

REFUGEES IN THE CITY:
STATUS DETERMINATION, RESETTLEMENT, AND THE
CHANGING NATURE OF FORCED MIGRATION
IN UGANDA



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REPORT SUMMARY

This Working Paper documents the policies and procedures that affect asylum seekers and refugees living in Kampala—the political and economic capital of Uganda—by examining two key phenomena that draw them to an urban centre: first, achieving refugee status and, second, seeking resettlement to third countries. These concerns coincide with the three issues most often brought to the attention of the Refugee Law Project’s Legal Aid Clinic by its clients: humanitarian assistance, refugee status determination and resettlement. Findings indicate that the Ugandan government and United Nations High Commissioner for Refugees have failed to adequately recognise the increasing numbers of refugees in urban areas, and have thus not yet developed policies that apply to their specific situation. The procedure by which asylum seekers in Kampala register as refugees is highly unstructured. This results in a lack of efficiency, transparency, and ambiguity between the roles of the government and the United Nations High Commissioner for Refugees. Likewise, though to a lesser extent, the application for resettlement to third countries is flawed by a discretionary approach by some officials.

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GLOSSARY OF ABBREVIATIONS

CARA: Control of Alien Refugees Act

DRC: Democratic Republic of Congo

EXCOM: Executive Committee of the United Nations High Commissioner for Refugees

GoU: Government of Uganda

INS: Immigration and Naturalization Service

IOM: International Organisation for Migration

JRS: Jesuit Refugee Service

JVA: Joint Voluntary Agency

NGO: Non-Governmental Organisation

OAU: Organisation for African Unity

OPM: Office of the Prime Minister

REC: Refugee Eligibility Committee

SPLM/A: Sudan People's Liberation Movement/Army

SPO: Senior Protection Officer

UNHCR: United Nations High Commissioner for Refugees

UPDF: Uganda People's Defence Force

1 INTRODUCTION

There are approximately 180,000 refugees officially registered in Uganda, of which the UN High Commissioner for Refugees (UNHCR) lists only 173, or less than one-tenth of one percent of the total, as being on its urban caseload.¹ The overwhelming majority of refugees are located—at least on paper—in refugee settlements in the border districts of northern and western Uganda. For over fifty years, the interventions of the Government of Uganda (GoU) in refugee matters, albeit ad hoc,² have reflected a preference for rural settlement. As a result, the issue of urban-based refugees continues to be sidelined in the greater scheme of refugee protection in Uganda.

However, the population of urban refugees is misrepresented by more than an order of magnitude. While counting urban refugees is notoriously difficult, recent research suggests that the total number of registered refugees in Kampala is at least 10,000.³ If un-registered refugees are taken into account, the figure could very easily increase by 4,000.⁴ Indeed, a GoU official working with refugees estimated the number at “almost 15,000”.⁵ Estimations do not take into account the smaller number of asylum seekers who are going through the procedure to gain official refugee status.

Such statistics illustrate the creeping change in the character of refugee populations in sub-Saharan Africa over the past fifty years. In contrast to the days when refugees were, almost entirely, from rural backgrounds, refugee populations now include a significant proportion of persons who have grown up and lived in cities and towns. Yet this notwithstanding, the design and implementation of refugee programmes proceeds from the premise that all refugees are agriculturalists.

Kampala is the nexus of a number of activities that have a profound impact and resonance for the wider refugee population in Uganda. These range from status determination to resettlement to third countries. All of these activities are affected by the indifference of relevant authorities to urban refugees and an unwillingness to accept that the urban refugee population differs from that in settlements. More so, there appears to be little recognition of the fact that those asylum seekers who come to Kampala to register as refugees often have particular reasons, such as lack of registration points at a border, or individual problems with remaining in border areas. At the same time, the UNHCR structures compel refugees seeking resettlement to travel to Kampala.

This report seeks to document the phenomenon of urban refugees in general, and to examine several areas that affect them. It incorporates two main sources of information: written documentation, and interviews conducted from December 2001 to June 2002 with government officials, officers of UNHCR, representatives of the diplomatic missions of foreign governments, church officials, and members of the refugee community. Section 2

¹ UNHCR population data as of the end of April 2002.

² Nabuguzi 1999.

³ Macchiavello 2001, p. 1.

⁴ Macchiavello 2001, p. 1.

⁵ Interview with SPO, OPM, 7th December 2001

gives an overview of who is a refugee, who can recognise one as a refugee, and the nature of the urban refugee phenomenon; Section 3 concentrates on the registration of refugees in Kampala, and the reasons that asylum seekers come to Kampala to register. The humanitarian assistance system in place for urban refugees is dealt with in Section 4. In Section 5 the report looks at the procedures for resettlement; Section 6 deals with the role of recipient countries on the resettlement process; and Section 7 concludes and offers some initial recommendations.

2 THE REFUGEE DEFINITION, AND THE URBANISATION OF REFUGEES

As much of this paper deals with issues of refugee identity, either legally or administratively, this section offers an overview of who, in legal terms, is a refugee and what organisations can declare one to be a refugee. It further looks at the burgeoning phenomenon of refugees moving to urban centres, an issue which is intrinsically related to such definitions and processes.

2.1 The definition of a refugee

The word ‘refugee’ is often used to refer to anyone who has been forced to leave his or her home. Thus people who are forced to leave areas that are struck by natural disasters, and the people of northern Uganda who have fled rebel activity, are often referred to as refugees in the media and in everyday conversation. In strict legal terms however, “refugee” has a specific and quite limited definition.

2.1.1 *The UN and OAU refugee conventions*

The *1951 UN Convention Relating to the Status of Refugees* was created at a time when power-brokering nations were concerned about the protection of the large number of people fleeing Communist regimes in Eastern Europe. The Convention, and its 1967 Protocol, defined a refugee as a person who is outside his or her home country and needs international protection because of “a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.”⁶

In 1969, member nations of the Organisation for African Unity (OAU), concerned with the effects of the liberation movements sweeping across the continent, created *the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa* and broadened the definition to include people who had been forced to flee their home nation because of “external aggression, occupation, foreign domination or events seriously disturbing public order.”⁷ The OAU Convention also specifies that states may declare an entire region to be a “conflict area” and those who flee it to be refugees, barring evidence to the contrary.

These two conventions form the basis for refugee protection in Uganda. The vast majority of the 170,000-plus refugees in the country are recognised under the OAU Convention, with

⁶ 1951 Convention relating to the Status of Refugees, Ch. 1, Article 1, A(2).

⁷ 1969 Convention on the Specific Aspects of the Refugee Problems in Africa, Article 1, Paragraph 1.

a minority recognised under the UN Convention. Together, these refugees are referred to as convention status refugees. Uganda, being signatory to both conventions, is responsible for granting convention status to refugees.⁸

2.1.2 The Statute of UNHCR

The UNHCR is also authorised by its 1950 Statute to give refugee status to persons that fall under its mandate to protect refugees.⁹ These individuals are referred to as mandate status refugees. While there are no legal guidelines on whether convention status or mandate status should take precedence, Lomo argues that mandate status should be granted only in two circumstances.¹⁰ First, if a state that is receiving refugees is not a signatory to one of the refugee conventions, UNHCR must intervene to offer protection. Second, in the event that a state has signed a relevant convention, but has no procedure to determine eligibility for refugee status, UNHCR is mandated to offer assistance. If a country that is party to the conventions has a procedure in place, as in the case of Uganda, UNHCR should not be actively determining status during the initial hearing. The UNHCR's role as an advocate on behalf of refugees is best served by considering cases for mandate status only if they have been rejected by GoU.

2.1.3 Refugees in domestic law

The 1960 Control of Alien Refugees Act (CARA) states thus; “‘refugee’ means any person being one of a class of aliens declared by the Minister by statutory instrument to be refugees”.¹¹ The inadequacy of this legislation in not establishing an objective definition, especially in light of Uganda's international obligations, was recognised by the government, which stated that the CARA “has become obsolete and does not match the current international humanitarian refugee law practices and trends”; instead, international human rights instruments and Uganda's 1995 constitution should form the basis of Uganda's refugee policy and practice.¹² Even then, as will be shown below, the lack of an acceptable refugee law has spawned numerous problems.

2.2 Who are the urban refugees?

The urban refugee phenomenon in Kampala acquired particular prominence after a major influx of Somali refugees in 1993. Over 2,347 Somali refugees were registered by December 1993.¹³ They settled in the Kisenyi area, one of the poorest sections of the city and a place now known as “the refugee capital in Uganda.” Their conspicuousness was

⁸ The granting of refugee status is recognition of a pre-existing condition. Neither nations nor UNHCR have the power to classify someone as a refugee, but only to officially recognise that an individual falls under the international criteria for a refugee.

⁹ 1950 Statute of the Office of the United Nations High Commissioner for Refugees, Annex, Chap. 1, Par. 1 and Chap. 2, Par. 8 (d).

¹⁰ Lomo 2000.

¹¹ The Control of Alien Refugees Act (30th June, 1960), 3. (1)

¹² Opening remarks by the Right Honourable Second Deputy Prime Minister and Minister of Disaster Preparedness and Refugees, Brigadier General Moses Ali at the Refugee Law Project workshop, *The Role of Domestic Legislation in the Protection of Refugees in Uganda*, on 26th October 2001, p. 3.

¹³ Mulumba 1998

enhanced by the fact that their physical appearance greatly differs them from the native Ugandan community.

Official refugees in Kampala consist of three general groups: asylum seekers who are trying to gain official refugee status, self-settled refugees who have already registered and who, for a variety of reasons ranging from economic hardships to security concerns, have decided to opt out of the formal assistance structures, and refugees who, albeit based in settlements up-country, seek assistance, such as medical treatment or resettlement, at the head offices of UNHCR and the Office of the Prime Minister (OPM).¹⁴ However, only the small numbers of refugees who have been relocated to Kampala for security or medical reasons are considered, by UNHCR, as being on the urban caseload.

