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Kingdom of the Netherlands

► Review of national policy, legislative and regulatory frameworks and practice in Uganda

A baseline study on the right to work and rights at work for refugees

► REVIEW OF NATIONAL POLICY FRAMEWORKS AND PRACTICE

▶ **Review of national policy, legislative and regulatory frameworks and practice in Uganda**

A baseline study on the right to work and rights at work for refugees

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► Foreword

Uganda is currently hosting more than 1.5 million refugees, the largest refugee population in Africa and the third largest worldwide. The refugee situation is protracted and continues to intensify. Among the refugee community, South Sudanese make up the largest population at 61 per cent, followed by Congolese, Burundians and Somali. Most refugees live in settlements alongside their hosting communities in the north, south and mid-west regions, which are among the most underdeveloped in the country. Host communities in Uganda that welcome refugee populations face economic, environmental and developmental challenges that continue to require support. This also puts significant pressure on government service delivery. Equitable attention to the needs of both communities is essential to sustain peaceful coexistence and to mitigate shocks to the delivery of public services

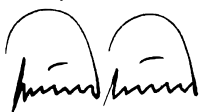
Against this background, the PROSPECTS Partnership, which includes the International Labour Organization (ILO), the United Nations International Children's Emergency Fund (UNICEF), the United Nations High Commissioner for Refugees (UNHCR), the International Finance Corporation (IFC) and the World Bank, collaboratively supports government-led efforts to strengthen systems and develop and implement policies that promote inclusion and socio-economic development of refugees and host communities.

Within this Partnership, the ILO plays a key role in the promotion of decent work and focuses on strengthening local economic development and improving employability by equipping refugees and host communities with better and more relevant skills to enter local labour markets and to access enterprise development opportunities. The ILO works closely with the government and employers' and workers' organizations to strengthen the policy, legislative and institutional environments for work-related protection and inclusion of refugee and host communities.

This report, "Review of national policy, legislative and regulatory frameworks, and practice in Uganda: A baseline study on the right to work and rights at work for refugees", is undertaken as part of a global exercise in conjunction with similar reviews drawn up in Jordan, Lebanon, Sudan, Egypt, Iraq, Kenya and Ethiopia under the PROSPECTS Partnership. It aims to provide an understanding of the current policy, legislative and regulatory frameworks and practice in relation to the access of refugees to the labour markets, employment, livelihood and training opportunities, including self-employment, business development, and rights at work, including social protection and freedom of association. This provides PROSPECTS with a clear understanding of the current status of these frameworks and how they are being applied or not. The analytical framework for this assessment was developed jointly by IMPACT Initiatives and ILO PROSPECTS through the contributions of several key specialists from various ILO technical departments.

The report reviewed national legislature, policy documents, datasets and grey literature to establish the legal basis for refugees' access to work and their rights at work. Findings from the literature review were verified and triangulated with field work to establish how the laws are understood and implemented in practice. Key informant interviews included the Office of the Prime Minister responsible for refugees, the Ministry of Gender, Labour and Social Development, and focus group discussions were conducted with other local government-level authorities, the UNHCR, as well as with refugees and host community members in Nakivale refugee settlement in Isingiro District, Rhino Camp and Imvepi settlements in Terego and Madi-Okollo districts, and Kampala.

I would like to thank the Kingdom of the Netherlands for its generous support to this assessment and the production of this report, undertaken in the context of the PROSPECTS Partnership. I would also like to thank Consilient Research for their work in conducting the assessment, ILO colleagues in HQ and Uganda for their technical backstopping of this exercise, and the UNHCR colleagues for their review, valuable input and continuous collaboration with the ILO. We hope that this report will inform policy dialogue on the access of refugees to the labour markets, and that its recommendations feed into the design of integrated interventions that promote decent work for refugees and host communities in Uganda.



Wellington Chibebe

Director

ILO Country Office in Dar es Salaam (covering Tanzania, Burundi, Kenya, Uganda and Rwanda)

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► Abbreviations

BTVET	Business, Technical, Vocational Education and Training	NDP	National Development Plan
CRRF	Comprehensive Refugee Response Framework (2017)	NGO	Non-governmental organization
DRC	Democratic Republic of the Congo	NPDP	National Physical Development Plan
EAC	East African Community	NSSF	National Social Security Fund
ERP	Education Response Plan (Secretariat)	OPM	Office of Prime Minister
FGD	Focus group discussion	PSPF	Public Service Pension Fund
GoU	Government of Uganda	RWC	Refugee Welfare Council
HLP	Housing, Land and Property	SACCO	Savings and Credit Cooperative Organization
IFC	International Finance Corporation	SCG	Senior Citizen Grant
IGAD	Intergovernmental Authority on Development	TVET	Technical and Vocational Education and Training
ILO	International Labour Organization	UBOS	Uganda Bureau of Statistics
IOM	International Organization for Migration	UBTEB	Uganda Business and Technical Examinations Board
JLIRP	Jobs and Livelihoods Integrated Response Plan Refugees and Host Communities in Uganda 2020/21–2024/25	UGAFODE	UGAFODE Microfinance Limited
KII	Key informant interview	UNCDF	UN Capital Development Fund
LASPNET	Legal Aid Service Providers Network	UNDP	United Nations Development Programme
MGLSD	Ministry of Gender, Labour and Social Development	UNEB	Uganda National Examinations Board
MOBAN	Moral Brotherhood and Neighbourhood	UNHCR	UN Refugee Agency
MoES	Ministry of Education and Sports	UNICEF	United Nations Children's Fund
NCHE	National Council for Higher Education	VSLA	Village Savings and Loan Associations
		WASH	Water, Sanitation and Hygiene
		WB	World Bank

► Definition of terms

Act	A statutory plan passed by parliament or any legislature which is a “bill” until enacted and becomes law.
Asylum	The protection granted by a state to someone who has left their home country as a political refugee.
Asylum seeker	A person who leaves their country of residence, enters another country and applies for asylum in this other country.
Bill	A formal statement of a planned new law that is discussed before being voted on.
Convention (or treaty)	An agreement between countries that is legally binding upon ratification.
Cooperative	An autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly owned and democratically controlled enterprise (ILO).
Credit	An agreement to purchase a product or service with the express promise to pay for it later.
Decent work	Work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men (ILO)
Declaration	Something formally or confidently stated or a document containing such a statement. UN Declarations are generally not legally binding; however, they represent the dynamic development of international legal norms and reflect the commitment of states to move in certain directions, abiding by certain principles.
Durable solutions	Voluntary repatriation to the country of origin in safety and dignity, resettlement to a third country or local integration in the country of asylum.
Ex lege (Lat.)	By virtue of law.
Internally displaced people	People or groups of people who have had to flee or leave their homes or places of habitual residence but have not crossed an internationally recognized state border.
Key informant	A person with whom an interview about a particular organization, social programme, problem or interest group is conducted.

Loan	<p>A form of debt incurred by an individual or other entity. The lender – usually a corporation, financial institution or government – advances a sum of money to the borrower. In return, the borrower agrees to a certain set of terms including any finance charges, interest, repayment date, and other conditions.</p> <p>NB – Loans and credits are different finance mechanisms. While a loan provides all the money requested in one go at the time it is issued, in the case of a credit, the bank provides the customer with an amount of money that can be used as required, using the entire amount borrowed, part of it or none at all.</p>
Microfinance or microcredit	Activity or business of providing financial services such as micro or small loans, and other financial services such as savings, leases and fund transfer services, to poor people or new businesses that cannot use traditional banking services, usually in developing countries.
Migrant	A person who moves away from their place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons.
Migrant worker	A person who migrates from one country to another (or has migrated) with a view to being employed other than on their own account, including any person regularly admitted as a migrant for employment.
Mutatis mutandis (Lat.)	Making necessary alterations while not affecting the main point at issue (used when comparing two or more cases or situations).
Non-refoulement	Under international law, the principle that guarantees that no one should be returned to a country where they would face torture, cruel, inhuman or degrading treatment or punishment and other irreparable harm.
Refugee	<p>Someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion (1951 Refugee Convention).</p> <p>Under the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, the State of Asylum shall determine whether an applicant is a refugee.</p>
Refugee settlement	Temporary facilities built to provide immediate protection and assistance to people who have been forced to flee their homes owing to war, persecution or violence.
Refugee Welfare Council (RWC)	A body composed of elected refugee leaders in the settlements who report to the formal actors such as settlement commandants (OPM); the RWC leaders play a key role in implementing physical protection and access to justice for refugees in their communities.

Resettlement	Transfer of refugees from an asylum country to another state that has agreed to admit them and ultimately grant them permanent residence.
SACCO	<p>A member-owned financial cooperative whose primary objectives are to mobilize savings and afford access to loans (productive and provident) on competitive terms as a way of enhancing members socio-economic well-being.</p> <p>Difference from standard cooperative: the cooperative is an open-ended concept, while the SACCO is close ended, limited to holding savings and providing credit to members. For example, SACCOs do not build houses for members; housing cooperatives do.</p>
Sedes materiae (Lat.)	The seat of the matter.
Settlement commandant	A person appointed by the OPM to be in charge of a refugee settlement on behalf of the OPM
Settlement Transformative Agenda	GoJ's approach under CRRF, whose objective is to ensure the inclusion of refugees into national service delivery through high-level coordination of government, across the humanitarian and development nexus and through a whole of society approach. The STA was an integral part of the National Development Plan II. Refugees have been integrated directly into the National Development Plan III, which entered into effect on 1 July 2020.
Village Savings and Loan Associations	A group of people who meet regularly to save together and take small loans from those savings. The activities of the group run in cycles of one year, after which the accumulated savings and loan profits are distributed back to the members. VSLA members are self-selected: members choose one another to anchor trust and ownership. All VSLA transactions are performed at meetings in front of all the members.
Voluntary repatriation	Voluntary repatriation occurs when uprooted people return to their homes after making a free and informed decision to do so. The return of refugees must be voluntary — free of physical, psychological or material coercion to return. It must also take place in conditions of safety and with dignity.

► Executive summary

The International Labour Organization (ILO) has commissioned a baseline study for Uganda to review relevant policy, legislative and regulatory frameworks and existing practices related to the access of refugees to labour markets, employment, livelihoods and training opportunities, including self-employment and business development. This research forms part of a series of similar studies conducted in different countries in the Middle East and the Horn of Africa, coordinated by ILO under the PROSPECTS Partnership.

The broad scope of the research focuses on providing a thorough assessment of the extent to which communities affected by displacement have access to the labour market at the institutional level in Uganda, a comparison of national policies and legislation against existing practices, and an understanding of gaps between policy and practice, as well as the capacities and abilities of relevant actors – government, institutions, partners and non-governmental organizations (NGOs) – to intervene effectively.

The findings contained in this report portray the baseline situation of the policies, laws, regulations and practices in place in Uganda as it pertains to forcibly displaced populations. This includes four elements: 1) access to the labour market; 2) access to training; 3) rights at work; and 4) naturalization.

The research team reviewed relevant global frameworks, national legislation and policy documents, datasets and grey literature from international organizations to establish the legal basis for refugee access to employment, training, social protection and the right to naturalization. Findings from this literature review were triangulated by field research, aimed at establishing how the law is understood and experienced in practice. This research consisted of key informant interviews (KIIs) and focus group discussions (FGDs) to garner expert and official opinions as well as those of refugees themselves. Key findings and conclusions included the following.

Summary findings

The Refugees Act 2006 is the primary piece of legislation governing the administration of refugees in Uganda. Together with the Refugees Regulations 2010, these documents guide the Government of Uganda (GoU)'s approach to refugees and establish a “bill of rights” to which refugees are entitled. This regulatory framework is one of the most progressive legislative acts in relation to refugees worldwide, and it is complemented by a policy environment which includes the Comprehensive Refugee Response Framework (CRRF) in Uganda, the Third National Development Plan 2020/21–2024/25 under Uganda Vision 2040, the Education Response Plan for refugees and host communities, the Health Response Plan for refugees and host communities, and the Jobs and Livelihoods Integrated Response Plan (JLIRP) for Refugees and Host Communities 2020/2021–2024/2025.

Access to the labour market

The Refugees Act of 2006 provides that refugees have a right “to have access to employment opportunities and engage in gainful employment”, in addition to rights to practice a profession where their qualification is recognized, and to engage in “agriculture, industry, handicrafts and commerce”. These rights are afforded to refugees on the basis that they will receive “at least the same treatment accorded to aliens generally in similar circumstances”.¹

1 Refugees Act 2006, 29(1)(e).

Beyond these commitments, however, refugees are not typically referred to as a distinct group in any Ugandan legislation, including employment legislation. A government source explained that all applicable laws apply *mutatis mutandis* to refugees as they do to Ugandan citizens. This means that rights granted by the Refugees Act 2006 are further regulated by domestic law across a spectrum of subjects, from business registration to trade union, and cooperative membership to access to education and finance.

In practice, however, this can lead to complications. For example, as migrant workers are required to have a work permit, refugees must also obtain such a permit to work. In practice, workers in the informal economy – the vast majority of refugee workers – work without an employment contract and typically do not have a permit. Thus, their employment exists in a legal vacuum, with all the attendant risks that informal economy work brings. Obtaining a work permit does not require the refugee applicant to pay any fees directly, but it does require a travel document which is obtained from the government for a fee. The permit cannot be stamped on a refugee's identity card, only the associated travel document creating an indirect financial barrier.

In terms of self-employment, refugees may “establish commercial and industrial companies”,² in line with the applicable laws. The Companies Act 2012, which provides for the establishment of companies, does not contain any specific provisions relating to refugees.³ However, as is the case in the Ugandan economy generally, the vast majority of businesses operate informally, without business registration. That the informal nature raises risks and creates a legal vacuum is well documented, and a consideration of such risks is beyond the scope of the present analysis.

Notably, refugees are prohibited from owning freehold land in Uganda, pursuant to section 65(2) of the Refugees Regulations 2010. Upon registration, refugees are provided with a plot of land by the GoU in a settlement and have free use of this land for cultivation or pasturing. In addition, refugees who reside outside the settlements as tenants are afforded the same permits under the law as resident aliens, meaning that they may acquire or dispose of occupancy or leasehold interests in land if they choose to do so.

Refugees may establish, operate and participate in cooperatives, including savings and credit cooperative societies (SACCOs). Such SACCOs provide refugees with access to finance, which, although not limited by legislation, can sometimes be difficult for refugees to obtain in practice from commercial lenders.

Access to education and training

Under the Refugees Act 2006, refugee children are provided with access to basic primary education on the same basis as Ugandan nationals. This appears to be borne out in practice. In relation to access to secondary education and above, refugees are afforded “at least the same treatment accorded to aliens generally in similar circumstances”.⁴ Enrolment in secondary education lags global averages for refugees by 10 percentage points.

Technical Vocational Education and Training (TVET) is the most popular form of further education for refugees – with focus group discussion participants highlighting its benefits in helping refugees to access the labour market or start their own business. However, the national policy on TVET does not include refugees within its scope, referring to “citizens” in its policy objectives, although the education sector's strategic plan does reference the need to increase participation of disadvantaged persons, including refugees, at all levels of education.

In practice, TVET courses are delivered by a range of public and private institutions. Private institutions are recognized by the government and follow the national curriculum, which has been characterized as outmoded and not well aligned with the labour market. Others are established by development partners or NGOs and are not always nationally accredited.

2 Refugees Act 2006, 29(1)(e).

3 Companies Act 2012.

4 Refugees Act 2006, 29(1)(e)(iii).

Refugees who hold educational or professional qualifications are guaranteed the recognition of such qualifications in Uganda by the National Council for Higher Education (NCHE). In practice, a fee is payable to have the equivalence assessed, and some respondents noted that it was common for refugee qualifications to be recognized at a lower point on the Ugandan education system.

Access to rights at work

Forced labour and child labour are illegal in Uganda, but there is still progress to be made in eliminating the worst forms of child labour and human trafficking from Ugandan society. Uganda's revised (2020/21) National Action Plan for the Elimination of the Worst Forms of Child Labour does not expressly mention refugees.

Although the Labour Unions Act 2006 is silent on refugees, the Refugees Act 2006 provides for a right of association with “non-political and non-profit making associations and trade unions”, as well as access to justice. In practice, the administration of justice is expensive and often not available locally.

Notably, the Refugees Act 2006 provides for freedom of movement for refugees. There are some fetters on this right – national security, public order, public health, public morals or the protection of the rights and freedoms of others are all grounds to restrict free movement, though these should “apply to aliens generally in the same circumstances”. The Act also provides that a refugee would need to apply for permission to remain at a location other than a designated refugee settlement.

Refugees do not have access to social protection support in Uganda, though, because of a recent amendment,⁵ workers in the informal economy may make contributions to the National Social Security Fund, which acts like a savings scheme and pays a lump sum on retirement or another qualifying event equal to the amount saved and interest accrued.

Naturalization

Naturalization is covered by the Refugees Act 2006, which stipulates that refugees are governed by the same laws that apply to aliens seeking naturalization. However, many interviewees indicated that it is “almost impossible” for a refugee to become a Ugandan citizen.

Conclusions

Uganda has been a welcoming host for refugees for decades and is home to Africa's largest population of forcibly displaced persons. The GoU has long been lauded for its progressive approach to the management of its refugee programme, and the rights afforded to refugees stand in stark contrast to neighbouring and peer countries. A policy of integrated service delivery has sought to ensure that development is inclusive of both host communities and refugees.

The legislation governing refugees in Uganda is robust and broadly fit for purpose. However, gaps appear to remain as regards the mainstreaming of refugees across government policy. Refugees are rarely mentioned in other relevant policy documents, such as the TVET Policy, Employment Act and Labour Unions Act, despite their significant presence in the country. This has resulted in anomalies – such as the need to obtain a travel document to legally exercise one's right to work, or the absence of targeted government support to ensure access to justice for refugees. More needs to be done to de-silo the administration of refugee management from the Office of the Prime Minister (OPM) and to mainstream responsibility across the relevant line ministries, departments and agencies.

5 NSSF (Amendment) Act 2021.

Uganda provides an exemplar for how refugees can be received and treated. However, the informal nature of work means that many livelihoods are without legal foundation. Resourcing is a persistent issue across all the issues examined in this study. Underpinning the sustainability of such a system is becoming ever more important. In the context of durable solutions, the country will have to find ways to address the many challenges it is facing.

Reading guide

Chapter 1 provides an overview of the report context and objectives, outlines the study's methodology and sampling approach, and provides contextual background on each of the three field sites.

Chapter 2, section 2.1 presents an initial overview of the Ugandan socio-economic context, national labour market trends and the refugee context.

Section 2.2 presents the current legislation, policies and regulatory frameworks that govern refugees' access to the labour market, training, rights at work and naturalization.

Section 2.3 synthesizes the identified gaps in the legislation, policies and regulatory frameworks outlined in the previous section for refugees' access to the labour market, training, rights at work and naturalization. It integrates the responses of authorities, subject matter experts and refugees interviewed in the Nakivale, Rhino Camp and Impevi refugee settlements (in Isingiro, Madi-Okollo and Terego districts, respectively) regarding how the laws are understood and implemented in practice. These responses are reported faithfully, though they remain the respondents' own interpretations.

