

UGANDA'S REFUGEE POLICY: A SUCCESS STORY UNDER STRAIN?

By Sarah Graveline

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South Sudanese refugees who crossed the Kaya river into Uganda by foot are taken by bus to the Koboko transit camp from Busia, Uganda, Wednesday, March 29, 2017. More than 100,000 people have fled a single county in South Sudan in just three months as civil war continues amid warnings of genocide, and the surge of more than half a million South Sudanese refugees into Uganda since July has created an African refugee crisis. (Source: AP Photo/Jerome Delay.)

Sarah Graveline is a Research Associate in the Africa Program at the Institute for Defense Analyses.

LESOTHO HEADED FOR EARLY ELECTIONS—AGAIN

By Dr. Alexander Noyes

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Lesotho's Prime Minister Pakalitha Bethuel Mosisili addresses the 71st session of the United Nations General Assembly, at U.N. headquarters, Friday, Sept. 23, 2016. Mosisili has since lost a vote of no confidence and will serve in a caretaker position until elections are held later this year. (Source: AP Photo/Craig Ruttle.)

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IDA's three federally-funded research and development centers provide objective analyses of national security issues and related national challenges, particularly those requiring scientific and technical expertise.

IDA's Africa team focuses on issues related to political, economic, and social stability and security on the continent.

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Finding Refuge: Uganda's Long History of Refugee Reception

Uganda has continuously hosted refugees since it gained independence in 1962, with arrivals coming primarily from Sudan and the Democratic Republic of the Congo (Zaire prior to 1997) and [settling](#) in northern Uganda. Between 1962 and 2006, Ugandan refugee policy was governed by the Control of Alien Refugees Act ([CARA](#)), as well as standards laid out in international statutes to which Uganda was a [signatory](#).

In practice, Uganda regulated the delivery of aid to refugees living in designated settlements, composed of small plots of land located in rural areas in northern Uganda. These settlements were created and controlled by the Ugandan government, which expected refugees to ultimately become self-sufficient by farming the settlements.

In the late 1990s, this strategy was formalized in cooperation with the United Nations High Commissioner for Refugees (UNHCR) as the "Self-Reliance Strategy" ([SRS](#)). SRS called for interventions to improve refugees' and local nationals' opportunities for self-empowerment, with the ultimate goal of reducing dependence on aid.

In theory, Uganda's embrace of SRS, along with the placement of refugees in settlements, represented an improvement over the usual practice of confining refugees to designated camps where economic activities are limited and reliance on aid is high. In practice, [critics](#) argued that SRS left refugees without adequate support. Many settlement areas lacked arable land and were vulnerable to armed groups. Despite these risks, refugees were [not allowed to leave](#) the settlement areas without obtaining a permit from the administrative head of the settlement. With permits difficult to obtain, many refugees became trapped in settlements without adequate food, shelter, or physical security.

The 2006 Refugees Act: Progressive Policy, Challenged Implementation

In 2006, a long-awaited new law, [The Refugees Act](#), was passed in answer to many of the challenges in existing policy. The new act, along with the passage of the statutory instrument, [The Refugees Regulation 2010](#), expanded the rights of refugees in Uganda. By law, refugees can now work, receive an education, and travel throughout Uganda, although they must report their movement to the Commissioner for Refugees. In addition, refugees continue to be provided with rights to small-holdings in settlement areas, in line with past policy.

On paper, the 2006 Refugees Act, in conjunction with Uganda's *prima facie* [acceptance](#) of any asylum seeker crossing into Uganda from Sudan, the DRC, or Burundi, makes Uganda's refugee policy among the most generous worldwide. In practice, however, refugees in Uganda continue to be prevented from exercising their rights to travel and work. [Reports from](#) northern Uganda indicate that refugees must still receive permission to leave settlements and are prevented from integrating with local populations despite significant service gaps in the settlements.

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No Long-Term Solution

Also, refugees are challenged by their inability to solidify their status. Refugees are not allowed to [own land](#), and it is written into the [Ugandan Constitution](#) that no refugee, or anyone whose parent or grandparent was a registered refugee, can become a citizen.

Many refugees have lived in Uganda for decades, but without the ability to gain citizenship, they cannot be certain of their right to stay over the long term. In 2010, [Human Rights Watch](#) reported that 1,700 Rwandan refugees were forcibly returned by the Ugandan government. Today, refugees [report concern](#) that they have little recourse if support from the Uganda government falters.