All three groups contradict the archetypical image of African refugees living in isolated camps, but there is a fourth group that exists entirely beyond the refugee structures.¹⁵ Some people who have fled their home countries, and are eligible for refugee status, do not officially register as refugees. There are numerous reasons for this. They either may not be aware that, as refugees, they have a corresponding legal status, or may not know how to register as a refugee or may simply prefer to avoid the administrative difficulties and restrictions associated with registration. The government does not acknowledge unregistered refugees as such and broadly categorises them as illegal immigrants.

In addition, the demography of urban refugees often differs significantly from those in the settlements. For example, while UNHCR lists about 400 registered Somali refugees in Uganda, mostly based in settlements west of the country, there are perhaps ten times as many Somali refugees in Kampala.¹⁶ Additionally, the vast majority of Ethiopian refugees in Uganda, whose population is between one and two thousand, are in Kampala.¹⁷

2.3 Demographic change in refugee populations in sub-Saharan Africa

The increase in urban refugees illustrates the subtle shift in the nature of refugee populations in Africa. Thus, in the 1950s, when the international systems for refugees were put in place, the vast majority of Africans and refugees in sub-Saharan Africa were agriculturalists. During this period, the scheme of placing refugees in rural settlements was initiated. Fifty years later, most refugees in Uganda are still of agrarian or pastoralist backgrounds, and the policy and practice of the GoU and UNHCR continue to be conceived and executed as if all refugees are farmers. However, there is now a significant minority of refugees who have lived and worked in urban centres and are even educated to a high degree.¹⁸ The armed

¹⁴ UNHCR 1997, Kibreab 1996, Lammers 1998, Harrell-Bond 1999 and Macchiavello 2001. Organisations working with refugees in Uganda often use "OPM" as shorthand to refer to the Directorate of Refugees of the Ministry of Disaster Preparedness and Refugees under the Office of the Prime Minister. This paper borrows this shorthand usage.

¹⁵ Schmidt 1994.

¹⁶ Macchiavello 2001, p. 1.

¹⁷ Interview with SPO, OPM, 7th December 2001

¹⁸ A significant number of the urban refugees interviewed by Macchiavello were educated to the post-secondary or university level, which is extremely unusual in comparison with a typical population in a refugee settlement. Macchiavello 2001, p. 3.

conflict in the Democratic Republic of Congo (DRC), in particular, has not only displaced people from the countryside, but also from the towns of eastern Congo.

3 REFUGEE STATUS DETERMINATION PROCEDURE

The procedure by which refugees are officially recognised is of utmost importance to asylum seekers, as recognition gives a refugee—a person who has lost the protection of his or her home country—the protection of the international community.¹⁹ While the majority of Sudanese or Congolese asylum seekers are given *prima facie* status, asylum seekers from other countries must pass through the asylum procedure in Kampala. The process by which an asylum seeker gains refugee status is made problematic by two factors: the lack of an implementable domestic law for refugees and the undefined role of UNHCR. While a system exists, and is generally followed by the majority of asylum seekers in Kampala, there are a substantial number of exceptions, shortcuts, and non-standardised avenues to gaining status. The participation of UNHCR as a second organisation that can grant refugee status acts against the creation of a regularised and predictable asylum determination process. As this section will argue, the UNHCR's position as an advocate on behalf of refugees is undermined by the role of judge it undertakes in the initial status determination.

3.1 Procedures and policies after the arrival of asylum seekers in Kampala

The phrase “status determination procedure” implies that there is only one way that an asylum seeker may be granted refugee status. However, the partial detachment of refugee practice from domestic refugee law and the lack of any written policies to fill the gap, allow multiple avenues to gaining refugee status. There are, in fact, two separate procedures to gain status either through UNHCR or OPM. This situation is further complicated by differing policies for refugees of certain nationalities.

Given the complexity of the process described in this section, readers may want to refer to the flowchart on page nine, which gives a simplified abstraction of the two procedures.

3.1.1 *Asylum seekers' arrival in Kampala*

Upon arrival in Uganda, an asylum seeker must register with an official at the point of entry into the country. Mechanisms to register refugees fleeing into Uganda from the countries to the north and west, in particular the Sudan and DRC, are well established.²⁰ However, a number of refugees from these countries either do not realise that there are registration points in border areas, or do not feel secure enough to stop and register there. Moreover, there is no registration point in the east for those refugees arriving from or via Kenya, which results in their arrival in Kampala without having been registered.

¹⁹ The various conventions, while specifying a number of human rights explicitly applicable to refugees, do not provide procedural guidelines for determining refugee status.

²⁰ However, there are currently no mechanisms to register asylum seekers crossing the Sudan-Uganda border in the Northeast. A UNHCR employee stated that most of the new arrivals were not genuine refugees, and that the majority of the *bona fide* asylum seekers were required to make their own way to the refugee settlement in Pader District. Communications Officer, UNHCR Kitgum, 26th April 2002.

The initial registration point for asylum seekers is Old Kampala Police Station. Officers at other police stations in Kampala are aware that they should refer asylum seekers there.²¹

Those new arrivals who do not contact the police are often informed of how to register by urban refugees already established in Kampala. Also, many asylum seekers have heard of UNHCR and make their way to the UNHCR Kampala office. Other organisations that inform asylum seekers of the asylum procedures include the Refugee Law Project, the Refugee Rights and Advocacy Programme of the Sudan Human Rights Association, the regional office of Amnesty International and religious organisations.

3.1.2 Referrals by UNHCR Kampala at the initial stage

Many asylum seekers, unaware of the administrative procedures, perceive themselves to be refugees and thus approach UNHCR asking for assistance. These asylum seekers are subject to a brief interview by a Protection Officer. If the asylum seeker is not Congolese, Sudanese or Somali, the Protection Officer refers the person to Old Kampala Police Station where, on an individual basis, they will begin to undergo the determination procedure for convention refugee status.

The GoU has recognised the DRC and Sudan as conflict-affected areas and formally acknowledged that asylum seekers from these countries are eligible for *prima facie* refugee status. This position however, is based on policy rather than a legal instrument.²² Sudanese asylum seekers are currently prohibited from registering in Kampala, as explained in Section 3.1.5 and thus, only Congolese who are eligible may gain *prima facie* status in Kampala.

If the circumstances of a Congolese asylum seeker's case seem to be atypical and require a more in-depth exploration, the case is referred to GoU for individual status determination. Otherwise, the UNHCR Protection Officer refers ordinary cases of Congolese asylum seekers directly to the OPM's Senior Protection Officer, recommending them for convention refugee status. Such recommendation is rarely disregarded.

3.1.3 Decision-making by UNHCR after the initial interview

At times, those asylum seekers interviewed by UNHCR are simply requested to begin undertaking the government asylum application procedure. In practice though, Protection Officers have been known to issue letters after the initial interview with the title "RE: Request for assistance", which conclude by stating that the applicant does not fit the criteria of a refugee and referring him or her to Old Kampala Police Station to begin the individual determination procedure for convention status.

These documents are problematic on two levels. One, the asylum seeker was not aware at the time of initial contact with UNHCR that s/he was being vetted under the legal criteria for a refugee, as s/he did not know such criteria existed. Two, an impression is given that

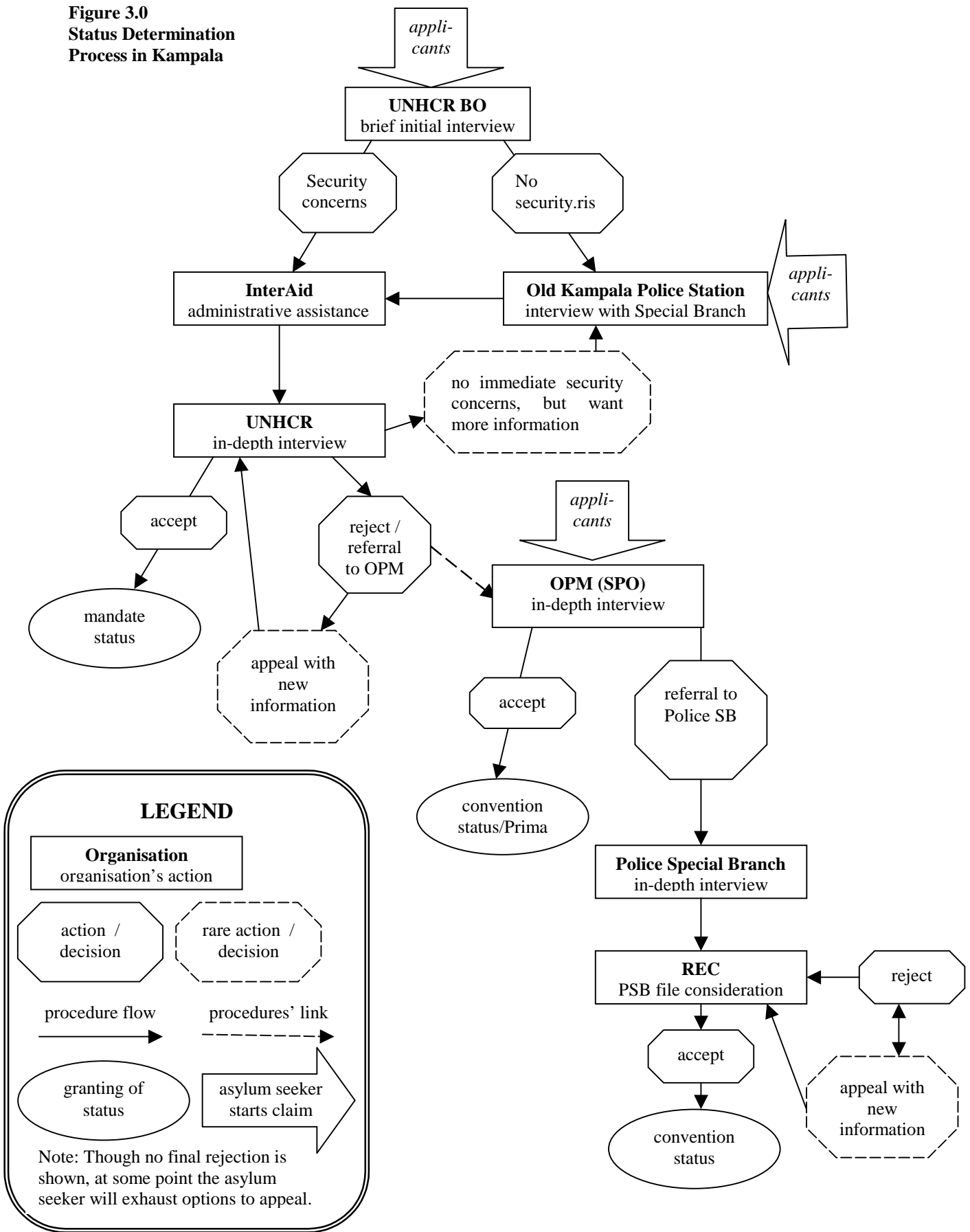
²¹ SPO, OPM, Kampala, 7th December 2001.

