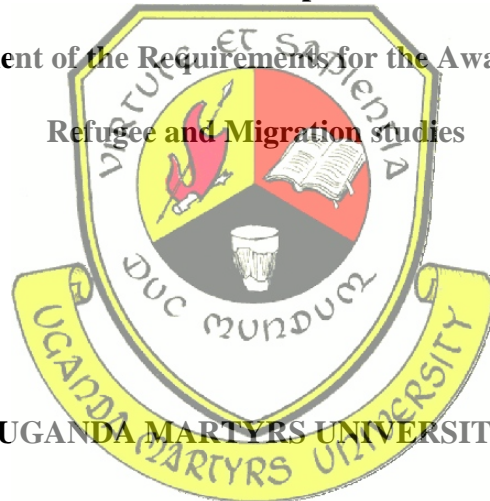


**CONTRIBUTION OF THE THREE DURABLE SOLUTIONS TO THE REFUGEE  
INFLUX INTO UGANDA**

**A CASE STUDY: NAKIVALE REFUGEE SETTLEMENT**

**A Postgraduate Dissertation Presented to the Department of Diplomacy and International  
studies in Partial Fulfillment of the Requirements for the Award of the Degree of Master**

**Refugee and Migration studies**



**UGANDA MARTYRS UNIVERSITY**

**NADINE NKUNZIMANA**

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## **DEDICATION**

I dedicate this dissertation to my parent Rev.Fr Ssempungu David William, my husband Makombe Rodriguez, who have given me their unwavering support to be able to attain this career defining milestone. I also thank my siblings Chantal, Doriane and Patience for spurring me on. To my darling daughter Diella Davia Makombe, thank you for being my inspiration and joy.

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## **LIST OF ACRONYMS**

DAR	Development Assistance for Refugee-Hosting Areas
DLI	Development through Local Integration
DRC	Democratic Republic of Congo
DSF	Durable Solutions Framework
EP	European Parliament
FGDs	Focus Group Discussions
IDPs	Internally Displaced People
KII	Key Informant Interview
NGOs	Non-Governmental Organization
O.A.U	Organization of Africa Unity
SRS	Self-Reliance Strategy
UN	United Nations
UNHCR	United Nations High Commission for Refugees
WASH	Water Sanitation and Hygiene
WFP	World Food Program

## OPERATIONAL DEFINITIONS

<b>Term</b>	<b>Definition</b>
<b>Influx</b>	This refers to an arrival or entry of large numbers of people or things
<b>Pull factors</b>	This refers to something concerning the country to which a person migrates. It is generally a benefit that attracts people to a certain place
<b>Refugee</b>	A person who owing to a well-founded fear of being persecuted for reason of race, religion, nationality, membership of a particular social group or political opinion and that such a person is outside the country of his nationality and is unable or owing to such fear, unwilling to avail himself of the protection of the country
<b>Three durable solutions</b>	These are solutions which will enable refugees to live in safety and rebuild their lives. UNHCR attempts to secure one of three durable solutions for refugees around the world – voluntary repatriation, local integration or resettlement
<b>Repatriation</b>	Is the process of returning a person - voluntarily - to his or her place of origin or citizenship. This includes the process of returning military personnel to their place of origin following a war

**Voluntary repatriation**

This refers to the voluntary return of refugee to the country of origin. It is one of the three durable solutions traditionally identified for refugees

**Refugee resettlement**

Resettlement is the transfer of refugees from an asylum country to another State that has agreed to admit them and ultimately grant them permanent settlement.

**Refugee settlement**

This is an area built to receive refugees and people in refugee-like situations. These settlements usually accommodate displaced persons who have fled their home country.

## ABSTRACT

**Background:** The size of refugee flows in recent years has generated urgent global concern. By the year 2015, as of the United Nations High Commissioner for Refugees (UNHCR) estimation, there were approximately 16 million refugees globally. When refugees escape conflict in their own countries, their presence is often a burden for the host country, mainly because they compete with locals for resources such as land, jobs and food, among others. Regardless of the positive or negative impacts refugee influx has on host countries, they have to be protected by host countries under international law. The issue of refugee protection is set out in international refugee regimes such as United Nations Refugee Convention of 1951, the 1967 Refugee Protocol, Organization of African Unity Refugee Convention of 1969, international human right laws and national refugee laws where they exist. As the leading authoritative UN agency in protecting refugees, UNHCR has been and is still working in collaboration with state and non-state actors to protect and bring durable solutions for the refugee problem.

**Objective:** The purpose of this study was to assess the influence of the three durable solutions on the influx of refugees into Uganda focusing on Nakivale settlement as a case.

**Method:** This study adopted a case study design with an exploratory approach using qualitative methods (focus group discussions and key informant interviews). The number of refugees who participated in this study was governed by the size and number of focus group discussions and key informant interviews that were held. Nakivale refugee settlement was purposively sampled. Key informants were purposively selected. This study relied on two data collection methods; focus group discussions and key informant interviews. Qualitative information collected was analyzed using thematic analysis.

**Results:** It was noticed that all refugees opined to one major durable solution that pulled them to Uganda amongst all other possible host countries, this was the ease of integration with the locals while in Uganda. The commonest specific aspects of local integration that pulled the refugees were the aspect of peace and hospitality of the Uganda citizens.

Some of them were of the view that not being repatriated by the government did not inform their choice of the country but the other proportion of them stated that they chose Uganda because other countries can repatriate refugees sometimes forcefully even when they still have war in their countries. Likewise, key informants opined in accordance with almost all findings above, mentioning that it has been long since any refugees were actually repatriated to their home countries, and that is basically done on a small scale since most countries of origin of the refugees in Uganda are still war ravaged. They mentioned that, that notwithstanding, some refugees take advantage of that fact that Uganda strictly observes voluntary repatriation, which means that some refugees can stay in Uganda for as long as they want without being repatriated. About three quarters of the refugees reported that they had not chosen to Uganda as a host country on a presumption that while in any of the refugee settlements in the county, resettlement would be easy.

**Conclusion:** By and large, of the durable solutions, the most significant contributor to the influx of refugees into Uganda is the solution of integration where refugees harbor expectations of being integrated with Ugandan citizens, followed by voluntary repatriation and to a less extent resettlement.

# CHAPTER ONE

## INTRODUCTION

### 1.0 Introduction

This study assessed which of the three durable solutions (Local integration, resettlement to a third country and voluntary repatriation) contribute towards the refugee influx into Uganda. This chapter covers the background of the study, statement of the problem, the objectives, research questions, justification and significance of the study, the scope of the study and the theoretical framework.

### 1.1 Background of the study

The humanitarian challenge of refugees is as long as the history of the human race (Girma, 2016). According to Article 1 of the 1951 Convention Relating to the Status of Refugees, adopted by the General Assembly of the United Nations, and its 1967 Protocol, a refugee is a person who *owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country* (UNHCR, 2015). This is a legal definition, internationally recognized and used for determining whether a person fulfills the criteria for being a refugee. Grinvald further states that, a person recognized as a refugee, is provided with international refugee protection, which entitles one to certain rights, benefits, protection and assistance. It also binds them with specific obligations, defined by the host country of a refugee (Grinvald, 2010). Refugee movements are generally the result of conflict, but can also be a cause of conflict. It is widely accepted that refugee influxes can place considerable stress on natural resources, leading to both environmental and social impacts

(UNHCR, 2015; Adrian, 2005). The magnitude of refugee influx in African countries in recent years has generated concern throughout the world.

The size of refugee flows in recent years has generated urgent global concern. By the year 2015, as of the United Nations High Commissioner for Refugees (UNHCR) estimation, there were approximately 16 million refugees globally (UNHCR, 2015). When refugees escape conflict in their own countries, their presence is often a burden for the host country, mainly because they compete with locals for resources such as land, jobs and food, among others (Tunda, 2016). High numbers of refugees create socio-economic challenges and conflicts in host countries which may affect bilateral and multilateral cooperation and relations between nations.

For instance, the eruption of violence in South Sudan in December 2013 placed an additional burden on an already volatile region of eastern Africa, which continues to suffer from conflict and displacement (UNHCR, 2015). Between December 2013 and October 2014, nearly half million South Sudanese crossed borders to become refugees in neighboring countries. The countries hosting these refugees, Uganda which has been commended for keeping its borders open to people arriving from South Sudan despite the pressures that this inevitably places on their own populations, environment, and land and stretched public services (International Rescue Committee, 2014).

However, some countries gain from hosting refugees because of the economic and humanitarian aid they receive from international financial institutions, or the UN, in terms of infrastructure development or jobs created through aid provision (Tunda, 2016). Regardless of the positive or negative impacts refugee influx has on host countries, they have to be protected by host countries under international law. The legal framework that supports the international refugee protection

regime was built by States. Through the years, States have affirmed their commitment to protecting refugees by acceding to the 1951 Convention relating to the Status of Refugees, the cornerstone document of refugee protection. The issue of refugee protection is set out in international refugee regimes such as United Nations Refugee Convention of 1951, the 1967 Refugee Protocol, Organization of African Unity Refugee Convention of 1969, international human right laws and national refugee laws where they exist (Betts, 2009; Mogire, 2009). As the leading authoritative UN agency in protecting refugees, UNHCR has been and is still working in collaboration with state and non-state actors to protect and bring durable solutions for the refugee problem (Betts, 2009).

The Durable Solutions framework proposes Development Assistance for Refugees as a foundation, essentially a collaboration of humanitarian and development actors to improve infrastructure and living conditions in refugee hosting areas. Refugees count on 3 durable solutions: 1) local integration, 2) resettlement and 3) voluntary repatriation. They “allow them to rebuild their lives” (UNHCR, 2015) and “to live their lives in dignity and peace” (*Ibid*). Durable solutions are a key component of the refugee regime, as they are instrumental for assisting refugees in accessing either protection or rights. Voluntary repatriation may be one solution for refugees who have made the brave decision to return home. For those who cannot return, either because of continued conflict, wars or persecution, resettlement in another country is one alternative (Durable Solutions Framework, UNHCR 2003). The above durable solutions were all devised as a means to protect refugees who have in the past half a century been increasing in number.

According to UNHCR's (2016), worldwide, the number of people forcibly displaced at the end of 2014 had risen to a staggering 59.5 million compared to 51.2 million a year earlier and 37.5 million a decade ago (UNHCR, 2015). Globally, one in every 122 humans is now either a refugee,



internally displaced, or seeking asylum. The Global Trends report detailed that in 2014 alone 13.9 million people became newly displaced – four times the number of the previous year (UNHCR, 2015). Africa's numerous conflicts, including in Central African Republic, South Sudan, Somalia, Nigeria, Democratic Republic of Congo and elsewhere, together produced immense forced displacement totals in 2014, on a scale only marginally lower than in the Middle East (UNHCR, 2015). Africa continues to produce a disproportionate number of the world's refugees in relation to its overall population; in all, sub-Saharan Africa saw 3.7 million refugees and 11.4 million internally displaced people, 4.5 million of whom were newly displaced in 2014. Ethiopia replaced Kenya as the largest refugee-hosting country in Africa and the fifth largest worldwide (UNHCR, 2015).

Uganda has bypassed Lebanon to become the third top refugee hosting nation in the world (UN, 2016). According to latest figures released from United Nations, only Pakistan and Turkey are ahead of Uganda although those countries could soon be bypassed too due to an escalating influx of refugees into Uganda in the last months, most from South Sudan. Figures show that Uganda is now hosting 1.3 million refugees while Pakistan is home to 1.4 million. Turkey is hosting 2.9 million (UN, 2016). Nakivale is the 8<sup>th</sup> largest refugee settlement in the world, hosting more than 60,000 refugees, the majority of them from the Democratic Republic of Congo (UNHCR, 2013). Although there are a number of reasons as to why these refugees keep choosing Uganda as their destination (UNCHR, 2015), there could be pull factors (Geis, et al., 2008) related to the durable solutions themselves that are responsible for the influx.

