



## **Lived Vulnerabilities under Constraints: An Empirical Account of how Refugees Experience Uganda's Protection System**

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**VULNER Research Report 2**

## About this Publication

### Document History

Version	Date	Description
1.1	19 November 2022	Issued for Consortium Review
1.2	04 January 2023	Issued for Formatting

### Acknowledgements


The author would like to thank Dr. Luc Leboeuf for the research design for this fieldwork, robust discussions of the findings and for the edits and in depth comments on earlier drafts of this report, and on the final draft.

This report is part of the VULNER project, which has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 870845 ([www.vulner.eu](http://www.vulner.eu)).

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### Suggested Citation

S. Nakueira. *Lived Vulnerabilities under Constraints: An Empirical Account of how Refugees Experience Uganda's Protection System*. 2022. VULNER **Research Report 2**. DOI: [10.5281/zenodo.7312905](https://doi.org/10.5281/zenodo.7312905)



Project: VULNER - Vulnerability Under the Global Protection Regime: How Does the Law Assess, Address, Shape and Produce the Vulnerabilities of the Protection Seekers?  
GA: 870845  
Horizon 2020: H2020-SC6-MIGRATION-2019  
Funding Scheme: Research and Innovation Action  
Dissemination Level: PU

## **Lived Vulnerabilities under Constraints: An Empirical Account of how Refugees Experience Uganda's Protection System**

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Work Package 8 | Deliverable 8.2

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## Executive Summary

This research report has been published as part of the EU Horizon 2020 VULNER research project ([www.vulner.eu](http://www.vulner.eu)). The VULNER research project is an international research initiative, which objective is to reach a more profound understanding of the experiences of vulnerabilities of migrants seeking protection. It therefore makes use of a twofold analysis, which confronts the study of existing protection mechanisms that seek to identify the 'vulnerable' migrants seeking protection and to address their specific protection needs, with the one of their own experiences on the ground.

This research report presents the research results of the second phase of the VULNER project in Uganda. The objective was to capture refugees' experiences of their vulnerabilities, in view of juxtaposing them with the bureaucratic practices of vulnerability assessment, as developed by the United Nations High Commissioner for Refugees (UNHCR) and other international aid agencies.

**The following research questions are addressed:** What are the refugees' main life challenges and experiences of vulnerabilities in Uganda? How are these experiences shaped by the existing humanitarian aid architecture and existing refugee policies? How do refugees mobilise existing bureaucratic categories of vulnerability, or resist these categories, in their efforts to overcome hardship?

To answer these questions, **311 interviews** were conducted with refugees and asylum seekers in the Nakivale refugee camp in Uganda. The participants were from the Democratic Republic of Congo (DRC), Burundi, and Rwanda. Interlocutors were drawn from the bureaucratic categories of vulnerability that were identified in the previous report, such as elderly women and men, LGBTQIA+, SGBV men and women, people with disabilities (PWDs). The objective was to collect data to evaluate the concrete effects of the specific protection mechanisms in place for those who belong to these 'vulnerable' groups. Interlocutors also included other groups which claim to be particularly 'vulnerable' (such as ethnic minorities or people with albinism), although they fall outside the UNHCR vulnerability categories. Observations were made of the interactions between refugees and Uganda authorities and aid workers, for example, during the refugee status determination interviews, outreach programs, and at various points where refugees seek services relevant to their everyday life.

The findings reveal the shortcomings in the whole-of-society approach to protection, when addressing the needs of the most vulnerable refugees. **The aid response is fragmented. Many aid agencies work in silos** and do not follow up with their counterparts, to ensure that the specific protection needs of the most vulnerable refugees, which they identified, are also mitigated by other agencies when carrying out their respective protection mandates. Moreover, they have a **reactive approach to vulnerabilities, which fails to prevent them from arising:** The focus on the most vulnerable refugees leads agencies to miss warning signs, which could have prevented further vulnerabilisation if they had been addressed on time. For example, the focus on preventing malnutrition amongst pregnant mothers, elderly persons, and children under 5 years of age, whilst commendable, obscures other people at risk of severe malnutrition due to inadequate food supplies or lack of means of livelihood.

The findings also show that **resource constraints contribute to shaping the shortcomings of the humanitarian response to vulnerabilities and the lack of understanding of the selection criteria for various programs fuels distrust and allegations of corruption.** First, the vulnerability criteria that give

access to specific assistance and programmes (e.g resettlement) **target a small fraction out of a large population with similar protection needs**. As a result, interventions take very long and benefit only a few - leaving out many refugees. Second, the funding of temporary programmes leads to **ever-changing target populations**, as programmes end and are replaced by new ones, which often focus on different vulnerable groups and nationalities. This makes it difficult for refugees to understand the logics behind vulnerability selection criteria.

Lastly, control systems that were introduced to mitigate fraud and monitor refugee population, such as **biometric verification, inadvertently produce new forms of vulnerabilities**. It prevents those who cannot afford to travel back to the settlement for frequent verification exercises, from seeking economic opportunities outside the settlement. This in turn promotes encampment and dependence on insufficient aid.

Overall, the findings show that because the protection system is designed to address the needs of the most vulnerable refugees, **without being sufficiently funded to guarantee the basic needs of all refugees, a 'vulnerability competition' arises**. First, many refugees resort to performing their vulnerabilities to gain access to humanitarian assistance, whereas some of the most vulnerable may lack the capacity or may not want to engage in such performance. Second, some refugees develop coping strategies that sometimes exacerbate existing vulnerabilities. For example, some refugees engage in prostitution and theft to make a living or drug and alcohol abuse to cope with everyday life stressors. Third, some of the refugees whose protection needs are not addressed resist the existing vulnerability categories, and they gather with others that have similar needs to lobby for the recognition of their experiences of suffering (e.g by founding their own organisations).

The proliferation of **refugee-led organisations, whose membership is based on shared experiences of vulnerability, also offer much needed support albeit within limited means**. Some come up with their own programs, which seek to build resilience among their members and help them in overcoming their hardships, by changing the vulnerability mindset (for instance, by transcending a victimhood attitude which does not help the refugees in overcoming everyday challenges). Others formed organisations that capitalise on their specific vulnerabilities to advocate for resettlement.

## ABBREVIATIONS

<b>CBT</b>	Cash Based Transfer
<b>CRRF</b>	Comprehensive Refugee Response Framework
<b>DRC</b>	Democratic Republic of Congo
<b>EVI</b>	Extremely Vulnerable Individual
<b>FDP</b>	Food Distribution Points
<b>GBV</b>	Gender Based Violence
<b>IDP</b>	Internally Displaced Persons
<b>IP</b>	Implementing Partner
<b>MOP</b>	Men of Peace
<b>MTI</b>	Medical Teams International
<b>NFI</b>	Non-Food Items
<b>NGO</b>	Non-Governmental Organisations
<b>NWSC</b>	National Water and Sewerage Corporation
<b>OPM</b>	Office of the Prime Minister
<b>OP</b>	Operating Partner
<b>PSN</b>	Person with Special Needs
<b>PWD</b>	Persons With Disabilities
<b>PWA</b>	People with Albinism
<b>SGBV</b>	Sexual and Gender Based Violence
<b>SRS</b>	Self-Reliance Strategy
<b>RWC</b>	Refugee Welfare Counsels
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>WFP</b>	World Food Program

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## **I. INTRODUCTION**

### **1.1. The Objectives and Structure of the Report**

This study complements the first VULNER research report, which assessed the legal framework of Uganda towards asylum seekers and refugees, and which conducted an empirical study on how decision-makers working in state and international aid organisations assess the most vulnerable refugees and asylum seekers for key interventions (Nakueira, 2021).<sup>1</sup> In this report, ‘refugees’ is the generally used term to refer to both refugees and asylum seekers, who have been formally recognized as such by the Uganda authorities. Specific reference to asylum seekers is used where necessary to describe issues that are specifically pertaining to those who are waiting for a decision on their asylum application by the Office of the Prime Minister of Uganda (‘OPM’).