²² *Ibid.* *Prima facie* is Latin for "on the face of it" and is a legal term used to refer to those refugees eligible for group refugee status.

UNHCR has denied mandate status to the asylum seeker. If the letter is a rejection of mandate status, the asylum seeker could prepare an appeal. However, as the situation is ambiguous, the asylum seeker remains unsure of what exactly has been decided, besides that s/he has been told to go to Old Kampala Police Station.

The UNHCR office of Protection has, on rare occasions, denied mandate status to an applicant and then communicated to OPM that the asylum seeker's claim is not worth considering. This is an even more egregious case than that described above and is indicative of the influence that UNHCR holds on status determination. In theory, the existence of two bodies authorised to grant refugee status might act as a means of ensuring that an asylum seeker who feels that s/he was not accorded a fair hearing by the one, has another chance to apply for refugee status.

Figure 3.0
Status Determination
Process in Kampala



3.1.4 *Government prohibition against Somali refugees*

The safeguard provided by the above system (one in which refugee status may be granted by either of two bodies) is exemplified by the case of Somali refugees in Uganda. It is the policy of GoU, as of 1993, that Somalis may not be granted convention refugee status. The given rationale for this policy is the “country of first asylum” principle. This essentially implies that refugees should seek asylum in the first country they arrive in after fleeing their homes.²³ As the vast majority of Somali refugees cross overland through Kenya to reach Uganda, the position of the government is that they should have sought asylum in Kenya.²⁴ Curiously, this policy does not apply to the significant numbers of Ethiopian and Eritrean refugees in Uganda, who are eligible for convention status. As a result, Somali asylum seekers whose claims UNHCR finds credible, are given mandate status and GoU takes no official responsibility for them. These Somali refugees are to be catered for by UNHCR until they can be relocated to a country that will accept their claim for asylum.

This policy is however open to at least two objections, one theoretical and the other practical. To begin with, the GoU’s attempt to found its policy upon on the “first asylum” principle is legally indefensible. The ‘first asylum’ principle exhorts the first country in which fleeing refugees find themselves, to grant them, at least, temporary asylum. This is a corollary to the international law rule of *non-refoulement*, which prohibits the forcible repatriation of refugees to their home countries, when the circumstances that prompted their flight still obtain. As the Lawyers Committee argues, “refusing to admit refugees is tantamount to forcing them to return to their countries of origin.”²⁵ Read in this light however, it is clear that the principle of “first asylum” does not bestow upon countries to which these refugees subsequently flee (after leaving the country of first asylum), an entitlement to repatriate them. Nor does it in any way free such countries from their international law obligations to these refugees. This is more so if, as in the case of some Somali asylum seekers in Kenya, the first country of asylum, by virtue of its proximity to the refugees’ home country, cannot guarantee their security.

Secondly, the policy specifically discriminates against Somalis and does not affect other nationalities. While Ethiopians and Eritreans form the bulk of refugees who come from nations not bordering Uganda, individuals from such countries as Iraq, Yugoslavia and Sri Lanka have all received refugee status in Uganda.²⁶

3.1.5 *Prohibition against Sudanese refugees registering in Kampala*

Another incidence of nationality-specific policy concerns asylum seekers and refugees from Sudan. In February 2001, the government and UNHCR jointly implemented a policy to

²³ The Deputy Director of Refugees in an interview with H. Garry and Z. Lomo for the EU umbrella research project, 2nd December 1997. The principle of first country of asylum is practiced in many nations in Europe, but is not codified in Uganda.

²⁴ Refugees from Ethiopia, Eritrea and Somalia often give fear of insecurity in Kenyan refugee settlements as the reason for continuing to Uganda to seek refuge. See Crisp 1999 and *Refugees: a Forsaken People?* 2001, p. 6.

²⁵ Lawyers Committee for Human Rights (1995), Appendix 1, p. 207

²⁶ As observed by the Refugee Law Project’s Legal Aid Clinic, and UNHCR data as of 29 January 2002.

prohibit Sudanese from registering as refugees in Kampala.²⁷ Prior to this, Sudanese nationals were eligible for *prima facie* refugee status in Kampala. The reason for this new policy, according to UNHCR, was to stop Sudanese refugees who had already registered in the north from re-registering as new arrival, so they could be located in Kyangwali Refugee Settlement, from where—according to rumour—it was relatively easy to be resettled to Australia. Another reason, identified by the RLP, was to stop refugees who had been phased off food rations as part of the Self-Reliance Strategy²⁸ implemented in northern settlements from re-establishing themselves with full food assistance, a practice referred to as “recycling”.

Given the way refugee assistance is structured in Uganda, it is reasonable for UNHCR and OPM to take steps to stop its abuse. The flaw with this policy however, is that it fails to address the reasons why genuine Sudanese asylum seekers continue to come to register in Kampala. The structures in place to register Sudanese entering the north-eastern region of Uganda have been discontinued, easily creating a situation where asylum seekers may journey all the way to Kampala, with little chance of being directed to the registration point in Pader district. More urgent are those refugees who have security concerns. A significant number of Sudanese asylum seekers, particularly those who have dissented with the policies or actions of the Sudan People’s Liberation Movement/Army (SPLM/A) and those who have deserted from the SPLA, have a credible fear of abduction or persecution in border districts.²⁹ While a UNHCR official has stated that, “Kampala is the worst place to go because of all the SPLA”,³⁰ this fails to recognise that the anonymity of the city provides a measure of protection that is absent in the sparsely populated border districts.

Sudanese seeking asylum in Kampala are instructed to return to the north to register. While this unwritten policy includes a caveat that Sudanese asylum seekers with exceptional cases will be considered, there appears to be no agreed criteria for determining what is “exceptional”. The RLP is aware of only one Sudanese asylum seeker who has been registered in Kampala, and this was a woman who lacked the means to travel to the north. This indicates that exceptions to the prohibition are ad hoc and rely more upon a responsible individual taking a personal interest in the case, rather than any objective criteria.

3.2 The ‘Standard’ Status Determination Procedure in Kampala

The policies described above result in diverse experiences for asylum seekers of differing nationalities. Most Congolese are able to bypass the individual status determination procedure if they first go to UNHCR and are referred to the OPM for *prima facie* status. All other nationalities, except Sudanese, Somalis, and Congolese referred for *prima facie* status

²⁷ Refugee Law Project 2001.

²⁸ The Self-Reliance Strategy (SRS) was implemented in 1999 in order to phase refugees off external assistance by allocating them farming plots, and decentralising services. Hovil has argued that the objectives of the SRS have been compromised by the lack of engagement on issues, such as freedom of movement, that affect self-sufficiency. Hovil 2002.

²⁹ See Hovil 2001, Hovil and Werker 2001, pp. 8-10, Hovil 2002, pp. 21-22, and Hovil and Moorehead 2002, pp. 14-15, on SPLA activities in the refugee settlements of northern Uganda.

³⁰ Field Officer, UNHCR Kitgum, 30th April 2002.

by UNHCR Kampala, must undergo the process to gain official refugee status which begins with an interview by a designated Special Branch officer at Old Kampala police station.

One of the reasons given by the government's Senior Protection Officer for having the police act as the initial filter for refugees is that they act as a screen on behalf of GoU security, as explained by:

The police have a lot of information. If there is a wanted man in Kenya, for example, the police may know. They may have a wanted person's photo, name or other details. They may investigate if they need to. Of course the police always take a statement for record purposes. After that they refer you to InterAid.³¹

InterAid, a non-governmental organisation (NGO), is the urban implementing partner of UNHCR. During the status determination process, InterAid primarily provides administrative support, especially in keeping track of documentation that can be accessed by both UNHCR and OPM. After Old Kampala Police Station refers an asylum seeker, InterAid schedules an appointment with a UNHCR Protection Officer.³² Occasionally, an InterAid employee will conduct a pre-appointment interview with an asylum seeker. The notes of this interview will be added to the asylum seeker's file and are intended to be of help in the UNHCR interview.

The purpose of this interview by UNHCR is to determine if the asylum seeker falls under the criteria of a refugee. After the interview, the UNHCR Protection Officer does one of three things: grant mandate refugee status, in which case the asylum seeker finishes status determination, recommend granting of *prima facie* refugee status for 'ordinary' Congolese cases to OPM or recommend continuation with individual status determination to OPM. Those asylum seekers not immediately granted mandate refugee status are given documentation identifying them as asylum seekers known to UNHCR.

Those refugees who are referred to OPM to have their individual claims considered, get interviewed by an OPM Protection Officer in a manner similar to that with UNHCR. At this point, the OPM official may grant convention refugee status or, if s/he feels that a more in-depth examination is needed, refer the asylum seeker to Special Branch Police. In the latter case, additional asylum seeker identification papers are provided. The Special Branch of the Police will, at this point, examine the entire asylum claim record and clarify any outstanding issues. After the interview, records are forwarded for final consideration by the Refugee Eligibility Committee.

The Refugee Eligibility Committee (REC) is an inter-ministerial body that makes decisions on asylum claims after a review of the case file received from Special Branch Police. UNHCR has observer status, but meetings of the REC are otherwise closed and outside organisations are not privy to the proceedings. Asylum seekers do not appear before the Committee. Once the REC reaches a decision, a notice is publicly posted at InterAid,

³¹ SPO, OPM, Kampala, 7th December 2001.