## **1.2 Statement of the problem**

According to the Office of the Prime Minister (2017), Uganda is now the largest refugee-hosting state in Africa with around 1.3 million refugees, 900,000 of whom are from South Sudan. For the past year (2016), an average of 40,000 South Sudanese refugees entered Uganda every month, which has undoubtedly strained the country socio economically. Uganda's refugee laws are among the most progressive in the world, in fact Uganda is known as a relatively generous country to refugees. Refugees are entitled to work, have freedom of movement, they can access social services such as health and education, they are allocated a plot of land to cultivate once they arrive in a settlement, they are given monthly rations and they are supported with livelihood programs from various Non-government Organizations and given micro grants to start up income generating businesses to become self-reliant. Many "refugees" could be taking advantage of these auspicious conditions to integrate locally. This strains the existing social services; it also compromises the security in the country, and also affects the business world because as refugees flock in, in some areas the cost of living rises because certain nationalities are associated with having lots of money. For example, in suburbs where Sudanese live, rent is high because they are looked at as people with money.

Concurrently, voluntary repatriation as one of the durable solutions has not been well embraced by Uganda, and as such most refugees have ended up integrating within the citizenry. These auspicious conditions in the implementation of the durable solutions in Uganda could be contributing to the influx of refugees into the country, however the extent to which this is true has not been well studied. In light of this, the study seeks to assess the contribution of the three durable solutions to the influx of refugees into Uganda.

## **1.3 Objectives of the study**

### **1.3.1 General objective**

To assess the contribution of the three durable solutions on the influx of refugees into Uganda focusing on Nakivale settlement as a case

### **1.3.2 Specific objectives**

1. To establish the contribution of local integration to the refugee influx into Uganda
2. To explore the contribution of voluntary repatriation to the refugee influx into Uganda.
3. To determine the contribution of resettlement as a durable solution to the influx of refugees into Uganda

## **1.4 Research questions**

1. Could local integration as one of the durable solutions be a contributing factor to the refugee influx in Uganda?
2. Could voluntary repatriation as one of the durable solutions be a contributing factor to the refugee influx in Uganda?
3. Could resettlement as one of the durable solutions be a contributing factor to the refugee influx in Uganda?

## **1.5 Rationale of the study**

Three durable solutions (voluntary repatriation, local integration in the country of first asylum or resettlement in a third country) are the options available for the permanent resolution of the 'refugee cycle'. All three are regarded as durable because they promise an end to refugees' suffering and

their need for international protection and dependence on humanitarian assistance, however these could also be pull factors to refugee influx into Uganda.

Uganda's 2006 Refugee Act considered one of the most progressive and generous in the world provides free healthcare and education in refugee settlements and permits refugees to move freely in the country. Many refugees have benefitted from Uganda's open door policy that gives them a chance to start life afresh, in dignity. Refugees are given fertile land to grow food for the entire duration of their stay in the country, and can work or set up businesses to help them become self-sufficient and less dependent on handouts.

This therefore means that local integration is extremely easy in Uganda and as such repatriation policies could be lax. The implication of this scenario could be that the perception of such favorable durable solution policies among positional refugees in other countries is acting as a pull factors for their continuous influx as has been noted by some studies. However, the extent to which this is true has not been extensively studied in the Ugandan context. Therefore, it is imperative that a study on the influence of the three durable solutions as pull factors in the influx of refugees into Uganda with refugees is conducted.

## **1.6 Significance of the study**

The findings of this study will inform government about the underlying factors contributing to the influx of refugees from the perspective of durable solutions; this might enable the policy makers to act accordingly and re - streamline the enforcement of the durable solutions among refugees in the country.

On a positive note, the findings of this study may inform the government and other local and international humanitarian agencies about which of the three durable solutions could be more effective in solving the refugee problem in Uganda. This might be so because by pointing which of the solutions is the most significant contributor to the influx, it can turn out to be the most durable solution to the refugee problem in Uganda in the long run.

Given that very few studies have focused on the three durable solutions as pull factors for refugee influx, the findings of this study will be a valuable addition to literature and it will provide baseline information for future studies in humanitarian settings.

## **1.7 Study scope**

### **1.7.1 Geographical scope**

The study was conducted among refugees in Nakivale refugee settlement which is located in Isingiro district South West Uganda. Isingiro District is bordered by Kiruhura District to the north, Rakai District to the east, Tanzania to the south, Ntungamo District to the west, and Mbarara District to the north-west. The town of Isingiro is approximately 35 kilometers (22 mi), by road, south-east of the city of Mbarara, the main metropolitan area in the Ankole sub-region.

Nakivale refugee settlement was established in 1958 and officially recognized as a refugee settlement in 1960 through the Uganda Gazette General Notice No. 19. Currently the majority of refugees in the settlement (49.8%) are Congolese. The settlement is divided into 79 villages with an average of 800 to 1,000 people per village. There is also an estimated population of 35,000 nationals surrounding the Refugee Settlement who directly benefit from water, education, health

and nutrition programmes in the settlement. UNHCR monitors the implementation of sub projects in all protection, community services, education, health, nutrition, WASH, livelihoods, and environmental activities and interfaces with operational partners involved in providing food, adult education and tracing and reunification. It stretches for 184 sq km (71 sq miles) and is home to more than 100,000 people who have been granted refugee status

### **1.6.2 Content scope**

Traditionally, there are three solutions to refugee problems; resettlement in third countries, local integration, and voluntary repatriation. It is only these three solutions that were studied as potential pull factors contributing to the influx of employees into the country.

### **1.7 Theoretical framework**

This study was hinged on the push – pull theory by Ravenstein, which he developed from his "Laws of Migration" (1889). He concluded that migration was governed by a "push-pull" process; that is, unfavorable conditions in one place (war, political oppression, etc.) "push" people out, and favorable conditions in an external location "pull" them out. Push factors exist at the point of origin and act to trigger emigration; Pull factors exist at the destination and include the availability of jobs, religious or political freedom, and the perception of a relatively benign environment. Pushes and pulls are complementary that is, migration can only occur if the reason to emigrate (the push) is remedied by the corresponding pull at an attainable destination. In sum, the theory is based on discouraging factors in the country of origin and encouraging factors in the destination country (Pedersen et al., 2004) (Portes and Böröcz, 1989). In the context of the current study, it was hypothesized that the durable solutions are some of the pull factors that govern migration of refugees from their home countries to host countries.

## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.0 Introduction**

This chapter presents a broad review of literature related to the study. The following electronic data bases were used to identify the articles from which reference material was obtained: EMBASE; Cochrane Library, Psych INFO, UNCHR data base, and university repositories. The websites of United Nations, The Economist, and oxford university press were used to find relevant abstracts and documents. The Search terms consisted of the following key words: “Refugee”; “Durable solutions”; “Refugee influx”; “pull factors”. Given that few studies have been done on durable solutions as pull factors for refugee influx, most of the literature has been cited generically in line with the study objectives.

#### **2.1 The contribution of local integration as a durable solution, on the influx of refugees**

The 1951 Convention relating to the Status of Refugees (hereinafter 1951 Convention) and its 1967 Protocol place considerable emphasis on the integration of refugees. The 1951 Convention enumerates social and economic rights designed to assist integration, and in its Article 34 calls on States to facilitate the “assimilation and naturalization” of refugees. UNHCR’s Executive Committee has recognized that integration into their host societies is the principal durable solution for refugees in the industrialized world (UNHCR, 2005). Among the three durable solutions identified by UN Convention and UNHCR, local integration is the second preferable solution for refugee problem next to voluntary repatriation. In refugee studies literature and international refugee regimes, scholars used different concepts to define and explain integration like

assimilation, adaptation and accommodation. Some definitions put integration as a one-way process thereby equating it with assimilation. The 1951 UN Refugee Convention is the forefront international refugee regime that equates integration with assimilation. According to Art. 34 of the Convention: '[t]he Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees...' Thus, it plainly calls for states effort to assimilate refugees to the host society and naturalizing them as integration.

Indeed, the Convention uses the word "assimilation," which implies the disappearance of differences between refugees and their hosts as well as permanence within the host society (UNHCR, 2006). Recent thinking, however, emphasizes both the importance of maintaining individual identity and the possibility of "promoting self-reliance pending voluntary return,"<sup>12</sup> whereby local integration could be temporary (Low, 2006). The possibility of integration of refugees and their hosts is a question of concern for the international community and host governments, especially in the context of protracted refugee situations. While the impact of refugees on host populations has been explored at a theoretical level (Sarvimäki, 2016; Dustmann, 2013; Kirui, 2012; Jacobsen, 2001), there has been little academic research on the costs and benefits of refugee presence to host populations in a country-specific context (Crisp, 2004).

The integration of refugees is a dynamic and multifaceted two-way process which requires efforts by all parties concerned, including a preparedness on the part of refugees to adapt to the host society without having to forego their own cultural identity, and a corresponding readiness on the part of host communities and public institutions to welcome refugees and meet the needs of a diverse population. The process of integration is complex and gradual, comprising distinct but inter-related legal, economic, social and cultural dimensions, all of which are important for refugees' ability to integrate successfully as fully included members of society (UNHCR, 2005).



Integration remains primarily a national competence and the implementation of integration policies falls under the responsibility of the Member States. More recently, the European Agenda on Migration - adopted by the Commission in the year 2015 - sets out the aim to better support national governments, local authorities and civil society. However, only a small section is dedicated to integration policies. It sets out that Member States can be financially supported by the European Asylum, Migration and Integration Fund (AMIF), the European Social Fund and other EU Funds in their efforts for integration of asylum seekers and refugees (EP- European Parliament, 2016). Member States are also supported by policy recommendations on social inclusion and labour market participation in the context of the European Semester. However, till now recommendations refer generally to people with migration background but not specifically to asylum seekers and refugees. This is also the case for the variety of mutual learning initiatives on European level like the European Migration Network (EP- European Parliament, 2016).

Several authors have asserted that refugees tend to impact adversely on the safety of various nation states. Recent work confirms the intuition that political violence and persecution are significant determinants of flight (Davenport, 2003; Melander and Oberg 2006; Moore and Shellman 2004). Yet, refugees are not simply the unfortunate by-products of war, but may serve as catalysts for conflicts, including conflict between states. The problems associated with refugees may not be restricted to a particular border area but may have spillover effects on the internal security situation of a region.

In 1999, the Ugandan government passed the so-called self-reliance strategy (SRS), which initially aimed at Sudanese refugees in the West Nile Region but has been extended to the whole country. It is supposed to move refugee support from relief to development. When they arrive, they receive a set of non-food items, a plot of land as well as seeds and food rations for two to four seasons

until they are supposed to be self-reliant, i.e., economically independent from food aid, this could be one of the pull factors making the choose Uganda as a destination country. In 2004, the SRS was replaced with the Development Assistance for Refugee-Hosting Areas (DAR) programme which, however, kept the initial focus of the SRS (Clark, 2008).

Following this was the Refugee Act from 2006/09 that was regarded as a model for Africa, recognizing the right of the country's refugees to work, move around the country and live in the community, rather than in special areas. However, if they wish to benefit from UNHCR assistance, they are still bound to the settlements which tend to be located in remote and marginal areas, where access to markets can be difficult; self-settled refugees in urban areas are neglected (Kaiser, 2006). The Act introduced steps towards locally integrating the displaced, e.g., through shared use of hospitals and schools in order to resolve inefficient parallel systems. Notably, in many cases services provided to refugees were of better quality than the local ones, hence the surrounding populations are likely to have benefited from the refugee presence.

