically delineated units within the system of local governance. (Personal communication with Anton Baare of the Nordic Consulting Group).

critical to the durability of any refugee hosting situation: it is precisely because north and north-western Uganda are historically marginalised and impoverished areas that this is so crucial. Presuming upon an innate cultural or social notion of “hospitality” among local communities and local authorities without creating the conditions for genuine buy-in is short-sighted and likely to lead to serious tensions within and among communities. The presence of refugees in these regions, along with the international spotlight (and resources, albeit inadequate) that it has attracted, present an opportunity not only to catalyse economic development, but also to draw in communities and local authorities that have, to date, felt deeply marginalised economically and politically by the central government.

**Fourth, while money is important, it cannot replace rigorous policy making and implementation that is more attuned to the daily realities and needs of refugees.** In order to genuinely enhance refugee self-reliance, the myth of the “local settlement” needs to be debunked and recognised for what it is: the ongoing isolation of refugees and the utilisation of humanitarian assistance to keep them isolated – and dependent on aid. A genuine “out of camps” approach would be one that does far more to support – indeed, encourage – those who are finding their own solutions by “self-settling” and to establish genuine pathways out of settlements for those refugees who are willing and able.

As a starting point, assistance needs to be offered to refugees living outside of camps/settlements. In the longer term, there needs to be an honest discussion around the role played by settlements. Refugee settlements, by all means, have played and continue to play a crucial role in the response to situations of mass displacement. But to move forward there is a need to think more seriously beyond them as well. This should be done, first, by focusing on ways in which more support can be provided to refugees who opt to live out of them, and second, by being more attuned to the perspectives of local populations in northern Uganda. Ultimately, such an approach would benefit both refugees and the citizens of Uganda.