³² Normally, UNHCR Kampala will have a Senior Protection Officer and an Associate Protection Officer attached to it. In December 2001, the SPO was relocated and has not been replaced at the time of this writing.

requesting the claimant to come and hear the REC's verdict. Letters of acceptance or rejection are then given to the applicant. While rejected asylum claimants are sometimes briefly and verbally informed why their claims were denied, reasons are not given in writing.

3.3 Issues in the Status Determination Process

Certain administrative aspects of the asylum application process described above are worthy of further examination.

3.3.1 Initial Registration at Old Kampala Police Station

Only a limited number of asylum seekers are allowed to register at Old Kampala Police Station each weekday morning. This number remains the same, regardless of the number of asylum seekers, thus creating a limit on the number of individuals with access to the whole mechanism. The individuals selected each day are selected from a crowd that gathers outside Old Kampala Police Station. As such, in early 2001 it was common for asylum seekers to wait for two weeks or even a month, before receiving an interview. Subsequent to the prohibition against Sudanese registration, as well as the reduced influx of Congolese refugees owing to the relative stabilisation of the DRC conflict, waiting times were substantially shortened. However, given the chronic nature of refugee crises in the Great Lakes region, it is fairly clear that should another major influx occur, the result will be a mass of asylum seekers waiting to begin registration.

3.3.2 The Role of UNHCR in Asylum Determination

There are two points in the status determination procedure at which UNHCR plays a role. The first is during the interview at InterAid. UNHCR refers many refugees to the asylum procedure after initial interviews at their offices, which is not only administratively inefficient but also raises concerns about objectivity. As there are only two UNHCR Protection Officers in Kampala, it is quite possible that one of them will, in due course, interview an asylum seeker that s/he has already made an initial assessment of (during the InterAid interview). Almost inevitably, the officer's initial impressions, regarding the case, will colour their subsequent evaluation of the same.

The second point arises during the REC meetings to determine eligibility. The objective of UNHCR's presence as an observer is to enable it offer its expertise in areas that members of the REC may not be entirely familiar with, especially regarding the refugee law and policy or information on country of origin. The UNHCR has also stated that their presence allows them to advocate on behalf of particular cases that would otherwise have been rejected.³³ In practice though, UNHCR's status at REC meetings would seem to stretch much further than that of mere observer. Indeed, there are serious concerns that, as some of the cases that

³³ Lomo 1998.

reach the REC are of asylum seekers who have already been denied mandate status by UNHCR, the former may be convinced to reject the same even if it would otherwise have accepted them.

3.3.3 Posting of REC decisions

Some asylum seekers, particularly those persons who fled because of individual persecution in their home countries, find the public posting of their names at InterAid unsettling. A minority of asylum seekers are of sufficiently high profile and have a credible fear that foreign-based agents may be trying to locate them. As the decisions posted at InterAid clearly state the name of the asylum seeker, and are accessible to anyone, the protection needs of asylum seekers may not be adequately addressed.

3.3.4 Appeals against decisions of the REC

Asylum seekers whose applications for refugee status have been denied often are not informed of the reasons for such denial or do not fully understand a verbal explanation they may have received. For the most part, therefore, appeals against the denial are based upon a limited understanding of the reasons for the initial decision. More so, there is no formal appeals process and, as such, appeals against the REC's decisions are determined by the REC itself. This clearly amounts to denial of a fair opportunity to appeal.

3.3.5 General problems with the asylum procedure

Besides the concerns listed above, asylum procedures in Kampala fall short of human rights standards in several other ways. Firstly, asylum seekers are not allowed legal representation in presenting their case. It has been argued by UNHCR that legal representation would infringe upon the confidentiality of the asylum seeker.³⁴ This rationale is questionable, as a legal advisor would have a vested interest in maintaining a client's confidentiality.

Secondly, asylum seekers are not provided with identity documents until they have been interviewed by UNHCR. It is normal for asylum seekers to be without identification for two weeks or more, during which time they are liable to harassment, arrest or deportation as illegal immigrants.

Thirdly, asylum seekers are not allowed a free choice of interpreters. Rather, they must accept interpreters who may well be oblivious to crucial factors, such as the asylum seeker's gender, ethnicity, nationality or overall background. At the very least, this is likely to affect the asylum seeker's case by limiting his/her willingness to openly state their case. Further still, there have been doubts about the very competence of some interpreters.³⁵

Finally, there is inadequate information available to asylum seekers. Officials at the organisations charged with status determination often refer asylum seekers onwards, without bothering to fully apprise them of the precise circumstances surrounding their

³⁴ Lomo 1998, p. 4.

³⁵ For example, in one case that the RLP is aware of, an asylum seeker's statement, "I was tortured" was changed to "I tortured" by the given interpreter. The record of the asylum claim was corrected only with great difficulty.

applications. Many of the asylum seeker's frustrations relate to the fact that they do not have adequate information about their individual situations or what their entitlements are. Refugees need information about status determination procedures, what they should expect from UNHCR and government, and the limitations of current interventions on their behalf. As it is, refugees mostly depend friends and fellow refugees for useful information about their stay in Kampala and places where they can receive assistance.

4 HUMANITARIAN ASSISTANCE FOR URBAN REFUGEES IN KAMPALA

Few organisations in Kampala give assistance to urban refugees and such assistance is usually very limited, if uncoordinated. As stated above, the conventional approach to assisting refugees in developing nations has been to place them in rural settlements where they subsist on food rations given by the international community, through the World Food Programme.³⁶ Rural settlements have been preferred as centres of assistance, with the assumption that refugees are temporary and will quickly return home once the circumstances that led to their flight are resolved.

As a result, refugees who are living in Kampala have special humanitarian needs resulting from their legal status and the fact that most of them have been impoverished by the circumstances that forced them to flee their homes and leave their material wealth behind. Each group of urban refugees will be considered in turn below after which the general problems of urban refugees will be examined.

4.1 Humanitarian assistance for asylum seekers

The most vulnerable urban refugee group, in terms of humanitarian assistance, are asylum seekers who apply for status in Kampala, rather than at the borders. Asylum seekers receive no form of assistance from UNHCR, which, according to the Senior Protection Officer, does not consider them as "persons of concern" until their status has been ascertained. The slow process of status determination has serious implications for asylum seekers who cannot access any form of assistance before their cases are decided.³⁷ Whereas Sudanese and Congolese who arrive at the border receive some form of immediate assistance in the reception centres, asylum seekers in Kampala receive no kind of assistance apart from emergency medical assistance, in UNHCR practice.³⁸

InterAid has suggested a reception centre for the urban refugees but this has not yet been implemented by the government or UNHCR. This reluctance hinges on the practicability of the option and the fear of encouraging flight to Kampala. If well executed, a reception centre could be a viable option given the increase in the number of asylum seekers who move to the urban areas. Also, the centre could double as a community centre for refugees.

Asylum seekers face several problems in Kampala such as lack of accommodation, food or medical assistance. On several occasions refugees have found shelter with the police or

³⁶ Harrell-Bond 1986, Kalyango 1999 and Mulumba 1998.

³⁷ Kalyango 1999, and Harrell-Bond and De Lorenzo 1998

³⁸ Sperl 2001

attracted the sympathy of religious organisations, such as the Catholic Church. The church has been at the forefront of providing alternative sources of assistance, bridging the gap left by the government and UNHCR. For instance, the Jesuit Refugee Services (JRS) Urban Programme was born out of the work of Father Theodore who offered occasional assistance to refugees, before services became institutionalised in 1998. During a period in 2001 when JRS had suspended its programme, another Catholic priest, Father Musala, in 2001 opened up AGAPE Centre to provide asylum seekers with food and shelter, until their cases were decided. The AGAPE Centre started out of concern for asylum seekers who had been sleeping in an old bus at Old Kampala Police Station for over six months. When the bus was towed away, the refugees turned to the church and called on Father Musala to offer assistance. The centre opened by Fr. Musala houses over 40 asylum seekers from Kenya, Sudan, Ethiopia, Eritrea, Burundi, and Rwanda. It is temporarily located in an abandoned school that Fr. Musala hopes to buy. These actions are all spontaneous individual initiatives rather than any coordinated assistance mechanism.

Those asylum seekers not fortunate enough to be assisted by one of these organisations, or those without friends willing to host them, are known to sleep at police stations, in abandoned buses and cars, or on the streets of the city.

4.2 Refugees on UNHCR's urban caseload

Humanitarian assistance for registered refugees in Kampala is limited to those under UNHCR's urban caseload, as stated above. These include the vulnerable individuals such as security cases, medical referrals from the settlements, women, and children. Assistance for this urban caseload is provided by UNHCR, through InterAid. Refugees on the caseload receive 42,000 Uganda shillings (approximately US\$23) per month for their housing, food, clothing and any other necessities that they may have. In other words, these refugees live on less than a dollar per day, which leaves them in a precarious situation.³⁹ Refugees on UNHCR's urban caseload also have difficulty finding shelter. The 42,000 shillings a month they receive is barely enough to pay rent, even in the poorest areas of the city.

4.3 Self-settled refugees living in Kampala

Besides these two categories, numbers of self-settled refugees are also increasing. Generally, refugees prefer self-settlement and only go to camps when they have failed to support themselves, or when seeking educational opportunities for their children.⁴⁰ Despite the provision of humanitarian assistance in settlements, refugees continually find their way into urban areas in search of better life opportunities. The UNHCR refers to refugees who move to urban centres as "irregular movers." Among the self-settled refugees are those who arrived as lone asylum seekers and did not see any benefit in applying for refugee status, those fleeing insecurity in the settlements and others that have opted for a "dual" settlement, (continuing to receive assistance from the settlements even though they live in Kampala). Some of these refugees, especially the youth, move from the settlements to engage in the informal labour market with the hope of earning enough money to continue with their

³⁹ Kalyango 1999, Lammers 1998

⁴⁰ Harrell-Bond 1986, Kalyango 1999, Kibreab, 1996

education. For others, the urban setting provides an opportunity to reconstruct their lives. Among these are professionals, businesspeople and human rights activists. At times they are not perceived as refugees because they do not appear to fall within the stereotype of the needy refugee.