The findings of the first research study revealed that although Uganda refugee law is protection-oriented, and although the collaborative structure of humanitarian protection is designed to address the needs of the most vulnerable migrants holistically (through a whole of society approach), several factors defeat the effective achievement of Uganda’s refugee policies in practice. Implementation challenges, including financial and resource constraints, make it difficult for aid workers to address the needs of the numerous refugees who fit the vulnerability criteria and are thus eligible to assistance. The overburdening of the humanitarian system leads to slow responses by some of its actors, thus stagnating the referral process and fueling allegations of corruption as refugees are being sent away, even though they are eligible for humanitarian assistance. This feeds a culture of brokers, in which some refugees who live in the country for long, exploit newcomers through fake promises of expediting their access to services.

This study now takes a bottom-up approach. It investigates how refugees experience refugee policies and the implementation of aid programs, which are designed to address the needs of the most vulnerable among them. The following question guided the empirical investigation: how are experiences of vulnerabilities shaped, and sometimes even produced, by the legal and humanitarian aid bureaucratic framework in Uganda?

By answering this question, the report aims to compare refugees’ own experiences of vulnerabilities and main life challenges, with the legal and bureaucratic protection framework in Uganda. The idea is to reflect on whether Uganda’s humanitarian approach to assessing and addressing vulnerabilities among refugees, effectively addresses their needs as they understand them, and to identify protection gaps. The report also reflects on how vulnerability categories are mobilised by refugees in their efforts to survive by making themselves eligible for specific humanitarian interventions—including how they mobilise ‘vulnerability’ to resist existing bureaucratic categorizations from which they are excluded. The report thereby shows how they negotiate the gap between the bureaucratic approach to vulnerability and their actual protection needs.

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<sup>1</sup> Nakueira, S. 2021. ‘Protecting Vulnerable Refugees in Uganda : An empirical Examination of the implementation Practices of aid workers and state actors in Uganda’. *Research Report on the Legal and Policy Framework and Implementing Practices in Uganda*. Available at <https://www.vulner.eu/58250/Scientific-Publications>. The VULNER project overall focus is on migrants seeking protection, thus including specific domestic protection statuses into the study’s scope, when such statuses mobilize ‘vulnerability’ as a legal selection criterion. In the VULNER project, ‘protection statuses’ are largely understood as encompassing all legal statuses, which main objective is to guarantee the human rights of their beneficiaries. In Uganda, however, migrants seeking protection can only claim the refugee status.

Therefore, Chapter 2 introduces the methodology that was used to collect data, the sites in which the data was collected, and how the interlocutors were identified. Chapter 3 sets the legal and bureaucratic scene. Chapter 4 discusses the personal circumstances that influence refugees' experiences of vulnerabilities, while Chapter 5 discusses how existing bureaucratic processes that regulate access to aid programmes may also sometimes shape experiences of vulnerability. Chapter 6 addresses the structural factors, which relate to the way the humanitarian aid system in Uganda is designed, and how it contributes to shaping experiences of vulnerability. Chapter 7 draws conclusions from the key findings by showing how various factors intersect in multiple ways to exacerbate refugees' experiences of their vulnerabilities in Uganda. It also discusses the strategies refugees deploy to mitigate or overcome their hardships, including how they exercise their agency within the humanitarian aid system.

## 1.2. Nakivale Refugee Settlement

Nakivale refugee settlement was the main field site. The settlement is made of 79 villages with the main administrative area for the OPM and humanitarian offices located in 'Base Camp,' which is the busiest and fast-growing area of the settlement. Nakivale refugee settlement is located in the southwestern part of the country, close to the borders of Tanzania with refugee influxes to this settlement mainly coming from Burundi and DR Congo. Due to the bumpy murram road, it is more than 7 hours' drive from the capital city, Kampala. Uganda's approach to refugee protection envisions that those who live in settlements will sustain themselves through subsistence farming, which should allow them to become self-reliant (Verdirame and Harrold-Bond, 2005). In its self-reliance strategy, UNHCR defines 'self-reliance' as:

the ability of individuals, households or communities to meet their essential needs and enjoy their human rights in a sustainable manner and to live with dignity. Self-reliant persons of concern lead independent and productive lives and are better able to enjoy their rights, while also contributing to their host societies<sup>2</sup>

In Nakivale settlement, every refugee is thus given a small piece of land, on which they can build a 'temporary' shelter<sup>3</sup> and grow food for their subsistence. However, refugees come from different countries and ethnic groups, each with their own way of living (for instance, some refugees' traditional way of life is through cattle keeping and not farming). Moreover, as one aid worker explained in an interview, Uganda is increasingly receiving 'elite' refugees (e.g. highly educated or formerly high ranking political officials), who don't have the practical knowledge required to sustain themselves through the agricultural model envisioned by the UNHCR Self Reliance Strategy, and who are not accustomed to living in rural settings. Lastly, even when they manage to grow some food, this remains insufficient to provide for survival and it merely serves to supplement the humanitarian rations. For these reasons, all the refugees who live in the Nakivale settlement remain dependent on provisions of aid and services provided by diverse humanitarian agencies.

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<sup>2</sup> Joint Strategy: Enhancing Self Reliance in Food Security and Nutrition in Protracted Refugee Situations' UNHCR. 21 July 2020. Available at <https://www.unhcr.org/5c3c6d584.pdf> Joint

<sup>3</sup> Although humanitarian aid is intended to be temporary, many refugees that were interviewed have lived in the Nakivale settlement for decades. Due to the intended temporariness of Uganda's refugee protection, refugees are not expected to build permanent structures and are provided with plastic sheets with UNHCR logos to roof their dwellings.

Humanitarian funding is not sufficient to cater to the basic needs and protection services of refugees.<sup>4</sup> An internal memo of UNHCR that was circulated in September 2022 showed that of the 343.4 million USD that was required to respond to the Ugandan operation for 2022, only 38 per cent of that money had been received by the end of August.<sup>5</sup> This has severely impacted UNHCR's ability to provide critical services, such as 'basic humanitarian assistance, child protection services, civil registration, and livelihood opportunities.'<sup>6</sup>

Some refugees have established businesses in the trading center and managed to improve their livelihoods. Generally, however, refugees face similar challenges related to water and energy shortages. There are usually long queues at water points everywhere in the Nakivale settlement. Both young and old children can be seen heading to water points with jerrycans or braving the heat or cold waiting for water. More affluent refugees, such as some Somali with higher economic means, hire refugees from other nationalities to fetch water for them and do other house chores. Nakivale settlement is often in a state of constant inflow of people fleeing conflict or other forms of persecution.

Due to the settlement's proximity to Burundi, Rwanda, Tanzania, and the Democratic Republic of Congo (DRC), which are countries confronted to protracted conflicts, there are often new arrivals. Renewed conflict in the DRC at the time of fieldwork (in 2021) led to an influx of asylum seekers from the DRC to the Nakivale settlement. Many refugees from the DRC have continued to live in protracted situations, despite an initiative that was introduced to resettle those who came from the DRC in the 1990s. At the time of writing, this initiative had long ended and prioritisation for resettlement was broadened, to include refugees from Somalia and South Sudan, as well as other groups who fit the resettlement criteria set by the UNHCR.