Chapter 3 concludes in synthesizing the findings and is followed by **chapter 4** which outlines actionable areas for PROSPECTS.



▶ 1

Overview

▶ Context

Global displacement data show the highest levels on record, with notable trends of increasing magnitude and complexity. The number of people forcibly displaced by conflict, violence, persecution and human rights abuse rose to exceed 89 million by the end of 2021, with up to 27.1 million of them refugees.⁶ Displacement is becoming more protracted, and durable solutions must be found through programming that is dignified, inclusive and comprehensive. The aim must focus on enhanced self-reliance, empowerment and social cohesion.

With these challenges in mind, a Partnership for improving prospects for forcibly displaced persons and host communities (PROSPECTS) has been formed, spearheaded by the Government of the Netherlands, and bringing together the International Finance Corporation (IFC), the International Labour Organization (ILO), the UNHCR, the UN Children's Fund (UNICEF) and the World Bank (WB). PROSPECTS has a four-year implementation period (2019–2023) and targets eight countries in East and North Africa and the Middle East: Egypt, Ethiopia, Iraq, Jordan, Kenya, Lebanon, Sudan and Uganda. It seeks specifically to transform the way that stakeholders respond to forced displacement crises by:

- ▶ fostering an enabling environment for socio-economic inclusion;
- ▶ improving access to education and protection for vulnerable women and children on the move; and
- ▶ strengthening the resilience of host communities.

PROSPECTS partners in Uganda strive to address barriers that are limiting the ability of refugees and host communities to maximize their productive potential and explore local economic development opportunities in the target districts of Arua, Madi-Okollo, Terego and Isingiro. The four districts, while sharing some similarities, also represent different socio-economic contexts.

⁶ UNHCR, 2022: [UNHCR - UNHCR: Global displacement hits another record, capping decade-long rising trend.](#)

Uganda is host to over 1.5 million refugees and asylum seekers, making it the largest refugee-hosting country on the African continent and the third largest globally. In response to challenges faced by the refugee population to find employment or alternative livelihoods sufficient to meet basic household needs, 87 per cent of the refugee population receive food assistance.⁷ For hosting districts, refugee populations represent the simultaneous urgency of meeting food security and basic household needs, but also a source of untapped potential labour. This labour potential presents an opportunity for economic development at the local scale and can also address market constraints. This is made possible by opening value and production chains to offer greater employment for refugees and nationals. However, most refugees and host communities struggle because of the skills gap that limits access to decent jobs, and transition remains a significant challenge.

For the most part, coexistence between refugees and host communities is peaceful. Cohesion is a necessity since some services, such as health and education, are shared. The same goes for the land as a resource for animal grazing and agriculture, in addition to the jobs that both communities engage in, such as boda-boda riders, taxi drivers and conductors. However, there are also sporadic and isolated cases of conflict between refugee and host communities, mostly at the individual level, which happen because of limited and scarce resources and services. When such matters arise in the settlements, they are typically handled and resolved by the refugee welfare councils.

▶ Aims and objectives

This study aims to establish a baseline of relevant policy, legislative and regulatory frameworks that determine the access of refugees in Uganda to the labour market (including self-employment and business development), their access to training, refugees' rights at work, and naturalization pathways open to refugees.

Importantly, this study also assesses national policies and legislation against what happens in practice, thereby revealing the capacities and abilities of government ministries, institutions, social partners and non-governmental actors to enact and implement the policies and legislation and inform their further capacity-building interventions.

▶ Methodology

This qualitative study is based on a literature review of legislative frameworks as they concern refugees' access to labour market in Uganda, key informant interviews (KIIs), and focus group discussions (FGDs) conducted in Kampala and in four target districts.

Literature review

An overview of literature reviewed, including relevant international documents, policies, laws, ILO documents, grey and academic literature can be found in the [Bibliography](#).

7 UNHCR, Performance Snapshot, Uganda Refugee Response Plan (RRP) 2020–2021, Quarter 4, 2021. Available at: <https://data2.unhcr.org/en/documents/details/92406>.

Table 1 presents some of the elements that needed to be identified, examined, and analysed during the study.

► **Table 1. Areas of focus**

Access to the labour market			
Right to work	Wage-employment	Business development	Quotas for refugee workers
Legal identity	Self-employment	Other income-generating activities	Land ownership
Employment services	Work permits	Access to finance and financial services	Liberal professions
Access to education and training			
Training, including TVET policy	Recognition of qualifications	Skills building	Apprenticeships
Access to rights at work			
Social protection	Freedom of association	Access to justice and grievance mechanisms	Freedom of movement
Naturalization pathways			
Cross-cutting considerations			
Youth, women and people with disabilities	National and county development plans	Refugee, asylum and immigration policies	“On the books” vs “in practice” comparisons
Bureaucratic hurdles	Limited capacity of government institutions	Access to mobile services	Readiness of national bodies to accept refugees

Key informant interviews and focus group discussions

The primary goal of the KIIs and FGDs⁸ was to unearth barriers that are limiting the ability of refugees and host communities to maximize their productive potential and to understand how the policy and legislative landscape affects access to the labour markets, employment, livelihood and training opportunities in the four target districts. Qualitative in nature, the KIIs and FGDs were conducted with a focus on views of national actors, first-hand experiences and practical application of policy, legislative and regulatory frameworks.

In total, 22 KIIs and 24 FGDs were conducted: 10 in Nakivale refugee settlement in Isingiro District, and 12 in Rhino Camp and Imvepi settlements in Terego and Madi-Okollo districts. A list of KIIs and FGDs can be found in [annexes A.3](#) and [A.4](#).

Key informants were selected based on their positions and roles, as well as relevance of their portfolios for this study. The principal recruitment criterion for participation in FGDs was that the participants were either refugees or host community members within the target settlements. Suitable participants were identified with the assistance of settlement commandants and local contacts, often working with PROSPECTS or ILO partners, within the selected settlements.

The FGDs also involved the engagement of translators who helped with interpretation, since the FGD participants spoke different languages: South Sudanese, Congolese, Burundian, Rwandese and Somali, among others. All FGDs were held within the settlements, mostly outdoors in spaces assigned by the community mobilizers and approved by the field teams as appropriate for the discussions, not least to adhere to all COVID-19 requirements and protocols.

⁸ KIIs and FGDs were held in the period August through October 2021.

Participation in the research was entirely voluntary, and participants in FGDs were compensated only for their time and travel costs. Both KIIs and FGDs were carried out by a sub-team of two members of the Consilient research team, consisting of an interviewer and a co-interviewer. Each FGD lasted from one to two hours.

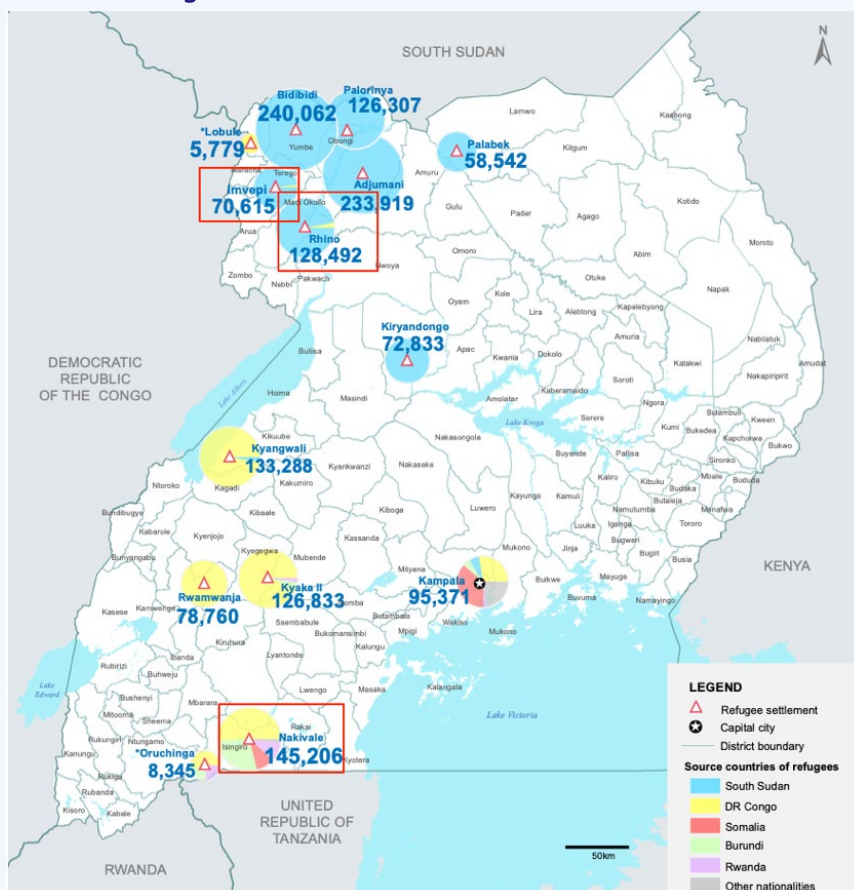
Group sessions were conducted by posing a series of semi-structured and open-ended questions to the assembled group, and KIIs/FGDs were recorded using mobile phones (with prior approval of the participants) and later transcribed. Thematic analysis, a common method used in qualitative research, was used to analyse the transcripts.

Themes developed and examined in the course of KIIs and FGDs included the experiences of refugees in relation to their rights in the labour market, and refugees' awareness of their rights.

► Site context

Of the 13 refugee hosting districts in Uganda, the PROSPECTS Partnership is targeting only four, which represent different socio-economic contexts. All three refugee settlements across these four districts are densely populated, which has resulted in significant challenges, such as limited land resources to settle refugee populations, sometimes leading to conflict with host communities. The target settlements, shown in figure 1, are Nakivale in Isingiro District, Imvepi in Terego District, and Rhino Camp in Madi-Okollo and Terego districts.

► Figure 1. The three target settlements



Nakivale settlement

Nakivale refugee settlement, established in 1958, was officially recognized as a refugee settlement in 1960 and is currently the eighth largest refugee camp in the world.^{9,10} It is located in Isingiro district in the south of the country; refugees comprise 19 per cent of the district's population.¹¹ The majority of the population rely on subsistence farming.¹²

As of August 2022, the settlement hosted 148,318 refugees. The largest proportion are Congolese (60 per cent), although the population is largely heterogenous, with refugees from Burundi, Somalia, Rwanda and Eritrea, and smaller numbers from other countries.¹³ Recent conflict in nearby countries has led to a flow of new arrivals to the area.

Rhino Camp settlement

Rhino Camp was first opened in 1980, and owing to the influx of refugees displaced by the South Sudanese civil war entering northern Uganda, it was subsequently expanded.¹⁴ Rhino Camp refugee settlement is located in the districts of Madi-Okollo and (to a lesser extent) Terego. Refugees comprise 46 per cent of Madi-Okollo's population and 25 per cent of Terego's.¹⁵

Rhino Camp hosts predominantly South Sudanese and smaller numbers of Congolese refugees, thanks to its location near the borders of South Sudan and the Democratic Republic of the Congo (DRC). It has seven zones, mostly defined by the ethnic or sub-ethnic background of their inhabitants. South Sudanese refugees from both warring sides live in the settlement; this presents a potential danger for conflict between them, which has occurred in the past, but the situation is now much more peaceful. The seven zones in the settlement are Ofua, Omugo, Ocea, Odoibu, Siripi, Tika and Eden.

As of June 2022, the settlement had 136,909 registered refugees and continues to receive new arrivals.¹⁶

Imvepi settlement

Imvepi settlement was opened in February 2017. It is located in Odupi sub-county in the Terego District in the West Nile part of the Northern Region of Uganda. The Terego District is relatively new, having been carved out of the Arua District as of 1 July 2020.¹⁷ Refugees comprise 25 per cent of the population of the district.¹⁸

The settlement currently hosts 73,458 refugees, the vast majority of whom are from South Sudan, with a Congolese minority.¹⁹ The host community (non-refugee) population of Odupi sub-county was estimated to be 45,300 in 2019.²⁰

9 UNHCR, Uganda – Nakivale Settlement Profile, July 2020. Available at: [//data2.unhcr.org/en/documents/details/83311](https://data2.unhcr.org/en/documents/details/83311).

10 UNHCR, July 2020.

11 <https://data2.unhcr.org/en/country/uga>.

12 <https://reliefweb.int/report/uganda/nakivale-settlement-profile-isingiro-district-uganda-july-2020>.

13 UNHCR, Uganda – Refugee Statistics, August 2022. <https://data.unhcr.org/en/documents/details/95611>.

14 UNHCR, Uganda Refugee Response Monitoring Settlement Fact Sheet: Rhino Camp, January 2018. Available at: <https://reliefweb.int/report/uganda/uganda-refugee-response-monitoring-settlement-fact-sheet-rhino-camp-january-2018>.

15 <https://data2.unhcr.org/en/country/uga>.

16 UNHCR, Uganda – Refugee Statistics, June 2022. Available at: [Rhino Settlement Profile_30June2022.pdf](#)

17 *The Independent*, 2020.

18 <https://data2.unhcr.org/en/country/uga>.

19 <https://data2.unhcr.org/en/country/uga>.

20 UBOS, 2019.

▶ 2

Main findings

▶ 2.1 Socio-economic context

2.1.1 Labour market situation

Demographics

Uganda's population has a median age of only 16.7 years, making it one of the world's youngest countries,²¹ with a total population estimated at 45,74 million.²² It also has a very high fertility rate at 5.01 children per mother.²³ The overall population structure of the country is skewed towards younger people, with 46 per cent of the population below the age of 15, while just 2 per cent are older than 65.²⁴

The dual factors of a very youthful population and a high fertility rate create rapid growth in the working age population. In the six-year period between 2011 and 2017, the working age population grew by 3.92 per cent, which for three of the years between 2012 and 2017 outpaced GDP growth (based on WDI data).²⁵ Estimates suggest an additional 13 million workers joining the labour force by 2030.²⁶ This fact, plus Uganda's high age dependency ratio (106.3 per 100 workers in rural areas, 78.3 per 100 in urban areas),²⁷ means that for Uganda to match the same per capita income growth of other low dependency comparator economies, it must raise labour productivity and increase the number of new jobs created.²⁸

21 Worldometer, 2021. Available at: <https://www.worldometers.info/world-population/uganda-population/>

22 World Bank, 2020.

23 World Bank, 2020.

24 World Bank, 2022. Available at: <https://data.worldbank.org/country/uganda>.

25 Uganda: Jobs Strategy for Inclusive Growth – Factsheet, 2020. Available at: <https://www.worldbank.org/en/news/factsheet/2020/02/25/uganda-jobs-strategy-for-inclusive-growth>.

26 Uganda: Jobs Strategy for Inclusive Growth – Factsheet, 2020.

27 https://www.ubos.org/wp-content/uploads/publications/05_20212018-19_ALFS_Report_FINAL.pdf, p. 19.

28 Uganda: Jobs Strategy for Inclusive Growth – Factsheet, 2020.

Employment

The Uganda Bureau of Statistics *Annual Labour Force Survey 2021* estimates the working age population (14–64 years) at 23 million. Residents of rural areas made up 68 per cent of this population, and 87 per cent of the working age population were engaged in some form of work, including subsistence work. The total employment-to-population ratio stood at 43 per cent. Modelled ILO data suggests a higher labour force participation rate of 68 per cent in 2021,²⁹ with an employment to population ratio estimated at 66 per cent,³⁰ and unemployment as a percentage of the total labour force estimated at 2.9 per cent.³¹

The agricultural sector share of employment is marginally declining (from 64.9 per cent NLFS 2016/17 to 61.4 per cent in NLFS 2021) but remains a dominant fixture of the labour landscape, while the industry sector share remains low at 13.4 per cent, according to the 2021 National Labour Force Survey of the Uganda Bureau of Statistics. Uganda's labour market contains gender inequalities, and significant disparities continue in relation to median earnings between women and men.³² The same is experienced and reported in the 2021 National Labour Force Survey of the Uganda Bureau of Statistics.

Sector breakdown

The economy is highly agrarian, with almost two thirds (63.5 per cent) of those in the working population involved primarily in the producing industry (agriculture, forestry and fishing), 44.6 per cent of this being mainly for subsistence purposes. A breakdown of the overall working population by industry is summarized in table 2.

► **Table 2. Working population by industry (percentage)**

Occupation type	Male	Female	Percentage of working population
Skilled agricultural, forestry and fishery workers	31.4	31.7	31.5
Service and sales workers	18.9	33.7	25.1
Elementary occupations	14.7	16.6	15.5
Craft and related trades workers	13.6	9.4	11.9
Plant and machine operators and assemblers	10.3	0.4	6.1
Professionals	5.6	4.1	5.0
Technicians and associate professionals	2.9	2.6	2.8
Other occupations	2.6	1.6	2.2
Total	100.0	100.0	100.0

Source: UBOS, Annual Labour Force Survey 2021.

29 <https://data.worldbank.org/indicator/SL.TLF.CACT.ZS?locations=UG>.

30 <https://data.worldbank.org/indicator/SL.EMP.TOTL.SP.ZS?locations=UG>.

31 <https://data.worldbank.org/indicator/SL.UEM.TOTL.ZS?locations=UG>.

32 Uganda Bureau of Statistics, Annual Labour Force Survey 2018/19. Available at: https://www.ubos.org/wp-content/uploads/publications/05_20212018-19_ALFS_Report_FINAL.pdf.

The National Development Plan III acknowledges that the creation of quality and gainful jobs is not sufficient, and that the economy continues to be characterized by a high degree of informality, with 87.3 per cent of those in employment outside agriculture being employed in the informal sector.³³ When disaggregated, these statistics revealed that individuals located in rural areas were more likely to be involved in some form of informal employment than those in urban areas (92.1 per cent rural, 83.1 per cent urban).³⁴ A total of 91 per cent of employed youth (15–35) were in informal employment in 2018/19.³⁵

Outmigration

Growth of the working population has also led to a high outmigration flow of jobseekers.³⁶ Within the economy overall, the role of personal remittances is becoming more important, accounting for 4 per cent of the GDP in 2019 before a temporary decline during the COVID-19 pandemic.³⁷ The main push factors are population growth and youth unemployment. Additionally, land ownership is concentrated in older generations, encouraging youth emigration.³⁸

The United Kingdom and United States have traditionally been the main destinations for Ugandan emigrants, but a new trend has emerged whereby Ugandans increasingly travel to the Middle East for employment opportunities, and this phenomenon is gender-skewed with a 95 per cent male incidence.³⁹

2.1.2 Refugee context

Uganda is subject to both protracted and ongoing refugee situations. The country is currently estimated to host over 1.5 million refugees,⁴⁰ the national leader on the African continent and the third largest globally.

Refugees are provided with freedom of movement and allocated land in designated areas for shelter and agricultural use by the government. These designated areas are composed of settlements, home to about 95 per cent of refugees who live alongside host communities. Some of the poorest and most underdeveloped areas of the country are among those designated areas.