Despite GoU's policy aversion to urban settlement, refugees continue to locate themselves in Kampala and seek alternative means of assistance. For instance, there is a group of Sudanese men and women who live in Rubaga division in Kampala. There are reportedly about 100 families and these do not receive any form of assistance from UNHCR or GoU. They are being supported by the Catholic Church, which is also looking for ways and means of securing assistance for them. Simmering tensions between this group and the indigenous people illustrate the precarious existence of self-settled refugees. The area Member of Parliament, for instance, blaming the refugees for soaring rent charges and rising insecurity, has threatened a hunger strike⁴¹ and vowed to incite his constituents into a mass uprising, should the refugees not relocate.

4.4 Identified gaps in assistance

Several organisations, including the Catholic Church, Amnesty International and the Refugee Law Project, offer unstructured assistance to refugees ranging from housing and bathing facilities to sending out e-mail messages. One problem identified with this form of service delivery is the fact that it remains largely inconsistent and uncoordinated and, as such, is of benefit to only a few refugees.

This section has argued that each category of refugee in Kampala— asylum seeker, UNHCR urban case, and self-settled—has problems peculiar to their group, in meeting basic needs. Nonetheless certain problems are common to all three categories of refugees.

To start with, finding adequate shelter in Kampala remains a daunting task that refugees and asylum seekers grapple with on a day-to-day basis. On the whole, refugees in Kampala live primarily in slums, such as Kisenyi and Makerere Kikoni. Quite often, they are dismissed under the general category of the 'urban poor', since most of them live in city slums under conditions akin to those of their neighbours. At times, refugees from the same country form enclaves, such as the Sudanese community in Makerere Kikoni, the Somali community in Kisenyi and the Congolese who until recently lived in Makindye. Refugees at times pool resources together, sharing the rent on a single room house. At times they are forced to sleep in shifts.⁴²

Accessing a sustainable food supply is likewise a challenge for urban refugees. Refugees not on the UNHCR urban caseload are particularly vulnerable. According to the programme officer at JRS, providing food to asylum seekers is a difficult task, since only a few of them benefit, and such assistance is meant to act as a supplement to the refugee's

⁴¹ 'Nja kwekalakaasa', Bukedde newspaper, 10th July 2002

⁴² Sudanese refugee leader living in Makerere Kikoni, 18th December 2001

own resources. In order to get money for food, refugees engage in petty trade, or leja leja to make ends meet.⁴³ Some refugee women are forced to eat food dropped from trucks going to the markets:

“We gather this food whenever a truck stops to unload at Owino market. Once we get home, we separate the good food from the bad one and then eat.”⁴⁴

One of the most sought after services for young refugees is education. Refugee children and youth at times move from the settlements to Kampala in search of educational opportunities which are often lacking or marginal in rural areas. The GoU’s Universal Primary Education initiative affects all children in Uganda, including refugees, and UNHCR funds schools with refugee children. This assistance, however, does not extend beyond primary level, and few refugees are sponsored by UNHCR for secondary education either in Kampala or in the rural settlements. The search for secondary education has led to an increase in the number of young refugees moving to Kampala in the pursuit of educational opportunities. Although some have succeeded in finding sponsorship, the majority have not.

Whereas Ugandan nationals seek out education in order to create opportunities for themselves, the education of refugees has an additional component. Like Ugandans, refugees want education in order to improve their circumstances in Uganda. However, refugees also desire education that will be of use once they return to their home countries. This is especially relevant for refugees from Francophone countries. In 1999, Uganda received over sixty student asylum seekers from Rwanda who failed to integrate into the Rwandan education system because of a monolingual policy pursued by Rwanda.⁴⁵ The students, who had been refugees in Uganda, had received their education in English instead of French. This made their integration difficult and after they were accused of undermining Rwandan government policy, they fled to Uganda.

French-speaking refugees have recognised this problem and there have been several attempts to start primary schools for Francophone children in Kampala. These schools run on a *pro bono* basis by refugees, who are former teachers or simply individuals with some secondary school education. They are started as an agreement between the parents and teachers, with parents providing basics such as books and pens. The first such attempt was by the Sudanese in Makerere Kikoni, who set up a primary school in a Catholic Church, while the other was by two Francophone Congolese refugees who set up a school named Bandeko⁴⁶, at Makindye in the residence of Father Michael Lingisi. Problems faced by these schools include unstructured curricula, lack of recognition by the Ministry of Education, limited funding for basic infrastructure, and uncertain commitment from parents.

⁴³ FN, Counsellor at InterAid Uganda, January 2002

⁴⁴ Sudanese woman refugee, DATE.

⁴⁵ Harrell-Bond, (1999)

⁴⁶ The Lingala word for “brotherhood”.

Adequate education for repatriation and integration hence remains a key factor for urban refugees. These attempts at starting a school are a sign of the refugees' resilience and determination to ensure that their children secure their future by getting an education. These attempts however, have largely gone unnoticed.

An additional problem faced by urban refugees is the redundancy arising from a failure to find gainful employment or other productive use of their time. Refugees tend to linger around the offices of InterAid, the Refugee Law Project and JRS, in order to enjoy the company of others and talk about their problems. It was observed that men visit these places more than women, which may be because the women go out to look for money and take care of family needs. Whereas these meetings, whether formal or informal, may offer a modicum of psychotherapy, insofar as they allow the refugees to talk about their problems, few of them have resulted in any concerted effort towards income generating schemes.

While many of these problems affect all urban poor, the situation of urban refugees is made more acute by a number of factors. For one thing, refugees who settle in Kampala effectively remove themselves from the protection offered in the settlements by the international community. Thus, UNHCR and government do not intervene when individual urban refugees have difficulties. Secondly, refugees, like most foreigners, are often the target of xenophobic tendencies, and hence discrimination, from the local people. This is of striking concern, as both the government and UNHCR rarely intervene in these cases. Thirdly, refugees are not invariably an unsophisticated lot. Many of them have urban backgrounds and may be genuinely unable to live in a rural settlement. Yet, having been impoverished by their flight into exile, they are compelled to move to rural settlements before they can receive assistance. As such, they are held at ransom by their need for economic survival. Lastly, some procedures, such as medical assistance and resettlement to third countries, are centralised in Kampala and many refugees pursuing their asylum claims have to stay in the city for extended periods of time, without any humanitarian assistance.

5 PROCEDURES FOR REFUGEE RESETTLEMENT FROM UGANDA

Many of the RLP's Legal Aid Clinic clients express an interest in resettlement, the official and permanent movement of a refugee to another nation, as a means of escaping the difficulties they encounter as refugees. This section examines the practice and procedures of resettlement, as implemented in Uganda. It finds that the procedure pertaining to application for resettlement is hampered by limited numbers of UNHCR staff authorised to recommend resettlement, endemic misinformation among the refugee community as to the nature of and criteria for resettlement and a lack of formal structures to make resettlement accessible on an equitable basis to all refugees.

5.1 Resettlement as a durable solution

The international community recognises three 'durable solutions' to the refugee situation: repatriation, local integration, and resettlement to a third country. Recipient countries accept these limited numbers of refugees as part of an effort to share the responsibility for the worldwide phenomenon of forced migration. Because of the costly and politically difficult nature of resettlement, it is often considered an option of "last resort". On an

international level, increasingly restrictive immigration policies by nations that accept refugees, especially in the aftermath of the 11th September attacks on New York and Washington, D.C. (U.S.A.) threaten to roll back the gains won in recent years, in terms of liberal refugee policy.

The UNHCR Resettlement Handbook states that resettlement should be considered for refugees who cannot return to their home country and are at risk in the country where they have sought refuge.⁴⁷ For such refugees, resettlement may be the only viable option. Conclusions of the Executive Committee (EXCOM) of the High Commissioner's Programme have repeatedly stated the value of resettlement as one of the durable solutions, in light of the protection of individual refugees and in the spirit of responsibility sharing amongst nations.⁴⁸

5.1.1 The role of the Government of Uganda in resettlement

The main actors in resettlement are UNHCR and the governments of the recipient countries. The host country hence plays little formal role. However, this does not mean that Uganda is disinterested in resettlement. The presence of individual refugees may exacerbate political disagreements. Uganda has a vested interest in ensuring the safety of such refugees, who often are eligible for resettlement, and may actively seek for them to be resettled to avoid the political ramifications of hosting them.

5.2 Official resettlement criteria

Only refugees falling under one of the refugee conventions are eligible for resettlement and in practice, there are three grounds for the resettlement of refugees from Uganda to third countries: threats to legal and physical protection need for medical treatment for conditions that are correctable in a resettlement country and reunification of the nuclear family.

The Refugee Law Project is unaware of cases where refugees who have been resettled under the other category, that is, 'refugees without local integration prospects'. Indeed, the UNHCR Resettlement Officer has confirmed that this does not happen. She said further that she would not encourage it as it would prompt an overwhelming number of refugees to seek resettlement and that "there is always a danger that resettlement will become a passport visa to the U.S."⁴⁹ Other listed categories, such as children, the elderly and women, are given priority if they fit under the three main categories. In practice, the vast majority of refugees resettled from Uganda are those with serious protection concerns.

5.2.1 Refugees facing threats to their legal and physical safety

Resettlement is primarily meant to protect the legal and physical rights of refugees. Threats to legal safety include the prospect of forced return to a country where the refugee would be in danger, or expulsion or arbitrary detention by the country of refuge. Such a situation

⁴⁷ 1998, p. II / 2.

⁴⁸ See, for example, EXCOM Conclusions No. 67 (XLII) – 1991, No. 71 (XLIV)(q) – 1993, and No. 79 (XLVII)(q-s) – 1996.

⁴⁹ Resettlement Officer, UNHCR Kampala, 13 December 2001.

normally results from political concerns, where the host country either views the refugee as a threat or has close political ties with the home country of the refugee.

