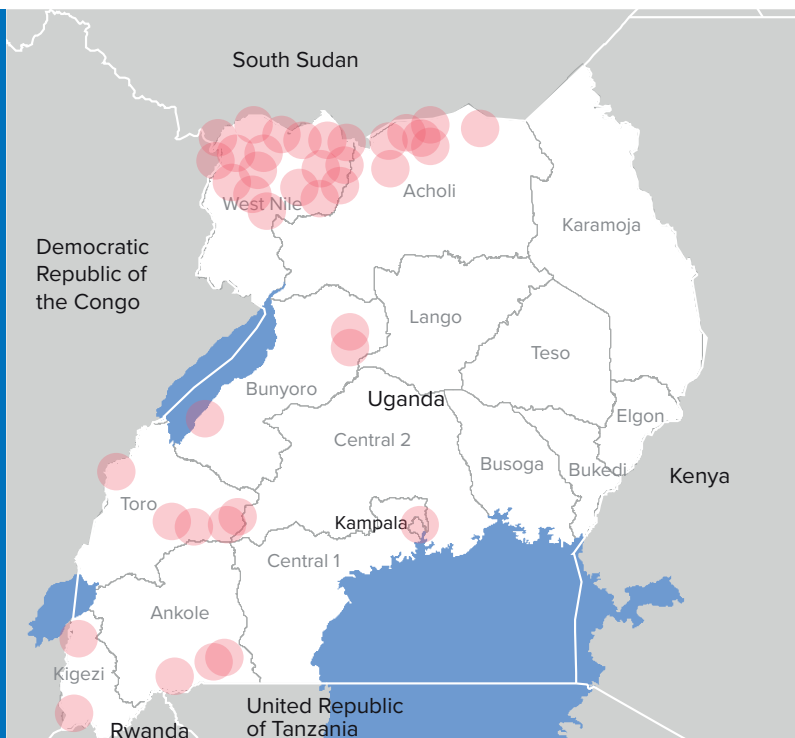


UGANDA

As at 30 June 2020, Uganda was hosting the largest number of refugees in Africa and was the third largest refugee-hosting country in the world, offering protection to 1,425,034 refugees and asylum-seekers from over 30 countries, representing more than 3 per cent of its total population. Uganda welcomed large numbers of refugees between 1955 and 1960 and has experienced the world's largest increase from 135,000 in 2010 to 1.4 million in 2020. Most of the refugees in Uganda are from South Sudan, the Democratic Republic of Congo, Burundi, Somalia, Rwanda, Ethiopia and Eritrea, with a few others from as far away as Asia and Syria.

Uganda has recorded reductions in poverty over the last two decades. However, it remains a low-income country, ranked 159 out of the 189 countries on the Human Development Index for 2019. Despite its own challenges, Uganda has historically had an open approach towards refugees, consistently providing refugees with asylum and access to basic rights.



Of the total refugee population in Uganda, 94 per cent reside in planned settlements around the border areas: 62 per cent, of which are mostly South Sudanese, are settled in the northeast region and, 32 per cent, of which are mostly from the Democratic Republic of the Congo and a few from Burundi, are settled in south and mid-west region. The remaining population of about 6 per cent of various nationalities are scattered in urban settings, mainly in Kampala. These settlements are within Ugandan host communities with whom refugees interact regularly.

KEY POPULATION DATA

1,396,773

Refugees

28,261

Asylum-seekers

3.22%

of the country's population (44,269,594) are refugees and asylum-seekers

IDA 18 RSW / IDA 19 WHR ELIGIBILITY:
SEPTEMBER 2017

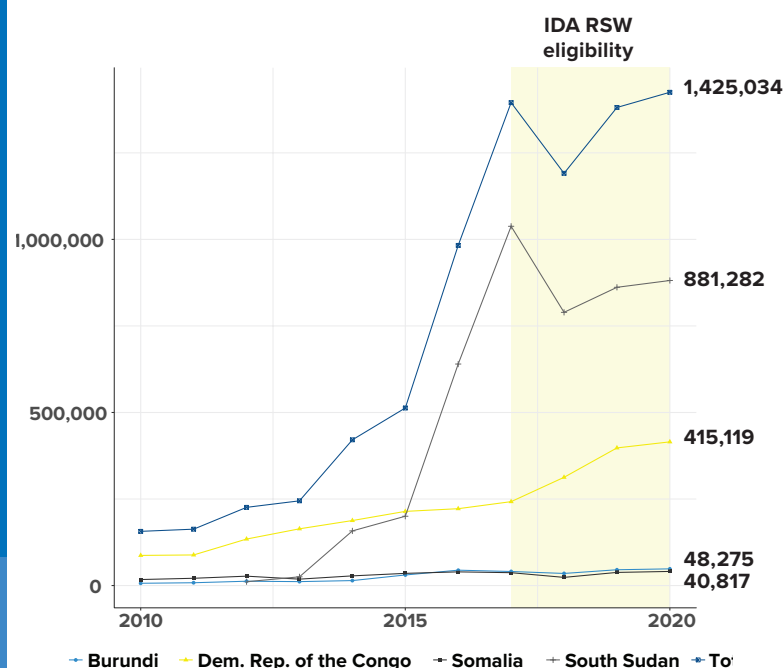


Figure 1: Number of refugees and asylum-seekers of the largest refugee population groups

OVERVIEW OF REFUGEE POLICY ENVIRONMENT (JULY 2017–JUNE 2020)

The legal and policy frameworks in Uganda grant refugees access to key rights and national services. Since 1999, Uganda has been pursuing a development response to forced displacement and has worked on developing self-reliance strategies for refugees. Since 2010, it has also integrated refugee matters into national and sub-national development and environmental plans ([2010 Regulations](#)). In 2015, the Government of Uganda operationalized these commitments through the adoption of the [Settlement Transformation Agenda \(STA\)](#), which was fully incorporated into the [2015/16–2019/20 National Development Plan II \(NDPII\)](#), thereby integrating refugees into national development planning. Efforts to support the STA were mobilized through a strategic framework called [Refugee and Host Population Empowerment \(ReHoPE\)](#). These building blocks predated and inspired the participation of Uganda in the 2016 Global Leaders' Summit on Refugees, at which it committed to the Comprehensive Refugee Response Framework (CRRF), as proposed by the [2016 New York Declaration](#).