In general, Uganda has progressive refugee and asylum policies. At the policy level, there is no apparent discrimination against refugee groups. However, the large and growing refugee population presents a significant burden on host communities that require support in the face of their own economic, environmental and developmental challenges. Meeting the tripartite goal of sustaining a peaceful coexistence, mitigating shocks and alleviating pressure on the existing basic service systems requires both communities receiving equitable attention.

In his recent op-ed for Al-Jazeera, the Foreign Minister of Uganda, Jeje Odongo, stated: “Finally, refugees are a force for good in their host country if welcomed and settled responsibly – and Uganda is the proof for this. Here, refugees are given land to live on and farm; they are enabled to move freely, access social services such as education, start businesses, and find employment. Above all, they are treated with dignity. In other words, they are essentially Ugandan citizens, contributing to and strengthening our economy.”⁴¹

33 UBOS ALFS, 2021. Available at: https://www.ubos.org/wp-content/uploads/publications/05_20212018-19_ALFS_Report_FINAL.pdf, p. 41.

34 UBOS ALFS, 2021.

35 UBOS ALFS, 2021.

36 <https://www.africaportal.org/publications/young-and-educated-ugandans-are-most-likely-consider-emigration/>

37 <https://data.worldbank.org/indicator/BX.TRF.PWKR.DT.GD.ZS?locations=UG>

38 <https://i.unu.edu/media/migration.unu.edu/publication/4725/Uganda-Migration-Profile.pdf> citing DAI Europe and EuroTrends, 2015.

39 <https://i.unu.edu/media/migration.unu.edu/publication/4725/Uganda-Migration-Profile.pdf> citing IOM 2013.

40 The exact number, according to the UNHCR, on 31 December 2021, was 1,573,291. Source: <https://data2.unhcr.org/en/country/uga>

41 Jeje Odongo, “Uganda’s doors will remain open to refugees”, *Al-Jazeera* online, 23 September 2021. Available at: <https://www.aljazeera.com/opinions/2021/9/23/ugandas-door-will-remain-open-to-refugees>

Since gaining independence in 2011, South Sudan has experienced protracted armed conflict,⁴² and part of the country has experienced famine.⁴³ The humanitarian situation was exacerbated by floods due to unusually heavy rains throughout 2021, including in areas hosting internally displaced persons.⁴⁴ These factors have served to increase the flow of refugees from the country to Uganda, which has hosted refugees fleeing civil war and conflict in Sudan and South Sudan since the 1950s.⁴⁵ Uganda currently hosts 835,657 South Sudanese refugees.

In the DRC, violence continues to be a feature of life, particularly in regions used by rebel groups seeking to control the country's mineral wealth, despite the civil war coming to an end in 2003.⁴⁶ This has resulted in nearly 1 million Congolese fleeing the country, including 463,444⁴⁷ to neighbouring Uganda.⁴⁸

Smaller groups have also arrived in Uganda as a result of political unrest and instability in Burundi (43,731), Somalia (55,877), Eritrea (22,505) and Ethiopia (4,267), while 25,915 Rwandan refugees remain in the country.⁴⁹

▶ 2.2 Current relevant legislation, policies and regulatory frameworks

2.2.1 Regulatory and policy frameworks

Uganda has managed to translate much of the international regulatory framework into domestic legislation dealing with refugees and their right to work, in addition to other issues relevant for this study.

This alignment with the relevant international instruments mentioned in the previous section has found its strongest manifestation in the two legal documents that provide the basis – *sedes materiae* – for all matters related to refugees in Uganda. These are the Refugees Act 2006⁵⁰ and the Refugees Regulations 2010.⁵¹

The Refugees Act 2006 is considered to be the most progressive piece of refugee-focused legislation in the world. This is primarily due to what could be called “refugee’s bill of rights” in its Section 29 (see box 1).

The Refugees Regulations 2010 gives effect to the 2006 Act. Of relevance to the present review, they provide further details on the registration process (Part VII), refugee identity cards, employment and movement.

42 <https://www.refworld.org/pdfid/52fa1ecd4.pdf>.

43 <https://www.unhcr.org/protection/health/5a5892f17/south-sudan-conflict-displacement-famine-hiv-response-time-act.html>.

44 <https://www.unhcr.org/news/briefing/2020/9/5f4dfb234/heavy-floods-devastate-displaced-host-communities-sudan.html>.

45 <https://theconversation.com/uganda-has-a-remarkable-history-of-hosting-refugees-but-its-efforts-are-underfunded-166706>.

46 https://refugees.org/wp-content/uploads/2020/12/USCRI-Backgrounder_DRC.pdf.

47 Country - Uganda (unhcr.org) October 2022.

48 <https://reporting.unhcr.org/drc-rrrp-2022>.

49 <https://data2.unhcr.org/en/country/uga>.

50 <https://www.refworld.org/pdfid/4b7baba52.pdf>

51 Link: <https://www.ecoi.net/en/document/1237978.html>

► **Box 1. Rights of Refugees while in Uganda (Refugees Act 2006, section 29)**

(1) A recognised refugee shall, subject to this Act, the OAU Convention and the Geneva Convention

(a) be issued with an identity card in a prescribed form stating the refugee status of the holder for purposes of identification and protection;

[...]

(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;

(ii) the right to transfer assets held and declared by a refugee at the time of entry into Uganda, including those lawfully acquired in Uganda;

(iii) education, other than elementary education for which refugees must receive the same treatment as nationals, and in particular, regarding access to particular studies, the recognition of foreign certificates, diplomas and degrees and the remission of fees and charges;

(iv) the right to engage in agriculture, industry, handicrafts, and commerce and establish commercial and industrial companies in accordance with the applicable laws and regulations in force in Uganda;

(v) the right to practice the profession of the refugee who holds qualifications recognised by the competent authorities in Uganda and who wishes to practise that profession;

(vi) the right to have access to employment opportunities and engage in gainful employment;

(vii) any other right that may legally be accorded to a refugee;

[...]

(g) have a right of association as regards non-political and non-profit-making associations and trade unions;

(h) have free access to courts of law, including legal assistance under applicable laws of Uganda.

[...]

Policy environment

This regulatory framework is complemented by a policy environment giving effect to Uganda's self-reliance refugee model, which envisions self-reliance and local settlement for refugees through the provision of land for subsistence agriculture and shelter.⁵² Key policies include the following.

► **The Comprehensive Refugee Response Framework (CRRF) in Uganda:** a multi-stakeholder coordination model on refugee matters focusing on humanitarian and development needs of both refugees and host communities.

52 https://www.shacc.ch/documents/files/pdf/site-planning-and-shelter-coordination-refugee-response-unhcr-uganda-2/sta_uganda.pdf.

- ▶ **Third National Development Plan 2020/21–2024/25:** the country’s medium-term planning framework, which commits to integrating refugee planning in national, sectoral and local government plans, and to strengthening statistical data collection and use to support refugee planning.
- ▶ **The Jobs and Livelihoods Integrated Response Plan (JLIRP) for Refugees and Host Communities 2020/21–2024/25,** which envisions secure, self-reliant and resilient refugee and host community households in refugee hosting districts, with a goal of ensuring that refugees and host communities are socially, economically and financially included in a sustainable manner in local development by 2025.

2.2.2 Access to the labour markets

Legal status and registration

The grant of refugee status is the basis under which a refugee may seek employment in Uganda.

The Refugees Act 2006 regulates the determination and granting of refugee status, as well as the provision of identity cards and travel documents.⁵³ It provides for the recognition and registration of refugees and establishes an Office of Refugees, Commissioner for Refugees, Refugee Eligibility Committee and Refugee Appeals Board to implement the Act.⁵⁴

An individual who wishes to remain in Uganda as a refugee must apply to the Refugee Eligibility Committee in Kampala within 30 days of their arrival. Such an application may be made directly to the Commissioner for Refugees, their authorized officer, or through the UNHCR representative. The applicant must provide their fingerprints and photograph.⁵⁵ Applicants will be granted a temporary pass that is renewable and valid for 90 days.⁵⁶

Once an applicant is determined to be an eligible refugee, the Act provides that they will be issued with an identity card.⁵⁷ The Refugees Regulations 2010 prescribe the form of the identity card and state that it will be issued by the Commissioner for Refugees.⁵⁸ Refugees also have the right to a travel document valid in all countries, with two exceptions: the refugee’s country of origin, and “those countries with respect to which Uganda has restrictions”.⁵⁹ The travel document is not necessary within Uganda, as refugees have a right to freedom of movement within the country. Refugees must carry their identity card when traveling within Uganda so that it is available for inspection by immigration or police officers.⁶⁰

53 https://www.shacc.ch/documents/files/pdf/site-planning-and-shelter-coordination-refugee-response-unhcr-uganda-2/sta_uganda.pdf.

54 NB: As the Registration of Persons Act 2015, 1(2)(b), expressly excludes refugees from its scope, the Refugees Act 2006 and Refugee Regulations of 2010 are the primary legislation in relation to the registration of refugees.

55 Refugees Regulations 2010, Part II, 3, 5.

56 Refugees Regulations 2010, Part II, 13.

57 Refugees Act 2006, 29(1)(a).

58 Refugees Regulations 2010, Part VII.

59 Refugees Act 2006, 31.

60 Refugees Regulations 2010, 43(1).

Right to work

Refugees are not specifically mentioned by the primary employment legislation, the Employment Act 2006⁶¹ or the Labour Unions Act 2006.⁶² On the other hand, under the Refugees Act 2006, recognized refugees shall “receive at least the same treatment accorded to aliens generally in similar circumstances”, covering a defined list of subjects, including the right to work.⁶³ Specifically, this includes:

- ▶ the right to engage in agriculture, industry, handicrafts and commerce and establish commercial and industrial companies in accordance with the applicable laws and regulations in force in Uganda;
- ▶ the right to practise the profession of the refugee who holds qualifications recognized by the competent authorities in Uganda and who wishes to practise that profession;
- ▶ the right to have access to employment opportunities and engage in gainful employment.

The Refugees Regulations 2010 clarify that: “A person who has been granted refugee status and is in possession of a valid identity card issued by the Commissioner for Refugees, shall, in order to facilitate his or her local integration, be allowed to engage in gainful or wage earning employment on the most favourable treatment accorded to foreign residents in similar circumstances; except that recognised refugees shall exceptionally be exempt from any requirement to pay any charges or fees prior to taking up of any offer or to continue in his or her employment”.⁶⁴

Ordinarily, non-nationals seeking employment in Uganda must apply for an entry work permit, pursuant to sections 53–54 of the Uganda Citizenship and Immigration Control Act (Cap 66). They must have a sponsoring employer, and the validity of the permit is limited to 36 months.⁶⁵ East African Community (EAC) citizens are generally exempt from the payment of fees for such permits, and thus, in line with the commitment to provide access to employment “on the most favourable treatment accorded to foreign residents”, “refugees are exempt from fees for obtaining work permits”.⁶⁶ Legally, refugees are nevertheless required to obtain work permits from the OPM.

Accordingly, the law dealing with refugee-related issues enshrines the right to work for refugees within Uganda.

In addition, Pillar 4 of the Jobs and Livelihoods Integrated Response Plan is about “increasing access to market-relevant skills training to enhance employability and job creation”, with the following priorities:

- ▶ promoting employment creation and generating labour market information statistics for analysis and dissemination;
- ▶ increasing job placement opportunities to refugees and host communities;
- ▶ linking trainees⁶⁷ to job placements.

In other words, the right to work for refugees, stipulated in law, is coupled with a proactive policy that is meant to facilitate access.

61 Employment Act 2006. Available at: <https://ulii.org/akn/ug/act/2006/6/eng@2006-06-08>.

62 Labour Unions Act 2006. Available at: <https://ulii.org/akn/ug/act/2006/7/eng@2006-06-08>.

63 Other defined rights include property rights and education, “(other than elementary education for which refugees must receive the same treatment as nationals), and in particular, regarding access to particular studies, the recognition of foreign certificates, diplomas and degrees and the remission of fees and charges”, art. 29(1)(e)(iii).

64 <https://www.refworld.org/pdfid/544e4f154.pdf>, part XI, para. 64.

65 <https://immigration.go.ug/services/work-permit>; <https://immigration.go.ug/entry-permit/class-g2>.

66 World Bank, UNHCR, GoU, An Assessment of Uganda’s Progressive Approach to Refugee Management, 2016. Available at: <https://openknowledge.worldbank.org/bitstream/handle/10986/24736/An0assessment00o0refugee0management.pdf>, p. 13.

67 Primarily those who finish training programmes at Ugandan TVET institutions

Right to set up a business

Refugees have the right to set up companies in line with Ugandan laws, just like Ugandan citizens. They have the right and duty to register these companies and pay taxes like Ugandans. Company registration is governed by the Companies Act 2012, while partnerships may be established pursuant to the Partnerships Act 2010.

Neither regime has any specific provisions relating to refugees, but the Refugees Act 2006 contains the right for refugees to establish commercial and industrial companies on a similar basis accorded to aliens, so long as the applicable laws and regulations in force in Uganda are abided by.⁶⁸

It is worth emphasizing that most business is conducted in the informal economy, without business registration. This is true of the economy as a whole, and for refugees who establish businesses.

Land ownership

Uganda has multiple land tenure systems, which complicates issues surrounding housing, land and property (HLP). This is intensified by other factors, such as histories of displacement or dispute resolution bodies that are overburdened with the level of demand. Regardless of whether they are located in urban areas or designated refugee settlements, refugees in Uganda face additional challenges with regards to accessing HLP. Typically, they possess limited knowledge of their rights, may already be dealing with unresolved disputes, and often occupy housing considered poor or unsatisfactory.⁶⁹

Refugees are not entitled to own land in Uganda. Land in the settlements is owned by the government or communally (by Ugandans) and is managed by the OPM. Upon registration in official settlements, a small piece of land is provided to refugees that is meant for their shelter and basic small-scale agricultural activities.

Access to land use is regulated by the Refugees Regulations 2010, which stipulate that, while refugees shall have free access to land in designated refugee settlements or areas for the purposes of cultivation or pasturing, “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”.⁷⁰

Refugees are forbidden from acquiring or holding freehold interest in land in Uganda, though they are free to acquire or dispose of occupancy or leasehold interests in land under the same terms as other resident aliens.⁷¹

Establishing or joining cooperatives

Cooperative organizations are regulated by the Cooperative Societies Act 1991, as amended by the Cooperative Societies (Amendment) Act 2020. This Act provides that a cooperative society must ordinarily have a minimum of 30 members, although the registrar for cooperative societies may register a society of a unique nature, comprising less than 30 persons.⁷² Newly registered societies are established on probation for up to two years, after which time the registrar may permanently register the society provided they are “satisfied with the performance of the society”.⁷³

68 Refugee Act 2006, 21(1)(e)(iv).

69 <https://reliefweb.int/report/uganda/owned-spaces-and-shared-places-refugee-access-livelihoods-and-housing-land-and>.

70 <https://www.refworld.org/pdfid/544e4f154.pdf>, Part XI, para 65.

71 <https://www.refworld.org/pdfid/544e4f154.pdf>, Part XI, para 65.

72 Cooperative Societies Act (Cap 112), 4(2).

73 Cooperative Societies Act (Cap 112), 6.

The Act provides that members of a cooperative must be eighteen years or older and must “be a resident within or in occupation of land within the society’s area of operation”.⁷⁴ Persons above the age of 12 may become members without eligibility to act as a committee member. The Act further establishes special provisions relating to SACCOs.⁷⁵

Refugees are not specifically mentioned in this Act, but under the Refugees Act 2006 they have a right of association regarding groups, including non-political and non-profit generating associations and trade unions.⁷⁶ This could enable their participation in the cooperatives.

Access to finance

The Financial Institutions (Anti-Money Laundering) Regulations 2010 provide that financial institutions should establish customer identification requirements and procedures. While the Regulations require financial institutions to identify customers using “documents issued by official or other reputable sources”, it is left to each institution to determine what documentation is acceptable, according to their own risk mitigation procedures. While this may mean that in practice some financial institutions are reluctant to provide services to refugees, there was evidence from the KIIs and FGDs of institutions that were willing to accept identity cards as acceptable documentation.

That said, a 2018 study commissioned by the UNHCR, SIDA and Grameen Crédit Agricole Foundation found a “growing interest in the refugee market segment on part of the formal financial sector, even if initiatives to reach out and actually include them are yet in the initial stages”,⁷⁷ a reality confirmed by one of the key informants for this study.⁷⁸

Access to employment and career counselling services

Uganda is not signatory to the ILO’s 1948 Employment Service Convention nor its 1997 Private Employment Agencies Convention. The Employment Act 2006 provides that recruitment agencies may only be established by persons holding a valid recruiting permit, issued by the Labour Commissioner, although this is not required in the case of recruitment for employment of domestic servants or non-manual labour.⁷⁹

The JLIRP provides for the establishment of career centres equipped with well trained counsellors during the lifetime of the plan. Such centres are not currently available in Uganda, and there is no other relevant legislation or policy in this respect in relation to refugees or otherwise.

2.2.3 Refugee access to education and training

According to the Refugees Act 2006, the refugees “shall receive at least the same treatment accorded to aliens generally in similar circumstances relating to education, other than elementary education for which refugees must receive the same treatment as nationals, and in particular, regarding access to particular studies, the recognition of foreign certificates, diplomas and degrees and the remission of fees and charges.”⁸⁰

74 SACCO is defined as a “registered society for promoting and mobilizing savings and extending credit and financial services to its members”.

75 Cooperative Societies Act (Cap 112), 39(2).

76 Refugees Act 2006, 29(1)(g).

77 Assessing the Needs of Refugees for Financial and Non-Financial Services – Uganda. 2018. Available at: <https://www.unhcr.org/5bd01fab4.pdf>

78 Microfinance association key informant interview.

79 Employment Act 2006, 38.

80 <https://www.refworld.org/pdfid/4b7baba52.pdf>.

The Ministry of Education and Sport's Education Response Plan for Refugees and Host Communities in Uganda (2018–2021) (ERP)⁸¹ identified, among other actions, the need for increased provision of education infrastructure, support for the provision of materials, an expansion of scholarships for TVET, an increased supply and quality of teachers, and the development of a refugee education policy.

Primary education

The Ugandan Education Act 2008 states that “primary education shall be universal and compulsory for pupils aged six and above which shall last seven years”.⁸²

The above regulation includes refugee children (by virtue of the Refugees Act 2006) and they have the right and the obligation to attend primary school without charge.