Official outflow of people from the settlement also takes place through voluntary repatriation. At the time of writing this report, many Burundian refugees are being repatriated from Uganda to Burundi, in weekly convoys that transport about 400 refugees per week<sup>7</sup>. In the UNHCR doctrine, voluntary repatriation is one of the three durable solutions for refugees. It is also the most preferred by institutional actors. However, due to continuous instability in some countries, it is not always a viable option. The other two durable solutions are integration and resettlement.

Below, I discuss how my interlocutors experience their vulnerabilities. When selecting interlocutors, I included the refugees that fall under the Age, Gender and Diversity (AGD) categories, because these are the groups that the UNHCR and its implementing partners consider as particularly vulnerable and focus on when prioritizing their interventions. Additionally, I draw on the narratives of individuals and groups, who fall outside these vulnerability categories as established by the aid agencies, but who are nonetheless in need of assistance, and who sometimes mobilize 'vulnerability' to support their claims.

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<sup>4</sup> 'Nearly 100,000 refugee arrivals in Uganda have a silent emergency, enormous needs'. UNHCR Internal Memo date 9 September, 2022. Comments made by the UNHCR Representative in Uganda at UNHCR Global Representatives Meeting 5-7 September, 2022.

<sup>5</sup> *ibid*

<sup>6</sup> *ibid*

<sup>7</sup> Informal conversation with high profile decisionmaker of a protection agency, June 4, 2022. In an informal conversation with a refugee aid worker who also explained that while many Burundians are leaving, many new arrivals are coming to Nakivale due to the ongoing conflict in DRC, June 3, 2022.

## II. METHODOLOGY

The overall objective of the VULNER project is to investigate the existing legal and bureaucratic mechanisms to identify, assess, and address, the vulnerabilities among migrants seeking protection, and to reflect on how existing regulations also take part in shaping and producing vulnerabilities experienced by migrants (Leboeuf, 2021). Uganda is one of the selected case-studies, given its long-standing tradition of mobilising ‘vulnerability’ when identifying target groups and individuals among the refugee population.

In line with this goal, the first research phase of the VULNER project in Uganda consisted of desktop research, combined with an empirical inquiry to understand how the relevant legal framework and administrative guidelines define vulnerabilities of refugees in Uganda, and how these guidelines are implemented by aid workers through their daily practices. In particular, the first VULNER report on Uganda sought to understand how ‘vulnerability’ was defined by in the mandates of various aid agencies in their humanitarian response, and how this is implemented by aid workers within international aid organisations and state agencies. Consequently, the VULNER report on Uganda (Nakueira, 2021) gave an account of how refugees’ vulnerabilities are defined and addressed by frontline workers and decisionmakers in Uganda’s humanitarian system. In contrast, the second phase of the VULNER project focusses on refugees’ experiences of vulnerabilities, including how these are also shaped by the practices of humanitarian workers and civil servants. The objective is to understand how refugees experience the laws and policies that aim to protect them and guarantee their rights when they seek international protection in Uganda.

In this chapter, I detail the ethnographic research methods that were used to collect data on refugees’ experiences, including the sites where observations were made and how the interlocutors were identified for interviews (2.1.). I also reflect on how my position in the field, as a Uganda scholar affiliated to a Western research institution (the Max Planck Institute for Social Anthropology, which is based in Halle an der Saale in Germany), affected the data collection process (2.2.), and on how I navigated the specific challenges that resulted from the COVID epidemic (2.3.). Lastly, I explain how I implemented the overall ethics strategy that was developed for the VULNER project (2.4.).

### **2.1. An Ethnographic Approach to Refugees’ Vulnerabilities**

An ethnographic study (using in-depth interviews, informal conversations, focus group discussions, participant observation, and a review of pertinent vulnerability assessment documents) was conducted to provide a grounded approach to the functioning of Uganda’s humanitarian protection system. The criteria for selecting the field sites and the interlocutors, with whom in-depth interviews were conducted, are outlined below.

#### 2.1.1. Sites where Fieldwork was Conducted

As shown in the previous VULNER report, Uganda has a holistic protection system, which envisions protection as encompassing health, physical security, education, legal protection, livelihood, shelter, water, and sanitation, as critical to the wellbeing of protection seekers (Nakueira, 2021). Therefore, the choice of sites in which to collect data was guided by the humanitarian services provided in the settlement, in-

cluding all the operational sites of the institutional interlocutors, with whom I met during the first phase of the research. This allowed me to triangulate what was stated in the interviews by humanitarian actors and civil servants with the perspective of refugees.

To this end, a multi-sited study was conducted in various physical spaces in Nakivale settlement and outside the settlement in the precinct city, Mbarara. Participant observations and in-depth and informal interviews were conducted at health clinics, police stations, prisons, community outreach programs, food/cash distribution points, inside agencies' offices, markets, refugee dwellings, and at water collection in some of the villages that are part of the Nakivale settlement. These sites were selected because they are the places where refugees seeking various forms of services are assessed for key humanitarian interventions or interact with the humanitarian system or state agencies. Moreover, these sites are varied and also include spaces where refugees engage in everyday life activities (such as water collection points and markets) or where they live.

To ensure that the perspectives of various refugees were included, a lot of time was spent at Base Camp (which is the central place where most of the aid offices are located), and in various villages with varying degrees of access to humanitarian aid services. Interviews were also conducted in distant villages to understand how spatiality affects access to services and, by implication, refugees' experiences of their vulnerabilities.

Entry to the various spaces or sites where I collected the data and conducted observations was facilitated by refugees and aid workers. Some aid workers were already familiar with my work in the settlement, and they were thus very welcoming. Other aid workers approached me themselves, because I had been introduced to them virtually and they had already participated in the first phase of fieldwork (in 2021). The aid workers who approached me often invited me to accompany them in the field, which gave me an 'insider's' view of how field officers implemented their respective mandates. There was a constant oscillation between two worlds (the world of refugees and that of aid workers), which allowed me to understand the perspectives of my interlocutors from their respective vantage points.

In line with decolonial research methods, which seek to counter epistemic violence that results from sidelining the knowledge of the people we study (Smith, 2012; Ndlovu-Gatsheni, 2017), I sought to systematically involve both refugees and aid workers in producing knowledge. For instance, I employed refugees, aid workers, and 'refugee-aid workers', i.e. refugees who are employed by humanitarian organisations, as my field assistants. These field assistants were chosen based on their work experience; multi-lingual skills; knowledge of concrete protection gaps in the settlement; or ability to negotiate access to the gatekeepers in their respective communities. Their role was vital as they not only introduced me to interlocutors and pointed out critical spaces where observations could be conducted, but they also interpreted nuances, such as how vulnerability categories were mobilised, or how vulnerabilities were experienced in the context of specific settlements. Together we discussed and revised interview questions, so as to capture the concrete experiences of refugees. Thus, the information produced in this report was co-produced with their input.

### 2.1.2. Selection Criteria of Research Participants

A total number of 311 in-depth interviews were conducted over a 3-month period (April to June 2021) with refugees from the DRC, Burundi, and Rwanda. The criteria for selecting research participants included random and purposeful sampling. It was random in the sense that most of the time, participants approached me themselves. Some participants approached me because they heard that I was conducting research on refugees' vulnerabilities, and they hoped that participating in my study could help them get resettled to Europe, or grant them access to humanitarian interventions from which they had been excluded.<sup>8</sup>

Purposeful sampling comprised both inductive and deductive approaches to ensure that diverse experiences of vulnerability were captured. Some interlocutors were selected based on the bureaucratic categorizations of 'vulnerability' established by the numerous aid agencies, which commonly include elderly women and men, LGBTQIA+, SGBV men and women, and people with disabilities (PWDs). Interlocutors in these categories were identified based on data collected in the first phase of this project and my 5-year fieldwork experience conducting research on vulnerability criteria for resettlement programs in Uganda. Other interlocutors were selected based on how they defined themselves. They include the refugees who are not recognised bureaucratically as 'vulnerable', but who define themselves as such – namely people from marginalised groups, such as ethnic minorities, or people with albinism. Some of these interlocutors approached me on their own, while others were referred to me by leaders within the refugee communities.