- From July 2017 to June 2020, Uganda made key policy developments and initiatives as follows:
- Launch of the CRRF in April 2017.
- Adoption of the [Uganda 2018–2020 national action plan to implement the Global Compact On Refugees and its Comprehensive Refugee Response Framework \(CRRF Roadmap\)](#) in January 2018, as well as its revision in April 2019.
- Adoption of the [2018–2021 National Education Response Plan for Refugees and Host Communities in Uganda](#) in May 2018.
- Adoption of the [2019–2024 Health Sector Integrated Refugee Response Plan](#) in January 2019
- Adoption of the [Water and Environment Sector Refugee Response Plan \(WESRRP\)](#) in November 2019
- Adoption of the [2020–2021 National COVID-19 Health Prevention and Response Plan](#) in March 2020, which integrates refugees in the national response.
- Finalization of the country's [National Development Plan III \(2020/21–2024/25\)](#), which fully integrates refugees into national, sectoral and district planning and statistics, entering into force in July 2020.

In September 2017, Uganda became eligible for the World Bank's IDA18 Regional Sub-Window for Refugees and Host Communities (RSW), which provided financing to sustain and scale up the policy agenda laid out in: the STA , NDPII, NDPIII and the sector response plans listed above.

Uganda has also been very active on international refugee issues, supporting the development and affirmation of the [Global Compact on Refugees \(GCR\)](#) in 2018 and signing the [IGAD Djibouti Declaration on Education in 2017](#), as well as the [Kampala Declaration on Jobs, Livelihoods and Self-Reliance for Refugees, Returnees and Host Communities in the IGAD region in March 2019](#). Uganda also actively participated in the [2019 Global Refugee Forum \(GRF\)](#), where it reinforced its commitment to the GCR and made additional policy pledges on: (i) maintaining its progressive, open-door refugee policy; (ii) including refugees in its national planning framework and statistical systems;(iii) promoting accessibility, quality and inclusiveness in education and health delivery systems for refugees and host communities through implementation of the Education Response Plan and Health Response Plan; (iv) promoting inclusive and sustainable management of natural resources and ecosystems through implementation of the Water & Environment Response Plan; and (v) ensuring the integrity of its asylum system.

POLICY DIMENSIONS (AS AT 30 JUNE 2020)

1 Host Communities

1.1 Support for communities in refugee-hosting areas

The country's [2002 Fiscal Decentralization Strategy and Fiscal Transfer Reform Programme \(IFTRP\)](#) set out the strategy and operationalization system for fiscal transfers to local governments. The IFTRP can also be applied for timely additional financial transfers from national level to areas that are economically affected by the presence of refugees, even though it does not contain specific provisions in this regard.

This is demonstrated by the Uganda Intergovernmental Fiscal Transfer Program (UGIFT) and the Uganda Support to Municipal Infrastructure Development Program (USMID) financed by the World Bank. Both programmes support implementation of the IFTRP and factor refugee populations into conditional grant allocation formulas in the health, education, water and sanitation sectors, thus facilitating significant increases in financing and integrated service delivery for refugee-hosting districts, based on refugee populations within Districts. The IFTRP has also facilitated the development of integrated transition plans, which combine sectoral financing with other funding sources, including complementary projects from development partner and humanitarian actors. The operationalization of sub-national fiscal plans have been hindered by the limited implementation capacities of sub-national government institutions.

The Social Protection Policy is premised on the provisions of the Constitution of the Republic of Uganda. The 2015 National Social Protection Policy (NSPP) and [2016–2020 Social Sector Development Plan](#) aim to establish comprehensive social protection services to address vulnerabilities for all Ugandans, including host communities. There are four main social safety net schemes and programmes: the National Social Security Fund (NSSF), the Public Service Pension Scheme (PSPS), the Uganda Social Action Fund (NUSAF) and the Senior Citizens' Grant (SCG). Extending coverage of the NSSF and PSPS has been slow and the proposed reforms are taking time to develop. NUSAF covers 55 districts in the Northern and Eastern regions, while SCG operates in 61 districts with the intention of scaling up towards universal coverage for all elderly persons aged 80 years and over. Some refugee-hosting districts are already currently covered by SCG and NUSAF. Enjoyment of social safety nets for Ugandans, including host communities, is limited in practice: less than 0.7 per cent of the population is covered; there are institutional constraints inhibiting the performance of social protection in Uganda; and with a national budget allocation of less than 0.06 per cent of GDP, many programmes remain fully dependent on international aid ([2019 Social Sector Development Review](#)).

1.2 Social cohesion

There are various national policies that are directly and indirectly aimed at identifying, preventing, and mitigating potential social tensions and risks of conflicts in refugee-hosting areas. The [Refugees Act 2006](#) and its [2010 Refugees Regulations](#) set out refugee rights as well as refugee obligations including those bound by the rule of law and public order in Uganda. The [2016–2020 NDP II](#), the [2020–2025 NDP III](#) in conjunction with the [2016–2022 STA](#) and the [GCR/CRRF National Plan of Action 2018–2020](#), provide policy guidance on social cohesion and rule of law among refugees and host communities.

In addition, the Bill of Rights in the 1995 Constitution, the Penal Code Act and a large body of other national laws which are applicable throughout the country contribute in preventing tensions and strengthening social cohesion between various groups. There are, however, gaps in early warning systems, intended to identify conflict risks, and provide subsequent mitigation measures.

While refugee and host communities in Uganda typically coexist peacefully, and interact on a regular basis, tension still exist. These tensions can be attributed to various factors including competition for natural resources, land disputes, destruction of crops by animals belonging to the host or refugee communities and/or perceived inequities in access to livelihoods, services and international aid. Such tensions also exist within refugee communities and among Ugandan nationals and have been further exacerbated by the COVID-19 pandemic.

Within host and refugee communities, there are functional informal and formal mechanisms in place that promote peaceful coexistence, dialogue, joint activities and citizen engagement. The most relevant mechanisms within the host community are the local councils, which have social cohesion and dispute resolution responsibilities within their area of jurisdiction. The refugee welfare committees are the equivalent structures in the refugee community. As a matter of practice, local governments and the Office of the Prime Minister (OPM) facilitate interventions to promote peaceful coexistence and address any tensions arising between refugees and host communities. OPM facilitates regular engagement between local councils and refugee welfare committees. As part of the [National Conflict Early Warning Mechanism](#), peace committees have been established in some refugee-hosting districts. These have strong potential to address conflict between refugees and host communities more comprehensively but policies to that end, bringing together both refugee and host community representatives, have not yet been established.