Secondary education

There has been a marked improvement in the enrolment rates of refugees in education over recent years, yet a serious gap remains, particularly at secondary and tertiary levels. The UNHCR's Education Report “Stepping up” notes this dramatic disparity for refugee youth and shows that only 24 per cent are in secondary school (compared with 84 per cent globally), and only 3 per cent attend post-secondary education (compared with 37 per cent globally).⁸³

The KII from the Ministry of Education and Sports confirmed some of the positive numbers, but also the negative ones, similar to those from the report above. For example, the target for achieving primary school enrolment as stipulated in the ERP has been very solid – there was a 79 per cent gross enrolment as opposed to the pre-ERP 63.9 per cent.⁸⁴

The situation is not as good when it comes to secondary education, especially in the context of global benchmarks. Uganda enrolls only 15 per cent of refugees as opposed to the global standard of 25 per cent, possibly due to a lack of places in settlement high schools. TVET (at the secondary level) has not been included in this number, but the reality is that Uganda is still significantly below the global standards when it comes to secondary school enrolment.⁸⁵

Another big problem is the enrolment of girls at the secondary level. While the ratio between female and male students at the primary level is 46:54, at the secondary level the discrepancy is much higher – only 30 per cent of female students enrol in secondary level education as opposed to 70 per cent of male students.⁸⁶

81 https://planipolis.iiep.unesco.org/sites/default/files/ressources/uganda_education-response-plan-for-refugees-and-host-communities-in-uganda.pdf.

82 <https://old.ulii.org/ug/legislation/act/2015/13>.

83 Report available at: <https://www.unhcr.org/steppingup/>.

84 Talk with MES representative, 3 August 2021.

85 Talk with MES representative, 3 August 2021.

86 Talk with MES representative, 3 August 2021.

Technical vocational education and training

Uganda's Technical Vocational Education and Training (TVET) Policy 2019⁸⁷ sets out four sets of Policy and Institutional Actions to TVET reforms:

- ▶ engaging private sector enterprises and private training providers in TVET;
- ▶ expanding the TVET Qualifications Framework scope and ensuring that the training content corresponds to work needs;
- ▶ building a strong unified organization for managing skills development; and
- ▶ reforming the way TVET is funded and managed.⁸⁸

The TVET policy does not explicitly include refugees in its scope and refers to "citizens" in its objectives.⁸⁹ A key informant from the GoU noted that all laws and policies governing training and work apply to refugees,⁹⁰ in line with Uganda's commitment under the Djibouti Declaration.

Nevertheless, the absence of an explicit reference to refugees in the policy may be considered a gap.

Uganda's Education and Sports Sector Strategic Plan (ESSP) 2017–2020 may corroborate the key informant's remarks.⁹¹ This plan includes as part of its strategic objective to "achieve equitable access to education and training" a commitment to "develop and implement programs that increase the participation" of so-called "disadvantaged persons", including refugees, in primary, secondary and BTNET education.⁹²

The JLIRP includes a pillar on "increasing access to market relevant skills training to enhance employability and job creation" for refugees and host communities,⁹³ with the objective that "skilled refugees and host communities [will be] capable of harnessing employment opportunities in the country by 2025".⁹⁴ Among other things, the Uganda Business and Technical Examinations Board (UBTEB) and Ministry for Education and Sport are tasked with improving access, participation and equity to formal and non-formal technical and vocational training for refugees and host communities.⁹⁵ Activities covered by the plan include the following.

- a. Contracting private education finance institutions to provide payment for non-formal and formal technical and vocational skills training using the voucher system.
- b. Establishing employer sectoral alliances to provide an apprenticeship training scheme, quality assurance, employment services and micro-financing, and disseminating information on the different skills training programmes to refugees and host communities.
- c. Harmonizing and translating Directorate of Industrial Training (DIT) curricula into local languages of refugee host districts.
- d. Collecting, analyzing and providing labour market information systems to refugees and host communities.⁹⁶

87 https://www.education.go.ug/wp-content/uploads/2020/05/FINAL-TVET-POLICY_IMPLEMENTATION-STANDARDS_IMPLEMENTATION-GUIDELINES_19TH_MAY_2020.pdf.

88 https://www.education.go.ug/wp-content/uploads/2020/05/FINAL-TVET-POLICY_IMPLEMENTATION-STANDARDS_IMPLEMENTATION-GUIDELINES_19TH_MAY_2020.pdf.

89 https://www.education.go.ug/wp-content/uploads/2020/05/FINAL-TVET-POLICY_IMPLEMENTATION-STANDARDS_IMPLEMENTATION-GUIDELINES_19TH_MAY_2020.pdf, p. 11.

90 Talk with an OPM representative, 27 August 2021.

91 <https://www.globalpartnership.org/content/education-and-sports-sector-strategic-plan-2017-2020-uganda>.

92 <https://www.globalpartnership.org/content/education-and-sports-sector-strategic-plan-2017-2020-uganda>, p. 20.

93 <https://reliefweb.int/report/uganda/jobs-and-livelihoods-integrated-response-plan-refugees-and-host-communities-uganda>, p. 23.

94 <https://reliefweb.int/report/uganda/jobs-and-livelihoods-integrated-response-plan-refugees-and-host-communities-uganda>, p. 26.

95 <https://reliefweb.int/report/uganda/jobs-and-livelihoods-integrated-response-plan-refugees-and-host-communities-uganda>, p. 29.

96 <https://reliefweb.int/report/uganda/jobs-and-livelihoods-integrated-response-plan-refugees-and-host-communities-uganda>, p. 39.

In parallel with increasing refugee and host community access and equity to technical and vocational training (both formal and non-formal), the JLIRP includes an intention to strengthen the capacities of vocational and technical education institutions, with intermediate steps being defined as increased enrolment in formal and non-formal training, the provision of start-up kits for trainees, and the linking of trainees with job placements.⁹⁷

Recognition of educational or professional qualifications

Section 29(1)(e) of the Refugees Act 2006 guarantees the recognition of foreign certificates, diplomas and degrees and the right to practise the profession of the refugee who holds qualifications recognized by the competent authorities in Uganda.

The equivalence of foreign qualifications is assessed by the Uganda National Examinations Board (UNEB). Refugees who hold educational and vocational qualifications are guaranteed their recognition by the National Council for Higher Education (NCHE). A fee is payable for this service.⁹⁸ Qualifications in a language other than English must first be translated by Makerere University, which has established its capacity for providing such translations together with the Norwegian Refugee Council.⁹⁹

2.2.4 Refugee rights at work

Freedom of association and effective recognition of the right to collective bargaining

Article 29 of the Refugees Act 2006 affords refugees a right of association with “non-political and non-profit making associations and trade unions”.

Under the Labour Unions Act 2006, employees have the right to organize a labour union. A worker must have a contract of service or apprenticeship with an employer to be considered an employee. The term “employer” is broadly defined in the legislation to include any natural or legal person or persons.¹⁰⁰

Recent years have demonstrated improvements linked to ongoing social dialogue, exemplified by Parliament’s approval of a new private sector minimum wage system following joint pressure and evidence-based research from employers’ and workers’ organizations.¹⁰¹ ¹⁰² This, however, has not yet been approved by the President.

Access to justice and legal services

The Refugees Act 2006 states that a recognized refugee shall have free access to courts of law, including legal assistance under applicable laws of Uganda”.¹⁰³ This right includes grievances to protect rights at work.

Given the enormous size of the informal economy in Uganda, many work relationships are defined insufficiently, or not at all. While this does not remove the right of workers to legal protection, it may be difficult to achieve a successful outcome in practice, given the lack of documentation and the prohibitive cost of engaging in formal proceedings.

97 <https://reliefweb.int/report/uganda/jobs-and-livelihoods-integrated-response-plan-refugees-and-host-communities-uganda>.

98 <https://uneb.ac.ug/services/equating/>.

99 <https://data2.unhcr.org/en/documents/download/86995>.

100 Labour Unions Act 2006, 2.

101 <https://www.ulandssekretariatet.dk/wp-content/uploads/2022/02/LMP-Uganda-2022-final.pdf>, p.14.

102 <https://www.parliament.go.ug/news/3160/parliament-passes-minimum-wage-bill>.

103 Ibid. Art 29(1)(h).

Government justice institutions are organized on a sector-wide basis, with the Justice, Law and Order Sector Development Plan (SDP) coordinating development. The most recent SDP (2017–2021) noted that “the justice needs of refugees still remain largely unattended”, and called for the further development of informal justice systems to support refugees as a means of realizing justice.¹⁰⁴

Such informal mechanisms include Local Council Courts and Refugee Welfare Councils (RWC) and cultural or traditional leaders, who may meet to resolve disputes. A 2016 study found an overwhelming preference for these informal mechanisms.¹⁰⁵

Freedom of movement

One of the reasons Uganda’s approaches to refugees are considered as the most progressive in the world is the refugees’ right to move freely around the country. In theory, refugees are not legally bound to their settlements. However, access to social and other benefits are only obtainable in the officially designated settlement where the refugee is registered.

The Refugees Act 2006 establishes this right – and associated limitations – in a separate Article 30 which reads:

(1) Subject to subsection (2) of this section, a recognised refugee is entitled to free movement in Uganda.

(2) The free movement of a recognised refugee in Uganda is subject to reasonable restrictions specified in the laws of Uganda, or directions issued by the Commissioner, which apply to aliens generally in the same circumstances, especially on grounds of national security, public order, public health, public morals or the protection of the rights and freedoms of others.

It has been argued by legal scholars¹⁰⁶ that this right may theoretically be limited when read together with section 44(2) of the Act, concerning settlement, which stipulates that “An applicant or refugee who may wish to stay in a place other than the designated places or areas may apply to the Commissioner for permission to reside in any other part of Uganda.” Further clarity could not be obtained by the researchers.

Social protection

Uganda’s Vision 2040 envisions “a transformed Ugandan society from a peasant to a modern and prosperous country within 30 years” and has shaped Uganda’s long-term development strategy. The vision is implemented by National Development Plans, which prioritize good health and social protection for the transformation of Uganda from the agrarian society it is today into a modern and prosperous country. One aspect of this vision is the expansion of social security, in terms of both scope and coverage, to encompass the informal economy. It also includes strengthening the scope of grants targeted towards vulnerable groups within the informal economy, the expansion of labour-intensive public works, and ensuring broader access to social care and support services. The Vision 2040 document makes no reference to refugees in its content.

104 <https://drive.google.com/file/d/1n2eTUalt8VBrqw1gJ0mugMAli0yAEZD/view>, p. 32.

105 <https://www.laspnet.org/joomla-pages/reports/research-reports/519-report-on-rule-of-law-access-to-justice-and-security-needs-in-refugee-settlements-1/file>, p. 17.

106 Marina Sharpe, Salima Namusobya, “Refugee Status Determination and the Rights of Recognized Refugees under Uganda’s Refugees Act 2006”, *International Journal of Refugee Law*, October 2012, 24:3, 561–578. Available at: <https://doi.org/10.1093/ijrl/ees036>

Two further documents are part of the strategic framework for social protection:

- ▶ The Uganda National Social Protection Policy (2015) is an integral part of the Uganda Vision 2040 and was developed to promote effective coordination and implementation of relevant social protection interventions. Two core pillars are defined as social protection: social security and social care, and support services. The social security pillar is further sub-divided into two components, namely social insurance and direct income transfers. The former refers to contributory schemes targeting workers participating in the formal and informal economies. The latter encompasses non-contributory transfers for social groups including vulnerable children, youth, women, people with disabilities and the elderly. Again, refugees are not explicitly mentioned in the document.
- ▶ The National Development Plan III (2020) is the latest four-year plan to implement Uganda Vision 2040. It includes a commitment to increasing access to social protection and mentions the need to “support refugee hosting communities to meet increasing service delivery demand”; no specific reference is made to refugees and social protection.¹⁰⁷

In addition, the Constitution of Uganda aspires to pension and retirement benefits for all Ugandans,¹⁰⁸ but no provision is made to ensure the same for refugees.

Responsibility for social protection is assigned to the Ministry of Gender, Labour and Social Development (MGLSD). The ministry is responsible for policy functions. There are also other ministries involved in providing services related to social security including: the Ministry of Public Service for pension management of civil servants; the Ministry of Finance, Planning and Economic Development, which oversees the operation of the National Social Security Fund (NSSF); and the Ministry of Health. The OPM also plays a significant role, for instance being responsible for monitoring the implementation of the JLIRP.

The Ugandan social protection system is currently limited in terms of adequacy of benefits and the population covered. Progress has recently been made with the roll-out of a tax-funded universal pension scheme, the Senior Citizen Grant (SCG), which has been extended across the country to those over 80 following successful pilot phases. However, non-contributory social protection schemes like the SCG do not currently apply to refugees. The National Social Protection Policy (2015) refers to “citizens”.¹⁰⁹ Despite the mainstreaming of refugees in national development plans since the launch of the CRRF in 2017, a 2019 GoU review of the social protection regime states that “support to refugees and social protection programmes currently operate in separate silos”.¹¹⁰

Refugees have access to public health services in Uganda, but provision in refugee settlements has been separate from that at district level. The Health Sector Integrated Refugee Response Plan establishes a goal of integrating refugee and host community healthcare provision and outlines actions to be taken to achieve this within the lifetime of the plan (2019–2024).¹¹¹

Refugees may benefit from contributory pension schemes in operation in Uganda. The main ones are the Public Service Pension Fund (PSPF) and the National Social Security Fund (NSSF). Traditionally, these two schemes have covered only a small proportion of total workers within the formal economy and can be described as fragmented.

107 http://www.npa.go.ug/wp-content/uploads/2020/08/NDPIII-Finale_Compressed.pdf.

108 Constitution of Uganda, Title XIV.

109 <https://mglsd.go.ug/wp-content/uploads/2021/05/National-Social-Protection-Policy-uganda.pdf>.

110 Ministry of Gender, Labour and Social Development, Uganda Social Protection Sector Review, 2019. Available at: https://includeplatform.net/wp-content/uploads/2020/12/Social-Protection-Review-2019_PRINT-small.pdf, p. 110.

111 <https://health.go.ug/sites/default/files/Final%20HSIRRP%2031%20Jan%202019%20MASTER.pdf>

As refugees cannot participate in the public service, the PSPF is not relevant. While previously the NSSF was confined to those in a formal employment relationship, the National Social Security Fund (Amendment) Act 2021 amends the National Social Security Fund Act (Cap 222) to provide that any person, including self-employed persons, may register and make voluntary contributions to the NSSF. This means that it is open to refugees to make voluntary savings through the NSSF should they wish to do so. The amendment also requires all employers, regardless of the number of employees, to register with the NSSF.

While formal economy employees must make mandatory contributions, this expansion of eligibility allows for all workers – in the formal or informal economy – to make contributions to a pension scheme, although the National Social Protection Policy notes that the NSSF “operate[s] like a savings scheme and not a [true] pension scheme”,¹¹² with contributors entitled to a lump sum payment of accumulated savings on retirement or another qualifying event.

The JLIRP provides for the creation of a road map for the development of a national, shock-responsive social protection system within its lifetime, and is to include refugees and host communities.¹¹³ A number of other pilot projects are taking place in Uganda, such as the displacement crisis response mechanism, which is delivered by the OPM with the involvement of district authorities.¹¹⁴

2.2.5 Naturalization pathways open to refugees

Naturalization falls under Section 45 of the Refugees Act 2006 which stipulates that the Constitution and any other law in force in Uganda regulating naturalization shall apply to the naturalization of a recognized refugee. The law regulating naturalization is section 16 of the Uganda Citizenship and Immigration Control Act (Cap 66).¹¹⁵

That law provides that an alien may apply in writing to the National Citizenship and Immigration Board for a grant of citizenship by naturalization, provided the applicant:

- ▶ has resided in Uganda for an aggregate period of 20 years;
- ▶ has resided in Uganda throughout the period of 24 months immediately preceding the date of application;
- ▶ has adequate knowledge of a prescribed vernacular language or of the English language;
- ▶ is of a good character; and
- ▶ intends, if naturalized, to continue to reside permanently in Uganda.

The legislation provides that naturalization may be refused by the Board if the applicant’s immigration file “contains substantial inconsistencies as to put his or her demeanour in issue”.

The Refugees Regulations 2010 clarify that a refugee who becomes eligible to apply for citizenship in Uganda may do so on his or her own behalf and that of his or her spouse and any dependent children, and, on attaining citizenship, ceases to be a refugee.¹¹⁶

112 National Social Protection Policy, 2015, p. 31.

113 JLIRP, p. 42.

114 <https://documents1.worldbank.org/curated/en/472101606119818621/pdf/Data-Driven-Development-Response-to-Displacement-Crisis-in-Uganda-The-Displacement-Crisis-Response-Mechanism.pdf>.

115 https://ulii.org/akn/ug/act/1999/3/eng@2015-03-26#part_III.

116 Refugee Regulations 2010, 67.

2.2.6 Key takeaways

- ▶ The Refugees Act 2006 and Refugees Regulation 2010 are progressive pieces of legislation that provide refugees with the right to education, work, to establish business, and freedom of movement, among others.
- ▶ Uganda has started to integrate refugees into domestic policy through the CRRF and national development plans.
- ▶ Refugees are not allowed to own land, but they may lease it. Upon arrival, refugees are granted a plot of land within the settlement which they can utilize for shelter and subsistence agriculture.
- ▶ The Cooperative Societies (Amendment) Act 2020, Companies Act 2012 and Labour Unions Act 2006 do not specifically mention refugees. Despite this, refugees may join cooperatives, form companies, and join trade unions as a result of rights granted under the Refugees Act 2006.
- ▶ As a result of the CRRF approach, education policies are starting to consider refugees. However, TVET policy does not specifically consider refugees.
- ▶ Access to justice for refugees is under-considered in policy and warrants greater focus.
- ▶ Social protection is underdeveloped and largely excludes refugees. Refugees do have access to health services.
- ▶ Naturalization is provided for refugees in law.

▶ 2.3 Current practice regarding the implementation of relevant legislation, policies and regulatory frameworks

2.3.1 Access to labour markets

Refugee status, legal identity and registration

Upon arrival in Uganda, refugees are obliged to register in the officially designated settlements. In practice, refugees originating from South Sudan or the eastern Democratic Republic of the Congo, entering through designated border points with those countries, have automatic prima facie refugee status, and do not need to apply separately to the Refugee Eligibility Committee. In practice, and in line with the regulations, refugees are required to report directly to the Settlement Commandant for registration or the Head of Crime Intelligence Office at the Old Kampala Police Station. They are then given an initial refugee card and a date for further registration. On the scheduled date, they have to report to the OPM with their dependents for the final registration.¹¹⁷ No challenges with this process were reported by FGD participants. Of those asylum seekers who do need a determination from the Refugee Eligibility Committee, 77 per cent of applications assessed in Q4 2021 were granted refugee status on first instance.¹¹⁸ An appeals process is available to those who are unsuccessful.

¹¹⁷ Talk with a settlement commandant, 7 September 2021.

¹¹⁸ <https://reliefweb.int/report/uganda/uganda-refugee-response-plan-rrp-2020-2021-protection-dashboard-quarter-4-january>.

Right to work and mechanisms governing access

The right for refugees to work in Uganda, provided for in the Refugees Act 2006 and Refugees Regulations 2010, is being exercised freely by refugees in the country, as confirmed by a number of respondents.¹¹⁹

There are no specific quotas for refugees, and those who are legally registered can apply for a job. The only legal limitation for employment is for professions that through their nature can only be occupied by Ugandan citizens, such as police officers, state administration, local government, the judiciary, and so forth.