Once they have fled across a border, refugees must find accommodation and become settled, either with official assistance, or by relying on the hospitality of the host community. In some cases, full refugee status is granted by the host government and refugees are allowed and encouraged to become integrated into the host society. More commonly, host governments prefer to manage refugees by locating them in camps or organized settlements. However, most refugees bypass official assistance, and find ways to settle themselves amongst the local population, in a pattern known as self-settlement or dispersed settlement. The ability to do this in Uganda has been cited as one of the pull factors to refugee influx in the country (World Bank, 2016).

There are at least three different ways through which refugees can locally integrate in a host country, they include self-settlement, assisted settlement and residing in camps. Self-settlement also known as “dispersed settlement”, “spontaneous settlement” or “self-directed settlement”, self-settlement occurs when refugees settle amongst the local community without direct official (government or international) assistance. They share local households or set up temporary accommodation nearby, and are helped with shelter and food by local families or community organizations.

Assisted settlement for refugees takes various forms, but all are intended to house refugees on a temporary basis. In rural areas, camps and local settlements are typical. In more urban areas, refugees are often housed in mass shelters in public building or community facilities such as schools, hotels, barracks, etc. This type of accommodation is often intended to be temporary or transit, because the host population needs the buildings. However, as with camps, what is intended to be temporary often becomes permanent as the refugees’ situation becomes protracted. In the cities and towns of countries like Georgia and elsewhere in the former Soviet Union, hotels and other public buildings have become permanent housing for refugees and internally displaced people (IDPs).

Local integration depends on the good will of key groups in the host country. In the absence of this good will, refugees will find it more difficult to settle amongst the community and become integrated. The willingness of the local population to accept local integration depends on who benefits and who loses from the continued presence of refugees, and on whether the interests of the various actors, particularly the most powerful, are being sufficiently served (or at least not opposed). There are multiple actors (or stakeholders) in a refugee hosting area, each with varying interests in refugees, and varying degrees of power to block or enable local integration. In any

particular case, each of these actors must be disaggregated to understand the full range of interests. For example, the “local population” includes a variety of socioeconomic groups: wealthy farmers and businessmen, poor peasants, local authorities such as chiefs and village leaders, and so on. “Donors” include countries with different agendas, regional interests, traditions and history linked to the host country, and so on (Jacobsen, 2001).

Some refugees are pulled to particular host countries due to employment opportunities that they presumptuously expect. Employment is considered to be the most crucial factor in the integration of immigrants and refugees (Cheung and Phillimore, 2014; Lundborg, 2013; Bloch, 2002). It allows refugees and immigrants to sustain themselves because it yields an income. Sustaining themselves with their own income is not only functional but being able to sustain a livelihood also contributes to satisfaction and wellbeing of refugees and migrants. Besides, obtaining a job increases the knowledge of refugees and migrants about the labor market, the language and culture of their host country and they create networks and bonds with their colleagues and employers. These factors all contribute to the refugees’ wellbeing, facilitate the integration process and underline the importance of employment in local integration. Therefore, employment could be considered as a functional dimension of integration, because it is necessary for the integration process to start (Fyvie et al, 2003).

Research suggests that gaining employment is the main priority of those who have been awarded refugee status (Lundborg, 2013; Bloch, 2002; Cheung and Phillimore, 2014). Similarly, research has also pointed out that refugees perform systematically worse on the labor market than both their native equals and their equals among other migrants and are sometimes excluded from the labor market (Connor, 2010; Ortensi, 2015; Peromingo, 2014; Bevelander, 2011; Bloch, 2002; Cheung and Phillimore, 2014). This phenomenon is being referred to as the ‘refugee gap’. Although this

research is mostly focused on different Western countries (United Kingdom, United States, Sweden, Italy), common factors have been researched; employment rates, occupational level (socioeconomic status of employment) and earnings.

Kim Hyun Kyung (2009) also specified four major pull factors why North Koreans choose to live in other countries: 1) Security and protection of individual identity, 2) accessibility of sojourning, 3) better job opportunities in China, even when the available jobs and cheap manual labor or even prostitution or other undesirable work, 4) the better and higher-quality of education opportunities.

## **2.2 Voluntary repatriation as a durable solution for refugees and its contribution to the influx of refugees**

The 1951 Geneva Convention relating to the Status of Refugees and the 1967 Protocol (hereafter Geneva Convention) does not contain a provision on voluntary repatriation. Rather, it implicitly favors local integration on the basis of its ‘so-called exilic bias’ (Chetail 2004). This tendency is evident from the explicit focus on the rights of refugees in the country of asylum in the Geneva Convention as ‘refugees are [...] entitled to benefit from dignified and rights-regarding protection until and unless conditions in the state of origin permit repatriation without the risk of persecution’ (Hathaway 1997).

The only direct reference to voluntary repatriation in contemporary refugee law can be found in the 1969 Organization of African Unity (OAU) Refugee Convention. Article V of this regional convention recognizes and stresses the voluntary character of repatriation and defines the responsibilities of both the country of asylum as well as the country of origin (Goodwin-Gill 1996). In addition, the 1984 Cartagena Declaration contains some principles related to voluntary repatriation (UNHCR, 2002a).

Although voluntary repatriation is not directly mentioned by the Geneva Convention, it contains certain provisions that shape and contextualize its legal elements. One such provision in the Geneva Convention is the principle of *non-refoulement*, which protects refugees from forced return:

No contracting state shall expel or return (*'refouler'*) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership to a particular social group or political opinion (Article 33[1]).

The principle of *non-refoulement* is considered to be the core of refugee protection (Goodwin-Gill 1996), acting as a fundamental safeguard against forced return of any individual meeting the criteria of the refugee definition. Thereby, return to the country of origin can only take place if the individual does so voluntarily, and, therefore, *non-refoulement* paves the way for voluntary repatriation from a legal standpoint

UNHCR practice regarding voluntary repatriation as a durable solution has undergone considerable changes over time. In order to understand these practices and changes it is essential to examine them within both legal and normative frameworks regarding the concept of voluntary repatriation. Although no specific law governs the three durable solutions (Goodwin-Gill 1996) of local integration, third country resettlement, and voluntary repatriation, the latter has gradually developed into the cornerstone of UNHCR's mandate as the preferred durable solution to the 'refugee problem'. The concept of voluntary repatriation relates to and draws on a number of provisions in international law and has developed into principles within the institutional framework of UNHCR.

Starting in 2002, the Office of the United Nations High Commissioner for Refugees (UNHCR) has facilitated one of the largest and most rapidly organized voluntary repatriation movements of refugees in modern history<sup>1</sup> (UNHCR 2006a). To date, UNHCR estimates to have assisted 3.7 million Afghan refugees to return to Afghanistan, 2.9 million from Pakistan, 800,000 from Iran, and 14,000 from non-neighboring states (UNHCR 2007).

The Refugee Convention makes clear that refugee status is a transitory condition which ceases when a refugee resumes or establishes meaningful national protection. Article I C defines the situations in which the cessation of refugee status occurs. Paragraphs (1), (3) and (4) of Article I reflect a personal decision on the part of the refugee to re-avail himself or herself of the country of his or her nationality (spontaneous or voluntary repatriation) or acquires the nationality of a new country (Vicuña, 1994). The “ceased circumstances” cessation clauses (5) relating to nationals and (6) relating to stateless persons are based on the notion that international protection is no longer justified due to changes in the country where persecution was feared, i.e. the circumstances that led to the recognition of the individual as a refugee no longer exist. The ceased circumstances clauses do not apply, however, to individuals who can invoke compelling reasons arising out of their previous persecution for refusing to avail themselves of the protection of their country of origin or nationality (Ibid).

The cessation clauses are rarely invoked due to the gravity of their potential consequences. Voluntary repatriation rests on the informed, individual consent of the refugee (UNHCR, 2007). So this could be a pull factor to some countries which do not evoke this clause, since refugees can take advantage of the non-evoking, making them stay in the host country.

Against the background of Rwandan and Ugandan constitutional and international obligations, the specific framework for the Uganda/Rwanda repatriation effort is the Tripartite Agreement signed between the governments of Uganda and Rwanda and the UNCHR in July 2003. It is still in force. In setting out the legal context for the repatriation effort, the agreement recognizes the essentially voluntary character of the repatriation programme, obliges the government of Uganda to ensure that refugees are able to freely decide on repatriation without coercion or pressure, and acknowledges that the status of those who do not choose to repatriate will continue to be governed by international protection principles including those set out in the OAU and UN Refugee Conventions (article 3; clause 1). The Ugandan tripartite is short on detail with respect to alternatives to voluntary repatriation, relying simply on general references to principle such as, for example, UNHCR 's commitment to continue to provide international protection to those who do not opt to repatriate (article 5, clause 5), this too could be a pull factors if perceived by the potential refugees.

At the 6<sup>th</sup> meeting of the Tripartite Commission of the governments of Rwanda and Uganda and UNHCR, held on 22 April 2009, a number of resolutions were adopted with the declared aim of repatriating all remaining Rwandan refugees from Uganda by 31 July 2009. The communiqué stated the retention of refugee status by present Rwandan refugees is no longer justifiable or necessary. Despite the obvious implications of this assertion, the cessation clauses of Uganda's Refugee Act 2006 and the 1969 OAU Convention and 1951 UN Convention were conspicuously not invoked, this policy stand could be a pull factor.

Cessation of refugee status is a mechanism within refugee law that allows for a determination that a refugee is no longer in need of international protection. According to the UN Convention, cessation of refugee status can occur in a variety of situations, including in situations when the



circumstances in connection with which he [or she] has been recognized as a refugee have ceased to exist.

Cessation can be applied on an individual basis, or, as is done more frequently, to a group of refugees sharing similar reasons for their original flight. Once the cessation clause is applied to a particular refugee or group of refugees they cease to be refugees and may be returned, even involuntarily, to their home country (Refugee Law Project, 2010). It is clear, however, that even if cessation is declared generally for a particular group of refugees, individuals within the group should be afforded the opportunity to make a case that the particular circumstances of their cases merit continued international protection.

### **2.3 Resettlement as a durable solution for refugees and its contribution to the influx of refugees**

Many refugees cannot go home because of continued conflict, wars and persecution. Many also live in perilous situations or have specific needs that cannot be addressed in the country where they have sought protection. In such circumstances, UNHCR helps resettle refugees to a third country. Resettlement is the transfer of refugees from an asylum country to another State that has agreed to admit them and ultimately grant them permanent settlement. UNHCR is mandated by its Statute and the UN General Assembly Resolutions to undertake resettlement as one of the three durable solutions (UNHCR, 2007). Resettlement is unique in that it is the only durable solution that involves the relocation of refugees from an asylum country to a third country. Of the 14.4 million refugees of concern to UNHCR around the world, less than one per cent is submitted for resettlement.

Only a small number of States take part in UNHCR's resettlement programme. The United States is the world's top resettlement country, while Australia, Canada and the Nordic countries also provide a sizeable number of places annually. Resettlement States provide the refugee with legal and physical protection, including access to civil, political, economic, social and cultural rights similar to those enjoyed by nationals. Despite the distinct legal categories into which new arrivals are slotted, individuals have complex and overlapping motivations for leaving their origin countries that defy simple categorization. Even for those fleeing conflict or oppressive regimes, it is often difficult to pinpoint one precipitating push factor, especially one that aligns with the legal grounds for claiming asylum.

Ultimately, opportunity differentials continue to drive most movements, even for refugees. For many, reaching Europe means the chance to build or regain a normal life that has been disrupted by political or economic turmoil, conflict, or persecution (UNHCR and United Nations Development Program, 2015). Thus while international law draws a bright line between refugees and other migrants (requiring very different treatment for the former), this distinction is much more nuanced in practice.