Among these interlocutors, some lead or are members of refugee-led organisations. Many of the refugee-led organisations were founded by refugees themselves, to advocate for their specific protection needs. They also play a major role in identifying protection gaps and lobbying aid agencies, in their efforts to meet the needs of their members who do not fall under the vulnerability categories as targeted by aid organisations (albeit with limited success).

This approach allowed me to concretely capture the way vulnerabilities are experienced by those who are categorised as vulnerable, and those who are excluded from the vulnerability categories, but who nonetheless consider themselves as particularly vulnerable and feel that their specific problems are ignored by the aid system. Since the VULNER research project also seeks to capture experiences of vulnerability resulting from refugees' experiences of bureaucratic practices (including vulnerability assessments), interviewing those who are excluded from the vulnerability criteria as set by aid agencies' guidelines and mandates is critical to understanding refugees' perspectives on their practices and aid programs. The oscillation between the two worlds (the world of refugees and that of aid workers, whose practices were the focus of the first research report) allowed me to understand the perspectives of my interlocutors from their respective vantage points.

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<sup>8</sup> In line with the overall ethics strategy that was established for the VULNER project, I was careful to avoid any misunderstanding on my position as an independent researcher, who has no influence on resettlement processes and on the allocation of aid services.

## 2.2. Positionality and its Effects on Data Collection

Despite my efforts to reduce power asymmetries, my positionality as a researcher from Germany perpetuated the misunderstanding that I had been sent by the EU to identify vulnerable people for resettlement. This lent me perceived power over interlocutors, who sought to participate in interviews and were eager to waive confidentiality on consent forms as a result. However, I made it clear that I had no power to influence any policy or resettle anyone prior to conducting interviews, and I was careful to repeat this during interactions with refugees or in meetings arranged by leaders of refugee organisations. In line with the VULNER ethics strategy,<sup>9</sup> I was careful to respect the ‘do not harm’ principle and to avoid raising false hopes, and I thought it prudent to always explain my limitations as a researcher to bring about direct change in their circumstances.

I was inundated with the number of people I could interview during the fieldwork period. There was a competition of who should be interviewed first, so in many cases, I had to be brief in order to listen to as many people’s testimonies of their experiences as I could. This was to ensure that I was fair to those who wanted to participate, and in many cases some participants that had previously come for an interview had to wait long periods (often with no success, due to time constraints). The reason for the high interest in being interviewed could have been influenced by the timing<sup>10</sup> of the project and its focus on refugees’ experiences of vulnerability.<sup>11</sup> Refugees appreciated that the project gave them an opportunity to articulate and voice their own experiences, and they hoped that this bottom-up approach would improve future humanitarian interventions.

Additionally, I at times felt that some refugees’ experiences were presented in ways that fit the vulnerability categories for resettlement – even though I told them repeatedly that the study bears no connection to any resettlement scheme. The data collected is nonetheless valid because, in explaining their life challenges, interlocutors focused on issues that affected their everyday life. The challenges they raised were triangulated in different ways (including through participant observation, informal conversations with aid workers and numerous refugees and documentary analysis and literature review of empirical research conducted in this settlement). Thus, the veracity and therefore validity of refugees’ accounts was not at issue. Rather, what was evident was that in explaining the challenges they faced, participants laboured to convince me that resettlement was the only acceptable durable solution that could end their suffering.

Field assistants who were recruited for the project were sometimes approached with offers of bribes to grant access to be interviewed for the project. To stop this, I distributed my business cards to as many refugees as possible so that they could contact me directly, and I stressed repeatedly that they should not be charged by anyone to speak to me. I also assured them that I would present their problems as authentically as I could in the report, and that it was up to policy makers and various stakeholders to take practical decisions to improve their situation.

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<sup>9</sup> See the VULNER ethics strategy here: <https://www.vulner.eu/106307/Ethics>

<sup>10</sup> The research was conducted at a time when borders had just opened after suspension of research in refugee settlement. There was hardly any researchers in the settlement as a result.

<sup>11</sup> One aid worker, a refugee himself, explained to me that I would have no shortage of interviewees because refugees ‘like to talk about their problems’. Informal conversation with field assistant. April, 2021.

Transparency was important to avoid raising high expectations, but so was preventing the research from becoming merely extractive. Many participants openly expressed their frustration about participating in research projects that did not bring about improvement in their circumstances. To prevent this, I followed up with different aid agencies on various queries that refugees had. I shopped mainly from refugee run establishments and, in one case where an interlocutor was visibly ill, I cancelled interviews for that day and took the interlocutor for medical examination at a private clinic outside the settlement. I also provided her with the recommended 6 months nutritional support from my own expenses, long after the fieldwork had ended. To the extent that I could, I distributed food and clothes from donations lobbied from close friends and family. These tokens were distributed days or weeks after interviews, so that they did not act as incentives to participate in research.

Lastly, my position as a cisgender woman was particularly crucial to interviewing LGBTQIA+ interlocutors and men who had experienced sexual assault. Interlocutors expressed that they found it easier opening up to women than to men. Most insisted on choosing their own interpreters instead of relying on my field assistants, who were mostly men. Moreover, when they found out that I had a doctorate in law, this increased their trust in me – as they then became confident that I could understand their situation from a human rights perspective instead of engaging in moral judgement over their sexual and gender identity.

### **2.3. COVID Restrictions and their Impact**

This field research took place when travel restrictions to refugee settlements, which were imposed during the height of the pandemic in 2020, had been lifted. However, there was a 7pm curfew, which meant that I needed to leave the settlement by the end of the afternoon, to travel back to the city in which I was staying. Restrictions regarding the registration of new asylum seekers were still in place, and the reception center was still closed due to the COVID pandemic. Newly arrived asylum seekers (or ‘new arrivals’) were settled in various villages instead of the reception center, and thus they were not easily identifiable because they lived together with the refugee population. Consequently, interviews with newly arrived asylum seekers were a result of chance encounters.

My ability to collect data was not highly impacted and I was able to conduct fieldwork in several sites within the settlement, and to observe in person how aid agencies and civil servants implemented their respective tasks. Refugees did often not wear masks during interviews, although I always offered one to them. As a result, I could observe interlocutors’ facial expressions and read their emotions when they narrated their experiences. To mitigate health risks, my assistants and I endeavoured to keep a safe distance, and we wore our masks during interviews whenever possible. Moreover, interviews were often conducted outside or in open air shelters or large halls.

As will be shown below, the COVID restrictions exacerbated refugees’ existing vulnerabilities or produced new challenges. In June 2022, travel restrictions were reinstated due to increasing numbers of COVID infections. The banning of travel between districts affected livelihood opportunities of some refugees and humanitarian service provision. Service provision in the settlement was also affected by the restriction on the number of people who could travel in vehicles. The effect was that the number of aid workers who could commute to settlements was hampered. These travel restrictions led to my decision to leave not only the field site, but also the country, earlier than initially planned.



## 2.4. Ethical Considerations and Data Protection

In conducting the empirical research for this study, ethical considerations as outlined in the VULNER ethics strategy were strictly adhered to. Each participant's consent was sought verbally or in written form. When storing the interview data, the VULNER project data protection guidelines were implemented: pseudonyms have been used in place of real names, and the interview are stored on a secured cloud. Photographs taken in public spaces were taken only after requesting the consent from those appearing in the pictures as well as from aid workers in charge (if the picture was taken on premises where they provided services). Pictures of interlocutors in private spaces (such as homes) were taken with their prior consent. Moreover, participants were informed of how photographs would be used or reused.