All other occupations are available to refugees, and they can apply for any open positions, in formal and informal economies, in and outside their respective refugee settlements. Key informants and FGD participants did not raise any problems with exercising their right to freedom of movement to work outside a settlement, though the research team did not encounter any participant who had decided to settle elsewhere.

A total of 89.2 per cent of the working population in Uganda is employed in the informal economy.¹²⁰ Refugees work mainly in the transport sector as boda-boda riders or taxi drivers, and also engage in business operations within and outside the settlements as they manage shops and work in the markets, as well as being involved in agricultural production (for their own consumption and for the market).

“... we have those working in the informal economy, as boda boda riders or taxi drivers, those doing business ... many of the locations in the settlement have markets ...”¹²¹

Refugees working in the informal economy and within the settlements do not hold work permits. On the other hand, refugees can compete favourably for formal jobs provided they possess the right qualifications required.

“If a refugee meets the qualifications, and they compete in the recruitment process, they can get employed.”¹²²

Formal economy jobs held by refugees include jobs as teachers (primary and secondary education), teaching assistants (vocational institutions) and as interpreters, mainly within the settlements. They are mostly involved in the education and health sector because of the language gap within service providers, development or humanitarian partner organizations – they employ refugees to bridge the communication gap.

“... refugees are working as interpreters, teachers; we have a refugee who is working in water and hygiene section.”¹²³

“They are refugees but know some English and know other languages. They help us a lot when it comes to those issues of languages.”¹²⁴

Other formal jobs that refugees can obtain are mostly with NGOs. However, the NGO Act 2016 states that NGOs should z providing opportunities to Ugandan nationals within their areas of operation.

119 Talks with various respondents, August to October 2021.

120 <https://ilostat.ilo.org/topics/informality/> (2017 figure, National Labour Force Survey).

121 <https://ilostat.ilo.org/topics/informality/>.

122 One of the settlement commandants.

123 A local businessman.

124 A settlement commandant.

“... the national NGO Act of 2016 says that NGOs that work in an area must give opportunities to the locals.”¹²⁵

The law also limits refugees from taking on government jobs or holding elected offices restricted to nationals.

“I do not see them working in government jobs or participating in politics unless they become nationals as these are eligible to nationals only.”¹²⁶

On the other hand, should a refugee gain employment in the formal sector, a work permit is needed. Permits are issued by the Directorate of Citizenship and Immigration Control in Kampala.

While work permits are made available without charge for refugees, refugees must obtain a convention travel document from the Ugandan government, into which the work permit is stamped. This is because work permits are typically stamped in the passport of migrant workers who are not refugees. A fee of 220,000 Ugandan shillings is payable to obtain such a document from the government. Even though refugees are exempt from this fee, the applicant is required to attend the office in Kampala.¹²⁷

Alternative documents are provided ex lege to all refugees. These include family attestation letters, refugee identity cards and, when applicable, asylum-seeker certificates. However, certain practical obstacles arise as, because of its size, it is not physically possible to stamp a work permit on a refugee identity card. It would be more accessible for the refugees and less cumbersome for the government if these permits could be stamped directly into alternative documents already available to refugees,¹²⁸ or if an alternative document were provided to refugees to hold their work permit.

Right to set up a business

Refugees have the right to set up businesses. In practice, they are predominantly involved in informal businesses, reflecting the high level of informality in the country generally. Such businesses are likely to carry risks typical of informality worldwide – including pronounced decent work deficits.¹²⁹

Many refugees engage in business in trading centres, especially within the settlements, where most of the businesses belong to the refugees. The field research encountered refugees who own cattle or other animals, boda-bodas, cars and businesses.

“We have a taxi park; some vehicles are owned by refugees and the others by the nationals.”¹³⁰

“... many of these businesses in the trading centres belong to the refugees.” “... some refugees have animals and they share the grazing fields.”¹³¹

125 A local respondent in one of the settlements.

126 A settlement commandant.

127 <https://reliefweb.int/sites/reliefweb.int/files/resources/Uganda%20-%20Refugee%20Policy%20Review.pdf>.

128 Talk with UNHCR Uganda, 28 July 2021.

129 <https://www.ilo.org/public/english/standards/relm/ilc/ilc90/pdf/pr-25res.pdf>.

130 A settlement commandant.

131 A local businessman.

There are no apparent obstacles to refugees obtaining legal identity for their businesses, although it is unusual to register a company. Some of the refugees have been very successful, so that they formalize companies and contribute to the tax base. Many NGOs provide information to refugees on how to apply for business registration – via the Uganda Registration Services Bureau – and answer other legal questions.¹³² However, for all the reasons explained in this study, most refugees opt to conduct business informally, as most Ugandan citizens do, too.

Our research encountered evidence of farm improvement programmes targeted at refugees, provided by various partners including the UNHCR and NGOs. These programmes include distribution of inputs to refugee farmers, then monitoring activities at weeding and harvest stages, where the refugees are expected to return the quantity of seedlings provided to them for distribution to other beneficiaries.

▶▶ “... all we do is give them vegetable seeds and crop seeds.”¹³³

Host communities also benefit from such interventions by partner organizations.

Land use and ownership

As outlined the previous section, land in the settlements is owned by the government, and refugees cannot own land. The amount of land provided to refugees on arrival is not fixed in law. In a 2019 study, focus groups described how the OPM and UNHCR further subdivided existing plots of land as refugees continued to arrive in the country.¹³⁴ Refugees are free to acquire land outside the settlements on lease only.

This, in turn, means that they cannot engage in more complex businesses requiring land unless there is another solution for land access. Such a solution has been found in the lease or rent of the land owned by Ugandan citizens.¹³⁵ Refugees sometimes enter these arrangements as a group or as part of a cooperative.

Interest in this collaboration is on both sides – refugees get to cultivate the land owned by the host community members and produce the goods they can sell in the markets, while the owner of the land gets a land lease fee in return, and sometimes even a percentage of the proceeds. This practice has become quite common in one of the settlements. Welcoming this development, a key informant suggested that what is needed is better options for financing of such joint enterprises between the host and refugee communities. SACCOs do provide some microfinance support, but this is not sufficient to ensure further growth in cooperation of the two communities and the delivery of products to the markets.¹³⁶

Field research also revealed that some refugees who move elsewhere in Uganda, return to their countries of origin, or for any other reason do not want or need to keep the land in their possession, sell the land given to them within the settlements to other refugees, in contravention of the law. The large volume of refugees in Uganda has made it difficult, if not impossible, for the authorities to track these situations and ensure that such illegal transfers do not occur.

Establishing or joining cooperatives

Refugees can establish and join cooperatives. SACCOs and agricultural cooperatives are the primary forms of cooperatives with which refugees engage, and at least ten SACCOs have been formed in refugee camps.¹³⁷ For instance, Moral Brotherhood and Neighbourhood (MOBAN) in Nakivale refugee camp has

132 Interview with UNHCR representative, 28 July 2021. See also: <https://ursb.go.ug/business-registration>.

133 A partner representative.

134 <https://www.nrc.no/globalassets/pdf/reports/owned-spaces-and-shared-places/owned-spaces-and-shared-places---refugee-access-to-livelihoods-and-housing-land-and-property-in-uganda-september-2019.pdf>, p. 218.

135 Refugees Act 2006, and talk with a local business owner.

136 A talk with the refugee settlement commandant, 7 August 2021.

137 Uganda Cooperative Alliance. Available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---ddg_p/documents/publication/wcms_775373.pdf.

a membership of more than 3,600, 60 per cent of these being refugees, with the remainder coming from the local host community. MOBAN is a member of the refugee SACCO Union, which has been established to represent the interests of refugee SACCOs.¹³⁸

Access to finance

Many refugees are unbanked. Some financial institutions, such as Post Bank, Centenary Bank, Equity Bank and Opportunity Bank, are trying to develop and offer products for refugee customers. Some have opened savings accounts for refugees, which can be used for cash transfers. Digital financial services in the form of fund transfers or mobile money are also being accessed by refugees. Some refugees manage to access loan services if they have security and guarantors trusted by the financial institutions, such as UGAFODE Microfinance Limited (UGAFODE) or the Opportunity Bank. However, the scale of such access is limited, meaning that, in practice, refugees can find it exceedingly difficult to access credit from traditional financial institutions.

Refugees are often viewed as high-risk clients (in particular when it comes to loans) and are often unable fulfil the requirements of the financial institutions (such as collateral securities, know your customer checks and guarantors).¹³⁹

For these reasons, SACCOs remain the most common way of accessing financial services for refugees. Refugees and host communities have formed SACCOs specially to provide better services to themselves as members, and mainly focusing on improving their livelihoods, as demonstrated by the example of MOBAN in Nakivale refugee settlement. For this reason, strengthening SACCOs is important to improve financial inclusion for refugees.¹⁴⁰

Access to employment and career counselling services

Employment services are generally under-resourced and unavailable in Uganda. Where employment and career counselling are available, they are confined to individual projects, implemented by development partners, in selected districts.¹⁴¹

One such programme that has begun recently under the auspices of ILO PROSPECTS Uganda is the Rural Employment Services Project, implemented by AVSI Foundation in the four focal districts of Isingiro, Arua, Terego and Madi-Okollo.

2.3.2 Refugee access to education and training

Primary and secondary education

Refugees have free access to primary education through the Universal Primary Education programme. Many public primary schools are in refugee settlements, and these are open to both refugees and host communities.¹⁴²

Regarding secondary education, refugees are entitled to the same access as Ugandan citizens under the Universal Secondary Education programme.

138 Uganda Cooperative Alliance .

139 Talk with a representative of the civil society, 5 August 2021.

140 Talk with a representative of the civil society, 5 August 2021.

141 Talk with AVSI Foundation, 8 September 2021.

142 A settlement commandant.

Secondary schools in settlements, constructed by the OPM, are available at no cost to refugees. Such schools are attended by the host community as well, in line with the principle of equality between refugees and host communities. However, the number of such schools is exceedingly small, and the number of available places is extremely limited. Other secondary education, outside the settlements, is not free of charge, and refugees need to compete with Ugandan nationals to obtain a place.

Field research indicated that those who can afford education outside the settlement pay for their children on their own, while there are scholarships provided by the UNHCR and other partners.

“... secondary education ... is not free of charge *per se* and refugees pay a subsidized fee ... there are refugees who are on scholarship ... primary education is free of charge ...”¹⁴³

Schools in refugee settlements often have inadequate access to WASH facilities, and while the teacher:pupil ratio has shown improvement over recent years, there are still not enough teachers who could conduct classes in the settlements. For example, in the vast Rhino Camp settlement, with seven distinct zones, there is only one government high school. In other words, there is a big resource gap for refugees, especially when it comes to post-primary education.¹⁴⁴

Technical vocational education and training

With roughly two thirds of the population lacking a trade, technical skill or any area of specialization, the Ugandan education system has structural challenges manifested in the skills gap of the population.¹⁴⁵

Public TVET institutions and NGOs in refugee settlements provide several hands-on skill courses in different occupations, including, but not limited to, motor vehicle mechanics, tailoring and cutting garments, agriculture, construction, electrical installation, saloon and hairdressing, computer skills. These courses are open to both refugee and host community members. However, the training may not follow the national curriculum in the case of many NGOs and is typically not accredited.

One of the settlement commandants pointed out that TVET in settlements offers a wide variety of options for refugees, and members of the host community also use these opportunities to sign up for technical or vocational education.¹⁴⁶

To enhance the concept of affirmative action, persons with disabilities and female students may be provided with full government scholarships to attend government TVET institutions, especially if they decide to attend courses usually dominated by males.

“... a female student who wishes to study male-dominated courses, like mechanics, construction ... that student is automatically given a full scholarship.”¹⁴⁷

143 A refugee FDG participant.

144 Talk with UNHCR representatives, 28 July 2021.

145 Global Employment Trends for Youth 2020 (Technology and the future of jobs), ILO, 2020.

146 Talk with a settlement commandant, 7 August 2021.

147 A local administrator.

In addition to training itself, participants in NGO-provided TVET in settlements, at the end of their schooling time, are entitled to a start-up kit that corresponds to the skills they have been trained in.^{148, 149, 150} However, several respondents in this study noted that the number of start-up kits is not sufficient for all who have finished the training.¹⁵¹

TVET is the most popular form of education among refugees. There is very little interest in other formal education options because the refugees need livelihoods, and TVET is perceived to increase employment prospects – in the words of one refugee, “buy[ing] you a ticket to faster employment”.

Uganda’s TVET system has several shortcomings which impact refugees and host communities. Some FGD participants considered the content of TVET training to be outdated and called for its curriculum to be revised and improved, and for a shift towards more demand-driven training. According to a study conducted in 2017,¹⁵² there is an important mismatch between acquired skills and market opportunities for youth, women and girls in the West Nile region. However, no centralized assessment of skill demand exists that could be used to tailor the TVET programmes to respond to the needs of the local labour market.¹⁵³ There is a need for periodic assessments through interactions with employers and their representative organizations, to identify the gap and make the TVET training more demand-driven.

Development partners support vocational and skills training to enhance self-empowerment, though this is hindered by the lack of provision of on-the-job training or start-up kits for those who want to establish their business, to enable practice and skills development of the refugees and host community members who attain these trainings.

Research participants highlighted the need for increased technical training in sectors other than agriculture, and for making use of the high penetration of mobile technology among refugees to offer training in business and entrepreneurship alongside traditional TVET subjects. As one respondent suggested:

“We should be able to make use of the fact that coverage for mobile phones is quite high (men 80 per cent, women 62 per cent in 2017). Once we have empowered people with good technical skills, including soft skills (for instance, how to negotiate), that’s when the work starts.”¹⁵⁴

In practice, access to education and skills training is also hindered by language barriers experienced by refugees from Burundi, Rwanda and DRC. These factors negatively affect the integration of refugees into the basic training. Local authorities and partner organizations try to address this issue by engaging refugee communities in occasional village meetings to deal with perceptions, as well as through recruitment of refugees as teaching assistants to deal with the language barrier challenge.

Universities and other tertiary institutions

Even with scholarships by the UNHCR and other partners for attending universities and other tertiary institutions, university education is expensive, and only very few refugees can afford to pay for their children, so some organizations provide additional scholarships to refugees.

148 For example, a sewing machine if the student attended sewing training.

149 An overview of institutions relevant for TVET and BTET in Uganda can be found here: https://unevoc.unesco.org/wtdb/worldtvtdatabase_uga_en.pdf.

150 Uganda TVET MIS. Available at: <https://tvtd.go.ug/>.

151 Talks with refugees and local educator in settlements in the period August–September 2021.

152 Enhancing Employability of Youth, Women, and Girls in West Nile Refugee Settings using Inclusive Vocational Education and Training – Skills Mapping Survey. Anchor. 2019.

153 Anchor. 2019.

154 Interview with a settlement commandant.

“There are organizations that give refugees scholarships to access university education ... we have very few refugees who can pay university tuition for their children ... it becomes extremely challenging when it comes to secondary and tertiary levels.”¹⁵⁵

There is, therefore, a need to increase the number of full scholarships, to widen the opportunities for refugees to attain university education and vocational training. This is also relevant for host communities, and they should be also provided with scholarships so they benefit from the interventions of partner organizations.

Accreditation of academic diplomas

Given that some of the refugees have acquired academic documents from institutions in their countries of origin, these need to be sent to the Uganda National Examinations Board (UNEB) for recognition. A fee is payable for this service.

“When somebody has a document from his or her country of origin, we take it to UNEB for equating in order to register this person. UNEB equates these documents and tells us that this is equivalent to UCE, PLE, etc.”¹⁵⁶

Participants noted that the process often results in an under-equated recognition of foreign certificates, which demotivates them. There is a perception that foreign certificates and diplomas from refugees' home countries are not considered equivalent to Ugandan ones, which can be discouraging. For many refugees who are displaced and without their academic documents because of the rush when the conflicts broke out, this pathway is only available for a small number of refugees.

“... when there is war and violence, someone's certificate can disappear along the way.”¹⁵⁷

2.3.3 Refugee rights at work

Freedom of association

There are no legal barriers preventing refugees from joining or forming trade unions or otherwise organizing themselves. However, there was no evidence in practice of refugees having joined trade unions as union members. The KII with the OPM representative indicated that refugees do not seem to join trade unions, though this may again be reflective of the high levels of informality in the labour market. Nevertheless, they have associations that are formal and informal, relating primarily to cooperatives and SACCOs. The OPM representative mentioned that refugees would need support to realise their rights to freedom of association and collective bargaining.¹⁵⁸

Access to justice and legal services

The barriers that refugees face in accessing justice are the legacy of the justice system in the country, while others are a more direct outcome owing to poverty that makes refugees vulnerable.¹⁵⁹

¹⁵⁵ Interview with a settlement commandant.

¹⁵⁶ A local educator.

¹⁵⁷ A refugee from one of the settlements.

¹⁵⁸ Talk with an OPM representative, 27 August 2021.

¹⁵⁹ Talk with an OPM representative, 27 August 2021.

As is the case in other countries, access to justice can be expensive. Furthermore, most refugees are spatially isolated from justice institutions and legal aid providers, which means that they cannot always access the services they might need. Even if refugees are able to access legal institutions physically, they may face other challenges, such as a lack of knowledge or the financial capacity to demand their rights or to present their case in the required way. There is, therefore, a great need for programmes that assist refugees in their quest for justice.

Several non-governmental initiatives have emerged to address these gaps. For example, the Refugee Law Project, through its Access to Justice Programme, seeks to bring legal aid services closer to refugees, to empower them to advocate for their rights, to strengthen the capacity of justice institutions to deliver justice, and to improve the legal and policy environment for refugees in Uganda.¹⁶⁰

In addition, the Legal Aid Service Providers Network (LASPNET) is implementing the programme “Supporting Legal Aid Service Providers to Enhance Access to Justice for the Poor, Vulnerable and Marginalized in Uganda” between July 2020 and November 2022. This project is accessible to refugees and is premised on strengthening the delivery of legal aid services, aiming to enhance access to justice for poor, vulnerable and marginalized people in Uganda.¹⁶¹

Many other organizations either offer self-standing legal aid and support programmes or include this component in their refugee-focused programming.

As previously mentioned, refugees may also use informal mechanisms to access justice, including Refugee Welfare Councils (RWCs). A 2019 study for UNDP and UNCHR found RWCs to be key structures for promoting access to justice in the settlements.¹⁶² However, there is a need to build their capacity and integrity.¹⁶³

Freedom of movement

In practice, refugees can move freely around Uganda, as provided for in the Refugees Act 2006, and settle wherever they want.¹⁶⁴ However, they typically prefer to stay in the settlements to access services, as well as for personal reasons – the piece of land that they are provided upon registration, food dispensations, closeness of family members in the same settlements, difficulty in finding better livelihoods outside the settlements, and many more.

However, freedom of movement is extremely useful, even for those who live in the settlements, for they do not need permission to travel to work outside the settlements. Rather than the exception, this practice has become a rule, and something that significantly contributes to the quality of the livelihoods of refugees in Uganda.