The Constitution grants protection from discrimination for all persons within the territory of Uganda including refugees. This spirit is reinforced in the [Refugees Act](#) which states that “A recognised refugee shall, subject to this Act, the OAU Convention and the Geneva Convention, [...] be entitled to fair and just treatment without discrimination on grounds of race, religion, sex, nationality, ethnic identity, membership of a particular social group or political opinion.” In practice, refugees and asylum-seekers report incidents of discrimination, for instance in relation to gender, ethnicity, disability and diverse sexual orientation and gender identities (see also section 5 on cross-sector issues).

1.3 Environmental management

There are several national policies to mitigate the environmental impact of hosting refugees. The [2019–2022 Water and Environment Sector Response Plan for Refugees and Host Communities in Uganda](#) (WESRP) addresses protection of the environment and natural resources in refugee-hosting areas, focusing on water resource management, waste management and access to sanitation. This Plan has been costed and designed to feed into the national [2016–2020 Water and Environment Sector Development Plan](#) (WESDP). Implementation of the Plan has begun.

A draft [National Energy Policy](#) and Sustainable Energy Response Plan for Refugees and Host Communities (SERP) has been developed and is expected to be finalized in mid-2021. The Policy recognizes that the energy sector is a major contributor to environmental degradation and highlights the need to integrate refugees into energy national programmes as outlined in the SERP. The SERP specifically addresses access to energy in refugee-hosting areas, including the use of biomass for domestic energy production, which is the main cause of deforestation in the region. The [Rural Electrification Strategy and Plan 2013–2022](#) is another relevant policy that aims inter alia to facilitate access to modern energy services in order to replace kerosene lighting and other forms of traditional heating that are affecting the environment. The Plan does not specifically include refugees and host communities but applies across the country including refugee-hosting areas.

1.4 Preparedness for refugee inflows

The [Refugees Act 2006](#) and its [2010 Regulations](#), NDPII, the [GCR/CRRF National Plan of Action](#) and the United Nations [inter-agency Refugee Response Plan \(RRP\)](#) set out the national preparedness framework to respond to increased or new refugee inflows in ways that minimize short- and medium-term socioeconomic impacts on hosting regions. While the CRRF National Plan of Action focuses on advancing longer term/development outcomes for refugee and host communities, the Refugee Coordination Model (RMC) covers humanitarian interventions, refugee protection and emergency preparedness and response and is co-led by OPM and UNHCR. As such, the RRP contributes to implementation of the GCR/CRRF and complements the National Plan of Action and the comprehensive sector response plans.

The [GCR/CRRF National Plan of Action](#) recognizes that improved preparedness, including efficient mechanisms to strengthen the national approach to settlement, temporary provision of assistance through national delivery systems, capacity building for the relevant authorities, early warning mechanisms, measures to enhance evidence-based forecasting and disaster risk reduction efforts, as well as data

collection at the reception stage, strengthen comprehensive short and mid-term responses. Refugee registration data and statistics were validated in November 2018 to improve the responses of both development and humanitarian actors. The registration data is being used to identify the protection needs of individuals more effectively and to generate data relevant to designing solutions from the onset of arrivals. This data is also informing long-term development activities supporting socioeconomic interventions for refugees and host communities in Uganda.

Further, the Displacement Crisis Response Mechanism (DCRM) (financed through the Development Response to Displacement Impacts Project (DRDIP) supported by the WB), supports rapid scale-up of public service provision in locations impacted by a refugee-related displacement shocks and is a new approach to respond to future displacement shocks.

Operationally, emergency preparedness and response are coordinated and led by the Government (OPM) with the support of UNHCR, as contemplated in the national inter-agency Refugee Response Plan 2020–2021. Given the COVID-19 context, emphasis is placed on reinforcing health and water, sanitation and hygiene measures to contain and respond to the COVID-19 pandemic, strengthening reception preparedness and building capacity to manage large numbers of asylum-seekers.

2 Regulatory Environment and Governance

2.1 Normative framework

Uganda is a State Party to the [1951 Convention Relating to the Status of Refugees](#), albeit with seven reservations including regarding (i) the right to moveable and immovable property and (ii) the right of association and expulsion. Uganda is also a State Party to the [1967 Protocol relating to the Status of Refugees](#), the [1969 OAU Convention Governing Specific Aspects of Refugee Problems in Africa](#) and other relevant [international and regional instruments](#). Refugee-related commitments in these instruments are implemented primarily through the [Refugees Act 2006](#) and its [2010 Regulations](#). The framework for refugee protection in Uganda is comprehensive and consistent with international and regional standards. It has enabled the country to set up its 2015 Settlement Transformative Agenda (STA): a progressive protection model whereby refugees are admitted, allocated land for settlement and provided with documents. The STA aims to achieve self-reliance and increase social development in refugee-hosting areas, thereby providing refugees in Uganda with very good prospects for dignity and normality. Including refugees in NDPII by incorporating the STA paved the road for comprehensive responses to address the needs of both refugees and host communities. Building on these efforts, the Government adopted implementation of the GCR and its CRRF in mid-2017. Significant progress has been made towards the inclusion of refugees in national planning. Line ministries have led advancements in various key sectors, including in Education, Health, Water and Environment and Jobs and Livelihoods, with sector Response Plans being implemented (the Sustainable Energy Response Plan being expected to be finalized in mid-2021). These plans offer opportunities to integrate longer-term resilience and development approaches into refugee and host population assistance programmes and to create entry points for development partners to invest in the response.

The [Refugees Act 2006](#) and its [2010 Regulations](#), NDPII and the GCR/CRFF National Action Plan have been disseminated publicly in Uganda. Despite sensitization sessions, UNHCR observes gaps in the awareness of refugees, authorities and host communities regarding applicable refugee policies. For the authorities, often only those officials deployed to refugee-hosting areas or to border points receive information on refugee laws and policies. OPM and UNHCR have initiated discussions to integrate refugee law into Government training programmes, notably through the national police and immigration training academies. Such programmes are already being provided for the Uganda People's Defence Force National Senior Command School in Jinja.

The Refugees Act 2006 and its 2010 Regulations provide the framework for refugee status determination (RSD). The RSD framework gives the Refugee Eligibility Committee (REC) responsibility for determining refugee status. REC adjudicates asylum applications based on RSD interviews conducted by OPM RSD

Officers or by its own staff. Asylum-seekers from South Sudan and the Democratic Republic of Congo are granted refugee status on a prima facie basis. Asylum-seekers from other countries of origin and those from Democratic Republic of Congo who enter the country via ungazetted border points undergo individual RSD by REC as outlined.