Even the motivations of those seen as primarily "economic migrants" may not be completely clear. Western Balkan nationals, for example, face extremely high unemployment and poverty rates, and have a clear economic incentive to seek entry to Europe. Roma or other minority ethnic groups that face severe and systemic discrimination in their home countries and could, in some cases, be considered grounds for refugee status represent a substantial share of those making the journey (European Asylum Support Office, 2015).

Motivations to move may also shift as conflicts wear on. For example, while more than 4 million Syrians have found safety in neighboring countries, these countries have yet to provide the full

legal status or rights entitled to refugees under the 1951 Refugee Convention including the all-important right to work. With few opportunities to resume a normal life or economic self-sufficiency in first-asylum countries, and little hope that conditions will improve in the future, many Syrians are choosing to search for their own solutions in Europe (Eurostat, 2015).

## **2.4 Summary**

It is clear from the literature above that few studies have contextualized the influence the durable solutions on the refugee influx more so in the African and particularly Ugandan context. Those available have general statements on the durable solutions, with little pin point evidence. This study was therefore done to contribute to this literature gap.

## **CHAPTER THREE**

### **METHODOLOGY**

#### **3.0 Introduction**

This chapter describes the procedures that were followed in conducting the study. It gives details regarding research design, study population, sample size calculation, data sources, sampling techniques, a description of data collection methods and instruments that were used, quality control techniques, the methods that were used to analyze and present data and the ethical considerations of the study.

### **3.1 Study design**

This study adopted a case study design with an exploratory approach using qualitative methods (focus group discussions and key informant interviews). This qualitative case study is an approach to research that facilitates exploration of a phenomenon within its context using a variety of data sources. This ensures that the issue is not explored through one lens, but rather a variety of lenses which allows for multiple facets of the phenomenon to be revealed and understood. According to Yin (2003) a case study design should be considered when: (a) the focus of the study is to answer “how” and “why” questions; (b) you cannot manipulate the behavior of those involved in the study; (c) you want to cover contextual conditions because you believe they are relevant to the phenomenon under study; or (d) the boundaries are not clear between the phenomenon and context. These were the exact underpinnings of this study since the researcher aimed at establishing the reasons why refugees chose Uganda as a host country from the perspective of the three durable solutions. The exploratory approach was chosen because it is usually applied when there are few or no earlier studies to refer to in a particular study setting like Nakivale refugee settlement for this case. The design was chosen in order to determine the nature of the problem, exploratory research is not intended to provide conclusive evidence, but helps us to have a better understanding of the problem (Saunders et al, 2007, p.134). Exploratory / qualitative research examines the relevant factors in detail to arrive at an appropriate description of the reality of the existing situation (Brink

& Wood 1998). In addition, an exploratory approach was chosen because of its ability to provide complex textual descriptions of how people experience a given research issue. It provides information about the “human” side of an issue – that is, the often contradictory behaviors, beliefs, opinions, emotions, and relationships of individuals.

### **3.2 Study population**

Population refers to the entire group of people, event or things of interest that the researcher wished to investigate, and it forms a base from which the sample or subjects of the study was drawn (Bryman, 2008). In the case of this study, this was refugees residing in Nakivale refugee settlement in Isingiro district.

#### **3.2.1 Inclusion and Exclusion criteria**

##### **Inclusion criterion**

- Refugees who are officially residents of Nakivale refugee settlement (registered)
- Refugees who consented to participate in the study
- Adult refugees (Above 18 years)

##### **Exclusion criteria**

- Refugees with mental disturbances because it would be hard to ascertain that they correctly understand what they would say.
- Non consenting refugees
- Refugees who felt uncomfortable talking about why they chose to come to Uganda were also excluded

- Refugees who were below 18 years

### **3.3 Sample size determination**

The number of refugees who participated in this study was governed by the size and number of focus group discussions and key informant interviews that were held. These were however determined by the data saturation principle. With that principle, the researcher held focus group discussions consisting of at least 10 refugees each for as long as the refugees were putting forward new information per group discussion. The same applied to key informant interviews although they were held on a one and one basis.

### **3.4 Sampling procedures**

Nakivale refugee settlement was purposively selected because it has a recipient of one of the highest number of refugees in Uganda and the largest refugee settlement in the country. The refugee settlement is made up of three zones including; Juru, Rubondo, and Base Camp, each of which has almost particular nationalities of refugees, therefore the researcher included all of them in the sampling frame in order to achieve representatives from refugees of all nationalities available in the refugee settlement.

In each of the zones, the researcher first established whether the chairman of a particular group / community of refugees was present. After identifying the chairman and establishing rapport, the researcher then proceeded to conduct a convenience sampling procedure with an aim of sampling households from which focus group participants would be obtained. Convenience sampling (also known as availability sampling) is a specific type of non-probability sampling method that relies

on items that are conveniently available. In other words, this sampling method involves getting study items wherever they can be found and typically wherever is convenient.

In the household sampling, the researcher and her team with the help of the chairman started at a central point of each zone, and selected a random direction from that point after spinning a bottle. It is in the direction that the bottle pointed that the researcher and her team took to sample the first household that was accessed. In each conveniently sampled household, efforts were made to establish whether the household had an eligible respondent (adult refugee / household head). Starting from this household, the next nearest household was visited in turn until at least 10 eligible refugees had been found since the predetermined focus group discussion sized was 10. In case of non-response, call-backs were not be implemented; the research team proceeded to the next household. After obtaining the 10 participants, the researcher in conjunction with the chair person, mobilized them and requested them to converge in the compound of the chairperson's house which was always in the vicinity.

After conducting the FGD in the first zone, the researcher, proceeded to the next zone, and followed the same procedure as described above. The researcher did not conduct two FDGs in the first zone at first because of the risk of reaching the data saturation point before refugees in other zones are given chance to express their views on the pull factors in the context of the three durable solutions. When each the researcher had conducted at least one FGD per zone, she went back to the first zone to conduct another FGD since saturation had not reached. However, after conducting the fourth FGD in the first zone, overlap of information given by the refugees commenced, hence that was the last FDG conducted.

Key informants were purposively selected on the premise of being focal persons in the refugee camp most especially the administrators in the camp. The main goal of purposive sampling is to focus on particular characteristics of a population that are of interest, which will best enable you to answer your research questions. The sample of key informants studied was not representative of the population, but being a qualitative study, this was not considered to be a weakness.

### **3.5 Sources of Data**

For the purpose of this research, the researcher employed both primary and secondary source of data. The primary sources mainly included empirical data that was gathered by use of focus group discussions (refugees) and key informant interviews (with refugee camp staffs). To supplement the primary data, the researcher used secondary sources such as documents of various organizations, newspapers, magazines, conference papers, monographs and tertiary sources including books and journal articles.

### **3.6 Data collection methods**

Being purely qualitative, this study relied on two data collection methods to collect the required data from the refugees, they were; focus group discussions and key informant interviews.

#### ***Focus group discussions***

The focus group discussion is characterized as “informal discussion among selected individuals about specific topics” (Beck, 1986:299), where issues for discussion receive contribution from all group members. Focus group discussions are particularly suited to situations where the nature of enquiry is exploratory (probing, investigative) as was the case for this study. Furthermore, Focus group discussions were used as a primary method to collect data from the refugees because, with these interviews participation from people reluctant to be interviewed on their own or who feel



they have nothing to say can be encouraged in the group setting (Kitzinger, 1995). Focus group discussions do not just find out what people think but also how they think and why they think in a certain way.

The participants in the study were of similar socio-economic background, most with no education or basic education, allowing for easy comparisons between group members. The objectives of the focus groups were to develop insight into the reasons for choosing Uganda as a destination country from the perspective of the three durable solutions. The discussions lasted last between 1 hour to 2 hours in length and occur in a private area within the settlement. The Groups consisted of between 10 participants each, which have been argued as an appropriate size to render stimulating and pertinent conversation (McLafferty, 2004; Merton et al, 1990). These focus groups were conducted in the local languages of the refugees especially Swahili, which all the refugees were fluent in.

The discussions were conducted in participants' native language were possible. The moderator (principal investigator) was facilitating the FGDs along with two research assistants trained and experienced in social science research techniques and who were fluent in the local languages of the refugees. The role of the research assistants was to take notes during discussions while another was operating a digital voice recorder.

The FGDs were carried out separately with male and female participants using separate guidelines due to cultural and local area sensitivities. Each FGD was audiotape-recorded and, in addition to audiotape recording, field and observational notes were also taken by research assistants. The number of FGDs was guided by the principal of data saturation where by the discussions was held until overlapping information is detected.

### ***Key informant interviews***

Key informant interviews are qualitative in-depth interviews with people who know what is going on in the community. The purpose of key informant interviews is to collect information from a wide range of people including community leaders, professionals, or residents who have firsthand knowledge about the community. These community experts, with their particular knowledge and understanding, can provide insight on the nature of problems and give recommendations for solutions. In this study, Key informant interviews were conducted to obtain opinions from the administrators of the settlement including the settlement commandant, the deputy settlement commandant, and the Field Unit Nakivale Team Leader on the subject of study. This was done to enrich the data with data from the host's point of view. A total of three key informant interviews were conducted, however saturation was reached by the third interview.

### **3.7 Data collection tools**

The data was collected using focus group discussion guides and key informant interview guides. These were designed with only open ended questions that allowed for the eliciting the opinions of the respondents. These tools were used because they give more valid data, as respondents could say what is important to them and express it in their own words with no limitations of predetermined response choices.

When designing the tools, the researcher ensured that the opening questions were easy to answer and not in any way threatening to the respondents. The first question is crucial because it is the

respondent's first exposure to the interview and sets the tone for the nature of the task to be performed. The researcher ensured that the questions flowed in some kind of psychological order, so that one led easily and naturally to the next. Questions on one subject, or one particular aspect of a subject, were grouped together. This was done because respondents may feel it disconcerting to keep shifting from one topic to another, or to be asked to return to some subject they thought they gave their opinions about earlier.

### **3.8 Data Quality Control**

#### **Training of research assistants with whom data was collected**

Two research assistants were recruited and trained. They were trained on participant handling skills such as interviewing skills, content and meaning of questions, correct recording of responses, how to effectively be part focus group discussion and orientation to study objectives and procedures. The training also involved basics on the durable solutions and ethical considerations when handling participants, especially confidentiality of responses.

#### **Pre-testing the data collection tools**

The focus group discussion guide was pretested among a Somali refugee community in Kisenyi parish in Kampala. This was done to help improve the data collection tools in terms of content and order of the questions in relation to the study objectives and necessary adjustments that need to be made prior to data collection. The pretest also enabled the researcher to establish how long it could take her to conduct an FGD, the ease of comprehension of the questions by the refugees and whether the questions would be able to extract all the required information from the refugees.

## **Rigor**

There are varied discussions on how to measure the trustworthiness of data in qualitative studies. Some qualitative researchers believe that reliability and validity could be employed in qualitative research (Mayan, 2001; Morse, 1999 & Johnson 1997). According to Lincoln and Guba (1985; 290), the basic question addressed by the notion of trustworthiness in qualitative research is "How can an inquirer persuade his or her audience that the research findings of an inquiry are worth paying attention?" In ensuring trustworthiness, Lincoln & Guba (1985) identified four key elements namely: credibility, transferability, dependability and conformability (cited in Polit & Hungler, 1993; Streubert & Carpenter, 1995).

## **Credibility**

Credibility refers to the factual nature or truth-value of the data (Polit & Hungler, 1993). Credibility is ensured through choosing the appropriate method to answer the research question, spending enough time in the field to investigate the phenomenon, verifying data and eliminating researcher biases (Mayan, 2001; Polit & Hungler, 1993; Streubert & Carpenter, 1995). To ensure truth value or credibility, the researcher reported the truth, explored meanings, clarified issues, produced accurate report of the experiences of subjects and made segments of the raw data available to her supervisor. The researcher also cross checked and confirmed information with the participants. Peer review was done to provide the opportunity for colleagues to evaluate the research process and the data. The data and all procedure that were employed were monitored by the supervisor to provide external checks on the research process, which is referred to as audit trail.