### III. THE LEGAL AND BUREAUCRATIC FRAMEWORK FOR REFUGEE PROTECTION IN UGANDA

The first report gave an in-depth overview of the legal and bureaucratic frameworks that guide the implementation of the asylum process in Uganda, and access to the aid programmes for refugees and asylum seekers (Nakueira, 2021). In this section, I briefly remind of the overall legal and policy context in which refugee aid programmes are implemented (3.1.). I then provide a short summary of the main findings from the first research report, on how ‘vulnerability’ is constructed as a legal and bureaucratic concept, which serves to assess the protection needs of refugees in Uganda and conditions for access to humanitarian services (3.2.).

#### **3.1. From Restrictive to Progressive Refugee Policies and Laws**

Before the enactment of the Refugee Act of 2006, the 1960 Control of the Aliens and Refugees Act regulated refugee movements. This legislation coincided with the fleeing of Tutsi following Rwanda’s first genocide, and it was adopted when Idi Amin was in power. The Act cemented the separation between Ugandans and refugees, which was initiated by the colonial administration, by criminalising the sheltering of refugees. It severely curtailed refugees’ freedom of movement and choice of place of residence.

The Control of Alien’s Act was thus only concerned with the *control* of refugees, and not with establishing standards for their protection (Veradirame and Harrel-Bond, 2005: 29, emphasis in original). The mentality was that refugees were ‘passive-victims’, i.e., people incapable of contributing to the host society (Veradirame and Harrel-Bond, 2005: 29). Many of the provisions contravened national and international laws, but they were not enforced in practice (Holborn, 1975: 1218 cited in Veradirame and Harrel-Bond, 2005: 30).

With the repeal of the Control of Alien’s Act and the adoption of the 2006 Refugee Act and its implementing decrees, domestic refugee law evolved into a very robust and ‘progressive’ legal regime (Hovil, 2018). It incorporates several international human rights treaties that recognize refugees’ rights, such as the 1951 Convention and its 1967 Protocol, and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa. Additionally, Uganda’s constitution confers social, economic and cultural rights to all persons in Uganda—prompting some to argue that this ‘unequivocally include[s] refugees’ (Veradirame and Harrel-Bond, 2005: 28).

#### **3.2. A Whole-of-Society Approach to Vulnerability Assessments**

As described in the first research report, Uganda’s architecture of protection encompasses numerous state agencies and non-state aid organisations, which provide specific interventions to the most vulnerable refugees within the specific scope of their mandate. Some agencies focus exclusively on children, people with mental health issues, or those in need of legal aid. Others cater to the general refugee population. For instance, ‘Alight’ (which is in charge of overall protection of refugees<sup>12</sup> on behalf of UNHCR), ‘Food is Life’ (which hands out food and cash interventions) or ‘Medical Teams International’ (which oversees healthcare). Numerous international and national aid organisations, and state agencies, have devel-

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<sup>12</sup> This means that they were appointed by UNHCR to oversee the protection mandate of all activities in the settlement relating to refugees’ security.

oped their own processes to assess the vulnerabilities of refugees when implementing their respective tasks (that range from healthcare, water and sanitation, housing, livelihoods, education, physical security, legal services, and so forth).

Uganda's approach to refugee protection is designed to be collaborative. The bureaucratic architecture of humanitarian protection in refugee settlements includes multiple actors, whose activities are overseen by the UNHCR and the OPM. UNHCR signs Project Partnership Agreements (PPAs) with Implementing Partners, and Memorandum of Understanding with Operational Partners.<sup>13</sup> The objective is that these diverse organisations provide different but complementary humanitarian services, to improve the well-being of refugees holistically (Nakueira, 2021).

According to the interviews conducted, during the first research phase, with various decision makers working in diverse state agencies and international aid organisations, all forced migrants are considered to be vulnerable (Nakueira, 2021). However, aid workers are mandated to prioritise or offer specific services and interventions to the 'most vulnerable' refugees, which was challenging to do given the high number of very vulnerable refugees. While some aid workers relied on their organisations' guidelines when determining vulnerability, others stated that they could just 'see' who was vulnerable. They then often gave the examples of single women with children, the elderly, and persons with disabilities.

Aid workers also confessed that the number of those who fit the vulnerability criteria, and are thus eligible for a humanitarian intervention from their organization, often exceeded the available resources — leading to difficulties in identifying aid beneficiaries using their vulnerability-assessment criteria. Almost all the aid workers that were interviewed explained that the main problems their organisations faced were resource related. Resource limitations were critical to the point that it threatened the implementation or continuation of vital programs (Nakueira, 2021).

A 'whole-of-society approach' to protection means that agencies and aid organisations that play a crucial role in the welfare of refugees are included in the humanitarian protection system. Uganda's humanitarian system also has focal points in different agencies and aid organisations, where the most vulnerable individuals can be identified, and referred to the agencies with the mandate to address their specific needs. Since the actors have different mandates, they also have different approaches to assessing vulnerability. Thus, depending on whether the organisation catered to legal needs, health, education, physical protection, or livelihoods, the people who were categorised as vulnerable varied accordingly. Their assessment was nonetheless guided by the UNHCR categories of vulnerability, which are based on Age, Gender and Diversity (AGD), and with which all organisations are bound.<sup>14</sup> The AGD takes a 'people-centred' approach to 'vulnerability', which aims to effectively address the intersectional issues that affect people in situations of 'forced displacement or statelessness'<sup>15</sup>. Under the AGD policy, the target groups for interventions are divided in different categories, which include: 'children and adolescents', 'youth, older persons'<sup>16</sup>; 'women and children'; 'men and boys'; and Lesbian, gay, transgender, and intersex (LGBTI); disabled persons; and 'women, men, girls and boys belonging to *national, or ethnic, religious and linguistic minorities, or indige-*

13 Personal Conversation December, 2021. All provide humanitarian services, but the implementing partners receive UNHCR funding, while the operating partners do not.

14 Informal conversation with UNHCR interlocutor, 24 August, 2022. Also see UNHCR/HCP/2018/1 'Policy on Age, Gender and Diversity [24 August, 2022] p.5. Hereinafter 'AGD Policy'.

15 AGD Policy, p.3.

16 AGD Policy, p.15

*nous groups'* (emphasis in original).<sup>17</sup> Standardised vulnerability codes were developed to determine the types of interventions and support to various vulnerable groups. These vulnerability codes also inform UNHCR programming for humanitarian assistance and protection services generally.

Some of the codes used to describe vulnerable children include children at risk, children with special education needs, children engaged in other forms of labour, children at risk of not attending school, separated children, unaccompanied or separated children, children headed household. Various categories of vulnerabilities may be combined to classify refugees who fall under more than one of the criteria, and as a result some of them may be classified as 'EVIs' (Extremely Vulnerable Individuals).<sup>18</sup> Moreover, UNHCR considers the refugees who have made multiple displacements, or the people who are at risk of refoulement or at risk of removal, as being vulnerable.

Although Uganda's refugee laws and policies are meant to grant refugees the most adequate protection, several factors hinder refugees' full enjoyment of their rights. First, humanitarian aid and services are offered in the dedicated refugee settlements, and Uganda's refugee policy is 'aimed to facilitate self-sufficiency through agriculture in confined settlements' (Veridirame and Harrel-Bond, 2005: 36). Although refugees are not confined in settlements, those who live outside the settlements are deemed to be self-reliant.<sup>19</sup> Moreover, those who travel outside the settlements need to get a prior authorization from OPM. While this is required from all refugees, it has a particular impact on the most vulnerable, when they need specialized treatment outside the settlement (to which they can only access if they received an explicit referral note from the concerned aid organisations).