There are challenges involved in implementing the RSD framework, including a high dependency on UNHCR funding, limited analysis of the reasons for rejection in some cases and inadequate support for vulnerable asylum-seekers in the RSD procedures. Due to the large refugee inflows of recent years and limited government staffing, infrastructure and resources, adjudication of asylum claims takes much longer than the 90 days stipulated by law. During this waiting period, asylum-seekers face certain restrictions compared to recognized refugees, in terms of their employability and access to certain services, because of their temporary status.

In March 2020, as part of a series of presidential directives to curb the spread of the COVID-19 pandemic, the Government suspended asylum procedures including the admission and registration of new arrivals, RSD and issuance of identification documents. While the Government made efforts to admit some groups of asylum-seekers, there were reports that some asylum-seekers were pushed back by security forces manning the borders.

2.2 Security of legal status

The [Refugees Act 2006](#) and its [2010 Regulations](#) grant asylum-seekers the right to stay in the country for the duration of the refugee application. Asylum-seekers are provided with an asylum-seeker certificate that is renewable every three months. The asylum-seeker certificate grants them the right to stay until such a time as their status has been determined. Once refugee status has been granted, refugees are entitled to a refugee identity card with a renewable validity of five years. There are no limitations on the right to stay, in policy or in practice, unless the status expires or is cancelled under the Refugees Act.

The [Refugees Act 2006](#) guarantees the right to seek asylum and the principle of non-refoulement in line with international standards and these are respected in practice. However, as mentioned above, the risks of refoulement increased due to the suspension of admission procedures in March 2020 to curb COVID-19. It is also noted that the admission of asylum-seekers from Pakistan has been restricted since 2017, except for those seeking family reunification. Asylum-seekers with claims relating to their sexual orientation also have difficulties in gaining admission.

2.3 Institutional framework for refugee management and coordination

The [Refugees Act 2006 sets out the](#) institutional framework for refugee management and gives OPM responsibility for all administrative matters concerning refugees in Uganda, including the coordination of inter-ministerial and non-governmental activities and programmes relating to refugees.

The Government's firm commitment to GCR/CRRF led to the establishment of a high-level CRRF Steering Group in October 2017, chaired at ministerial level by OPM and the Ministry of Local Government recognizing the key role that district local governments play in the refugee response. The Steering Group meets quarterly to steer the GCR/CRRF vision in Uganda, bringing together government ministries/departments and agencies, United Nations agencies, development and humanitarian donors, refugee and host community representatives, international and national non-governmental organizations (NGOs), the private sector and international financial institutions. The Steering Group's Terms of Reference include provisions to ensure alignment with existing development and humanitarian coordination mechanisms such as the National Partnership Forum, development sector working groups, the Local Development Partners Group, the Refugee Humanitarian Partners Group and RCM. A CRRF Secretariat has been established within OPM, supported by UNHCR to advance GCR/CRRF implementation in line with the National Plan of Action. The Steering Group and Secretariat are functional, but the governance structure is not provided for in law.

Under the overall leadership of OPM and in line with guidance provided by the CRRF Steering Group, the role of Line Ministries and district authorities in the refugee response has been strengthened over recent years. District sectoral working groups involved in refugee response are aligning with Government sector working groups. The refugee Education, Health and WASH sector working groups are being co-chaired by the United Nations, NGO and Line Ministries. This ensures that interventions for refugees and in refugee-hosting areas are in line with national sector policies and contribute to the comprehensive sector response plans.

Community participation is ensured through the refugee community governance structures. While their functions are broader, they play a key role in communicating the perspectives of the refugee community to the authorities, UNHCR and other stakeholders. The most central are the Refugee Welfare Committees (RWC) (see also 1.2 Social cohesion above) comprising a chair/vice chair, general secretary and secretaries responsible for thematic areas such as education, women's affairs, health and sanitation, security, persons with disabilities and other special needs, and youth and sports. The refugee governance structures are established by practice, mirroring the national Local Council system. Other community structures include neighborhood watch committees, child protection committees, sexual and gender-based violence (SGBV) committees, village health teams, psychosocial support structures, community activists, WASH committees and food management committees. These structures are generally functional but there are gaps in representation for women, persons with specific needs and minority groups.

With the establishment of the Refugee Engagement Forum (REF) in 2018, refugees are now represented in the CRFF Steering Group. REF meets quarterly and brings together refugee representatives from all refugee-hosting districts. Two representatives from REF attend the steering group to represent the refugee voice.

Refugees have so far not been included in the national population census in Uganda but there is development in related areas. In 2018, the Uganda Bureau of Statistics (UBOS), with support from the WB and UNHCR, embarked on a Refugee and Host Community Household Survey (World Bank, 2019). Refugees are also included in the national health management information systems, as well as the epidemic preparedness and response plans, including those for Cholera, Ebola and Covid-19. Data on refugee GBV is not systematically collected by the Government, but UNHCR and its humanitarian partners are collecting this data and have agreed with the Government that they will feed it into the National GBV Database once the Government has addressed data protection and confidentiality-related challenges.

Priorities for refugee protection and management have been included in the [NDP II](#) and sub-national level development planning processes. During the fourth ministerial level National Partnership Forum, held in February 2018, a commitment was made to improve these priority areas for the NDP III.

2.4 Access to civil registration and documentation

The [Refugees Act 2006](#) and its [2010 Regulations](#) provides that all recognized refugees shall be issued with a Refugee identity (ID) card for the purposes of identification and protection. As of June 2020, 44 per cent of refugees had refugee IDs. Upon registration, all (100 per cent) are issued with a Refugee Attestation letter that also serves as identification. Law enforcement authorities at national/sub-national level recognize refugee ID cards and attestation letters. Recognition of refugee ID cards by national/sub-national authorities or private sector institutions responsible for socioeconomic services depends in practice on the sector (see section 3.4). The private sector (e.g. financial institutions) in most cases seek letters from OPM to confirm the authenticity of the refugee ID cards.

Uganda also issues Machine Readable Convention Travel Documents (MRCTDs) to refugees for purposes of travel, as per Section 31 of the Refugees Act 2006, upon recommendation by OPM. These documents are in line with the standards of the International Civil Aviation Organization (ICAO).