## **Dependability**

Dependability or consistency of qualitative data refers to the extent to which, data from a qualitative study is stable over time and conditions (Polit and Hungler, 1993). This is enhanced through use of stepwise replication, which implies using two groups of researchers and different data sources and comparing the results (Polit & Hungler, 1993). A reliable test is the one that yields comparable results each time it is administered. Guba & Lincoln (1981) proposed that consistency in qualitative study should be measured by a criterion called audit ability. The audit inquiry involves the subjection of data and all documents for evaluation by a thesis supervisory committee. To meet this objective to ensure dependability of this research, the researcher's work was audited by the supervisor whose feedback indicated that consistency had been supported even though the criterion can continuously be tested over time.

## **Transferability**

While the goal of qualitative research is not to produce results which are statistically generalizable, the intent is to produce findings which other researchers can interpret for similar settings, even to the point of applying the research design for their own purposes (Trochim, 2006). By describing a phenomenon in sufficient detail, one can begin to evaluate the extent to which the conclusions drawn are transferable to other times, settings, situations, and people (As Lincoln and Guba, 1985). This work is accomplished through the strategy of 'thick description', a term first used by Ryle (1949) and extended by Geertz (1973). 'Thick description' comprises the researcher's field notes including extensive detail and explicit descriptions when recording conversations, observations, and interpretations during data collection. This practice allows the researcher to evaluate comparable transferability of the same circumstance of people, place, and phenomenon under

similar conditions, with similar participants. The careful construction and use of qualitative instrumentation, supported by probes or prompts for field note rubrics, was used to ensure transferability of this study. The researcher also endeavored to make the study transferable by collecting data in as much detail as possible by asking probing questions. This is because the more detailed and nuanced information you generate, the greater the likelihood that your findings can be applied to a similar setting, population, or case. In addition, the researcher allowed the focus group participants to air out their views in the language they were comfortable with so that they can say as much detail as they wished comfortably.

### **Confirmability**

Confirmability is the agreement that exists between two or more independent persons about the usefulness and meaning of information gathered in a research process (Polit & Hungler. 1993). Lincoln & Guba (1985) also defined it as “the degree to which the researcher can demonstrate the neutrality of the research interpretations, through a “Confirmability audit.” This implies that two or more independent people must agree on the data’s relevance (Polit & Hungler. 1995). The audit inquiry as mentioned earlier allows for verification of the research process by thesis supervisors. Also, the recordings, transcripts, field notes, journals and memos were kept for reviewers to evaluate.

### **Triangulation**

Qualitative methods are sometimes criticized as being subjective, based on single, unreliable sources of data. Most qualitative research is designed to integrate insights from a variety of data sources, methods and interpretations to build a deep picture (Carter et al., 2014) as was the case for this study. Triangulation is the term used to describe this comparison and meshing of different

data, be it combining quantitative with qualitative, or ‘qual on qual’. Data triangulation, (also called participant or source triangulation) is probably the most common, in which the researcher tried to examine data from different respondents including the refugees and key informants in the refugee settlement

### **3.9 Data management and analysis**

#### **Qualitative data analysis**

Qualitative information collected through the FGDs and KIIs was transcribed and translated into English and analyzed using thematic analysis. The data-analysis process will follow a sequence of interrelated steps, such as reading, coding, displaying, reduction, and interpretation. At first, the transcripts were carefully read, and then data was coded. Reading and coding was initiated while the data was collected. The data-display and reduction process was conducted at desk once all the data was collected. The inconsistencies of data were clarified through re-visit of field and reduction of non-standard data. Even during data display and reduction, the authors reviewed earlier steps to refine codes, reread texts, and revise some aspects of the analysis.

Audio-recording in local language as discussed by some of the Refugees was transcribed word to word/verbatim and translated from the local language into English by the researcher and the assistants fluent in the languages. These transcripts were used for detailed analysis. Using the thematic analysis approach, the researcher read and reread all of the transcripts several times to be familiar with the data and to identify predetermined and emerging themes from the data.

Generally, thematic analysis is the most widely used qualitative approach to analyzing interviews. The conceptual framework of the thematic analysis for my interviews was mainly built upon the

theoretical positions of Braun and Clarke (2006). According to them, thematic analysis is a method used for ‘identifying, analyzing, and reporting patterns (themes) within the data’ (2006, p.79). The reason I chose this method was that ‘rigorous thematic approach can produce an insightful analysis that answers particular research questions’ (Braun and Clarke, 2006, p.97).

The next important consideration was identifying themes in the interview data I collected. What counts as a theme is that it is something which captures the key idea about the data in relation to the research question and which represents some level of patterned response or meaning within the data set (Braun and Clarke, 2006, p.82). Here the main requirement is to be consistent throughout the process of determining themes. As Bazeley (2009, p.6) claims themes only attain full significance when they are linked to form a coordinated picture or an explanatory model: ‘Describe, compare, relate’ is a simple three-step formula when report the results. As Braun and Clarke (2006) explain themes or patterns within data can be identified either in an inductive ‘bottom up’ way (citing Frith and Gleeson, 2004), or in a theoretical, deductive ‘top down’ way.

In this study, I used the inductive approach in the analysis. The primary purpose of the inductive approach was to allow research findings to emerge from the frequent, dominant or significant themes inherent in raw data, without the restraints imposed by structured methodologies (Thomas, 2003, p.2). The main purposes for using an inductive approach were (1) to condense extensive and varied raw text data into a brief, summary format; and (2) to establish clear links between the research objectives and the summary findings derived from the raw data.

### **3.10 Ethical considerations**

One of the primary objectives when undertaking this research was to avoid ‘retraumatisation’. There are always many ethical dilemmas when conducting research with a group of such



vulnerable people, questions such as “will the research make life even harder to cope with because sad memories and thoughts are revived?” (Dyregrov, et al. 2000: 413) was of essential consideration. Before each interview it was stated that any questions regarding the lives of the refugees in their previous country were not to be asked and that the researcher was only interested in their experiences of living in the Uganda communities.

Furthermore, whenever it was clear a participant was becoming upset I changed the conversation topic and take a break where necessary. I made it clear that all of the recordings were anonymous and pseudonyms were to be used throughout, the names were chosen, where possible, by the participants themselves. It was also important for the interviews to be conducted in a safe and familiar environment for the participants.

Informed consent of respondents was sought prior to their participation in the data gathering activity. I prepared an interview consent that requires participants of the research to sign before doing the interviews. In the consent, I plainly provided the topic of research, the institution, confidentiality and the source of funds. Also, respondents were notified the interview was consent-based and they can withdraw from the research prior to the research completion. Information was also given on how data was to be protected during the course of the study and eventually to get deleted after the end of the project.

Voluntary participation was respected, which refers to respecting the autonomy and self-determination of all respondents. The participating Refugees were given the choice to take part, and had the right to refuse to answer a question or to terminate their participation in the research at any stage without any repercussions.

Minimized risks and ensured privacy was achieved by making certain the information collected ultimately would benefit refugee youth rather than putting them at risk or causing embarrassment, particularly when covering issues related to reproductive health and sexual and gender-based violence. For focus groups and interviews, data was collected in a setting which was comfortable and where privacy can be ensured for participants to be able to answer freely.

Confidentiality was ensured throughout the study, from data collection, handling and analysis, to the dissemination of results. In practice, focus-group participants were free to refrain from giving their first name or family name.

Another important ethical concern was the need to minimize distress to the refugees that could have been caused by the research process. In view of this, efforts were made to offer physical and psychological protection to the participants including phrasing interview questions in a manner that minimizes trauma of any form to the participants.

### **3.11 Dissemination plan**

A copy of the report will be given to Nakivale refugee settlement administration, refugee council offices in Mbarara and the Office of the prime minister. The result of this study will be disseminated through media coverage, posters, brochures, and research briefs. The findings will also be presented to Advocacy groups and legislators in the form of a policy brief.

## **CHAPTER FOUR**

### **RESULTS**

#### **4.0 Introduction**

This chapter presents the results of the study, thematically organized in accordance with the specific objectives of the study.

#### **4.1 Socio demographic characteristics of the respondents**

**Table 1: Socio demographic characteristics of the refugees sampled in Nakivale refugee settlement**

<b>Characteristic</b>	<b>Frequency</b>
<b>Gender</b>	
Female	13
Male	27
<b>Nationality</b>	
Congolese	17
Somali	12
Rwandan	8
Sudanese	3
<b>Length of stay in settlement</b>	
Less than five years	22
More than five years	8

The results in the table above show that the majority of the respondents in the focus group discussions were male (27), the biggest proportion of them were from Congo (17), and the majority had stayed in the refugee camp for less than five years (22).

**Table 2: Socio demographic characteristics of the key informants**

<b>Characteristic</b>	<b>Frequency</b>
<b>Gender</b>	
Female	1

Male	2
<b>Position in refugee settlement</b>	
Deputy Settlement Commandant	1
UNHCR Field Unit Nakivale Team Leader	1
Field Associate	1
<b>Length of stay as a staff in refugee settlement</b>	
1 - 5 years	1
6 - 10 years	2

As for the key informants, the results in the table above show that male key informants constituted the biggest proportion of key informant interview respondents. Equal numbers of key informants were from the camp offices including 1 who was a Deputy Settlement Commandant, 1 was a UNHCR Field Unit Nakivale Team Leader, and 1 was a Field Associate. Two of the key informants had stayed worked in the camp for a period between 6 – 10 years.

#### 4.2 Emerging themes and sub themes

**Table 2: The themes and sub themes that emerged**

Theme	Category (Sub theme)
<b>Local integration as a pull factor</b>	<ul style="list-style-type: none"> <li>• Hospitality of Ugandans</li> <li>• Employability as a refugee</li> <li>• Peace in the country</li> <li>• Ease of setting up a business as a refugee</li> </ul>

	<ul style="list-style-type: none"> <li>• Ease of access to services other Ugandan citizens are entitled to</li> <li>• Access to resources other Ugandan citizens are entitled to</li> </ul>
<b>Voluntary repatriation as a pull factor</b>	<ul style="list-style-type: none"> <li>• Chance of not being repatriated to home country while a refugee in Uganda</li> <li>• No coercion in repatriation</li> </ul>
<b>Resettlement as a pull factor</b>	<ul style="list-style-type: none"> <li>• Ease of being resettled to western countries while a refugee in Uganda</li> <li>• Ease of being resettled to other countries while a refugee in Uganda</li> </ul>

**4.3 The contribution of local integration to the refugee influx into Uganda**

It was noticed that all refugees opined to one major durable solution that pulled them to Uganda amongst all other possible host countries, this was the ease of integration with the locals while in Uganda. The commonest specific aspects of local integration that pulled the refugees were the aspect of peace and hospitability of the Uganda citizens. These are illustrated in the quotations below;

*“We left our countries because there was no peace, there were a lot of murders and war, when we came to Uganda, they welcomed us very well, the people of Uganda are very good, we actually came here knowing this”* Male participant, FGD 1

*“It is here in Uganda that a refugee can sleep up to morning without worrying about other Ugandans or any people disturbing peace, people here are all friendly”* Male participant FGD 1

*“I think is only in Uganda were a refugee can move freely and the local citizens will no treat that refugee like a stranger, yes there are some Ugandans who are discriminative but generally, we came because it is very easy to integrate with the people”.* Male participant FGD 1

Two of the refugees in the third discussion group pointed out examples of their friends who are already working in Mbarara town and in Kampala, emphasizing the fact that even refugees can be treated well and enjoy the same rights like citizens;

*“When you are a refugee in Uganda, it is easy to fit with the people, a refugee can actually get work here or even in the city, I have refugees I know who are working here in the camp as staff in the office and even in Mbarara and Kampala, who wouldn't want to come to a country like this one. In other countries, a refugee is treated like a dog”* Male participant FGD 1

One of the refugees actually mentioned that he knew very many refugees who left Congo for Uganda just because they knew they could not be forced to go to a refugee camp but they could be in any community within Kampala and integrate with the Ugandans.