Second, the dependence on donor funding by some aid organisations largely shaped their assessment and classification of refugees' vulnerabilities. Criteria for identifying the 'most vulnerable' individuals or groups depended on donors' interests and on the kind of the programs they were willing to finance, with the effect that assessment criteria for vulnerable persons changed with the type of programs.<sup>20</sup> As funding for some programs ended, and new ones were initiated, the criteria for assessing beneficiaries also changed. One example, where such change in assessment criteria changed depending on the funding programs, is Legal Aid International (as will be elaborated on more below).

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17 Ibid. p.16

18 For an exhaustive list of vulnerability codes and categories please see <https://data2.unhcr.org/fr/documents/download/48956> [1 Sept 2022]. This list is a standard and exhaustive list used globally in all refugee operations.

19 Interviews with RSDOs and Registration Officer, Refugee Desk Kampala, 2021.

20 Often, these programs were not rooted in the contextual realities and refugees complained that they did not address their challenges. This was also noted by a government official who he criticized humanitarian interventions that are designed in the Global North for implementation in the Global South (Nakueira, 2021).

## **IV. VULNERABILITIES AND PERSONAL CIRCUMSTANCES**

This chapter discusses the main personal circumstances that contribute to shaping refugees' experiences of their vulnerabilities, and how they intertwine with each other to worsen their conditions. By 'personal circumstances', I am referring to the experiences and characteristics that are specific to the individual profile of the refugees I interviewed, such as the persecutions they endured, their age, gender, and/or health status. In other words, I take a heuristic approach that focuses on refugees as individuals, when analyzing their experiences in order to identify the factors that contribute to shaping them. The other sections of the report will look at how such experiences are also shaped through encounters with humanitarian actors, and how the refugee protection regime is organized.

This chapter shows how some of the experiences of vulnerability among refugees in Nakivale settlement can be traced back to their past experiences in the country of origin, and to the individual characteristics that are emphasized in the current vulnerability assessment mechanisms (age, gender, health, and disabilities), including the social stigma and marginalization that result from some of these characteristics (such as sexual orientation and gender identity, sexual and/or gender based violence, or dwarfism). In doing so, I show how these characteristics are often intertwined, and how they merge with everyday life challenges in ways that exacerbate experiences of vulnerability among refugees.

### **4.1. Vulnerabilities in the Countries of Origin and their Effects in Uganda. The Case of Male Survivors of SGBV**

Refugees' experiences before and during the flight often lead to trauma, which can be further exacerbated in countries of asylum due to 'current life stressors' – such as poverty, unemployment, social isolation, and gender-based violence (Miller and Rasmussen cited in *Development Pathways*, 2020:18). Refugees' experiences of violence in countries of origin often merge with current life stressors in Uganda, in ways that prolong post-traumatic stress and produce additional forms of vulnerability. Here, I focus on sexual and gender-based violence, which were recurring themes in my encounters with refugees and aid workers when discussing the consequences of past events on the vulnerabilities that refugees face in Uganda.

Sexual and gender-based violence against women and girls in conflict situations has led to major developments, culminating in the deployment of 'women's protection advisors' in UN peacekeeping missions, and in the establishment of indicators for addressing their specific protection needs.<sup>21</sup> However, Kiss et al. note that not much attention has been given to the rape of men and boys and LGBTQI+ persons (Kiss et al, 2020:2). A UN report similarly states that:

[t]he rape of men and boys has been used to attack their socially constructed identity as 'protectors', and to inflict humiliation, given prevailing stereotypes about masculine invulnerability (UN Report, 2020:6)<sup>22</sup>

21 United Nations (UN). Report of the secretary general. On conflict- related sexual violence. Geneva : United Nations ; 2020. Available at <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2020/07/report/conflict-related-sexual-violence-report-of-the-united-nations-secretary-general/2019-SG-Report.pdf> [ 11 September, 2022].

22 United Nations (UN). Report of the secretary general. On conflict- related sexual violence. Geneva : United Nations ; 2020. Available at <https://www.un.org/sexualviolenceinconflict/wp-content/uploads/2020/07/report/conflict-related-sexual-violence-report-of-the-united-nations-secretary-general/2019-SG-Report.pdf> [11 September, 2022].

My field assistant and I met with a group of over 100 male refugees who had undergone sexual violence at the hands of male and female perpetrators in their home countries. These men were members of a refugee-led association called 'Men of Peace' (MoP). The members had grown in number from 2019, which is the last time I talked to its founder (who has since been resettled to the U.S.). Their accounts of the past violence corroborated those mentioned in UN reports.<sup>23</sup> They included being forced to undress in front of family members, being raped (often in front of their family members), being forced to rape their mothers, and/or being forced to watch their wives being raped.

In their narratives, interlocutors emphasized their need of dedicated medical interventions. Some were left incapable of fulfilling their conjugal rights due to the psychological trauma. This was particularly the case for those who were forced to rape their mothers, or who were raped in front of a spouse. This in turn affected their marriages, with spouses leaving them. Others confessed to not telling their spouses that they were victims of sexual violence, out of fear of losing their respect. Some mentioned that they were rejected by their family members and places of worship, who associate them to queer people because of their traditional belief that men cannot be raped.

Before I interviewed the members of MoP, the leaders of the group explained the main problems they faced in the settlement. The issues brought up by the leaders were reiterated in the one-on-one interviews that we conducted. All complained that aid agencies failed to respond to their needs that relate, for example, to the access of adequate healthcare and surgery to repair the consequences of SGBV (such as anal bleedings, erectile dysfunction, and so forth). They attributed the social stigma of being labelled as gay men by other refugees to the dominant belief that men could not be victims of sexual violence. Some were frustrated that they had been blacklisted or sidelined – sometimes even by local aid organisations that had involved MoP in their application to obtain international funding for their SGBV programmes when they demanded accountability for the donor funding. Additionally, they complained that some aid workers were ill equipped to provide psychological support because they were skeptical that men could be raped. For example, my field assistant, who is also a member of MoP, recounted an incident in which a female aid worker expressed disbelief that some of the members of MoP were seeking medical intervention as a result of sexual violence:

*'She asked them whether they had really been raped, or whether they were motivated by the meal they would get after getting medical intervention. This offended the victims of sexual violence, and they vowed to never seek help from that agency again.'*<sup>24</sup>

The suffering of SGBV men was worsened by the lack of job prospects which, as many explained, further emasculated them. Many SGBV victims were unemployed and could not provide for their families, which also 'undermine[d] their sense of masculinity' (Twigt, 2022:60; Kiss et al, 2020:2; UN Report, 2020) given that, in many African countries, men are considered as the ones who should be the main or sole breadwinners and the protectors of the household. Therefore, by African patriarchal norms, interlocutors stated that people (including their spouses) did not regard them as 'real' men anymore.<sup>25</sup>

<sup>23</sup> Ibid. The former leader of Men of Peace developed assessment forms, which male victims of SGBV fill in when gaining membership to the association.

<sup>24</sup> Conversation with field-assistant June, 2021.

<sup>25</sup> The issue is widespread in the settlement, and it doesn't affect men who were victims of SGBV specifically. Women are often the breadwinners, owing to jobs as maids or in the aid agencies, while their male counterparts often find it difficult to cope in a context that they perceive as emasculating. In the ethnographic work she conducted in the Nakivale settlement, Krause states that her interlocutors often blamed the idleness of men for engendering depression and the resulting sexual or domestic violence (Krause, 2022).