Vital events registration procedures (births, marriages and deaths) are not explicitly mentioned in the [Refugees Act](#). However, they are addressed under other laws and policies, notably under the Marriage Act. It is noted that Section 34 of the Refugees Act 2006 on Personal Status briefly mentions marriage: "(1

The personal status of a recognised refugee shall be governed by the law of the country of his or her domicile or, if he or she has no domicile, by the law currently in force in Uganda. (2) All rights previously acquired by a refugee and dependent on personal status, particularly rights attaching to marriage, shall be respected, subject to the laws of Uganda.”

The [2015 Registration of Persons Act](#) mandates the National Identification and Registration Authority (NIRA) to register births and deaths. This Act makes the registration of every birth within Uganda both free and compulsory, which provides refugees and asylum-seekers with access to birth registration services on a par with nationals. While the Government recognizes the need to provide additional services and logistical support to remote locations, including in refugee-hosting areas, the limited resources and capacity of NIRA have led to significant delays in the issuance of birth registration for refugees and hosts. To improve the timeliness of birth registration services, the Government is working to establish links between the medical databases of hospitals registering births and the national NIRA database system. Uganda is also developing a Civil Registration and Vital Statistics (CRVS) strategy with a view to providing guidelines for the delivery of civil registration services and the production of vital statistics, including for refugees. It is noted that limited birth registration and certification for refugees born in Uganda places them at risk of statelessness. It should be noted that Uganda is not yet party to the 1961 Convention on the Reduction of Statelessness.

2.5 Justice and Security

The [Refugees Act 2006](#) and its [2010 Regulations](#) accord refugees the same rights as nationals in terms of access to justice, including access to legal assistance under the applicable laws of Uganda. The level of security enjoyed by refugees is comparable to that enjoyed by nationals in the same areas. This is demonstrated in the 2019 [Assessment on Rule of Law, Access to Justice, and Security Needs of Refugees and Host Communities in Arua and Isingiro Districts conducted by LAPSET](#), as well as by the [UNHCR 2019 Participatory assessments](#).

In practice and as demonstrated by the 2019 assessment, access to law enforcement and justice, including State-provided legal aid, is limited for both refugees and host communities. Challenges are, inter alia, related to high costs, physical distance and limited legal representation. Consequently, most refugees and host communities resort to informal justice mechanisms and local council courts to settle disputes. In 2011, the Government, assisted by civil society, drafted a legal aid policy that is pending cabinet approval. A private members' bill on legal aid has also been under consideration by parliament since 2012. In a bid to support alternative dispute resolution mechanisms, the Judiciary reviewed the 2013 Judicature (Mediation Rules) to harmonize it with the Civil Procedure Rules and made mediation optional for parties in civil suits. The judiciary has also adopted a Case Backlog Reduction Strategy to address delays in the dispensation of justice and deployed judicial staffing and mobile courts to refugee-hosting areas with support from UNHCR, but challenges remain.

Various policies are in place to prevent and deter gender-based violence (GBV), which apply across the country and are inclusive of refugees. These include the [Penal Code](#), the [2010 Domestic Violence Act](#), the [2010 Female Genital Mutilation Act](#) and the [2016 Elimination of Gender Based Violence Policy](#). Despite the strong normative and policy framework, which is non-discriminatory and takes deliberate steps to include refugees in government GBV responses, including regulations, guidelines, protocols and even district-level laws and orders, actual implementation of the laws and policies has been challenging owing to financial and institutional gaps in the national judicial and social services. Although refugee-hosting communities face similar challenges in Uganda, GBV disproportionately affects refugees. Many refugees, in particular women and children, have experienced trauma, separation and GBV prior to and during flight, with an average of 5,000 new GBV cases being registered annually by UNHCR and its partners. GBV is also significantly underreported owing to a combination of a culture of silence within the communities and inadequate services to respond to reported cases. Due to a lack of livelihood opportunities, some women and girls engage in survival sex as a coping mechanism, which exposes them to sexual violence, exploitation, and trafficking.

3 Economic Opportunities

3.1 Freedom of movement

There are currently no directives or guidelines that restrict the freedom of movement of refugees. The [Refugees Act 2006](#) and its [2010 Regulations](#) grant refugees freedom of movement subject to reasonable restrictions specified in Ugandan laws, or guidelines issued by the Commissioner for Refugees, which apply to aliens generally in similar situations. This is consistent with Article 26 of the 1951 Refugee Convention on freedom of movement.

The legal framework does not provide refugees with an explicit right to choose their place of residence, but they can effectively do so in practice given their right to freedom of movement and the national settlement approach. Refugees who choose to reside outside of the refugee settlements forfeit access to regular humanitarian assistance programmes. Formally, only 6 per cent of the refugee population is registered in Kampala rather than in refugee settlements.

3.2 Right to work and rights at work

The [Refugees Act 2006](#) and its [2010 Regulations](#) grant recognized refugees the right to work based on the most favourable treatment accorded to foreign residents under similar circumstances; except that recognized refugees are exceptionally exempt from any requirement to pay fees to obtain a work permit prior to taking up any offer of work or continuing in their employment. The Refugees Act 2006 is silent on the right to work of asylum-seekers not yet recognized as refugees; however, in practice, asylum-seekers informally engage in income-generating activities.

It is noted that the Immigration Act and related statutory instruments require foreigners to obtain work permits, which are issued as passport endorsements by the Directorate of Citizenship and Immigration Control (DCIC). This also applies to refugees with the difference that they are exempt from paying a fee under Uganda Statutory Instruments Supplement No 5 dated 5 February 2016. The DCIC has so far not accepted the refugee ID card in lieu of a passport but allows work permits to be stamped on refugee Convention Travel Documents (CTDs). This limits access to employment for refugees who do not hold CTDs, which are themselves not easily acquired by refugees due to the application fees for a CTD (220,000 UGX).

According to the Refugee and Host Community Household Survey (World Bank, 2019), 28 per cent of refugees were employed during the period of reporting. The Refugees Act 2006 does not specifically mention equal workplace protection for refugees; however, the [Employment Act](#) applies to “all employees employed by an employer under a contract of service” and as such provides refugees with the same worker protections as nationals. The Act outlines specific workplace protections, including, for example, equal remuneration for work of equal value, a prohibition on the dismissal of pregnant women and a prohibition on discrimination on many grounds.