*“Some refugees left Congo because of War, but I can tell you that some of them come to Uganda because they know that being in the refugee camp is by choice, the government of Uganda does not force refugees to be in the camp, so they have some areas in Kampala were they are living,*

*they established families and even churches, they are there living happily with Ugandans. Now in some countries, that is impossible, once you are a refugee, you have to be in a refugee setting”.*

Male participant FGD 1

In another FGD, 3 refugees stressed that among other possible host countries, Uganda is the only one where a refugee can be put in a camp, stay there for a few years or months, then go out and stay with the rest of the citizens in peace, no refugee would want to go to other countries where refugees are treated like prisoners.

*“I came to Uganda, two years ago with some other people while running from the war that was happening in our country, me I am still here in the camp but some of those friends of mine are now in Kampala and Mbarara working, they even have national IDs, they are basically living like Ugandans, even me when I want I can go out of the camp, we are free in Uganda”.* Male participants FGD 3

*“I have friends who fear the camp, they are in Kisenyi, they left our home country, came to Uganda, but decided to stay in Kisenyi because for them they at least had some money, so they are there in Kampala living like Ugandans”* Male participants FGD 3

Another one added that; *“While still in our country, while contemplating which country to go to, we had to choose Uganda, because in some other East African countries, a refugee is not even allowed to be in the communities with other people, you cannot even access some services like other citizens, they keep you in a camp until may be they repatriate you. Uganda is different, we are here living like Ugandans despite some challenges with food”.* Female participants FGD 3



In all the focus group discussions held in the camp all refugees mentioned that ease of accessing resources and services among refugees staying in Uganda. They all mentioned that in Uganda, a refugee can get free education, free health care and even free land. They further mentioned that as another pull factor, it is Uganda, where a refugee can even set up a school or a business or a church and make money from them without being disturbed by any person not even a Ugandan.

*“In Uganda, there is peace, every refugee from countries around Uganda wants to come to Uganda because when you are here in the camp, you can even get a piece of land where you can cultivate crops from, there are free schools in this camp, so although we are refugees we are living somehow like Ugandans”*. Male participants FGD 2

*“Tell me of any country where refugees are allowed to set up business, but here in Uganda refugees have business small and big, when you move around in this camp you will see many shops some of those shops are for refugees, they are doing business here in Uganda freely. So I believe any refugee will be pulled to come to Uganda because of that good environment”*. Male participants FGD 1

Another one supplemented that; *“Uganda has a very peaceful environment, even me here if I get capital I can set up a shop in Mbarara or in Kampala, and Ugandans will support me without discriminating me for being a refugee”* Male participants FGD 2

*“I came to Uganda because even if there was war in my country, I wanted my children to finish their education, so since a camp like Nakivale has schools which give free education, I came to Nakivale so my children can go to school, it is given for free here”*. **Female participant, mother of 2 FGD 3**

*“We left our countries because of war, some people left the countries when they are already old, some of us were injured during the war, and some were tortured mentally, so what we needed was peace and a better life, and since Uganda has all the peace, we came to Uganda”. She went ahead and added that; “Here in Nakivale, we have health centers which give use free health care although sometimes there is no medicine at least a refugee can go there and get treatment for most illnesses for free just like Ugandans”.* **Male participant, FGD 3**

One of the women who had attended the focus group discussion with her two daughters categorically stated that she knew beforehand that Uganda is peaceful and that Ugandans are good people who are friendly even to strangers and that is why she decided to come to Uganda with her family.

*“I chose to come to Uganda because Uganda is peaceful, Ugandans do not discriminate, you see these two girls are in primary and they are in a class with some Ugandans, the Ugandans do not discriminate them”.* **Female participant, mother of 3 FGD 4**

Nonetheless, there were only two FGD participants who mentioned that they did not choose to come to Uganda because of integration possibility but because of only peace.

*“The thing is I came to Uganda because it is a peaceful country, I did not consider the fact that Ugandans are easy to integrate with in the first place however much it is actually the case”* **Male participant FGD 1**

*“Some of us grew up in war situation’s, our families have been killed, so when people like me were running from war we of course had to look for countries which have peace, that country was*

*Uganda because I have never seen war or conflict in Uganda there is almost total peace, that is what I only wanted".* **Male participant FGD 1**

Key informant interviews collaborated almost all findings above, mentioning that the refugee act of Uganda is the friendliest to refugees in the World, and that it gives refugees a lot of privilege's which if utilized well can make them integrate easily anywhere in the country;

*"Our refugee policies as a country are very friendly, a refugee can basically come here and they easily become part of any community in the country without being persecuted by Ugandans or any law enforcers for as long as they follow the law".* **Male KII 2**

He added that; *"For instance when they come here, we give them a ration card for food and in addition we also allocate some of them land on which they can do some cultivation alongside some local people in this district, that it integration that Uganda offers to these refugees and they like it."* **Male KII 2**

*"Yes I believe that most refugees are pulled to Uganda because of the ease of integration with Ugandans when here in Uganda, basically that is one of the major reasons why refugees come to Uganda among others".* **Female KII 1**

He added that; *"Here in the camp for example, the locals in Isingiro do not discriminate against these refugees, there are just very few instances of violence here and there, but we give the refugees land which some locals share cultivation, they go to the same schools and even share the same health facilities, those are some of the things that make those refugees come to Uganda".* **Female KII 2**

The key informants were probed further to gauge which of the durable solutions could be having the strongest pull effect of refugees to Uganda and they categorically stated that the durable solution of integrations was the most significant in their opinion

*“That is obviously integration, Uganda is one of the few countries where a refugee can come and integrate easily and freely with the Ugandan citizens and in peace, that is a significant pull factor, other durable solutions like voluntary repatriation and resettlement are secondary pull factors in my opinion”* **Male KII 1**

#### **4.3 The contribution of voluntary repatriation to the refugee influx into Uganda**

There were mixed reactions among all focus group discussion participants when they were probed about the possibility that some of them chose Uganda as a host country because they know the government cannot and will never repatriate them or because the government will repatriate them at the right time. Some of them were of the view that not being repatriated by the government did not inform their choice of the country but the other proportion of them stated that they chose Uganda because other countries can repatriate refugees sometimes forcefully even when they still have war in their countries.

Below are the excerpts of the respondents who chose to come to Uganda because of the favorable voluntary repatriation policies

*“Some of our countries are ravaged by war, so as refugees we of course choose to go to a country where we are sure that the government will repatriate us but at a time when we can safely go back to our country and be in peace while there, so we came to Uganda because I have not heard of any refugees being repatriated”.* **Female participant FGD 1**

Another respondent also mentioned that when choosing to come to Uganda, he considered the possibility of not being repatriated when he does not want to, and when he ascertained that he could stay in Uganda for as long as there was insecurity in his home country, he came to Uganda;

*“There are countries which forcefully repatriate refugees, so why would you want to repatriate me yet my country still has war because the government is saying that refugees are a burden?, In Uganda, I have not seen any refugee repatriated against their will, so tell me which refugee would want to come to Uganda”*. **Male participant FGD 4**

*“Of course the possibility and conditions of repatriation are one of the things you think of as a refugee looking for a host country to go to, you can't go to a country where you will be taken back to your country when you do not want, in Uganda, and repatriation is even rare, so we shall stay here”*. **Male participant FGD 2**

In agreement with the above statements, another refugee added that; *“It is possible to stay in Uganda as a refugee for as long as you want even if there is peace in your country which initially had war, for example we have some Rwandese in this camp but they have never been repatriated, but there is no war in Rwanda. So I think some refugees come to Uganda because they know the government can only repatriate them if the refugees themselves want”* **Male participant, FGD 3**

*“In Uganda, no refugee can be repatriated if he/she doesn't want to go back to their home country, I have not seen any being repatriated yet some come from parts of Congo which are now peaceful, it is in Uganda where you can stay in peace”* **Male participant, FGD 2**

Another participant also categorically stated that for them they came here when they had made up their mind to come and stay in Uganda for good;

*“For use we came here when we had already made up their mind to stay in Uganda for a long time, this is now our country, no one can take us back to Congo when we do not want, we are going to be here for a long time.”* **Female participant, FGD 4**

In support of that statement, another man detailed and said that; *“Some of us have never seen peace in Congo ever since were born, we have lost loved one in war, so we came to Uganda looking for peace, we cannot go back to Congo now, this is also our country. Repatriation was done in Uganda long time ago it has never been done again, but we have heard that the government is planning to repatriate refugees, but they are just rumors, but if it is true, am sure some of us will not go back to Congo”* **Male participant, FGD 2**

However, some of the refugees denied coming to Uganda with a though that they would not be repatriated or because the government cannot involuntarily repatriate them. They opined that repatriation was not a big deal to them for as long as their countries got secure again.

*“I did not come to Uganda because of that, actually, when war is over in my country I want to go back because I love my country”* **Female FGD participant**

*“We came to Ugandan because of war in our countries, yes there are probably some refugees who came here because they know the government cannot be repatriated but for some of us we did not mind that, any time the wars are over, we shall even take ourselves back to our home country”*

#### **Male FGD**

Likewise key informants opined in accordance with almost all findings above, mentioning that it has been long since any refugees were actually repatriated to their home countries, and that is basically done on a small scale since most countries of origin of the refugees in Uganda are still

war ravaged. The mentioned that, that notwithstanding, some refugees take advantage of that fact that Uganda strictly observes voluntary repatriation, which means that some refugees can stay in Uganda for as long as they want without being repatriated.

*“It has been long since we repatriated refugees, but is not because we can’t repatriate them, it is just that some countries from which these refugees come from are still at war, so we can’t send them back, it would be unfair. However, there are some whose countries are largely peaceful now but they still do not want to be repatriated, remember it must be voluntary”* **KII 3**

Another key informant added an opinion that could supplement the one above by mentioning that; *“No one in Uganda can repatriate a refugee against their will, it will be breaking the law, so even if the refugees countries are peaceful, if the refugees do not voluntarily decide to go back to their country, you can’t take them back, but in some countries, they can be repatriated for as long as the government sees fit. So I think if a refugee looking for a host country gets to know about the repatriation policies of Uganda, it would be a pull factor”*. **KII 1**

However, one of the key informants dissented from the above views by mentioning that voluntary repatriation is not a significant pull factor in refugee influx by mentioning that most refugees actually love their countries and would actually welcome being repatriated for as long as their countries have stabilized.

*“Voluntary repatriation though being a possible pull factor is not really significant, few refugees come to Uganda with a mindset that the government will not take them back after the civil unrest in their countries, some of them had properties back in their respective countries and so they wouldn’t hesitate going back to their countries if given a chance”*. **KII 2**

#### **4.5 The contribution of resettlement as a durable solution to the influx of refugees into Uganda**

The respondents were asked whether they had chosen to Uganda as a host country on a presumption that while in any of the refugee settlements in the county, resettlement would be easy. The results obtained as shown in some of the excerpts below show that about three quarters of the refugees were opposed to that statement, claiming that however much they would love to be resettled in one of the western countries for instance in Europe, it was not the sole reason as to why they chose to make Uganda their host country. The excerpts below show the opinions of the refugees who reported easy resettlement as not being a pull factor for their influx into the country;

*“What, no, me and my family came from Somalia to Uganda just because we wanted peace, which Uganda has, we want to be here until the war in our country is over, we I never came here just because I want to go to Europe, no” Somali National FGD 4*

*“No, actually being resettled from Nakivale to Europe is one of the rarest things to ever happen to a refugee in Uganda, I have seen very few refugees being resettled to Canada or Europe, and I can tell you that very few if any refugees come to Uganda for the purpose of being resettled because it is very rare” Somali National FGD 2*

Another supplement the participant above by opining that; *“The last time I saw a refugee being resettled was in 2008 and then around 2012, since then I have not seen any others being resettled from Nakivale, that means very few refugees come to Uganda for that purpose, actually If you ask at the office their very few refugees have applied for being resettled in Canada or Europe” Somali National FGD 4*



Some of the refugees further added that despite of the fact that they never chose to make Uganda their host country because of it being easy to be resettled from Uganda, some refugees just develop the need for resettlement while in the country, and when they try to seek the resettlement solution, it is always very bureaucratic, so they end up just staying in the country.