In KIIs and FGDs with multiple respondents, this right and its de facto implementation in practice have been praised as being at the core of the progressiveness of the Ugandan refugee system.¹⁶⁵

Refugees do not need any clearance to leave their settlements – this was the case in the past, when the OPM used to provide movement permits – unless they want to cross an international border, where it is mandatory for them to have official travel documents for identification purposes. The field team heard of some refugees who have study scholarships in various parts of Uganda.

160 https://refugeelawproject.org/index.php?option=com_sppagebuilder&view=page&id=7&Itemid=171

161 <https://www.idlo.int/sub-projects-awarded/uganda/supporting-legal-aid-service-providers-lasps-enhance-access-justice-poor>.

162 <https://www.laspnet.org/joomla-pages/reports/research-reports/519-report-on-rule-of-law-access-to-justice-and-security-needs-in-refugee-settlements-1/file>.

163 <https://www.laspnet.org/joomla-pages/reports/research-reports/519-report-on-rule-of-law-access-to-justice-and-security-needs-in-refugee-settlements-1/file>, p. 43.

164 This has been confirmed by multiple respondents in our talks from July through October 2021.

165 Interview with multiple respondents, July through October 2021.

Social protection

As outlined in [section 2.2.4](#), there is limited access to social protection for refugees in Uganda. In practice, refugees working in the formal or informal economies may now make contributions to the NSSF, although this contributory scheme operates more like a savings scheme than a true pension fund. It will take time to evaluate if the expansion of eligibility to pay into the NSSF has an impact, and it is unclear how many refugees will elect to take advantage of this option.

2.3.4 Naturalization pathways open to refugees

The Refugees Act 2006 implies that the Constitution, as well as the Uganda Citizenship and Immigration Control Act, apply as the primary legal sources for citizenship-related issues. According to the field research, it is almost impossible for a refugee to become a Ugandan citizen. Likewise, it would be difficult for a refugee to become a permanent resident. While the KIIs have indicated that some refugees have become citizens, they contended that this very rarely happens in practice.¹⁶⁶

The research team tried to obtain the number of refugees who have acquired Ugandan citizenship or permanent residence in the country, but unfortunately, this information was not available.

2.3.5 Key takeaways

- ▶ The refugee registration process is straightforward, with prima facie recognition for South Sudanese and most Congolese refugees.
- ▶ The right to work and freedom of movement are exercised freely in practice. Refugees are required to have a travel document if they wish to obtain a work permit, which creates an additional expense and administrative burden.
- ▶ In practice, most refugees work in the informal economy, and do not hold work permits.
- ▶ Informal businesses are common. Registration is possible, but it is rare for small businesses to be registered, both for refugees and Ugandan citizens.
- ▶ While unable to own land, some refugees rent land from host communities to increase their agricultural output.
- ▶ Refugees are active in cooperatives, including SACCOs.
- ▶ Access to finance can present a barrier to business opportunities, but an increasing number of financial institutions are showing an interest in serving refugees.
- ▶ Employment and career counselling services are not generally available in Uganda.
- ▶ TVET courses are popular with refugees, but some curricula are outdated, and there is a mismatch between the courses on offer and the skills demanded in the labour market.
- ▶ Research demonstrates that many employers are not aware of refugees' rights to work in Uganda.
- ▶ The degree to which refugees join trade unions was not established by the research, though it is theoretically a possibility.
- ▶ Access to justice is primarily through informal mechanisms. There is a need to strengthen these mechanisms, and to provide better access to formal mechanisms.
- ▶ Social protection coverage is low for Ugandans, and not generally available to refugees.
- ▶ Naturalization is a rare pathway for refugees.

166 Talk with an OPM representative, 27 August 2021.



▶ 3

Conclusion

Uganda has been a welcoming host to refugees from across the region for decades. The country's approach is progressive, and the Refugees Act 2006 and Refugees Regulations 2010 extend a broad range of rights and freedoms to refugees. Through the CRRF and development plans, the government has started to integrate refugees into domestic policymaking in a cohesive way. These are positive developments that have been rightly recognized internationally.

The legal framework for refugees is comprehensive, with the rights granted to refugees covering freedom of movement and, among others, the right to own property (but not land), access education and employment, establish businesses, engage in associations of non-political and non-profit-generating nature, and have free access to courts of law and legal assistance as applicable. While refugees are not mentioned in legislation that does not have refugees as its primary objective, the OPM has been clear that such legislation applies *mutatis mutandis* to refugees as it does to Ugandan citizens. This means that rights granted by the Refugees Act 2006 are further regulated by domestic law across a spectrum of subjects from business registration to membership of trade unions and cooperatives to access to education and healthcare.

The granting of a plot of land to refugees on arrival gives the refugees the chance to be self-sufficient and provides them with independence. While the amount of land offered has reduced as refugees continue to flow into the country, it is nevertheless a positive step. In practice, health and education services (among others) are provided to refugees in the settlements, together with international partners such as the UNHCR.

Some policy areas have not yet fully mainstreamed refugees. Thus, while the Ministry of Education and Sport has a dedicated response plan for refugees, national TVET policy does not explicitly consider the case of refugees. Likewise, access to justice for refugees is largely informal, and the Justice Law and Order Sector Development Plan recognizes that the needs of refugees remain largely unaddressed by the sector. Social protection coverage remains limited in general and largely excludes refugees.

While a progressive legal and policy environment is key to ensure the protection of refugees in the labour market, implementation challenges across a range of areas remain. The largely informal nature of the economy means that for most refugees and nationals alike, employment occurs outside the view of the law. As a result, most refugees who work do so without holding work permits and cannot access social security benefits or other labour protection, and they are susceptible to decent work deficits. On the other hand, waged and formal employment provides nationals and refugees with the social security benefits that are vital to support self-reliance.

The principle of equality between refugees and host communities has been a priority for the government in policymaking, and the integration of refugees in education and health can help deliver on this goal. There are barriers to the long-term integration of refugees into Ugandan society: arduous naturalization criteria and the inability to own land are notable aspects of this.

There are opportunities to strengthen refugee access to labour markets, education, rights at work and naturalization pathways. In the next section a range of actionable areas that can be addressed through PROSPECTS and other related programmes by humanitarian and development actors are highlighted, covering policy areas where there is scope for further development and support as well as the gap between policy and practice.

▶ 4

Recommendations

1. Incentives among refugees to apply for a work permit are low, and there is a vital need to review the administrative process of obtaining work permits.

- ▶ The Refugee Act grants refugees the right to have access to employment opportunities and engage in gainful employment, and accordingly, refugees are exempt from the payment of fees for obtaining work permits.
- ▶ Despite this exemption, work permits can only be stamped on Convention Travel Documents, which only a limited number of refugees possess.
- ▶ In order to overcome this barrier, the ILO, UNHCR and other partners should advocate with the government for recognition of alternative documents on which work permits can be stamped. This may make employment less cumbersome and more accessible for the refugees.

2. There do not appear to be consequences or application of the law for hiring workers without permits, so there are few incentives for employers to insist on hiring refugees with work permits.

- ▶ Employers are largely unaware of refugees right to work and freedom of movement. To the extent that employers hire refugees, they are often doing so without their having work permits, further eroding the urgency or need to apply for them.
- ▶ The Humanitarian and Development partners, including the ILO and its constituents and other agencies, should work together to increase awareness and share information with refugees and employers on refugees' rights, entitlements and responsibilities related to access to labour markets.

3. Informality is substantially prevalent in Uganda. Measures are needed to address the high level of informality and simplify the procedures to promote formalization and wider inclusion.

- ▶ Reducing informality will require a long-term structural shift in the Ugandan economy. In the interim, policy design and reform should take account of the informal reality.
- ▶ The recent amendment to the NSSF legislation enabling informal workers to contribute to the fund provides an opportunity to extend social protection to refugees.
- ▶ The ILO and other development actors should advocate with relevant government stakeholders to encourage greater formalization of businesses by simplifying the procedures to make formalization more straightforward and creating clear incentives for business registration.

4. Access to finance and capital present a pressing barrier to setting up a business, and it is critical to work in partnership with the Central Bank and financial institutions to improve financial inclusion for refugees.

- ▶ There appears to be a basis for refugees to open bank accounts. Refugees can access finance through SACCOs and financial institutions, some of which are developing specific financial products for refugees and offering financial services. However, the scale of such access is limited, and in practice, refugees can find it exceedingly difficult to access loans from traditional financial institutions as they are viewed as high-risk clients and are often unable fulfil the requirements of the financial institutions.
- ▶ Anti-money laundering legislation does not clearly prescribe the refugee identity card as an acceptable document to use when opening a bank account. While this is not an absolute barrier, it does mean that banks may choose to deny service to refugees on these grounds. In addition, refugee identity cards typically take significantly longer for banks to verify.
- ▶ Refugees often lack suitable guarantors or assets to enable them to access credit. A guarantee system for financial service providers is a missing link in the system if they are to sustainably deliver services.
- ▶ The ILO, IFC and other relevant development actors should have continuous dialogue with the Central Bank and financial institutions to build confidence and trust to improve financial inclusion for refugees.
- ▶ These efforts should also be complemented by awareness-raising among refugees, IDPs and host communities on banking and financial services, including rights and entitlements.

5. Obstacles to refugees accessing vocational and technical training are less to do with legal exclusions and more to do with capacity of training centres to provide market-driven skills to refugees and host communities.

- ▶ The ILO and other development actors should work with vocational training centres to build capacity and better connect trainees with job opportunities.
- ▶ Clearer links between industry and TVET providers could help identify skills gaps and make the TVET training more demand-driven.
- ▶ The ILO, UNHCR and other relevant development actors should advocate for explicit recognition of refugees within the national TVET strategy, in collaboration with other agencies such as the UNHCR and others who are already engaged in such advocacy.
- ▶ Greater collaboration among relevant actors could help to ensure that refugees are aware of the full range of TVET opportunities available to them.

6. Refugees are provided with a small piece of land for shelter and small-scale agricultural activities upon registration. However, land ownership is not possible for refugees.

- ▶ It is unlikely that land ownership for refugees will be politically feasible at present. However, in the long term, simplifying procedures for buying, selling and renting land, and improving security of tenure for renters, would be beneficial to expand refugee businesses.

7. Many refugees express a preference for informal dispute resolution, for example through Refugee Welfare Councils.

- ▶ These mechanisms would benefit from a greater focus on their integrity, as well as further support to develop their capacity for fair dispute resolution.

8. Respondents demonstrated a conflicting understanding of refugees' ability to join a trade union or professional body.

- ▶ The ILO should support trade unions to advocate for establishing clear guidance that permits refugees to join unions. Work with the unions that do exist, to encourage recruitment of eligible refugees to membership and promotion of their activities in key economic sectors, is critical.

► Bibliography

- AVSI Foundation. 2021. Graduating to Resilience Annual Report. Available at: https://pdf.usaid.gov/pdf_docs/PA00Z81K.pdf
- Balloon Ventures. 2019. *Decent Work in Uganda's Informal Economy*. Available at: <https://balloonventures.com/wp-content/uploads/2018/09/Decent-Work-in-Ugandas-Informal-Economy.pdf>
- Betts and al. 2019. *Refugee Economies in Uganda: What Difference Does the Self-Reliance Model Make?* Refugee Studies Centre, University of Oxford.
- Bevelander, P. and R. Pendakur. 2014. "The labour market integration of refugee and family reunion immigrants: a comparison of outcomes in Canada and Sweden", *Journal of Ethnic and Migration Studies*.
- Blecker, R.A. and S. Seguino. 2012. "Macroeconomic Effects of Reducing Gender Wage Inequality in an Export-Oriented, Semi-Industrialized Economy", *Review of Development Economics* 6(1), 103–19.
- Braun, V., and V. Clarke. 2006. "Using thematic analysis in psychology", *Qualitative Research in Psychology*, 3(2), 77–101.
- Chang, L. 2018. "Labor Market Assimilation of Refugees in the United States: Are They Worse Off?", *The Park Place Economist*, 26.
- Chen, M. Alter. 2012. "The Informal Economy: Definitions, Theories and Policies", WIEGO Working Paper No. 1. WIEGO.
- Couldrey, M. and M. Herson (eds). 2008. *Forced Migration Review*, 31 October. Refugee Studies Centre, Oxford Department of International Development, University of Oxford, 3 Mansfield Road, Oxford OX1 3TB, UK. Available at: www.fmreview.org.
- Dabla-Norris, E. and K. Kochhar. 2019. "Closing the Gender Gap. The economic benefits of bringing more women into the labor force are greater than previously thought", *Finance & Development*, 56, 1.
- Fasani F., T. Frattini and L. Minale. 2018. "(The Struggle for) Refugee Integration into the Labour Market: Evidence from Europe", *IZA DP*, 11333.
- Grosrenaud, E., C.A. Okia, A. Adam-Bradford, and L. Trenchard. 2021. "Agroforestry: Challenges and Opportunities in Rhino Camp and Imvepi Refugee Settlements of Arua District, Northern Uganda", *Sustainability*, 13, 2134. Available at: <https://doi.org/10.3390/su13042134>
- IGAD and ILO. 2020. An Assessment of Labour Migration and Mobility Governance in the IGAD Region. Available at: https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---sro-addis_ababa/documents/publication/wcms_740549.pdf
- . 2020a. *The Potential of Skills Development and Recognition for Regulated Labour Mobility in the IGAD Region*. Available at: https://www.ilo.org/wcmsp5/groups/public/---africa/---ro-abidjan/---sro-addis_ababa/documents/publication/wcms_751801.pdf
- . 2021. *Labour Market Assessment with a Focus on Migrant Workers*. Available at: <https://igad.int/download/labour-market-assessment-with-a-focus-on-migrant-workers-from-the-igad-region-uganda-country-report/>
- ILO. 2020. *Comprehensive Rapid Assessment of Public Employment Services in Uganda*. Available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---ddg_p/documents/publication/wcms_851007.pdf
- . 2020a. *Global Employment Trends for Youth 2020 – Technology and the future of jobs*.
- . 2020b. *Paving the way for better jobs and improving livelihoods for refugees and host communities in Arua, Uganda – An Approach to Inclusive Market Systems (AIMS) for Refugees and Host Communities*.
- . 2021. *Impact of COVID-19 on Refugee and Host Community Livelihoods*.
- . 2009. *Child labour baseline survey conducted in Wakiso, Rakai and Mbale Districts, Uganda – Analytical Report*.
- IOM. Labour Mobility and Human Development: Uganda. Migration data in Eastern Africa: Migration Data Portal: <https://uganda.iom.int/data-and-resources>

- Kelsey Hoff. 2019. "The Ugandan Refugee Model Under Pressure: Protection and Justice in Refugee Settlements". Available at: <https://mambo.hypotheses.org/1503>. halshs-02189480
- Loiacono, F. and S.V. Mariajose. 2019. *Improving access to labour markets for refugees – Evidence from Uganda*. International Growth Centre.
- MacNaughton, G. and D. Frey 2011. "Decent Work for All: A Holistic Human Rights Approach", *American University International Law Review*, 26, 441.
- Mukasa, A., P. Munduga, and P. Nabachwa. 2020. *Digitizing Behaviour Change Communication for Last Mile Refugee Green Economies*.
- Namara, F., H. Mendoza, G. Tumukunde, and S. Tsebeni Wafula. 2020. "Access to Functional Handwashing Facilities and Associated Factors among South Sudanese Refugees in Rhino Camp Settlement", *Journal of Environmental and Public Health*. Article ID 3089063.
- National Population Council. 2021. *Population Growth in Uganda: Challenges and Opportunities – Issues Paper*. Available at: <http://npcsec.go.ug/wp-content/uploads/2021/04/Population-Issues-Paper-2021.pdf>
- Nyakundi, D. "A description of the Pension System in Uganda: Need For Reform." London: Retirement Benefits Authority. [http://dx. doi. org/10.2139/ssrn.1508364](http://dx.doi.org/10.2139/ssrn.1508364) (2009).
- OCHA. 2020. Annual Report 2020 Uganda. Available at: <https://www.unocha.org/sites/unocha/files/2020%20OCHA%20annual%20report.pdf>
- Okware, C.O. and W. Ngaka. 2017. "Rationale and Challenges of Technical Vocational Education and Training in Uganda", in *Technical Education and Vocational Training in Developing Nations*.
- Oloya, G. and M. Andama. 2019. "Compliance to Riverbank Regulation Guidelines and its Impact on the Quality of River Enyau in Arua Municipality, Uganda", Morgan MUNI University.
- OPM. The Comprehensive Refugee Response Framework Uganda.
- Schuetzler, K. and L. Caron. 2020. "Jobs Interventions for Refugees and Internally Displaced Persons", Open Knowledge Repository. World Bank Group.
- UBOS and ILO. 2015. School-to-work transition survey. Available at: <https://www.ilo.org/surveyLib/index.php/catalog/7410>
- UNCDF. 2021. *Digitalization of Village Savings and Loans Associations*. Available at: <https://www.uncdf.org/article/6620/digitalization-of-village-savings-and-loans-associations-vslas-in-uganda>
- UNHCR. 2018. *Comprehensive Refugee Response Framework: The Uganda Model* <https://globalcompactrefugees.org/sites/default/files/2019-12/Case%20study-%20comprehensive%20refugee%20response%20model%20in%20Uganda%282018%29.pdf>
- . 2019. *Uganda Country Refugee Response Plan: The integrated response plan for refugees from South Sudan, Burundi and the Democratic Republic of the Congo*.
- UNHCR and UN-Habitat. 2020. *Nakivale Settlement Profile, Isingiro District, Uganda*. https://unhabitat.org/sites/default/files/2020/08/200720_nakivale_settlement_profile_web.pdf
- The Conversation. 2020. *Why Uganda has suspended hundreds of refugee aid agencies*. Available at: <https://theconversation.com/why-uganda-has-suspended-hundreds-of-refugee-aid-agencies-145708#:~:text=We%20believe%20in%20the%20free%20flow%20of%20information&text=The%20organisations%20were%20suspended%20over,tensions%20with%20refugee%20aid%20organisations>.

Annexes

▶ A.1 Additional methodological background

A.1.1 Inception

The Consilient team, led by our in-house team leader, worked closely with the ILO throughout the inception phase. This included development, pre-testing and approval of data collection tools, agreeing on sampling approach, and anticipating and planning for various risks and challenges associated with the project – including COVID-19, political context, and other access and security-related limitations.

The Fieldwork Manager was responsible for creating a detailed data collection work plan as part of the inception report submitted to the ILO. The inception report included data collection schedule, outline of research process, and a thorough explanation of data entry, cleaning, transcription and translation protocols. Once ILO approved the inception report, all data collection tools have been translated and back translated (where vernacular language may have been needed).

A.1.2 Data collection

Preparation for the data collection, included the following conditions.

- ▶ Ethical considerations and principles were addressed. These encompass ensuring confidentiality, anonymity, obtaining informed consent and ethical approval, discussing data access and ownership, and communicating the results. For example, in studies on policy influencing and labour-related advocacy with policymakers, participants may be exposed to risks such as emotional distress from discussing sensitive topics or fear that confidential information or inappropriate or even illegal behaviour may be revealed to others.
- ▶ Written guidelines were prepared for our teams that were to be deployed in the field on how data collection will be done.
- ▶ Data collection methods, questions, tools and procedures were pre-tested.
- ▶ All staff who collected the data were trained.