In practice, refugees can operate businesses in their own names. However, some refugees face the predicament of not having a fixed place of residence as required. Section 29 of the [Refugees Act 2006](#) allows refugees to engage in agriculture, industry, handicrafts and commerce, and to establish commercial and industrial companies in accordance with the applicable laws and regulations. The Act further grants refugees holding qualifications recognized by the competent authorities in Uganda the right to practise their professions. This implies that refugees are required to equate their professional documents to Ugandan standards before obtaining authorization to practise their profession. Refugees also have general barriers limiting access to finance and markets, which hamper their ability to engage in self-employment and trade-related opportunities.

3.3 Land, housing and property rights

[Article 65 of the 2010 Regulations](#) stipulates that: “(1) a refugee who is residing in a designated refugee settlement or a refugee area shall have free access to use land for the purposes of cultivation or pasturing,

except that they shall have no right to sell, lease or otherwise alienate the land that has been allocated to them strictly for their individual or family utilization. (2) A refugee shall not acquire or hold freehold interest in land in Uganda. (3) A refugee who resides outside a designated refugee camp as a tenant may legally acquire or dispose of his or her occupancy or leasehold interests in land, as the law permits resident aliens generally to do.”

In practice, OPM implements this provision by providing refugees living in settlements with plots of land for agricultural use, without discrimination and for the full period of their asylum in Uganda. The Settlement Transformative Agenda specifically calls for investments to increase productivity and diversify economic opportunities in refugee settlements, and to address environmental pressures. As the refugee population continues growing, there are general concerns on the sustainability of this land allocation policy in the longer-term. The host community is just as much in need of land, most particularly in the West Nile region. Also, many refugees are still unaware of their rights and the rules concerning land ownership, with some purchasing land in informal and often illegal ways.

The [Refugees Act 2006](#) and its [2010 Regulations](#) guarantee refugees the same treatment as foreign nationals regarding movable and immovable property. Section 29(1)(e)(i) of the Refugees Act 2006 provides that “A recognized refugee shall, subject to this Act, the OAU Convention and the Geneva Convention (e) [...] receive at least the same treatment accorded to aliens generally in similar circumstances relating to (i) movable and immovable property and other rights pertaining to property and to leases and other contracts relating to movable and immovable property”. In practice, very few refugees have formal agreements or documentation to secure their access to housing. According to an assessment on Refugee Access to Livelihoods and Housing, Land and Property in Uganda by NRC/Reach in 2019, refugees renting houses often have no documentation to prove legal occupancy of their shelter. Obtaining other properties may also prove difficult because of administrative requirements that refugees sometimes cannot meet (e.g. the Tax Identification number (TIN)).

The [2016 National Housing Policy](#) aims to provide a framework “for adequate housing for all” and seeks to provide, inter alia, social housing for vulnerable groups. The Housing policy defines vulnerable groups as those that are socially, culturally, economically, legally or physically disadvantaged. Examples include internally displaced persons (IDPs), elderly persons, orphans, women-headed households, child-headed households, persons living in extreme poverty, persons living with AIDS, persons living with physical disabilities, etc. The policy recognizes that such groups are unable to access adequate and decent housing and hence need special intervention to be able to participate in the housing market. Refugees are not explicitly excluded from accessing social housing programmes, although for the time being no refugee has been included in the existing programmes.

3.4 Financial and administrative services

Refugees can open bank accounts using the refugee ID card, as required under the 2004 Financial institutions Act and the 2015 Anti-Money Laundering Regulations. However, in practice most banks do not lend to refugees even when they meet the requirements, citing reasons of refugee mobility. Refugees can also take out loans from formal financial institutions, but they are often unable to provide the required guarantees. Furthermore, many financial service providers require contact addresses or a letter of introduction from a local leader, which can often be difficult for refugees to provide. As such, very few refugees open bank accounts and/or access other financial services such as loans and insurance.

Refugees can access mobile phones and the mobile phone banking system based on an instruction to all mobile network operations (MNOs) from the Uganda Communication Commission, which is the regulator for MNOs. The instruction sets out that refugees can access SIM cards or mobile phone banking if they meet the Know Your Customer (KYC) requirements. These require them to provide either the asylum-seeker attestation letter issued upon their registration in Uganda or the refugee ID card issued by OPM. Most refugees are in possession of a mobile phone and are increasingly using mobile money services. However, there are challenges with the Application Programming Interface (API) that affects the issuance of SIM cards. National laws and policies allow refugees to obtain key administrative documents, notably Section 29 1(e) III of the Refugee Act 2006.

Based on the Refugees Act 2006 and its 2010 Regulation, combined with existing regulations, refugees can equate their professional documents to Ugandan standards. However, for French-speaking refugees, mainly from Congo and Burundi, language barriers and accreditation requirements for academic qualifications affect their ability to practise their profession, given the different education systems in their countries of origin. Refugees are expected to submit their foreign certificates and diplomas to the Ministry of Education and Sports (MoES) so that equivalence may be established.

Skills development opportunities for refugees are regulated in the Education Response Plan for refugees and host communities (see sub-dimension 4.1).

Like other foreigners, refugees can access driving licences without hindrance if they show a refugee ID or asylum certificate. Driving licences issued in countries that have a licence system similar to that of Uganda are expressly recognized but all others must apply for the licence according to the regulations.

4 Access to National Public Services

4.1 Education

The [Refugees Act 2006](#) and its [2010 Regulations](#) grant refugees the right to receive the same treatment generally accorded to foreigners under similar circumstances, as regards general education, while for elementary education they receive the same treatment as nationals.

The [Education Response Plan for refugees and host communities \(ERP 2018–2021\)](#) is the main planning and financing document. It is designed to align closely with the [2017–2020 Education Sector Strategic Plan \(ESSP\)](#) to improve access to and quality of learning across all forms of education for refugee and host community children in the 12 refugee-hosting districts in Uganda. ERP also provides for refugee access to specialized services including accelerated education programmes, vocational and life skills training, psychosocial support and referrals. ERP has contributed to strengthening coordination and collaboration between the government, non-governmental organizations and United Nations agencies involved. Refugee-hosting districts have embarked upon the development of district ERPs to strengthen coordination and refugee-inclusive planning at district and settlement levels while aligning district priorities to funding. Consequently, significant [progress](#) has been made in terms of access to education and improved learning environments since the launch of ERP. Implementation of ERP is overseen by a multi-stakeholder steering committee led by MoES and supported by a Secretariat within MoES that receives financial and technical support from UNHCR.