The South Sudan Dilemma

The continued crisis in South Sudan has brought tensions in Uganda's refugee policy to the fore. As [Africa Watch](#) has reported, since July 2016, over 1.6 million South Sudanese have fled widespread conflict. Over [800,000](#) of these refugees have crossed into Uganda, adding to the thousands of refugees who arrived following the outbreak of fighting in 2013 and 2014. In total, [UNHCR](#) has registered over 818,000 South Sudanese refugees in Uganda and estimates that over 2,000 continue to arrive daily.

The initial response to this large influx has been largely positive. Refugees have been quickly settled on small-holdings, avoiding many of the [humanitarian challenges](#) that typically accompany an emergency response effort. Local communities have been welcoming of refugees, with Ugandan residents [reporting](#) that they expect the incoming refugees to boost the local economy.

This positive response may, however, be slowly reversing. In interviews with aid workers in northern Uganda, [Refugees International](#) found that many believe community leaders have received inflated estimates of the economic benefit refugees will bring. If these high expectations go unmet, it could create hostility between Ugandan citizens and refugees, increasing the vulnerability of refugees in Uganda over time.

Conclusion

Uganda's refugee policy, while remarkably generous compared with global norms, may yet prove to be inadequate for refugees who suffer long-term displacement. This challenge is becoming visible as the international community struggles to support South Sudanese refugees. A lack of [funding](#) for the UN has led to [ration cuts](#) for many refugees, despite the lack of other resources available in the settlements. These gaps in services, in conjunction with the potential failure to manage Ugandan communities' expectations for refugee integration, could increase refugees' future vulnerability.

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Background

Lesotho, a small, landlocked country of 2 million, is surrounded entirely by South Africa. South Africa has historically played an influential role in Lesotho's internal affairs. As highlighted in previous [editions](#) of *Africa Watch*, Lesotho has faced a number of political and security crises over the past several years, including a failed coup attempt in August 2014 and low-level violence between different branches of the security apparatus. This turmoil resulted in a series of regional interventions led by South Africa's Deputy President, Cyril Ramaphosa, under the auspices of the Southern African Development Community (SADC).

In addition to recommending an array of political and security reforms, the SADC mediation led to early elections in February 2015 (two years ahead of schedule). In the 2015 polls, Mosisili and his DC party eked out a victory over Thabane's ABC and formed a multiparty alliance with Mothetjoa Metsing of the Lesotho Congress for Democracy (LCD). Political violence and internal security sector clashes continued under Mosisili's government, including the killing of army commander Maaparankoe Mahao (who was thought to be loyal to Thabane) by a contingent of soldiers aligned with Mosisili. In the midst of the unrest, Thabane and a number of other opposition parties [fled](#) to South Africa, returning only recently.

SADC's Reform Recommendations Go Largely Unheeded

In November 2016 a [faction](#) of Mosisili's party, led by DC's Deputy Leader Monyane Moleleki, abandoned Mosisili and [announced](#) its exit from the coalition government, giving as [reasons](#) for its departure economic stagnation, corruption, continued instability, and Mosisili's failures to implement SADC's reform recommendations. After an SADC Commission of Inquiry into the killing of Mahao wrapped up its work in July 2015, Mosisili and his government largely [refused](#) to carry out many of the specified reforms. Thabane, who led the effort for the vote of no confidence on March 1, [said](#): "The biggest failure by the outgoing prime minister was ignoring the SADC calls for reforms in the military, particularly its involvement on issues of civilian politics." Thabane also maintained that Lesotho continues to be beset by security [issues](#): "The reason we have not supported the call for an election is that of security problems that have not yet been resolved. For instance I divide my time between South Africa and Lesotho because of fears on my life."

Conclusion

As foreseen in the November 17, 2016, [edition](#) of *Africa Watch*, Lesotho is headed for another snap election. Given that no party appears set to gain an overwhelming majority, the fresh poll seems likely to deliver yet another unstable coalition government. SADC has again been pulled back into the fray of Lesotho's politics—the regional body [held](#) a summit March 17–19 in Swaziland focused on the recent political drama in Lesotho, with participation from South African President Jacob Zuma and Ramaphosa. The summit called upon Ramaphosa, who continues to lead the SADC mediation effort, to consult widely with Lesotho's political stakeholders before the election in an effort to [build](#) “consensus and trust.”

To date, SADC efforts at regional mediation have proved insufficient in steering Lesotho toward a more stable trajectory. Outside entities interested in political stability in Lesotho should consider encouraging SADC to implement fully the wide-ranging institutional reforms that the body has already [recommended](#). Particular attention could be paid to reforming the security sector, regulating floor crossings (when parliamentarians defect to rival parties during their term), and strengthening rules on the formation and practice of coalition governments.

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