Resettlement is also an option for those refugees who face threats to their physical safety or human rights in the country of refuge. Such a threat must be directly targeted at the particular refugee or group of refugees. Refugees subject to untargeted violence or abuse of their human rights are not eligible. Thus, for instance, a refugee who has been targeted by agents of a foreign government may be considered for resettlement, but a refugee who lives in a location that is subject to indiscriminate attacks by rebel groups may not.

The former UNHCR Senior Protection Officer gave some instances of refugees with protection issues in Uganda who are eligible for resettlement:

I give an example of people who were in the Democratic Republic of Congo and, at the time, were very critical of the presence of Uganda's soldiers, the UPDF, in their country. When some got sought after by some of the fighting factions their quick way out was to come to Uganda. They may be a small group but you can see that they may not be safe [...]

The other example is people from among the Sudanese communities who are not really victims of the government in Khartoum but victims of the non-state actors in the south of the country. These non-state actors may be having good access to our refugees in a manner that the Ugandan government could not effectively offer protection to them. These people, therefore, qualified for resettlement and their numbers were quite large.⁵⁰

5.2.2 Refugees with medical needs

Refugees are rarely resettled on account of medical needs. The criteria for resettlement on medical grounds states, in a very simplified form, that only refugees whose medical condition is life-threatening, who must have access to medical treatment not available in their host country or through a temporary medical evacuation, and whose treatment would result in the successful treatment of their illness, are eligible for resettlement. If, like torture or rape, the medical problem is linked to a protection issue, the claim for resettlement becomes stronger.

5.2.3 Refugees who have separated by their persecution or flight

UNHCR reunites refugee families that have been separated. At least one member of the family must be a recognised refugee, and in practice only nuclear families, i.e. children, parents and spouses, can be reunified.

5.3 Identification of refugees who may be eligible for resettlement

The identification of a case for possible resettlement should be conducted as part of the standard operations of UNHCR offices in the field; ideally, this should come during initial registration as a refugee. UNHCR officers working directly with refugees should also be in

⁵⁰ Interview conducted by the Sudan Human Rights Association with Abel Mbilinyi, Former SPO, UNHCR Kampala excerpted in “*We would quarrel like friends but never fight*”, Article in the Sudan Monitor, Sudan Human Rights Association, December 2001, p. 3. The mention of “non-state actors” in south Sudan is a clear reference to the southern rebel groups.

a position to identify individuals and families for resettlement consideration. UNHCR is also encouraged to gather, from other organisations, information on possible resettlement of eligible refugees, such as those dealing with medical and social services, and from structures within refugee communities. Once a refugee is identified as being potentially eligible for resettlement, s/he must be interviewed by the Resettlement Officer, who is based in Kampala. In practice, many refugees make UNHCR aware of their claim for resettlement by personally contacting a Protection or Resettlement Officer.

Governments that agree to accept resettled refugees mostly take only referrals from UNHCR. However, some nations authorise their officials abroad to identify persons eligible for resettlement under specific criteria. In addition, some refugees write directly to the embassies of governments with their resettlement claims and are able to arrange interviews for resettlement during the occasional 'circuit rides' (overseas trips to interview refugee applicants) of those countries' immigration officials. Refugees identified directly by these governments bypass UNHCR in the resettlement process.

5.3.1 Bias for Kampala-based applicants in identification for resettlement

The procedure for identifying refugees who are eligible for resettlement relies heavily upon the involvement of UNHCR Protection Officers and the Resettlement Officer. The country office for UNHCR, located in Kampala, has one Senior Protection Officer (SPO), one Protection Officer and one Resettlement Officer assigned to it, and an urban caseload of registered refugees numbered in the hundreds. The north-western district of Arua, for example, has one Protection Officer assigned to look over the protection needs of 37,000 refugees located in two settlements. Similarly, the UNHCR Field Offices located in the districts of Adjumani in the north and Mbarara to the west, which respectively serve 104,000 and 37,000 individuals, each have one Protection Officer assigned to them.⁵¹

As a refugee cannot be identified for resettlement without the involvement of the Resettlement Officer, as well as of the probable initial identification by a Protection Officer, the distribution of these officials vis-à-vis the location of refugees in Uganda creates a *de facto* bias for refugees in Kampala. It is easier to make the initial contact with a Protection or Resettlement Officer in Kampala than with the overwhelmed Protection Officers in border districts who are tasked with identifying the minority of individuals with resettlement needs from among tens of thousands. As the UNHCR Resettlement Officer in Kampala stated, "If refugees here want to, they will eventually see me."⁵²

UNHCR and government officials have occasionally expressed discontent about those refugees who leave settlements without the permission required by Ugandan policy, in order to pursue a claim for resettlement in Kampala. This, however, is not incomprehensible, given the difficulties cited above.

Many high-profile refugees or those with dire security problems which have been identified in other regions, are relocated to Kyangwali Refugee Settlement in western Uganda.

⁵¹ Population figures from UNHCR data as of the end of December 2001.

⁵² Resettlement Officer, UNHCR Kampala, 13 December 2001.

Correspondingly, much of the attention of the Resettlement Officer is focused upon Kyangwali with its large proportion of refugees with identified security concerns in Uganda. This is especially apparent considering that the Resettlement Officer often has little time available for trips to areas outside Kampala. Though logical, this focus can result in marginalizing settlements that do not have the high profile of Kyangwali.

5.3.2 Direct identification for resettlement by foreign diplomatic missions

As mentioned above, some foreign diplomatic mission personnel are authorised to identify and refer refugees for resettlement to their own countries. All of the diplomatic missions in Uganda are located in Kampala, and the refugee community most aware of this option for seeking resettlement is that living in urban areas. This further deepens the information and opportunity divide between urban and settlement refugee populations.

5.4 Procedures for resettlement

As stated above, once a refugee is identified as possibly being eligible for resettlement, the refugee is referred to the Resettlement Officer. When Field Offices recommend refugees, the Field Officer makes a list of the refugees recommended and attaches dossiers. The Resettlement Officer, after consultation with other relevant UNHCR staff, then determines if resettlement is the most appropriate solution for the refugee .

Cases approved for resettlement are then filed according to the procedures and criteria specific to recipient countries. Each country that receives referrals then undertakes an interview to determine eligibility for resettlement under its own criteria. In the case of the U.S., an initial screening is carried out by a Joint Voluntary Agency (JVA), an NGO on contract with the U.S. government, and refugees who pass this screening have a final interview with the Immigration and Naturalization Service (INS).

Once a recipient country accepts a refugee for resettlement, a number of arrangements must be made to prepare the refugee and arrange travel. Most of these details are handled by the International Organisation for Migration (IOM). The period of time from the initial interview with a UNHCR Resettlement Officer until acceptance by a resettlement country is often a matter of many months, and it is not unusual for a refugee to spend up to two years progressing through the sequence of interviews.

5.4.1 Emergency and urgent submission for resettlement

The procedure described above is for 'regular submissions'. In situations of dire necessity, UNHCR may declare a refugee of the emergency or urgent category. Emergency cases are to be resettled in no more than five days, and in some cases in a matter of hours. Urgent cases are those judged not to be as grave as emergency cases, but still pressing. They are put at the front of the queue of regular submissions and are followed up by UNHCR officials.

5.4.2 Resettlement for pay

Some of the issues relating to the procedures outlined above can be seen in the following incident. In June 2001, approximately 50 refugees, including families, camped outside the front gate of UNHCR Kampala protesting the loss of their applications for resettlement. In

July 1999, these individuals, located in Kyangwali refugee settlement, had filled out a form applying for resettlement, with the assistance of a JVA employee from Nairobi. According to some interviewed refugees who were in Kyangwali at this time, “Everyone knew you can pay money for resettlement”, but the JVA representative was “very innocent.”⁵³ The price for resettlement was five hundred US dollars and the procedure used was to have a refugee with a valid claim for resettlement fill out the resettlement application, then insert the name and/or photograph of the person who had paid the money. The Ugandan national who was acting resettlement officer at the time was investigated in early 2001 and removed from the resettlement office.⁵⁴ The approximately 50 refugees decided to hold a sit-down protest at UNHCR Kampala after they found their names missing from the list of resettlement cases. They were subsequently allowed to reapply for resettlement.

There are a number of lessons to be gained from this unseemly incident. The first is that it reveals how corruption within an organisation went undetected, apparently because the individual was not looking for irregularities. Secondly, the persons most informed about the corruption - the refugees - had no structural means of reporting the problem, not least because the accused responsible person was the one they would have made any report to.

5.4.3 Discretionary approaches to resettlement by UNHCR staff and offices

The extent to which resettlement is used as a durable solution to protect refugees is also affected by individuals in key positions. The recently relocated Senior Protection Officer initiated a massive increase in resettlement submissions during his tenure in Uganda.⁵⁵ In 1997, before he arrived, 34 cases were resettled through UNHCR. This is in stark contrast to the 136 resettled in 1998, 254 in 1999 and 443 in 2000. The exact number of resettled refugees in 2001 was not available at the time of this writing, but is expected to be over 500.⁵⁶

5.4.4 Expectations of refugees

The prohibition against registration of Sudanese asylum seekers in Kampala, partly because of a flow of refugees seeking better resettlement chances, highlights the sometimes overly optimistic expectations of refugees who are not aware of the nature and criteria for resettlement.⁵⁷ Stories of refugees who have been resettled circulate by word of mouth through refugee communities, often becoming distorted as a result. Actions by individuals and humanitarian agencies to sponsor refugees to live or study abroad are often perceived as ‘resettlement’ and are referred to as such. Consequently, there is a serious lack of accurate information amongst the general refugee community, as to the nature of resettlement. This lack of understanding has bred the belief, amongst many refugees, that resettlement is much more common, than is actually the case or that, in order to be resettled, one only needs acquaintances in positions of authority. This, in turn, creates a situation where numerous

⁵³ Interview with refugee, 28 January 2002

⁵⁴ This occurred at roughly the same time as the investigations into the resettlement scandal in Nairobi where up to 70 people were found to be involved in a complex scandal to extort money from refugees.

⁵⁵ Resettlement Officer, UNHCR Kampala, 13 December 2001.

⁵⁶ UNHCR data as of 29 January 2002.