Data from the key informant interviews was triangulated by the analysts through reliance on both open and closed sources. In addition to standard collected data, and because of the nature of the assignment and the different ways of functioning of the various actors included (which are often incomparable), anecdotal information and stories of relevant groups or individuals on the ground was of great importance, primarily presented in [section 2.3](#) of this document.

Below is a list of tools that our team used for data collection during the study, based on the relevance of information to be obtained and types of actors or stakeholders to be engaged. This list was finalized in coordination with the ILO in the inception phase, as well as all subsequent phases before activities leading to corresponding deliverables had begun.

Process Task	Tools
1. Listen to people and observe them to learn about their perceptions and their grasp of the current situations and progress of policies and programmes related to land-related issues (and ILO objectives and interventions), including their sense of benefits, costs and convenience (time, effort, money) of the issues which relate to their lives.	<ul style="list-style-type: none"> ▪ Semi-structured interviews using open-ended questions. ▪ Unstructured observation, including brief participation in settings relevant to the study's objectives. ▪ Focus group discussions.
2. Ascertain what has been done, who was involved, what resources were available and/or needed to accomplish targets, where and from what or whom these participants find support.	<ul style="list-style-type: none"> ▪ Key informant interviews (KIIs) and semi-structured questionnaires using open-ended questions about policies, programmes, budgets, recommendations, and so on.
3. Determine a measure (or measures) for each objective to show successes, challenges and lessons learned.	<ul style="list-style-type: none"> ▪ Structured observation in relevant settings, using an itemized checklist.

Mostly open-ended questions were posed to the respondents during KIIs and FGDs, and these conversations were recorded using mobile phones (upon prior consent of the respondents) and later transcribed. Transcripts were analysed using thematic analysis based on the qualitative method used for “identifying, analysing and reporting patterns (themes) within data” (Braun and Clarke 2006).¹⁶⁷ Upon analysis of each of the focus group interviews, a coding framework was devised. This report is structured around the main themes for the global comparative methodology devised by the ILO partner IMPACT Initiatives.

A.1.3 Analysis

Following transcription and translation of qualitative interviews and FGDs, data was analysed first through a pre-determined coding scheme based on the explicit objectives of the study. Reading across the data, themes emerged based on respondents’ own stated concerns, sentiments, explanations and insight – allowing unforeseen information and learning to be included. Throughout analysis and authoring, the research team worked closely with the ILO to further contextualize data. Where available, the analysis drew on secondary literature and other ILO research findings.

A.1.4 Desk review and reporting

The desk review was organized in two phases, including an extensive review of internal documentation provided by the ILO and a subsequent review of external sources of data available to the public. The second phase included a review of academic contributions, grey literature, policy research documents, government publications, data and reports published by key national and international stakeholders engaged in research and programming activities focused on labour and refugee issues. An overview of the literature reviewed is provided in the [Bibliography](#).



¹⁶⁷ V. Braun and V. Clarke, “Using thematic analysis in psychology”, *Qualitative Research in Psychology*, 3, 77-101 (2006).

Reading across the secondary data, themes were allowed to emerge and were then coded broadly. Coding was gradually refined, in consultation with the ILO, until potentially generalizable insight could be extracted, presenting narrative or process-based evidence underlying hypothesized causal relationships. Emergent themes were also identified that speak to future labour- and refugee-related priorities, potentially unforeseen causes or consequences of interests. The final structure of this report was agreed with the ILO and is based on the IMPACT Initiatives' Global Methodology for ILO PROSPECTS baseline studies.

A.1.5 Risk management

Consilient has experience in planning and implementing fieldwork in Uganda. However, the country at large is characterized by fluctuating political and security factors, and fieldwork must be adaptive to ensure the safety of both researchers and respondents. Daily communication of local teams with the team leader allowed for potential issues, obstacles or threats to be detected quickly and addressed in close consultation with the ILO.

A.1.6 Ethical standards and protocols

Tools were reviewed and modified in the inception phase, in keeping with ethical principles, including the “do no harm” principle, gender sensitiveness, benefit versus cost of obtaining data (that is, “nice to know” versus “need to know”, considering the time burden for participants), respect for local culture and nuances related to specific sub-groups. Consilient’s team is well versed in data collection on how to consider the protection of participants, including people with disabilities.

A.1.7 COVID-19

In light of the global impact that COVID-19 has had, Consilient’s goal is always to protect our staff, field teams and communities in which we operate from the further spread of the disease through proactive preventative measures. The first step we took was through open and transparent communications with our field teams.

In all its projects, Consilient actively monitors any developments related to COVID-19 as the situation unfolds, in this context in Uganda and in particular in four target districts, referencing best mitigation practices as outlined by the WHO and CDC, and sharing information with our field teams to keep them – and the communities in which they operate – informed and safe. Our approach has been to discuss hygienic practices, to maintain social distance, limit team size, and remain conscious of limiting our exposure to people who are more susceptible to the virus.

While Consilient took the above steps during this study, we appreciate that COVID-19 presents a rapidly evolving situation on the ground. Because of this, we continued to monitor the situation, tailoring our approaches to data collection as necessary. Any further measures and related activities were discussed and aligned with the ILO’s approach to this matter.

► A.2 Global, regional and national legislation reviewed

Type of legislation	Title
Global/international frameworks	<ul style="list-style-type: none"> • Right to Organise and Collective Bargaining Convention, ILO (1949). • Convention Relating to the Status of Refugees, UN (1951). • Employment Policy Convention, UN (1964). • Protocol Relating to the Status of Refugees, UN (1967). • New York Declaration for Refugees and Migrants, UN (2016). • Comprehensive Refugee Response Framework, UN (rolled out as a part of the New York Declaration). • Guiding principles on the access of refugees and other forcibly displaced persons to the labour market, ILO (2017). • Djibouti Declaration on Regional Conference on Refugee Education in IGAD Member States, IGAD (2017). • Djibouti Plan of Action on Refugee Education in IGAD Member States (Annex to the Djibouti Declaration on Regional Refugee Education). • Global Compact on Refugees, UN (2018). • Kampala Declaration on Jobs, Livelihoods, and Self-Reliance for Refugees, Returnees, and Host Communities, IGAD (2019). • The 2020-2021 Regional Refugee Response Plan (Regional RRP) for South Sudan.
National legislation	<ul style="list-style-type: none"> • Control of Alien Refugees Act 1960 (repealed through Section 29 of the Refugees Act 2006) • Uganda Citizenship Act 1962 • Pensions Act 1969 • National Social Security Fund Act 1985 • Cooperative Societies Act 1991 • Children Act (Cap 59) 1997 • Refugees Act 2006 • Employment Act 2006 • Labour Unions Act 2006 • Business, Technical, Vocational Education and Training Act 2008 • Refugees Regulations 2010 • National Population Council Act 2014 • NGO Act 2016 • Children (Amendment) Act 2016 • Investment Code Act 2019
National strategies and plans	<ul style="list-style-type: none"> • Comprehensive Refugee Response Framework 2017, Office of the Prime Minister. • Jobs and Livelihoods Integrated Response Plan (JLIRP) for Refugees and Host Communities 2020/21–2024/25 (GoU – Ministry of Gender, Labour and Social Development). • Third National Development Plan 2020/21–2024/25 (2019). • Uganda's Revised CRRF Road Map 2018–2020, GoU/OPM. • Education Response Plan for Refugees and Host Communities (CRRF/MoES), 2018–2021. • National Employment Policy for Uganda 2011 (Ministry of Gender, Labour and Social Development). • Technical Vocational Education and Training (TVET) Policy of 2019 • Business, Technical and Vocational Education and Training (BTJET) Strategic Plan 2011–2020 • Decent Work Country Programme, 2013–2017, GoU, 2012 • Government White Paper on Education of 1992 • Uganda Micro, Small and Medium Enterprise (MSME) Policy 2015 • Social Development Sector Plan (SDSP) 2015/16–2019/20 • Uganda's Education and Sports Sector Strategic Plan (ESSP) 2017–2020 (2017) • National Vocational Qualifications Framework (officially introduced, but not yet sourced); (the BTJET Act of 2008) • National Physical Development Plan (NPDP), Ministry of Lands, Housing and Urban Development, The Republic of Uganda, 2019 • Draft Private Sector Engagement Strategy (Under Development by MFPED with CRRF) • United Nations Sustainable Development Cooperation Framework (UNSDCF) • Five Year District Local Government Development Plan II 2015/16–2019/20, Isingiro District Local Government, 2015 • Uganda National Apprenticeship Framework (UNAF), under Ministry of Gender, Labour and Social Development

► A.3 List of participating institutions in the KIIs

FGD participants	Location of FGD
Department of Refugees, Office of the Prime Minister	Kampala
Education Response Plan Secretariat, Ministry of Education and Sports	Kampala
National Social Security Fund	Kampala
Commandant, Rhino Camp Settlement	Terego
Commandant, Nakivale Settlement	Isingiro
Assistant Commandant, Imvepi Settlement	Terego
Chief Administrative Officer	Madi-Okollo
Assistant Chief Administrative Officer	Terego
Principle Flaminio Vocational Training Institute	Arua
Principal, Nakivale Vocational Training	Isingiro
Moban SACCO, Nakivale	Isingiro
Federation of Uganda Employers	Kampala
Association of Microfinance Institutions of Uganda	Kampala
Private Sector Foundation Uganda	Kampala
UNHCR – Uganda and Nakivale local office	Kampala and Isingiro
Finn Church Aid	Kampala
AVSI Foundation	Arua, Terego, Madi-Okollo and Isingiro
ANCHOR	Kampala
CTEN-Community Technology Empowerment Network	Terego

► A.4 Overview of FGDs

FGD participants	Location of FGD
Employed, female – Rubondo	Isingiro
Unemployed refugees, female – Base Camp	Isingiro
Unemployed nationals and refugees, female – Juru	Isingiro
Employed refugees, male – Base Camp	Isingiro
Employed refugees, male – Juru	Isingiro
Unemployed, male – Rubondo	Isingiro
Unemployed PWD refugees, male and female – Base Camp	Isingiro
Employed refugees and hosts, male and female – Rubondo	Isingiro
Youth refugees and hosts, male and female – UNLEASHED	Isingiro
Community leaders hosts, male – Imvepi	Madi-Okollo
Employed adults hosts, male – Rhino Camp Ocea	Madi-Okollo
Unemployed youth refugees, male – Rhino Camp Ocea	Madi-Okollo
Employed youth refugees, male – Imvepi	Terego
Employed youth refugees, female – Imvepi	Terego
Unemployed youth refugees, female – Imvepi	Terego
Refugees, adult, male – Imvepi	Terego
Unemployed adults, refugees, male – Imvepi	Terego
Unemployed adult refugees, female – Rhino Camp Ocea	Terego
Unemployed youth hosts, male – Rhino Camp Omugo	Terego
Employed adult host, female – Rhino Camp Omugo	Terego

▶ A.5 Sample KII Questions

A.5.1 Kampala-based interviews

1. Economist. Labour trends overview

1	1.1a	How would you describe Uganda's general labour market trends?
2	1.1c	What would you say are the most serious issues regarding decent work in Uganda?
3	1.1d	Which sector provides most of the formal employment opportunities in Uganda? Are there any particular companies or employers that stand out?
4		Which sector provides most of the informal employment opportunities in Uganda?
5	1.1f	Are there shortages of workers in any particular sector?
6	1.1i	Are there links with refugees' original countries that you think Uganda could use to improve business?
7	1.2f	What factors are most affecting Uganda's labour market at the moment?
8	Q4	How are official government statistics relating to employment and the labour market collected? What data is used? How reliable is this data?
9		To what extent are refugees counted in this data?
10	2.1d,h 4.1	What is needed to access credit or open a bank account in Uganda? Is there a difference for individuals and businesses? Are you aware of any barriers that a refugee would face in being able to do so?

2. Labour lawyer or migrant rights lawyer. Verification and validation of sources or overview of legal system efficacy in Uganda as proxy for its effectiveness regarding refugees

1	2.1 2.2 2.3 2.4	Can you confirm whether these are the most up to date versions of the following pieces of legislation? <ul style="list-style-type: none"> • Refugees Act 2006 • Refugees Regulations 2010 • Business, Technical, Vocational Education and Training Act of 2008 • Employment Act 2006 • Investment Code Act of 2019 • Uganda Citizenship Act of 1962 • Control of Alien Refugees Act 1960 • National Social Security Fund Act of 1985 • Labour Unions Act of 2006 • Pensions Act of 1969 • Children (Amendment) Act of 2016 • Children Act (Cap 59) of 1997 • National Population Council Act of 2014
2	2.1 2.2 2.3 2.4	Are there any other laws that we should be aware of relating to refugees' rights to access the labour market, rights to training, rights to protection at work, and rights to naturalization?

3	2.1 2.2 2.3 2.4	Are there any more up to date policies than those listed below? <ul style="list-style-type: none"> • Comprehensive Refugee Response Framework 2017, Office of the Prime Minister (OPM) • Jobs and Livelihoods Integrated Response Plan (JLIRP) for Refugees and Host Communities 2020/21–2024/25 (GOU – Ministry of Gender, Labour and Social Development, UNDP) • National Employment Policy for Uganda 2011 (Ministry of Gender, Labour and Social Development) • Technical Vocational Education and Training (TVET) Policy of 2019 • Business, Technical and Vocational Education and Training (BTVET) Strategic Plan 2011–2020 • Government White Paper on Education of 1992 • Uganda's Education and Sports Sector Strategic Plan (ESSP) 2017–2020 (2017) • Third National Development Plan 2020/21–2024/25 (2019) • National Vocational Qualifications Framework (officially introduced but not yet sourced; related to BTVET Act of 2008)
4		Are there any other policy documents that focus on refugees' access to the labour market, training opportunities, naturalization?
5		How well do the existing laws support and protect Ugandan citizens?
6	2.3d	What are the laws relating to forming or joining a trade (labour) union or other collective bargaining mechanisms? To what extent do they work in practice? Would they also be applicable to refugees?
7	Q2 Q4	To what extent do they provide legal coverage to refugees? To what extent are these laws applied in practice? What could be barriers to them being enforced?
8		Are refugees subject to any different laws or policies to other citizens?
9	Q3	What, if any, further legislature is needed to improve: <ul style="list-style-type: none"> • refugee access to the labour market • refugee access to training opportunities • refugee protection in the workplace • refugee pathways to naturalisation
10		What priority level do you think the government will assign to such issues?
11		What is the likelihood of legislative reform or new legislation given the current political situation?
12	2.4a 4.4b	Could you explain the theoretical legal pathways for a refugee to become a permanent resident or citizen of Uganda? Does this ever happen in practice? Why not?

3. Ministry of Gender, Labour and Social Development. Directorate of Social Protection. Rights at work -- social security or access to finance

1	2.3 4.3c,d	In theory, could refugees receive any social security benefits? Under what conditions? Which are these benefits? What is the reality?
2	2.1a	What is the progress in drafting the National Social Protection Strategy? Will there be any targeted focus on refugee livelihoods?
3	2.1a	What is the progress re drafting of the new poverty reduction strategy? Will there be any focus on refugee livelihoods?
5	4.3b	What is the current status of the social security database?
6	4.3b	What other monitoring systems are there to check refugees' rights to or at work?

7	2.1d	Does MGLSD supervise the policies of any banks? Do these banks offer microfinance services to refugees?
8	4.1f	Do you or any other organizations provide information to refugees about their rights to work in Uganda? Do you or any other organizations provide information to refugees about their rights to access social security benefits?

4. Ministry of Gender, Labour and Social Development Directorate of Labour, Employment and Occupational Safety and Health, Directorate of Gender and Community Development: Legal and policy frameworks for labour market access

1		What is the process for a refugee to get a work permit? Are there any challenges related to this process?
2	2.1c 4.1a 4.1e 4.1b	Are refugees permitted to own or rent land? Which law or policy allows this? Which government body regulates this? In reality, do refugees actually own land? How come (or not)? Is there anyone that monitors or tracks this?
3	2.1c 4.1a 4.1e 4.1b	Are refugees permitted to start and register a business? Which law? Which government body regulates this? In reality, do refugees start businesses? Is there anyone that monitors or tracks this?
4	2.1d/h 4.1a 4.1e 4.1b	Are refugees permitted to open bank accounts or get loans? Which law? Which government body regulates this? In reality, does this ever happen? Is there anyone that monitors or tracks this?
5	2.1f 4.1a 4.1e 4.1b	Are refugees allowed to join or start a cooperative? Which law? Which government body regulates this? In reality, does this ever happen? Is there anyone that monitors or tracks this?
6	2.1l	Are there any laws or policies to protect refugees from discrimination?
7	2.3	Are there any legal protections for refugees who are working? What are these laws or policies?
9	2.3c 4.3	Would refugees in the formal workplace be entitled to any social security benefits? Is there anything that might prevent a refugee from accessing benefits they are entitled to?
10	4.4	Ugandan legislation suggests that it is possible to attain citizenship by naturalization. In reality, is this possible for refugees? Would there be any difference in possibility for a South Sudanese refugee versus a Congolese refugee?

5. Ministry of Internal Affairs Directorate of Citizenship and Immigration. Refugee management and oversight, or naturalization

1	1.2e	What is your general sense of refugee access to the labour market in Uganda?
2	1.2g	What are the latest prospects for durable solutions? Most of the existing discussions seem to be about the settlements; have there been any new considerations and/or solutions made about them?
3	4.1e	What is the Directorate's role in refugee registration? Are you facing any challenges in registering refugees?

4		What is the process for a refugee to get a work permit? Are there any challenges related to this process?
5	2.1b 4.1a 4.1e 4.1b	Are refugees permitted to own or rent land? Which law or policy allows this? Which government body regulates this? In reality, do refugees actually own land? How come (or not)? Is there anyone that monitors or tracks this?
6	2.1c 4.1a 4.1e 4.1b	Are refugees permitted to start and register a business? Which law? Which government body regulates this? In reality, do refugees start businesses? Is there anyone that monitors or tracks this?
7	2.1d/h 4.1a 4.1e 4.1b	Are refugees permitted to open bank accounts or get loans? Which law? Which government body regulates this? In reality, does this ever happen? Is there anyone that monitors or tracks this?
8	2.1f 4.1a 4.1e 4.1b	Are refugees allowed to join or start a cooperative? Which law? Which government body regulates this? In reality, does this ever happen? Is there anyone that monitors or tracks this?
9	2.1i	Are there any laws or policies to protect refugees from discrimination?
10	2.3	Are there any legal protections for refugees who are working? What are these laws or policies?
11	2.3b 4.3a	Are refugees restricted from leaving their settlements or moving within the country? Who is responsible for managing refugee movements? How can they gain a travel permit? Does the Directorate have to be involved? Are they allowed to leave their settlement or travel around the country to find a job?
12	2.1 4.1g	Are there any active government policies to support refugees enter the labour market? Are there any initiatives by international actors to support refugees enter the labour market?
13	2.3c Q4	Can refugees access social security benefits? What law allows them to do so? Is there anything that might prevent a refugee from accessing benefits they are entitled to?
14	4.4	Ugandan legislation suggests that it is possible to attain citizenship by naturalization. In reality, is this possible for refugees? Would there be any difference in possibility for a South Sudanese refugee versus a Congolese refugee?
15	4.1g	Do you or any other organizations provide information for refugees about their rights to work in Uganda?