One remaining issue is the absence of refugee inclusion in the Education Management Information System (EMIS), which serves as the basis for the computation of capitation grants and national indicator tracking. Calculation of school capitation grants for Universal Primary Education (UPE) does not factor in refugee children.

Providing all refugee and host communities with a full cycle of certified education in line with the aspirations of Sustainable Development Goal 4 to “leave no one behind” remains a challenge: 57 per cent of refugee children in Uganda and 34 per cent of local children in refugee-hosting districts remain out of school. While Uganda has both Universal Primary Education and Universal Secondary Education (USE), the number of USE schools in the country is limited.

4.2 Healthcare

Access to health for refugees is implied in the 1995 Constitution and Section 28 of the Refugees Act, which accord refugees rights to health care in line with international standards. The [2010 National Health Policy](#) focuses on health promotion, disease prevention and the early diagnosis and treatment of diseases. It prioritizes effective delivery of the Uganda National Minimum Health Care Package (UNMHCP), more efficient use of the available health resources and strengthening public and private partnerships for health and health systems.

The [2019–2024 Health Sector Integrated Refugee Response Plan \(HSIRRP\)](#) is the main document implementing these rights. It is designed to align closely with NDP II and the 2016–2020 Health Sector Development Plan (HSDP) and facilitates the integration of refugees into the national health-care system. It emphasizes the need to strengthen the Ministry of Health and the public health-care system so that they can absorb the additional pressure of the refugee inflow. Implementation of HSIRRP is overseen by a multi-stakeholder steering committee within the Ministry of Health and supported by a secretariat that receives technical support from UNHCR.

Implementation of HSIRRP is limited in practice. About 72 per cent of the health facilities in refugee-hosting districts have been accredited by the Ministry of Health and coded by the Ministry of Finance, Planning and Economic Development and efforts are under way to ensure that 90 per cent of the qualifying health facilities are accredited and coded by the end of 2022. This means that Ministry of Health provides medicine and medical supplies, budgets for health workers in these health facilities and provides operational resources to run the health facilities. Effective integration of refugees into national health services is affected by constraints in national capacity and resources i.e. these coded health facilities suffer from inadequate health commodities, inadequate budgets for wages just like other health facilities in the country. Only 47 per cent of the medicine needs in the refugee-hosting districts are funded by government and staffing level is at 67 per cent of the staffing norms. There is inadequate infrastructure at primary, secondary and tertiary health facilities and insufficient financing for operational and maintenance costs, medicines, medical supplies and ambulances. There are also challenges with referrals between health services at district, regional and national level, as well as capacity constraints in the district health offices as regards coordinating, delivering and monitoring inclusive health services.

Uganda does not yet have a National Health Insurance scheme. However, the Government is in the process of developing one. The draft proposal currently being discussed at political level considers and incorporates refugees and asylum-seekers as a vulnerable population that will benefit.

4.3 Social protection

Section 28 of the [Refugees Act 2006](#), read in conjunction with the obligations of Uganda under the 1951 Convention and other international instruments, grants refugees the right to social security at the same level as nationals, subject to regulatory limitations under national laws. The [2015 National Social Protection Policy \(NSPP\)](#) is intended to support vulnerable and excluded “citizens”. While the [2016–2020 Social Development Sector Plan \(SDSP\)](#) does not make this explicit reference, the policy basis for refugees’ access to social protection programmes is not entirely clear as a consequence. However, the CRRF Action plan includes milestones for the inclusion of refugees in the next National Social Protection Policy, its Programme Plan of Interventions and the next Social Development Sector Plan. The draft Jobs and Livelihoods Plan for Refugees and Host Communities that is being developed by the Ministry of Gender, Labour and Social Development (MoGLSD) also foresees refugee access to the social protection interventions proposed by this Plan.

In practice, there are a few Government social protection programmes and interventions that formally include refugees. For example, the [Uganda Development Response to Displacement Project \(DRDIP\) Additional Financing](#), financed by the World Bank, included refugees in activities creating employment opportunities under the second Sustainable Environmental Management Component, in the form of public works managed by MoGLSD. Refugees are also included in the [Child Sensitive Social Protection Programme in West Nile](#) (by 2020, cash transfers to 37,000 refugee pregnant and lactating women and women with children under two years old) funded by the Swedish International Development Cooperation Agency (SIDA), supported by the World Food Programme (WFP) and UNICEF and aligned with, but not directly part of, the government social protection system.

The Social Protection Development Partners Working Group (SPDG) is the main platform through which development partners interact with the government to develop the national social protection system. The SPDG 2020 Annual Workplan has a component dedicated to the humanitarian-social protection nexus. Discussions on the gradual alignment of aid and social protection systems are taking place as part of this

component, including implementation of the milestones for refugee inclusion in national social protection systems, as set out in the CRRF Action plan.

4.4 Protection for vulnerable groups

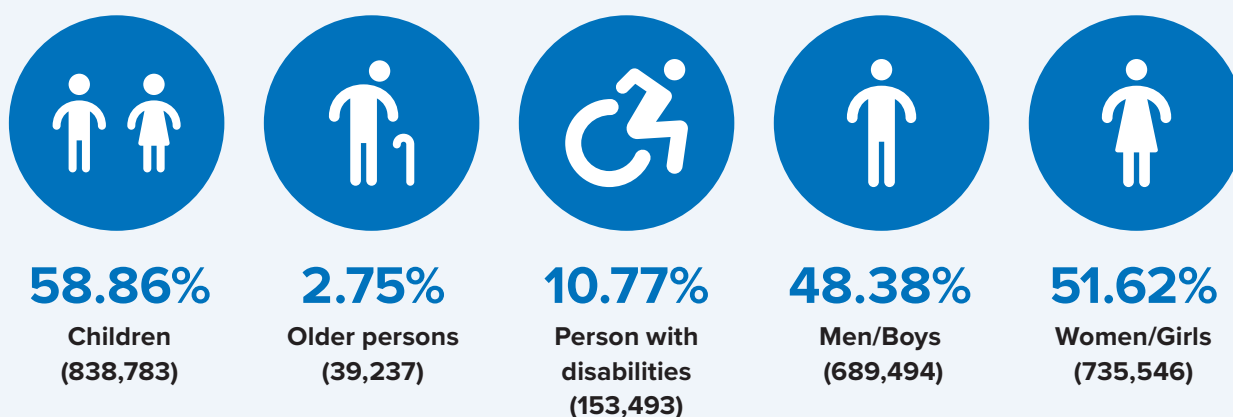
Uganda has a range of policies, standards and services for the protection of children, including unaccompanied and separated children and Ugandan nationals who are victims of trafficking in persons, survivors of GBV or have other special needs. The [Refugees Act 2006](#) and its [2010 Regulations](#), in conjunction with non-discrimination clauses in the 1995 Constitution and relevant international instruments, applies these protections to refugees in the same situation.