Due to these challenges, interlocutors felt that Uganda did not have a durable solution for them. They advocated for group resettlement (as opposed to individual case by case assessment), arguing that they should receive the same treatment as LGBTQI+ people. They reasoned that they were targeted as a group and thus faced similar insecurity and stigmatization in the settlement as gay people. They were adamant that they did not see any possibility of integrating in the settlement – thus mobilizing UNHCR’s eligibility criteria for resettlement, which benefits the refugees who ‘for the foreseeable future, have no long-term prospects of integrating in the country of asylum’ (UNHCR Resettlement Handbook, 2011).

The difficulties that male victims of SGBV encounter also have to do with the specialized mandates of the aid agencies, whose programmes until recently<sup>26</sup> largely centered on sexual violence against women and girls (Kiss, et al, 2020).<sup>27</sup> Men have historically been excluded from humanitarian programs, which are designed to address the specific protection needs of victims of Sexual and Gender Based Violence because they usually focus on women as ‘primary victims’(George et al, 2021:16). SGBV against men and boys is often described as ‘torture, mutilation or degrading treatment’ (see for instance Priddy, 2013; Carpenter, 2006; and Sivakumaram, 2007 cited in Kiss et al., 2020: 2), and it is rarely acknowledged in its gender and sexual nature.

The 5-year interagency SGBV strategy for Uganda (2016-2020) that was established by the UNHCR recognizes this issue and states that:

*‘particular attention to most vulnerable groups will be paid to the protection of children against SGBV, male survivors and persons with specific needs’ (emphasis in original)*<sup>28</sup>

The updated GBV strategic plan (2021-2025) similarly promises:

*‘A robust, quality, specialized and accessible response and case management system is in place and the referral pathways well understood by all refugees and service providers to offer immediate interventions aimed at addressing GBV<sup>29</sup> survivor’s immediate needs including physical safety, health concerns, psychosocial needs, and access to justice.’<sup>30</sup>*

Male survivors of SGBV are thus included as a target group, and one of the strategic objectives of the UNHCR GBV plan is to enhance the ‘identification of male survivors, children at risk and other marginalized groups.’ When the interviews with MoP were conducted (mid-June 2021), however, it was not clear whether UNHCR’s objectives would suffice to sustain a change in the practices of the humanitarian aid agencies. As already mentioned, these practices are in part shaped by protection mandates and donor programs being funded during a particular and limited period.

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26 At the time of fieldwork, Legal Aid International had received funding for male SGBV survivors.

27 Kiss et al. also note that in comparison to women and men in similar situations, there is a scholarly gap regarding the health needs of men and boys who have undergone ‘sexual violence in conflict’ (Kiss et al, 2020:2).

28 UNHCR 5-Year inter-agency SGBV strategy Uganda (2016-2020), p.2. Available at <https://reliefweb.int/report/uganda/5-year-interagency-sgbv-strategy-uganda-2016-2020>

29 GBV (Gender- Based Violence) is the new term that has been introduced by UNHCR to replace SGBV. It recognises that violence is not always sexual in nature, and that people of any gender may face various types of abuse or violence.

30 UNHCR 5-year interagency GBV Strategy Uganda 2021-2025. Available at <https://data.unhcr.org/en/documents/details/92618> [11 September, 2022].

## 4.2. Age

Age is often understood to be among the circumstances that contribute to placing people in vulnerable positions, and the aid beneficiaries' age is often considered in determining eligibility for humanitarian interventions. Elderly people (60 years and above), and children under 5 years old, are commonly identified as EVIs—Extremely Vulnerable Individuals. For example, infants are the main targets of health programmes, that aim to combat malnutrition. The elderly are prioritized in queues at food distribution points.

In the interviews conducted with elderly interlocutors, they mostly emphasized how their experiences of hardships in the settlement goes way beyond food issues, which they noted as a chronic problem. In addition to having no family or caretakers, many of their problems could often be traced back to the traumatic experiences, which they underwent or were exposed to when fleeing their countries of origin. These traumatic experiences were so intense<sup>31</sup> that, even though they had happened several decades prior, they still caused recurring nightmares — suggesting the existence of mental health problems. These issues, coupled with everyday life stressors, like lack of income or the fear of dying alone, contributed to their experiences of vulnerability.

### 4.2.1. Children

Nakivale has a high number of children who were orphaned during conflicts, or who were separated from their parents when fleeing. This is because of the proximity to countries in recurring conflicts, such as the DRC and Burundi. I did not conduct interviews with minors, out of fear of causing them harm and reviving traumas, but I was able to identify their specific life challenges, based on the interviews conducted with their parents or guardians or the professionals who care for them (such as aid workers in children's agencies).

Violent experiences in the countries of origin continue to haunt children in post-conflict spaces. On a field visit to the Nakivale settlement in 2019, for example, aid workers introduced me to an under-aged Burundian girl, who was gang-raped by a group of Hutu militia men. Upon discovering that she was pregnant, her Tutsi father chased her from home, saying that he did not want a Hutu-grandchild. In the settlement, she not only worried about feeding her child, but also about what she would eventually tell him about his father. Another unaccompanied minor witnessed his parents being killed and was separated from his siblings as they fled in different directions. His guardian, a Burundian refugee from Rwanda, explained that the boy was worried about the whereabouts of his siblings and paranoid that he was being followed in the settlement, and that he was skipping classes as a result. During an interview, which took place in the first phase of the research with a key decision maker working with Tutapona, the aid organisation in charge of offering mental health services emphasised the need of children-specific mental health programmes.<sup>32</sup>

Besides trauma and mental health issues among children, many parents complained about not having the financial means to cover the minimal fees required to attend school. Uganda offers free primary and secondary education, but some schools charge minimal costs, which many of the parents confessed to being unable to afford because they are unemployed.

<sup>31</sup> The elderly interlocutors I interviewed had witnessed the killing of their entire families or had been forced to either kill their family members themselves or be killed and had chosen to save their lives.

<sup>32</sup> Interview with Tutatopna , 2020.



Lastly, many parents complained about lacking sufficient food to feed their children, because of the small amount of financial aid they receive (more on this below). A Burundian single mother, whose 5-year-old daughter had been defiled and was thus receiving drugs which had to be ingested with meals, worried that she could no longer afford to buy food for her child and sought advice on how to keep up with the child's medication. She was turned away by an aid agency, which used to address the needs of Burundian refugee women who had been victims of SGBV. The program for Burundian nationals had long ended and, although the organisation still dealt with SGBV issues, they were focusing on SGBV men, in line with more recent funding priorities. The aid workers explained to her that they did not deal with SGBV cases related to women or children and referred her to another aid organization, 'Alight' – which is a decision that she did not comprehend.

School closures resulting from COVID restrictions had major effects on children. Schools were closed for 2 years, making Uganda the country with the longest running school closure worldwide.<sup>33</sup> A high-profile decision maker working with 'Alight', one of the UNHCR's implementing partner for refugee protection, related the increased child pregnancies and child labour, to the school closures. This illustrates the role of the educational system in mitigating vulnerabilities among children. Commenting on the closure of schools, for example, Oxfam cautioned that this resulted in a lack of safe spaces for children.<sup>34</sup>

#### 4.2.2. The Elderly

By the elderly, I refer to people that fall within the age bracket of 60-100 years, in line with the practices of the aid workers who, when interviewed, described anyone of 60 years and above as an 'elderly' person.<sup>35</sup> UNHCR also considers refugees over 60 as 'older persons at risk' (knowing that 60 years old is the 'UN-agreed cut off age', but that it can be adjusted if a person appears to be at risk because of their age). My field assistants also used the terms *Mukadde* or *Mzee* as polite descriptors of women and men within that age group.