6. Ministry of Education and Sports Directorate of Higher, Technical and Vocational Education and Training (Business Technical Vocational Education and Training – BTVET). Refugee access to training

1		What responsibilities does the Ministry of Education have towards refugee training and education?
2	4.2	During the Regional Conference on Refugee Education in Intergovernmental Authority of Development (IGAD) Member States in December 2017, the Ugandan Government committed to integrate education for refugees and returnees into National Education Sector Plans. Are there any particular difficulties you are facing in integrating refugees to basic and secondary education? How is the Education Management Information System (EMIS) working? Are there any challenges to the system capturing refugees?

3	2.2d	The government also committed to recognizing three educational qualifications of refugees and returnees across the IGAD region. Has this been put into practice? Have any other initiatives been taken to recognize non-Ugandan qualifications?
4	4.2	Is this Ministry responsible for: <ul style="list-style-type: none"> • providing access to vocational training outside secondary schools? • providing grants or allowances to support refugee skills development?
5	2.2	What is the legal or policy basis for these responsibilities? I.e., what laws or policies guide these responsibilities?
6	3.2	Are there any laws or policies that Uganda is missing with regard to refugees' access to vocational training opportunities?
7	2.2a	Are there any formal grants or allowances available for skills training in Uganda? In theory, would refugee workers be allowed access them?
8	4.2b	Are you able to monitor refugees' access to vocational training? What systems are in place?
9	4.2e	Does the Ministry of Education provide any information to refugees about their rights to education or training?
10	4.2f	Are you aware of other organizations providing refugee skills training?

Possible additional set of questions

1		What responsibilities does the Directorate have toward refugee vocational training?
2	4.2	What body is responsible for: <ul style="list-style-type: none"> • providing formal education to refugees? • providing access to vocational training? • providing grants or allowances to support refugee skills development?
3	2.2	What is the legal or policy basis for these responsibilities? That is, what laws guide these responsibilities.
4	3.2	Are there any laws or policies that Uganda is missing with regard to refugees' access to training opportunities?
5	4.2c 4.2d	<i>If any laws or policies are identified...</i> How well do you think these are being implemented? What do you think could be preventing them from being put in place?
6	4.2b	Are you able to monitor refugees' access to vocational training? What systems are in place?
7	4.2e	Does the Directorate provide any information to refugees about their rights to education or training?
8	2.2d	What qualifications from refugees' home countries are recognized in Uganda? Is this guidance stated formally somewhere?
9	2.2a	Are there any formal grants or allowances available for skills training in Uganda? In theory, would refugee workers be allowed access to them?
10	2.2c	Do workplaces offer formal training in Uganda? In theory, would these be open to refugee employees?

7. NGOs with refugee focus (questions can be added or adapted following the above KIIs)

1	1.2	Tell us about the refugee situation in Uganda. <ul style="list-style-type: none"> • Main nationalities • Characteristics • Uganda's relationship with the refugees' countries of origin
2	1.1	Tell us about the general work opportunities in Uganda (including the camp and the nearest town) What is it like for host communities?
3	1.2e 1.1	In general, are refugees in Uganda able to work? <ul style="list-style-type: none"> • Are they mainly working in the formal or informal economy? • What types of jobs?
4	4.1	Do any NGOs working in Uganda have a mandate to help refugees get formal or informal work? How is this going? Any difficulties?
5	4.1	Is there anything stopping refugees from working in the formal economy? <ul style="list-style-type: none"> • Barriers to movement • Difficulties in registering • Difficulties getting work permits • Lack of opportunities • Discrimination
6	4.1	Are there any difficulties in managing refugee registration? Could you tell us more about this?
7	2.3b	Are refugees able to move in and out of the settlements? What is the process for doing so, and what permissions do they need, if any?
8	4.1	Have you heard of work permits being issued to refugees? How common is this? How did it work?
9	4.1	Are refugees in Uganda setting up their own businesses? Are they doing so formally or informally? Do they have access to loans or microcredit? Are they allowed to own land?
10	4.1f	Do you or any other organizations provide information to refugees about how to get a job or to set up a business?
11	4.2	Do you or any other government or non-government organization have any mandate to help refugees get access to skills training? How is this going? Any difficulties?
12	4.2	How are refugees being educated in Uganda?
13	4.2	Are there opportunities for refugees to access vocational training or apprenticeships?
14	4.2f	Are you or any other organization providing information to refugees about how they can access skills training?

A.5.2 Field-based interviews

1. District administration 1 (General or labour and economy)

1	1.2	Tell us about the refugee situation in your district. <ul style="list-style-type: none"> • Main nationalities • Characteristics • Uganda's relationship with the refugees' countries of origin
2	1.1	Tell us about the general work opportunities here (the settlement and the nearest town) What is it like for host communities?
3	1.2e 1.1	In general, are refugees in this area able to work? Are they mainly working in the formal or informal economy? What types of jobs?
4	4.1	Does the district administration have any mandate to help refugees get formal or informal work? How is this going? Any difficulties?
5	4.1	Is there anything stopping refugees from working in the formal economy? <ul style="list-style-type: none"> • Barriers to movement • Difficulties in registering • Difficulties getting work permits • Lack of opportunities • Discrimination
6	4.1	Does the district administration face any difficulties in managing refugee registration?
7	2.3b	Are refugees able to move in and out of the settlements? What is the process for doing so, and what permissions do they need?
8	4.1	Has the district administration ever had to process refugee work permits? How common is this? How difficult is it?
9	4.1	Are refugees in this area setting up their own businesses? Are they doing so formally or informally? Do they have access to loans or microcredit? Are they allowed to own land?
10	4.1f	Do you or any other organizations provide information to refugees about how to get a job or to set up a business?
11	4.2	Does the district administration have any mandate to help refugees get access to skills training? How is this going? Any difficulties?
12	4.2	How are refugees being educated here?
13	4.2	Are there opportunities for refugees to access vocational training or apprenticeships?
14	4.2f	Are the district authorities or any other organization providing information to refugees about how they can access skills training?

2. District administration 2 (education and training)

1		What responsibilities does your department have towards refugee training and education?
2	4.2	During the Regional Conference on Refugee Education in Intergovernmental Authority of Development (IGAD) Member States in December 2017, the Ugandan Government committed to integrate education for refugees and returnees into National Education Sector Plans. Are there any particular difficulties you are facing integrating refugees to basic and secondary education? How is the educational information system working? Are there any challenges to the system capturing refugees?
3	2.2d	They also committed to recognizing three educational qualifications of refugees and returnees across the IGAD region. Has this been put into practice? Have any other initiatives been taken to recognize non-Ugandan qualifications?
4	4.2	Is this department responsible for providing access to vocational training outside of secondary schools? providing grants or allowances to support refugee skills development?
5	2.2	What laws or policies guide these responsibilities?
6	3.2	Are there any laws or policies that Uganda is missing with regard to refugees' access to vocational training opportunities?
7	2.2a	Are there any formal grants or allowances available for skills training in Uganda? In theory, would refugee workers be allowed access to them?
8	4.2b	Are you able to monitor refugees' access to vocational training? What systems are in place?
9	4.2e	Does your department provide any information to refugees about their rights to education or training?
10	4.2f	Are you aware of other organizations providing refugee skills training?

3. Refugee NGO (local)

1	1.2	Tell us about the refugee situation in this district. <ul style="list-style-type: none"> • Main nationalities • Characteristics • District's or Uganda's relationship with the refugees' countries of origin
2	1.1	Tell us about the general work opportunities in the district (including the settlement and the nearest town) What is it like for host communities?
3	1.2e 1.1	In general, are refugees in this area able to work? Are they mainly working in the formal or informal economy? What types of jobs?
4	4.1	Do any NGOs working here have a mandate to help refugees get formal or informal work? How is this going? Any difficulties?
5	4.1	Is there anything stopping refugees from working in the formal economy? <ul style="list-style-type: none"> • Barriers to movement • Difficulties in registering • Difficulties getting work permits • Lack of opportunities • Discrimination
6	4.1	Are there any difficulties in managing refugee registration? Could you tell us more about this?
7	2.3b	Are refugees able to move in and out of the settlements? What is the process for doing so, and what permissions do they need?

8	4.1	Have you heard of work permits being issued to refugees? How common is this? How did it work?
9	4.1	<ul style="list-style-type: none"> • Are refugees in this area setting up their own businesses? • Are they doing so formally or informally? • Do they have access to loans or microcredit? • Are they allowed to own land?
10	4.1f	Do you or any other organizations provide information to refugees about how to get a job or to set up a business?
11	4.2	Do you or any other government or non-government organization have any mandate to help refugees get access to skills training? How is this going? Any difficulties?
12	4.2	How are refugees being educated in this district?
13	4.2	Are there opportunities for refugees to access vocational training or apprenticeships?
14	4.2f	Are you or any other organization providing information to refugees about how they can access skills training?

4. Questions on social security and microfinance services (unless some questions can be incorporated into ILO social protection policy survey)

1	2.3 4.3	In theory, could refugees receive any social security benefits? Under what conditions? What are these benefits? What is the reality?
2	4.3b	Have you heard about a national social security database to collect data to monitor cash transfers?
3	4.3b	Are there any other monitoring systems to check the rollout of social security payments?
4	2.1d	Are you aware of any banks that are offering microfinance services or loans to refugees?

5. Small business owner

1	1.1	Tell us about the general work opportunities here. What kinds of formal jobs are available? What kinds of work do most people here do?
2	1.2e 1.1	In general, are refugees in this area able to work? Are they mainly working in the formal or informal economy? What types of jobs?
3	4.1	Are there any schemes in this area to integrate refugees into the work force?
4	4.1h	Are there any reasons why an employer might not employ a refugee?
5	4.2 2.2d	Would an employer here accept qualifications (school certificates or other training qualifications) from a refugee's home country?
6	4.1	Are refugees in this area setting up their own businesses? Are they doing so formally or informally? Do they have access to loans or microcredit? Are they allowed to own land?
7	4.2 2.2	Do you offer training to your employees? Do other businesses around here? Any reasons why not?

8	4.3 2.3c	Do workers here get access to social security benefits? If a refugee was a worker, would they be able to access these benefits?
9	4.3 2.3d	Are workers allowed to join trade unions or other types of representational organization? In theory, would a refugee worker be allowed to join one?
10	4.2 2.3a	Are workers in general able to seek justice or formal protection at work?

6. Refugee settlement leaders

1	1.2	Tell us about the refugee situation here. Main nationalities Characteristics Uganda's relationship with the refugees' countries of origin
2	1.1	Tell us about the general work opportunities here (the settlement and the nearest town) What is it like for host communities?
3	1.2e 1.1	In general, are refugees in this area able to work? Are they mainly working in the formal or informal economy? What types of jobs?
4	4.1	Do any NGOs working here have a mandate to help refugees get formal or informal work? How is this going? Any difficulties?
5	4.1	Is there anything stopping refugees from working in the formal economy? Barriers to movement Difficulties in registering Difficulties getting work permits Lack of opportunities Discrimination
6	4.1	Are there any difficulties in managing refugee registration? Could you tell us more about this?
7	2.3b	Are refugees able to move in and out of the settlements? What is the process for doing so, and what permissions do they need?
8	4.1	Have you heard of work permits being issued to refugees? How common is this? How did it work?
9	4.1	Are refugees in this area setting up their own businesses? Are they doing so formally or informally? Do they have access to loans or microcredit? Are they allowed to own land?
10	4.1f	Do you or any other organizations provide information to refugees about how to get a job or to set up a business?
11	4.2	Do you or any other government or non-government organization have any mandate to help refugees get access to skills training? How is this going? Any difficulties?
12	4.2	How are refugees being educated here?
13	4.2	Are there opportunities for refugees to access vocational training or apprenticeships?
14	4.2f	Are you or any other organization providing information to refugees about how they can access skills training?

7. Chambers of Commerce (local or talk with Private Sector Foundation Uganda in Kampala)

1	1.1	Tell us about the general work opportunities here. What kinds of formal jobs are available? What kinds of work do most people here do?
2	1.2e 1.1	In general, are refugees in this area able to work? Are they mainly working in the formal or informal economy? What types of jobs?
3	4.1	Are there any schemes in this area to integrate refugees into the work force?
4	4.1h	Are there any reasons why an employer might not employ a refugee?
5	4.2 2.2d	Would an employer here accept qualifications (school certificates or other training qualifications) from a refugee's home country?
6	4.1	Are refugees in this area setting up their own businesses? Are they doing so formally or informally? Do they have access to loans or microcredit? Are they allowed to own land?
7	4.2 2.2	Do workplaces here offer training to their employees? Any reasons why not?
8	4.3 2.3c	Do workers here get access to social security benefits? If a refugee was a worker, would they be able to access these benefits?
9	4.3 2.3d	Are workers allowed to join trade unions or other types of representational organization? In theory, would a refugee worker be allowed to join one?
10	4.3 2.3a	Are workers in general able to seek justice or formal protection at work?

8. Department of Agriculture (optional)

1	2.1c 4.1a 4.1e 4.1b	Are refugees permitted to own or rent land? Which law or policy allows this? Which government body regulates this? In reality, do refugees actually own land? How come (or not)? Is there anyone that monitors or tracks this?
2		Are there any other means for refugees to legally use land?
3		Is there any likelihood of policy change here in the future?

▶ A.6 Sample FGD questions

1. Employed refugees

		Question	Prompts
1		What kinds of jobs do you have?	
2	4.1e	Does anyone have a work permit or tried to get a work permit here? Can you tell us about that experience?	Probe for any barriers relating to registration process, discrimination, lack of knowledge about the process, and so on

3	4.1f	Have you ever received any information about the process for a refugee to get a work permit or formal job? Who from? Tell us more about it.	Probe to see if from government, private sector, international provider
4	4.1h	How do employers here generally treat refugees who are looking for jobs? How do they treat refugee employees?	Probe for any discrimination against hiring refugees and reasons
5	4.1 2.1d 2.1e	Has anyone tried to start their own business? Tell us about it...	Prompts: Were you able to get any credits or loans? From where? Were you able to access any business training opportunities? Were there any government or NGO schemes that helped you start your business? Can you access mobile money options?
6	4.2e 4.2f	Are there any schemes or support for refugees to get jobs here? From whom? How do you know about these opportunities?	Probe for kinds of: • Skills training or vocational training • Business start-up training • Livelihood training
7		Do employers here recognize qualifications you bring from your home country?	

2. Unemployed refugees

		Question	Prompts
1		Have you tried to look for a job here?	
2	1.1h	If not, why not?	Probe to see if anyone has skills that they are unable to use or if they feel they don't have the right skills. Structural barriers like barriers to movement, lack of registration, safety and security concerns
3	4.1e	If yes, what was the experience like? What were the reasons that you were not successful in getting a job?	Probe for any discrimination against refugees (any legal basis, that is, no work permit, or preference for citizens, or prejudice) Probe for discrimination regarding foreign qualifications
4		Has anyone tried to start their own business? If no, why not? If yes, tell us about it...	Were you able to get any credits or loans? From where? Were you able to access any business training opportunities? Were there any government or NGO schemes that helped you start your business? Can you access mobile money options?
5		Are there any opportunities for refugees to get any skills or vocational training here? From whom? How do you know about these opportunities?	
6		Has anyone thought about or tried to get permanent residency here or Ugandan nationality?	

▶ A.7 Informed consent form



INFORMED CONSENT FORM

Date: 29th July 2021

You are being asked to participate in the research study "**Review of National Policy, Legislative and Regulatory Frameworks, and Practice: A Baseline Study**", conducted by Consilient Research on behalf of the International Labour Organization (ILO). The results of the study will be used for knowledge management and programming purposes of ILO, primarily for the ILO PROSPECTS initiative.

At the core of PROSPECTS, which is being implemented in Sub-Saharan as well as MENA countries, is the consensus that has emerged around the need for displaced persons and host communities to enjoy enhanced socio-economic opportunities and for children on the move to have effective and inclusive access to protection and education (New York Declaration, 2016).

Benefiting from a four-year time horizon (2019–2023) and financially supported by the Ministry of Foreign Affairs of the Netherlands, the PROSPECTS Partners, together with national and local institutions, have joined efforts to develop a new paradigm in responding to forced displacement crises, particularly through the involvement of development actors.

1. PURPOSE OF THE STUDY

This study aims to establish baseline situation with regard to the position of refugees for the ILO Prospects Programme in Uganda. It looks at a) relevant policy, legislative and regulatory frameworks and b) current practice in terms of implementation in relation to the access of refugees to the labour markets, employment, livelihood and training opportunities, including self-employment and business development.

2. PROCEDURES

If you are willing to participate in this study, we would ask you to do the following:

- Allow the consultant to ask you questions online, at your workplace, via telephone or other appropriate location.
- Allow the consultant to interview you in a group.
- Allow the consultant to record (audio or video) your interview.

3. POTENTIAL RISKS AND DISCOMFORTS

We do not foresee any risks from your participation in this study. Participants in the study may only find themselves challenged by questions or ideas they had not before considered. You are also hereby reassured that the results of this research will not be used in any harmful way.

4. POTENTIAL BENEFITS TO PARTICIPANTS AND/OR TO COMMUNITY

There are no direct benefits to participants in the study. Insights gained from the study project may improve the understanding of the position of refugees in the Ugandan context.

5. PAYMENT FOR PARTICIPATION

No payment is envisaged for the participation in the study.

6. CONFIDENTIALITY

Any information that is obtained in connection with this study and that can be identified with you will remain confidential and will be disclosed only with your permission. In general, the confidentiality of participants in the study will be maintained by means of securing the recorded data and by coding transcripts in such a way that the identity of participants is not disclosed to others than the Consilient Research consultants and their superiors.

All information will be used purely for purposes of this study.

If so requested, the researcher will have a report back session with the participants at the end of the study.

7. PARTICIPATION AND WITHDRAWAL

You can choose whether to be in this study or not. If you do decide to be a participant, you may withdraw at any time without consequences of any kind. You may also refuse to answer any questions you don't want to answer and still remain in the study. The consultant may withdraw you from this research if circumstances arise which warrant doing so.

8. RIGHTS OF STUDY PARTICIPANTS

You may withdraw your consent at any time and discontinue participation without penalty. You are not waiving any legal claims, rights or remedies because of your participation in this research study.

SIGNATURE OF STUDY PARTICIPANT

The information above was described to *me* by _____
[Consultant] in *English/Kiswahili* and *I am* in command of this language. *I* was given the opportunity to ask questions and these questions were answered to *my* satisfaction.
I hereby consent voluntarily to participate in this study. I have been given a copy of this form.

Name of Participant

Signature of Participant

Date of Signature



On behalf of Consilient Research



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