⁵⁷ See Refugee Law Project, Fact Sheet No. 1, 21 February 2001.

refugees who do not have credible claims for resettlement submit applications, resulting in a massive backlog of cases that UNHCR officials must examine.

6 RESETTLEMENT COUNTRIES

In this section, we briefly examine the policies of the United States of America and of Australia, two of the established recipient countries for resettled refugees, as well as Benin, an African country that has recently implemented a resettlement programme. Owing to the xenophobic factor referred to hereinbefore, the issue of accepting refugees is contentious, both amongst countries of first asylum and those that receive resettled refugees. Many people do not fully appreciate the difference between refugees and economic migrants; nor do they recognise that refugees have rights. In recent research, South African citizens appeared to make a clear distinction between a general principle that refugees should be accorded protection, and their government's responsibility in offering that same protection.⁵⁸ Refugees have been defined as a 'burden issue' for so long that it has now become accepted as a truism.

6.1 Quotas of recipient nations

The policies of the United States have a major impact on the lives of individual refugees seeking resettlement. In 2000, it received over 25,000 resettled refugees, or two-thirds of all resettled refugees in the world. American Embassy officials may directly refer refugees to INS for resettlement consideration. However, such authority appears to be rarely used; the Regional Refugee Coordinator at the American Embassy, Kampala, estimated that he had made approximately ten referrals in the previous 18 months, almost all of whom were single women-at-risk and most of whom already had links to the U.S.⁵⁹

Australia, still a major resettlement country, allocates 4,000 places for refugees resettled from their country of asylum. While most resettled refugees are referred by UNHCR, a minority make direct contact with an Australian embassy. Globally, only 2,602 refugees were resettled to Australia by means of UNHCR referral in 2000.⁶⁰

6.2 The benefits of resettlement to African countries

The number of nations receiving resettled refugees has recently expanded from the ten traditional countries to eighteen. In Africa, Benin began to implement resettlement programmes in 1998. Since that time approximately 130 refugees have resettled in Benin.⁶¹ Part of the credit for the expansion of countries willing to take resettled refugees is due to the establishment of a Resettlement Trust Fund in 1997, which defrays the cost of receiving resettled refugees.⁶²

⁵⁸ Crush 2001, pp. 20-21.

⁵⁹ Regional Refugee Coordinator, American Embassy Kampala, 17 December 2001.

⁶⁰ report to Congress, p. #

⁶¹ *New resettlement programmes* on www.unhcr.ch. Accessed 15 January 2002.

⁶² Executive Committee of the High Commissioner's Programme, *New Directions for Resettlement Policy and Practice*, 14 June 2001.

Many refugees seeking resettlement are focused upon the benefits of being located in one of the highly industrialised nations of the world. However, there are a number of benefits to Africans who are resettled in African countries. For instance, as polygamy is illegal in the countries that receive the vast majority of resettled refugees, the only option for polygamist refugees is to be resettled to another African country. Even if Northern nations were able to accept polygamists, the sometimes-enormous size of polygamist families makes Northern nations reluctant to consider them.⁶³ In some cases, refugees have felt pressure to abandon their extended families.

This situation is further complicated by traditional sub-Saharan concepts of “family”. Traditionally, in the event of a death, the brothers of the deceased will take on care of the orphaned children and treat them as their own.⁶⁴ While such an informal support network plays a valuable social role, especially under the onslaught of widespread armed conflict and the AIDS pandemic, it is a stumbling block to resettlement. When refugees apply for resettlement, Northern countries often insist that some form of documentation be provided to prove that children who have been traditionally ‘adopted’ are the legal dependents of the refugee and thus also eligible for resettlement. As such documentation is usually non-existent, refugees have had their claims for resettlement delayed or denied. African countries that receive resettled refugees on the other hand, have shown themselves to be more willing to accept refugees with traditional dependents.

Despite these benefits to African refugees, only a small number of refugees have been able to be resettled to the new resettlement countries in Africa. The situation thus far has led the U.S. agency responsible for refugees to state: “The initial efforts in Burkina Faso, Benin, and South Africa involving the permanent resettlement of small numbers of African refugees have not gone well enough to offer real prospects for expansion.”⁶⁵ It can only be hoped that as the capacity of the resettlement programme grows, more refugees will be able to enjoy the societal benefits of being resettled to Benin and elsewhere on the continent.

6.3 The politics of quotas

While the acceptance of refugees is ideally a humanitarian act, in practice, there are a number of factors influencing both the number and type of refugees accepted for resettlement. This is most obvious through the use of quotas for the number of refugees taken from specified regions. The proposed U.S. resettlement ceiling for 2002 is 70,000 individuals, of which 22,000 are allocated to Africa.⁶⁶

⁶³ As an exceptional example: a refugee from Chad who was found eligible for resettlement had 50 children. Resettlement Officer, UNHCR Kampala, 13 December 2001.

⁶⁴ The close bonds amongst extended family in traditional African societies are illustrated by the fact that in many sub-Saharan languages, such as those in the Bantu language family, the words son/nephew and daughter/niece are identical.

⁶⁵ U.S. Department of State, Bureau of Population, Migration and Refugees. Proposed Refugee Admissions for FY 2002 -- Report to the Congress.

⁶⁶ U.S. Department of State. *Proposed Refugee Admissions for FY 2002 -- Report to the Congress*. 2001.

In 2000 the ceiling was 18,000 African refugees, though the actual number resettled to the U.S. was 17,559.⁶⁷ This difference is partially attributable to capacity issues. In the late 1990s, there was a movement to increase and diversify the number of refugees that the U.S. accepts.⁶⁸

Australia practices a similar quota system for resettled refugees but also has a ceiling of 2000 for refugees recognised in Australia.⁶⁹ The resettlement process in Australia has been complicated in recent years by a link made between offshore and onshore applications—i.e. spots allocated to resettlement cases abroad are ‘taken’ if the number of asylum applications in Australia is above 2,000. A consortium of refugee organisations in Australia has expressed its opposition to the linkage of offshore and onshore applications and stated, “We believe that the humanitarian program is well below a level dictated by need and capacity, and is also not at a level that would indicate to observers that Australia is serious about providing viable options to people unable to find effective protection in their immediate region.”⁷⁰

6.4 The effect of the 11th September 2002 attacks

No refugee can be resettled to the U.S. if the President does not sign the document that sets the ceiling on the number of refugees who may be accepted. This document went unsigned for nearly two months following the September 11th terror attacks, leaving nearly 22,000 refugees around the world that had been approved to come to the US, in administrative limbo overseas.⁷¹

The conclusions of an American interagency security review of the resettlement programme, ordered in the wake of the 11th September attacks, include the institution of a number of new security procedures applying to all refugees worldwide, with security checks and the issuance of picture identification.⁷² The American Immigration and Naturalization Service (INS) normally carries out one circuit ride⁷³ annually in Uganda, though there was a move to increase the number of circuit rides to two or three per year. Following 11th September, all circuit rides were suspended. While the circuit rides have recommenced, the initiative to increase the number of circuit rides is in jeopardy. Security will also be increased for INS officers conducting interviews in Kampala.⁷⁴

The 11th September attacks accelerated a trend in Australia against accepting refugees. There was a fear that a flood of asylum seekers, following increased instability in the Near

⁶⁷ Bureau of Population, Refugees, and Migration. *Fact Sheet: African Refugee Admissions Program*. 1 March 2001.

⁶⁸ Regional Refugee Co-ordinator, American Embassy Kampala, 17 December 2001.

⁶⁹ Refugee Council of Australia, *Australia's Refugee and Special Humanitarian Program: Current Issues and Future Directions: Views from the Community Sector*, November 2001, p. 25.

⁷⁰ Refugee Council of Australia, November 2001, p. 23.

⁷¹ Refugee Council USA, *President Signs Document Allowing Refugee Resettlement*, November 2001.

⁷² Refugee Council USA, November 2001.

⁷³ A circuit ride refers to a trip during which an INS official conducts a final interview for refugees seeking resettlement to the U.S.

⁷⁴ Regional Refugee Coordinator, American Embassy Kampala, 17 December 2001.

East and South Asia after the 11th September attacks, would enter Australia by way of Indonesia. This has resulted in widely publicised procedures to detain or deny entry to asylum seekers and has also informed the debate about refugees in general, including resettled ones. One newspaper report asserts thus: “The statements made by candidates in the Australian elections for Prime Minister in mid-November, which were attacked as being racist and isolationist, illustrate the political and emotional dimensions of accepting refugees, including resettled refugees.”⁷⁵

Although increased security measures are reasonable and, hopefully, will help guard against abuse of the resettlement system, the momentum gained over recent years, for the expansion of the resettlement programme, is in danger of being lost. Numerous refugees in Uganda with pressing resettlement claims have already been forced to wait for months before resettlement interviews were resumed. This has resulted in much anxiety and psychological anguish amongst those of them already living in a state of uncertainty. The ceiling of 70,000 refugees specified by Americans is the lowest in more than a decade.⁷⁶ While the resettlement programme worldwide has achieved remarkable gains, progress can still be made and fear of terror should not force governments to refrain from reaching out to the most vulnerable refugees.

6.5 Bias for refugees with easy resettlement prospects

An issue of concern is the objectivity of the resettlement procedure, particularly regarding selection by resettlement countries. Official UNHCR guidelines clearly state that refugees are not to be resettled because they appear ‘deserving’ on account of their education, language abilities, or because they arouse feelings of pity. However, several official sources stated that there is an unofficial preference towards refugees with language skills useful in the resettlement country and who have high levels of education. There has also been a historical preference for refugees who have a pre-existing connection to the resettlement country, such as a family member. This is undoubtedly a result of a desire to “promote self-sufficiency as quickly as possible (limiting the need for public assistance).”⁷⁷ While such a preference is understandable, from the viewpoint of countries accepting resettled refugees, it poses a threat to the protection of those refugees who, while deserving of resettlement, appear not to have prospects for an easy and quick integration into the society of the resettlement country.