*“By the way none of us here (referring to the fellow refugees in the group) came be with that mentality that when in Uganda, going to Europe will be easy, actually those who want to go to Europe always get the need to so after reaching Uganda”* **Male participant FGD 2**

Another one added that;

*“Yes, and those who develop the need to go abroad they go there to the office but they are never helped”* **Male participant FGD 3**

One of the focus group discussions which consisted of majorly male participants with only one female participant, had no participant who acknowledged that they had come to Uganda because they wanted to be resettled in other Western countries by the government. However, majority of them expressed interest in being resettled in Europe or Canadian if the opportunity arises.

*“We did not come here because of resettlement possibilities, I personally came here not even knowing about those resettlement solutions for refugees, I just came to be here and go back to my country if it stabilizes”* **Male participant FDG 1**

Another one added that;

*“I do not think any one of use really came to Uganda thinking that the government of Uganda or UNHCR will resettle us in Canada, we are Congolese, so Uganda is the nearest country we could run to, we came here with no intention of going to Europe. If there are any of us here who chose Uganda because of easy resettlement plans, then there is probable only one or two”.* **Male participant FDG 1**

Nevertheless, four of them were quick to add that in case the government of UNHCR had plans of resettling refugees from Nakivale, they would gladly join those who would be resettled in the Western countries.

*“I did not come here thinking I would be resettled but If am given the chance to be resettled, I would go to Canada, and resettle there”.* **Male participant FDG 1**

However, there were a total of 3 respondents who were of the view that they chose to come to Uganda because they wanted to use it as a transit route to the European world in the name of resettlement. They opined as follows;

*“My goal was to go to Canada or England so that I can start working from there and have a better life, so when I was told that in Uganda it can be easy to go to Canada I came here, In Kenya they are hostile people”* **Female participant FGD 1**

One woman of Somali descent also mentioned that one of her reasons of coming to Uganda and not Kenya, was because by coming to Uganda, she expected that the government would take her and her children to Europe so that they can learn English and have a better life;

*“I would have gone to Kenya because it is near my Country Somalia, but I came Uganda, because in Uganda, I was told it can be easy to go to Europe or one of those countries in the west, I wanted*

*my children to go and learn English so they can leave a better life*". **Female FGD participant, FGD 4**

According to the key informants, resettlement as a durable solution was not a major significant pull factor for refugee influx into Uganda, although pointing out that there is a hand full of refugees who seek refuge in Uganda because they want to be resettled in other countries.

"Hmm, there are a few such cases of refugees who come to Uganda while having resettlement plans, I think some of them get those plans when they hear about the possibility of resettlement as a durable solution for refugee protection" **KII 2**

*"In Nakivale and even in other refugee settlements, resettlement of refugees is not usually done, for instance it has been almost 5 years since refugees in Nakivale last resettled refugees, so not all refugees come with that expectation"* **KII 3**

One of the key informants supported the non-significant contribution of resettlement as a durable solution, to the influx of refugees into Uganda by stating that few refugees actually ever come to the office seeking to inquire about the possibility of being resettled in any of the European countries.

*"I have been here in this office for more than five years, and I have only seen less than 20 refugees coming here to inquire about the possibility of being resettled in other countries, so that shows you that these refugees do not come to Uganda with prospects of being resettled as a pull factor, it's not major"*. **KII 1**

## **CHAPTER FIVE**

### **DISCUSSION**

#### **5.0 Introduction**

In this chapter, I present a discussion of key results presented in the previous chapter for each of the specific objectives of the study

#### **5.1 The contribution of local integration to the refugee influx into Uganda**

In the current study, the results showed that all refugees were pulled to Uganda because of the durable solution of integration given that it was mentioned by the entirety of the study population including the key informants (secondary population). Specifically, the respondents mentioned that three aspects related to integration informed their choice of Uganda as a host country; they included; peace, employability in the country ease of access to resources, and hospitability of the

Uganda citizens. These results are similar to findings by Facchini et al. (2013) who concluded that labor migrants mainly from Zimbabwe and Mozambique continually fled to South Africa after having prospects of higher peace, and living standard relative to that present in their countries of origin. Similarly, Holivay (2014) also reported that whether voluntarily or involuntarily refugees were deciding to flee in search of a stable yet developing country that shared, peace, and tolerance among its citizens.

It is a known fact that Uganda is the most refugee-friendly country in the world with an open door policy to refugees, where a refugee comes in and is given a feel of a Ugandan citizen. This makes it easy for them to integrate within various communities in the country. Given the fact that UNHCR, media houses and even refugees themselves heavily publicize the friendliness of the country, integration as a durable has become a pull factor as confirmed by the study results.

It should be noted that integration of refugees occurs when they get involved in day to day activities that citizens in Uganda engage in, including employment, education system, farming and utilization of services. This was the case in this study as refugees mentioned that it is easy for refugees in Uganda to startup businesses, use health care services, attend Ugandan schools and engage in cultivation alongside and just like Ugandan citizens. Refugees in this study pointed out examples of their friends who are already working in Mbarara town and in Kampala, emphasizing the fact that even refugees can be treated and enjoy the same rights like citizens.

Upon arrival in Uganda, refugees receive a work permit, 900 square meters of land and permission to remain forever. Each family receives a parcel measuring 30 by 30 meters on which they are allowed to build a house and an outhouse. In other words, the message this sends is clear: You are

welcome to stay - forever if you want. Such an action is most definitely a pull factors for a refugee seeking asylum in another country and that's why they choose Uganda.

The respondents actually mentioned that they knew very many refugees who left Congo for Uganda just because they knew they could not be forced to go to a refugee camp but they could be in any community within Kampala and integrate with the Ugandans. This is all because of the extremely friendly refugee act 2006 of Uganda. With the enactment and coming into force of the 2006 Refugee Act, refugees in Uganda under section 28, are entitled to internationally recognized refugee rights including the right to work and freedom of movement. Refugees in Uganda are entitled to the same rights as nationals with respect to practicing their religion and are entitled to elementary education for which they must, under Section 29, receive the same treatment as nationals. A refugee may also, under Section 44(2) reside in any place within Uganda other than a refugee settlement. This also explains why all refugees mentioned that in Uganda, a refugee can get free education, free health care and even free land, adding that it is why they chose to come to Uganda. They further mentioned that as another pull factor, it is Uganda, where a refugee can even set up a school or a business or a church and make money from them without being disturbed by any person not even a Ugandan.

However much this puts Uganda in good light at the international scene, it has numerous implications for the country because for as long as the refugee act 2006 is in place, refugees will continue flowing into Uganda with the same expectations of integration that the act offers. At some point their might be great strain on both the natural and economic resources of the country even with financial support from international agencies since their donations do not meet the budgetary demands of the refugee settlements.

## **5.2 The contribution of voluntary repatriation to the refugee influx into Uganda**

The Universal Declaration of Human Rights spells out the right to return in that ‘everyone has the right to leave any country, including his own, and to return to his country’ (Article 13[2]). Also, the International Covenant on Civil and Political Rights states that ‘no one shall be arbitrarily deprived of the right to enter his own country’ (Article 12[4]). And the Convention on the Elimination of All Forms of Discrimination contains a provision on the right to return (Article 5). At the regional level, the right to return is further reinforced by most instruments relating to human rights, such as the European Convention on Human Rights (Article 3[2]), American Convention on Human Rights (Article 22[5]) and African Charter on Human and People’s Rights (Article 12[2]) (Chetail 2004).

Theoretically, in the above charters and articles, the right to return serves as a legal precondition as well as a legitimizing source to realize voluntary repatriation. ‘The right to return, as enshrined in the human rights treaties, contributes therefore to fill the silence of the Geneva Convention in terms of repatriation, highlighting the interplay between these two branches of international law’ (ibid.: 26). However, as Takahashi rightly points out, ‘emphasizing the “right to return” may lead to insufficient attention being paid to the core principle of refugee protection, which is that as long as danger exists people must be given protection’ (1997).

This to some extent seems to be the case for a section of refugees in Uganda more so those from countries like Sudan, Somalia and Congo where to date, conflict and war still exist. Refugees from these countries are therefore within the confines and protection of international law. However, the results of this study showed that some refugees when probed about the possibility that some of them choosing Uganda as a host country because they know the government cannot and will never

repatriate them or because the government will repatriate them at the right time were positive. This implies that a section of refugees possibly chose Uganda as a host country because the government has not practically evoked the voluntary repatriation clause and applied it on a large scale. This is contrary to findings by Robinson (2010) who showed that in China, some migrants are subject to arrest and deportation, and as a consequence, North Korean migrants caught by authorities in China have to face repatriation back to North Korea.

Since 2012, when the cessation clause was evoked by the Ugandan government for Rwandan refugees to be repatriated, few of them heeded the call even when their home country had fully stabilized. The fear was that they could face political persecution in their country, and so they were not repatriated. Such scenarios possibly make some refugees choose Uganda since their freedoms of deciding to stay if they have not voluntarily decided to be repatriated are observed.

Likewise, key informants opined in accordance with the findings above, mentioning that it has been long since any refugees were actually repatriated to their home countries, and that was basically done on a small scale since most countries of origin of the refugees in Uganda are still war ravaged. They mentioned that, some refugees take advantage of that fact that Uganda strictly observes voluntary repatriation, which means that some refugees can stay in Uganda for as long as they want without being repatriated.

The sole UNHCR reference to voluntary repatriation can be found in its Statute, calling upon the High Commissioner to facilitate and to promote voluntary repatriation (Chetail 2004). Although the Statute does not lay out a hierarchy between the three durable solutions, the international community has been emphasizing the role of voluntary repatriation as the preferred durable solution since the 1980s. Subsequently, 'UNHCR has been called upon by the General Assembly



to carry out various functions in connection with large-scale repatriation operations, which have resulted in an expansion of the original terms of its mandate, more particularly as regards the provision of assistance to countries of origin to facilitate the re-integration of returning refugees' (Chetail 2004). This seems to have been not the case in Uganda since Rwandan refugees who could not be repatriated feared that integration in their home countries' could be challenging.

Nonetheless, a considerable proportion of the refugees were of the view that not being involuntarily repatriated by the government did not inform their choice of the country. They opined that repatriation was not a big deal to them for as long as their countries got secure again. This was corroborated by one of the key informants dissented from the above views by mentioning that voluntary repatriation is not a significant pull factor in refugee influx by mentioning that most refugees actually love their countries and would actually welcome being repatriated for as long as their countries have stabilized. This means that voluntary repatriation as a durable solution plays some role in the influx of some refugees into Uganda since Uganda has never involuntarily repatriated any refugee even when their countries had stabilized, however among another section of refugees, voluntary repatriation did not matter.

Therefore, even if the UNCHR deems voluntary repatriation as the first durable solution to refugee protection, it might never be so in Uganda for a number of reasons; one being that conflict in South Sudan and Congo is still going on with no end in sight, and second being that because of the refugee act, easy integration will be achieved by the refugees for whom when cessations clauses are evoked might not return to their countries. This section of refugees not willing to repatriate after integration might be the ones who will stimulate the influx of other refugees with the same mindset.