Access to relevant services is limited for both nationals and refugees because of shortcomings in policies as well as their implementation. The draft National Child Policy specifically notes that refugee children will be included in all aspects of the policy and details the additional dangers to safety and wellbeing that refugee children may face, as well as their access challenges regarding Ugandan childcare and protection services. Uganda has finalized the National Framework for Alternative Care, which explicitly mentions refugee children and highlights their specific protection and care needs, but challenges remain in terms of implementation. On the other hand, community-based alternative care is more accessible to refugee children than to national children. Similarly, there are laws and policies to protect victims of trafficking in persons, but implementation is weak. See section 2.5 for GBV-related policies and implementation challenges.

5 Cross Sectors

Characteristics of registered refugees and asylum-seekers in total refugee population*

as at 30 June 2020



5.1 Gender

There are differences or restrictions in terms of policies and/or their implementation related to gender in the majority of policy sub-dimensions. The most consequential ones in terms of socioeconomic development (which are challenges equally affecting Ugandan women and girls) are as follows:

- i. **the right to work and rights at work:** the lack of formal regulations on sexual harassment applying to employers employing less than 25 staff creates significant risks of sexual harassment, considering that over 70 per cent of all businesses in Uganda are micro employing 2–5 persons. The poor working conditions many women face in informal employment;
- ii. **housing, land and property rights:** the lack of legal protection for women and girls to inherit the acquired property of a deceased relative on an equal basis with men and boys;

* The refugee numbers reported here do not fully match the numbers on the front page because demographic characteristics are not available for all refugees (e.g., pre-registered refugees, etc.).

- iii. **education:** The lower school enrolment of refugee girls due to practical barriers as well as traditional gender norms that result in families prioritizing boys' education over girls'; and
- iv. **health care:** the more limited access to health services for women and girls, who face barriers to access such as long distances to health facilities, long waiting times and time poverty due to domestic responsibilities that are overwhelmingly assigned to them. While men and boys also face similar challenges, they disproportionately affect women and girls due to the burden of domestic responsibilities placed on them as well as for certain groups such as those who are pregnant or have young children.

5.2 Social inclusion

There are differences or restrictions in terms of policies and/or their implementation related to social inclusion in the majority of policy sub-dimensions. The most consequential ones in terms of socioeconomic development are as follows:

- i. **security of legal status,** the challenges faced by asylum-seekers and refugees in relation to diverse sexual orientation and gender identity;
- ii. **access to civil registration and documentation,** the limited birth registration and certification for refugee children born in Uganda due to significant delays in issuing such documents in remote locations, a challenge similarly faced by nationals.
- iii. **access to justice and security:** the challenges in the actual implementation of the laws and policies related to GBV.
- iv. **protection for vulnerable groups:** the challenges for non-accompanied and separated refugee children to effectively access protection mechanisms in the national systems.

Annex on Key International and Regional Instruments ratified or adhered to

- [Additional Protocol to the Geneva Conventions of 12 August 1949 \(Protocol I\)](#)
- [Additional Protocol to the Geneva Conventions of 12 August 1949 \(Protocol II\)](#)
- [African Charter on Human and Peoples' Rights, 1981](#)
- [African Charter on the Rights and Welfare of the Child 1990](#)
- [African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa \(Kampala Convention\), 2009](#)
- [African Youth Charter, 2006](#)
- [Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984](#)
- [Convention Governing Specific Aspects of Refugee Problems in Africa \(the OAU Convention\), 1969](#)
- [Convention on the Elimination of All Forms of Discrimination Against Women, 1979](#)
- [Convention on the Rights of Persons with Disabilities, 2007](#)
- [Convention on the Rights of the Child, 1989](#)
- [Convention relating to the Status of Refugees 1951¹ \(Ratification date: 27 Sep 1976\)](#)
- [Convention Relating to the Status of Stateless Persons, 1954](#)
- [Djibouti Declaration on Refugee Education, 2017 \(International Instrument\)](#)
- [Fourth Geneva Convention relative to the Protection of Civilian Persons of 1949](#)
- [ILO Abolition of Forced Labour Convention, 1957 \(No 105\)](#)
- [ILO Discrimination \(Employment and Occupation\) Convention, 1958 \(No 111\)](#)
- [ILO Employment Policy Convention, 1964 \(No 122\)](#)
- [ILO Equal Remuneration Convention, 1951 \(No 100\)](#)
- [ILO Forced Labour Convention, 1930 \(No 29\)](#)
- [ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 \(No 87\)](#)
- [ILO Labour Inspection \(Agriculture\) Convention, 1969 \(No 129\)](#)
- [ILO Labour Inspection Convention, 1947 \(No 81\)²](#)
- [ILO Minimum Age Convention, 1973 \(No 138\)](#)
- [ILO Right to Organise and Collective Bargaining Convention, 1949 \(No 98\)](#)
- [ILO Tripartite Consultation \(International Labour Standards\) Convention, 1976 \(No 144\), 1976](#)
- [ILO Worst Forms of Child Labour Convention, 1999 \(No 182\)](#)
- [International Convention on the Elimination of All Forms of Racial Discrimination, 1965](#)
- [International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990³](#)
- [International Covenant on Civil and Political Rights \(ICCPR\), 1966](#)
- [International Covenant on Economic, Social and Cultural Rights, 1966](#)
- [Kampala Declaration on Jobs, Livelihoods and Self-reliance, 2019 \(International Instrument\)](#)
- [Nairobi Declaration on Somali Refugees, 2017 \(International Instrument\)](#)
- [Protocol relating to the status of refugees, 1967](#)
- [Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, 2003](#)
- [UNESCO Convention Against Discrimination in Education, 1960](#)

Reservations/declarations:

1 Article 7 (exemption from reciprocity); Article 8 (exemption from exceptional measures); Article 9 (provisional measures); Article 13 (movable and immovable property); Article 15 (right of association); Article 16 (access to courts); Article 17 (wage-earning employment); Article 25 (administrative assistance); Article 32 (expulsion).

2 Part II, Articles 22-24 (labour inspection in commerce).

3 Article 18(3)(d) (due process safeguards in criminal cases).