7 CONCLUSION

This study has sought to document issues involving urban refugees in Kampala. It finds that the situation of refugees in Kampala is worsened by two factors. Firstly, GoU and UNHCR have failed to address the phenomenon of urban refugees, and continue to conceive programmes as if all refugees are of rural origin. While refugees and asylum seekers with

⁷⁵ “Both sides ‘conducting racist poll campaigns’ over refugees”, South China Morning Post, 7 November 2001.

⁷⁶ Refugee Council USA, November 2001.

⁷⁷ U.S. Department of State, Bureau of Population, Refugees and Migration. *Proposed Refugee Admissions for FY 2002 -- Report to the Congress*. 2001.

urban backgrounds are a minority of the total refugee population in Uganda, their numbers will continue to grow as African nations urbanise.

Obi and Crisp note that this demographic change has raised concerns for both UNHCR and the different states.⁷⁸ In 1994, for instance, UNHCR developed policy guidelines for the provision of assistance to and promotion of solutions for refugees in urban areas. This policy, which was revised in 1997, places an emphasis on their situation in an urban centre and unregulated movement to urban areas.⁷⁹ However, a close look at this policy illuminates it as isolationist, and one that was written without taking into account the reasons and factors that force refugees to move into urban areas, or the fears and concerns of governments that do not support the presence of refugees in urban areas.

It is to the credit of GoU that it recognises that the current domestic legislation pertaining to refugees is outdated and refuses to implement it. The effort to bring refugee practice in line with international norms is likewise praiseworthy. However, the current policies effectively write off urban refugees, and provide an excuse for the neglect of persons who fall under the international criteria for a refugee. On the occasion of World Refugee Day 2002, the UN High Commissioner for Refugees, Ruud Lubbers, stated that

refugees could be making enormous contributions to national development...We are pushing new initiatives to link relief assistance to refugees with long-term development goals of host communities. Refugees can be real agents of development and positive change.⁸⁰

While an attempt has been made to implement this rhetoric through the Self-Reliance Strategy for rural settlements, there has been no sign that the GoU and UNHCR are willing to facilitate a role for urban refugees. Given the generally high level of education and skills that many refugees in Kampala possess, they provide a resource for Uganda that should not be ignored.

The second factor that adversely affects urban refugees concerns the ad hoc, and indeed personalised, systems in place. This is most obvious in the status determination procedure, which is crippled by the lack of relevant legislation, or even written policy, to guide it; indeed this is also apparent from the few assistance structures set up. While UNHCR's Resettlement Handbook provides guidelines and procedures, in practice, individual officers sometimes fail to implement UNHCR's mandate, or abuse it, and the procedures do not offer an equal opportunity for resettlement to all refugees.

Several recommendations emerge from this documentation. To start with, a clear written policy on urban refugees in Kampala is needed. The issue of urban refugees should be addressed in new refugee legislation. In particular, basing eligibility for humanitarian assistance on location in a refugee settlement is questionable, both in pragmatic terms and in light of international conventions.

⁷⁸ Obi and Crisp 2001.

⁷⁹ UNHCR 1997 and Obi and Crisp 2001

⁸⁰ 2002 World Refugee Day message by U.N. High Commissioner for Refugees Ruud Lubbers, 20 June 2002.

Secondly, the status determination procedure in Kampala has been revealed for its irregularity and unpredictability. Thus, in addition to addressing the issue of urban refugees, written policy and law should ensure transparent and efficient processing of asylum claims. The option of a reception centre to act as a sort of “urban transit camp” should also be explored.

Thirdly, the role of UNHCR as both judge and advocate in status determination is dual and contradictory. Constant participation in status determination makes the procedures more complex and blurs the roles of UNHCR and GoU. It would be more productive for UNHCR to explore ways and means of enhancing the capacity and efficiency of GoU agencies concerned with status determination, rather than be an influential participant in the process.

Finally, given that resettlement is the most drastic of the three durable solutions to refugee problems, the personal discretion and biases that have informed its implementation are of the greatest exigency. In order to improve the application procedure for resettlement, the problems identified above should be resolved. Additionally, an effort should be made to further involve other actors, including NGO implementing partners and refugee leadership structures, in the system.

REFERENCES

Bureau of Population, Refugees and Migration, U.S. Department of State: *Proposed Refugee Admissions for Fiscal Year 2002 – Report to the Congress*: 2001.

Cohen, R. and F. Deng. *Masses in Flight: the Global Crisis of Internal Displacement*. Washington, D.C: Brookings International Press, 1998.

Crisp, J. *A state of insecurity: the political economy of violence in refugee-populated areas of Kenya*. Working Paper No. 16, UNHCR Switzerland, December 1999.

De Lorenzo, M. *The need for expanding services to refugees in Kampala*. Concept paper: Makerere University, 1999.

Executive Committee of the High Commissioner's Programme: *New Directions for Resettlement Policy and Practice*, 14 June 2001.

Gilbert, A. and J. Gugler. *Cities, Poverty and Development*. New York: Oxford University Press, 1992.

Ginyera-Pincywa, A.G.G. (ed.), *Uganda and the Problem of Refugees*. Kampala: Makerere University Press, 1998.

Ginyera-Pincywa, A.G.G. "Sharing with the Refugees in our Midst: The Experience of Uganda." Unpublished paper: Makerere University, 1998.

Ginyera-Pincywa, A.G.G: *Disaster relief operations for refugees in Uganda*, MSS Thesis (unpublished). Department of Political Science, Makerere University, 1997.

Goodwin-Gill, G. *The Refugee in International Law* (2nd edition) Oxford: Clarendon Press, 1996.

Hansen, H.B. and M. Twaddle. *Uganda Now: Between Decay and Development*. London: James Currey Ltd., 1988.

Hansen, H.B. and M. Twaddle (eds.) *Developing Uganda*. Kampala: Fountain Publishers, 1998.

Harrell-Bond, B. *Imposing Aid: Emergency Assistance to Refugees*. New York: Oxford University Press, 1986.

Harrell-Bond, B. (1999) *The Enjoyment of Rights of Refugees in Uganda: a socio-legal study*, progress report to the Uganda National Council of Science and Technology and Makerere Institute of Social Research, Kampala Uganda.

Hovil, L. *Refugees and the Security Situation in Adjumani District*. Refugee Law Project Working Paper No. 2, June 2001.

Hovil, L. and A. Moorehead. *War as Normal: The Impact of Violence on the Lives of Displaced Communities in Pader District, Northern Uganda*. Refugee Law Project Working Paper No. 5, June 2002.

Hovil, Lucy and Eric Werker. *Refugees in Arua District: A Human Security Analysis*. Refugee Law Project Working Paper No. 3, September 2001.

Kalyango, R. “*Non governmental organisations and the provision of humanitarian assistance to urban refugees in Kampala*.” Unpublished Masters thesis: Makerere University, 1999.

Kibreab, G (1996), ‘*Eritrean and Ethiopian urban refugees in Khartoum: What the eye refuses to see*’, in *African Studies Review* Vol. 39 No.3 December 1996:131-178.

Lammers, E. “*Refugee experiences; from theory to daily life in Kampala*”. Unpublished Masters(?) Thesis: Free University of Amsterdam, 1998.

Lawyers Committee for Human Rights; *African Exodus: Refugee Crisis, Human Rights and the 1969 OAU Convention*, 1995, New York

Lomo, Z. *Refugee Status and Asylum Determination Procedures: The Case of Uganda*. Draft report for the research project “The Enjoyment of Rights of Refugees in Uganda: a Socio-legal Study”, December 1998.

Lomo, Z. *The Human Rights Dimensions of Asylum Law and Practice in Uganda*. LLM Thesis (unpublished). Harvard University, May 2000.

Lomo, Z., 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.

Macchiavello, M. *Urban Refugees; an under-utilized asset*, Unpublished 2nd Bimonthly Report (12th June—25th August 2001) of fieldwork in Kampala, Uganda, Centre for Refugee Studies, University of Oxford.

Poverty Eradication Plan (2001-2003) Volume 1, Ministry of Finance planning and Economic Development. 2001

‘*Nja kwekalakaasa*’, Bukedde newspaper, 10th July 2002.

Mulumba, D. *Towards the integration of health services in Refugee Affected Areas in Uganda*, Research report for the Ford Foundation, Nairobi, Kenya. 1998

Obi, N. and J. Crisp, *Evaluation of the implementation of UNHCR policy on refugees in urban areas*, United Nations High Commissioner for Refugees, Evaluation and Policy Analysis Unit. 2001

Pirouet, Louise. “*Refugees in and from Uganda in the post independence period.*” In Hansen and Twaddle (eds.), *Uganda Now: Between Decay and Development*. London: James Currey Limited, 1998.

Refugee Council of Australia; *Australia’s Refugee and Special Humanitarian Program: Current Issues and Future Directions: Views from the Community Sector*, November 2001.

Refugee Law Project; *Sudanese Asylum Seekers Stranded in Kampala*. Fact Sheet No. 1. 21 February 2001.”

The Refugee Consortium of Kenya: *Refugees: a Forsaken People?*” in Refugee Insights No. 2, May-August 2001; A newsletter of the Refugee Consortium of Kenya, pp. 6-7.

Sperl, S *Evaluation of UNHCR’s policy on refugees in Urban Areas: A case study review of Cairo*, UNHCR Evaluation and Policy Analysis Unit, 2001

UNHCR; *Report of the Regional Resettlement Meeting held in Addis Ababa, Ethiopia from 30 March – 3 April 1998*.

UNHCR Division of International Protection. *Resettlement Handbook*, Geneva, 1998.

UNHCR Department of International Protection; *A Thematic Compilation of Executive Committee Conclusions*, March 2001.

Uganda Government Uganda Vision 2025 *Prosperous people, Harmonious nation Beautiful country; Strategic framework for national development Vol.1 Long term perspective studies project*, 1999, Ministry of finance and economic development Kampala Uganda.

UNHCR: UNHCR’s policy and practice regarding Urban Refugees: A discussion paper, 1995

UNHCR: *The state of the world’s refugees: A humanitarian agenda*, Oxford University Press, 1998 pp. 59-61.

UNOCHA: *Affected populations in the Great Lakes Region, Nairobi Kenya* (September 2001)