### **5.3 The contribution of resettlement as a durable solution to the influx of refugees into Uganda**

The results of this study showed that more than three quarters of the refugees were of the view that however much they would love to be resettled in one of the western countries for instance in Europe, it was not the sole reason as to why they chose to make Uganda their host country. This meant that resettlement was not a significant pull factor in the refugee influx, as confirmed by the key informants as well who mentioned that there is a hand full of refugees who seek refuge in Uganda because they want to be resettled in other countries. This is similar to findings by Smorenburg (2015) and Bevelander (2011).

However dissimilar findings were obtained by Zoomers et al (2008) who showed that refugees from countries such as those in the Sub-Saharan Africa and the Middle East used Morocco basically as a transition country, to simply pass through to get to their final destination which is Europe. Dissimilar results were also obtained by Tsegay (2016) who concluded that when it comes to Eritrea refugees' choice of going to Norway as a host country three pull factors including family reunion (resettlement) were significant.

Although resettlement to third countries under the mandate of the UNHCR can be a durable solution, it is only happening at a very small scale, hardly being an effective solution to the mass displacement of refugees, whereas it could potentially be. This therefore explains why it is the least significant pull factor of the three durable solutions, since refugees seeking to come to Uganda could be less expectant of being resettled from any of the host country.

In recent years there has been an increase in the number of countries involved in resettlement in Europe and Latin America (Smorenburg, 2015). Despite the increase in the number of resettlement

countries, the number of resettled refugees remains low. Resettlement countries (Europe in particular) are not very keen on accepting resettlement of refugees; this means that some refugees are currently in Limbo; they cannot go back to their homeland, because it is not safe for them to do so. Most of them do not have the option of moving on, as third countries are not keen on admitting them and providing them with permanent residence rights (Smorenburg, 2015; UNHCR, 2013).

Generally, in Uganda like other refugee hosting countries, third-country resettlement is not a common process, and is generally accessible only to the most vulnerable of refugees. It's not a right, and can never be guaranteed. Even if one does receive third-country resettlement, it can take a long time until the process is finalized; hence few refugees come to Uganda because of the expectations of the third durable solution (resettlement) hence its significance as observed in this study.

## **CHAPTER SIX**

### **CONCLUSION AND RECOMMENDATIONS**

#### **6.0 Introduction**

This chapter presents conclusive remarks premised on the significant findings of the study as informed by the recurrent themes. The chapter also includes a number of recommendations aimed at solving the refugee influx situation in Uganda through the use of the durable solutions.

#### **6.1 Conclusion**

All refugees opine to one major durable solution that pulls them to Uganda amongst all other possible host countries, this is the ease of integration with the locals while in Uganda. The

commonest specific aspects of local integration that pull the refugees are the aspects of peace and hospitality of the Uganda citizens.

Not being repatriated involuntarily by the government does not inform the choice of the host country among some refugees but the other proportion of them state that they choose Uganda because other countries can repatriate refugees sometimes forcefully even when they still have war in their countries. Some refugees take advantage of that fact that Uganda strictly observes voluntary repatriation, which means that some refugees can stay in Uganda for as long as they want without being repatriated. Therefore, to some extent the durable solution of voluntary repatriation contributes to the refugee influx into the country.

The majority of the refugees in Nakivale claim that however much they would love to be resettled in one of the western countries for instance in Europe, it is not the sole reason as to why they chose to make Uganda their host country. Resettlement as a durable solution is thus not a major significant pull factor for refugee influx into Uganda

## **6.2 Recommendations**

It is very evident that integration as a durable solution is the most significant pull factor for the refugee influx and this is all premised on the friendly refugee act that Uganda has. Nonetheless, some refugees take advantage of the loop holes in the law to leave their base camps and integrate within the citizenry illegally and actually obtain national IDs. To minimize this, the government should strengthen both immigration and citizen registration policies so that when refugees are seeking access to Uganda, they do so as such (refugees), such that they do not do so in disguise of citizens, investors or otherwise. In so doing all of them will be in the country legally as refugees,

without getting easy access to registration services as bona fide citizens of the county. Once that is solved, the pull effect of easy integration within the masses might be minimized.

It is clear that some of the durable solutions have not been fully evoked in Uganda especially that of voluntary repatriation, and as such some refugees take advantage of it or use it as a reason for coming into the country. It is thus recommended that the government of Uganda in conjunction with UNCHR should routinely repatriate refugees whose countries or regions have stabilized in terms of security. That will signal other refugees to be that even in Uganda just like other host countries, repatriation is observed as a durable solution, and in so doing it will become less of a pull factor for refugee influx.

According to the UNHCR, repatriation is the first durable solution for refugee protection, and so it being a pull factor on the presumption that it is less done in Uganda should be looked into. One of the reasons given for the low repatriation rates was the continuing insecurity in the refugee countries of origin, therefore, it is recommended that UNHCR, the Ugandan government and international security organizations' reign in on the conflict in those countries to achieve timely stabilization. Once achieved, repatriation will be done at a larger scale, thus minimizing its pull effect.

One of the attributes of integration that made it a pull factor in Uganda was the aspect of peace and security in the country (Uganda) contrary to what is in their countries even after conflict are solved for example in Rwanda. The government should encourage refugees to return home after conflicts are resolved, with the assurance that they will not be persecuted. The rationale behind this is to put in place laws that prevent maltreatment of returnees who committed less violent crimes or offences. Those found guilty of war crimes and crimes against humanity should be

prosecuted and given fair trials, whether in their home or host countries. Encourage reconciliation between refugees resettling back in their homes and on their lands, and the local community members who stayed behind during conflict. This should be supported by monitoring of the communities or regions where conflicts may erupt through the development and use of conflict early warning mechanisms.

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6 / 2017

## **APPENDIX A: MODIFIED FHI 360 FGD CONSENT FORM**

### **Purpose**

The purpose of this study is to assess the influence of the three durable solutions on the influx of refugees into Uganda focusing on Nakivale settlement as a case.

### **Procedures**

We are asking you to join a focus group (a group discussion). The discussion will take place in a private area. During the discussion, you will be asked about your opinions related to the three durable solutions and whether or not they cause the influx of refugees into Uganda. These durable solutions include; local integration, voluntary repatriation and resettlement. The group will have up to 10 other people. The group discussion will last no more than 60 minutes. A trained person will lead the discussion group, while some will be taking notes.



**Information Security**

I will make audio recordings of the group. In addition, some people am with here may listen to the recordings and may also listen during the discussion group. A report based on the notes and the recordings will be written. However, no one outside of this study will listen to the recordings. We will keep what you say secure to the extent permitted by law. Please note, although we are asking group members not to discuss what was said during this discussion with anyone outside the group, we cannot guarantee confidentiality. We will NOT put your name in the report or on the recordings. We will keep the recordings in a locked cabinet. The recordings will be destroyed by 2018.

**Risks**

There are totally no risks of your participation in this study.

**Benefits, Freedom to Withdraw, & Ability to Ask Questions**

This project is not designed to help you personally. It is intended to help us understand which of the three durable solutions leads to refugee influx in Uganda. The findings of this study will inform government about the underlying factors contributing to the influx of refugees from the perspective of durable solutions; this might enable the policy makers to act accordingly and re - streamline the enforcement of the durable solutions among refugees in the country.

You do not have to answer questions that you do not want to answer. You may stop at any time.

**Contact  
Information**

If you have any questions, please contact the principal investigator on  
0759 622 990 or 0701716 774

**Consent**

I have been fully informed about the study and conditions of this study. I have been given the opportunity to ask questions and they have been answered to my satisfaction. I hereby acknowledge the above and give my voluntary consent to be part of this focus group discussion:

Sign

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**APPENDIX B: FOCUS GROUP DISCUSSION GUIDE**

**Probe 1** For how long have you been residents of this refugee settlement? from which country did you come?

**Probe 2** Could you please tell me about the notion that some refugees leave their home country just because they think Uganda is one of the countries where a refugee can easily live in the population without being asked whether he is a refugee or not, and can do business freely?

**Probe 3** Is it true that refugees in this settlement or other settlements in Uganda leave their home countries just because they think Uganda is one of the countries where a refugee can easily live in the population without being asked whether he is a refugee or not, and can do business freely?

Please tell me more about this

**Probe 4:** Have you ever been given an option of being taken back to your home countries? As refugees, if given a chance by the Ugandan government to be taken back to your home country, would you take that chance? Please explain your responses

**Probe 5:** As refugees in this settlement, did you ever base your decision to come to Uganda as a host country on a perception that once here in the country; it is less likely that the government will ask you to return to your country? Please explain

**Probe 6:** How true is it that some refugees in other settlement apart from this one, who base your decision to come to Uganda as a host country on a perception that once here in the country, it is less likely that the government will ask them to return to your country? What do you think?

**Probe 7:** Have you ever been an option of being resettled in another country like Europe by the Ugandan government or UNHCR authorities? As refugees, if given a chance by the Ugandan government or UNHCR authorities to be resettled in another country, would you take that chance? Please explain your responses

**Probe 8:** Could you please tell me whether there are some refugees in this settlement, who base their decision to come to Uganda as a host country on a perception that once here in the country, it is likely that the government will give you an option of resettling you in another country? Please explain

**Probe 9;** So, what I hear it that some refugees decide to come to Uganda as a host country on a perception that once here in the country, it is less likely that the government will give them an option of resettling in another country? How true is this?

**END**

**THANK YOU FOR YOUR TIME**

**APPENDIX C: KEY INFORMANT INTERVIEW GUIDE**

**Key informant demographic characteristics**

**1. Gender**

1. Female
2. Male

**3. Position in refugee settlement**

1. OPM Settlement Commandant
2. Deputy Settlement Commandant
3. UNHCR Field Unit Nakivale Team Leader
4. Field Associate
5. Other.....

**4. For how long have you been a staff in this refugee settlement?**

1. Less than 1 year
2. 1 - 5 years
3. 6 - 10 years
4. More than 10 years

### **Questions**

***Probe 1:*** What is your opinion on the current level of influx of refugees into Uganda? From which country do most of them come from?

***Probe 2:*** What do you think are some of the reasons as to why refugees prefer Uganda as their host countries?

***Probe 2:*** How does the notion that "refugees can easily live in the population without being asked whether he is a refugee or not, and can do business freely" influence choice of Uganda as a host country among refugees?

***Probe 3*** Can you support the opinion that refugees in others settlements in Uganda who leave their home countries just because they think Uganda is one of the countries were a refugee can easily live in the population without being asked whether he is a refugee or not, and can do business freely? Please elaborate

***Probe 3:*** Are there some refugees in this settlement who have been given an option of being taken back to their home countries? Do you think that if given a chance by the Ugandan government or UNHCR to be taken back to your home country, refugees in this settlement would take that chance? Please explain your response

***Probe 4:*** How true is it that, some refugees decide to come to Uganda as a host country on a perception that once here in the country, it is less likely that the government will ask them to return to their home countries? Please explain

***Probe 5:*** What is the contribution to refugee influx, of the perception among refugees in Uganda that once here in the country, it is less likely that the government will ask them to return to their home countries?

***Probe 6:*** What is your opinion on the belief that there are there refugees in this settlement who have ever been an option of being resettled in another country like Europe by the Ugandan government or UNHCR authorities? If given a chance by the Ugandan government or UNHCR authorities to be resettled in another country, are their some who would take that chance? Please explain your responses

***Probe 7:*** It was stated by some scholars that there are some refugees who come to Uganda as a host country on perceptions that once here in the country, it is likely that the government will give them an option of being resettled in another country? What is your opinion on this?

**END**

**THANK YOU FOR YOUR TIME**

**APPENDIX D: LETTER OF APPROVAL**

**APPENDIX E: PERMISSION LETTER**