Issues faced by elderly interlocutors ranged from language barrier, sexual assault,<sup>36</sup> long distances to food distribution points that make them prone to being robbed, and insufficient food rations – causing malnourishment. Many elderly people were either in single size households, or they were care givers to children, whose parents had died during conflicts in their countries of origin. In conversations with refugee aid workers, they explained that people in single size households were more vulnerable, because they cannot pool the resources from the cash-based transfers with other members in the household to start a business, or to buy food in bulk. Thus, they cannot stretch the meagre cash-for-food aid to get them through the month.

Many of the elderly people we encountered did not work. Those who farmed complained of poor yields, which made them largely dependent on humanitarian aid. Some were malnourished or complained of going days without food. An elderly single woman of 61 years said that she survives by digging (farming)

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33 'Uganda Reopens schools After World's Longest COVID Lockdown'. New York Times Available at <https://www.nytimes.com/2022/01/10/world/africa/uganda-schools-reopen.html> [ August 15, 2022].

34 'COVID-19 in Uganda : no school means no safe space for young refugees'. <https://www.oxfam.org/en/blogs/covid-19-uganda-no-school-means-no-safe-space-young-refugees> [August 15, 2022].

35 Guidance on UNHCR Specific Needs Code, P.3.

36 In a prison visit with one of the aid agency, a refugee admitted to one of the lawyers I was shadowing that he had raped an elderly woman. May 2021.

for other people, but that she fails to make ends meet. She complained about the health care system, and the fact that the medication she received was not aligned to her sickness. Like many other elderly interlocutors we spoke to, the main challenges she faced were insufficient funds to buy food, and difficulties in fetching water (water points are very distant, and affected by long queues). Unlike other interlocutors, she also mentioned a lack of clothing.

Chronic health issues, such as living with HIV or Tuberculosis and lacking proper medication, including specific health issues arising from the atrocities experienced in countries of origin, often exacerbate the experiences of vulnerabilities among the elderly interlocutors. However, their vulnerabilities impacted them very differently depending on their household composition and whether they had support from other refugees or not.

Some elderly people lived alone, with no family members to support them, and expressed acute distress as a result. One elderly Burundian man, who had been ordered to kill his entire family with a machete before fleeing his home country, was now living by himself.<sup>37</sup> His legs were swollen, and he complained of heart issues at the time of the interview. He explained that at his age he was unable to fetch water, and that he had to rely on a friend to collect food aid on his behalf. His house, which was among those that were built by the aid agencies for People with Special Needs (PSNs), suggested that they had identified him as an extremely vulnerable individual (EVI). Yet, he complained that no aid worker had checked on him in several years. He narrated that there was a time when he was too sick to leave the house and was bedridden for 3 days. He feared that he would die, and that nobody would notice:

*'In three years, no one has checked on me. Only community workers [who are also refugees in charge of identifying cases (by doing home visits) and handle them or refer them to supervisors]. They—the people from the aid agencies have not helped. Even sometimes I get so sick and I remain in this room alone until God gives me energy. I do not have a caretaker; these neighbours do not help me at all.'*<sup>38</sup>

Another example is of a 61 year old female interlocutor whose husband had HIV/AIDS after refusing to take his medication, and who had been abandoned by her son thereafter. With no job to support herself, and living with HIV/AIDS, she asked for help in tracing her son who she thought was living in Kenya.<sup>39</sup>

Among those living with family members, some were living with their minor grandchildren and acting as their sole caregivers. In such cases, the worry of not being able of caring for their grandchildren further compounded their vulnerabilities. In one interview, Grace, a 63-year-old single and elderly woman, who was looking for her grandchildren after their parents died from HIV/AIDS, stated that her main wish towards the aid agencies is that they 'make the children stay in school.'<sup>40</sup>

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37 In an interview with one translator, he had explained to me that rebels had killed his entire family. However, on one of my recurring visits to him, another field assistant who had conducted the translation between him and one of the aid agencies the assistant told me that Mzee had been forced to kill his entire family in exchange for his life.

38 Interview with Mzee Kabera, 21st April, 2021.

39 Interview with Burundian female, conducted by Penelope, May 2021.

40 Interview with Grace, elderly refugee, 30 April 2021.

### 4.3. Women at Risk

UNHCR uses the category ‘Women at risk’ to classify refugees ‘who are at risk because of their gender, such as single mothers or caregivers, single women, widows, older women, women with disabilities and survivors of violence.’<sup>41</sup> Many of the women I met during fieldwork fell into these categories. In the case of the latter, UNHCR acknowledged that not all single women were at risk and gave guidance to classify people as such only ‘where the single status resulted in a protection concern.’<sup>42</sup>

The circumstances that led the women I met to be classified as ‘women at risk’ were varied. Their men had either abandoned them, or they had died during the war in their home countries, or by other causes in the settlement. One stated that her husband had just disappeared one day and never returned. Others were single mothers, as a result of rape during war or within the settlement, or because of transactional sex relations.

Many of the single women that were interviewed complained about insufficient funds provided by World Food Program (WFP), known as cash-for-food (4 EUR, equivalent). The cash-for-food money they received could not sufficiently cover their food expenses.<sup>43</sup> They also complained about the poor healthcare system, reporting similar issues to the ones that other participants in this study had given – such as the lack of medicine, and that they ‘always get medicine which is not for the presented sickness.’<sup>44</sup> A common and specific thread among the single mothers we interviewed, however, is that caring for children exacerbates their distress and worries because of the lack of resources. Besides access to food and healthcare, all stated education as the most pressing issue, and worried that they could not afford to pay school fees for their children. One interviewee stated:

*‘Being a single mother is not easy. My accommodation is a problem. The plastic is old [Plastic sheet provided by UNHCR for shelter]. My children were going to Kashojwa Primary School but later I realised the quality of education given is not fair [meaning it is poor], I put them in private school but school fees are a problem.’<sup>45</sup>*

A single 23-year-old woman stated:

*‘I have a problem of basics [basic needs], I have a child whose father is not taking care, the father has abandoned us, I struggle to get food and all the necessities for the child to survive.’<sup>46</sup>*

Moreover, women generally reported difficulties in finding jobs. For example, Karemera emphasised that, although she speaks several languages, she could not find a job. Elaborating on the challenges she was facing, she said:

*‘Getting job in Uganda is not easy for us who come from French speaking countries. That is why we have remained under poverty.’<sup>47</sup>*

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41 UNHCR Specific Needs Code at 3.

42 UNHCR Specific Needs Code at 4.

43 Some extremely vulnerable people get food rations and the rest get cash-for-food assistance of less than 5 Euros.

44 Interview with Karemera, 10 May, 2021.

45 Interview with Grace, elderly refugee 30 April 2021.

46 Interview with Karemera, 10 May, 2021.

47 Interview with Karemera, 10 May, 2021.

Karemera's story was the story of many single women in the settlement. People familiar with Uganda's high unemployment rate (currently at 70%) are aware that it is not any easier for men to find work. Yet, the challenges seem heavier for women, and even more so for those who had to interrupt their education when they became single mothers in their teenage years, whilst living in the camp, or because of rape before fleeing to Uganda where they gave birth. Some were then also abandoned by their family members. This further highlights the intertwining factors that intersect and make experiences of vulnerability difficult to untangle. As 19-year-old Anais recounts:

*'I was impregnated when I was 16 and the kids father ran away. It was in 2018 in Nakivale. He might have feared that he would go to jail. Since then, I have a problem of inadequate support for my child. I face a challenge of food. I have to rent a house for accommodation. I can't stay with my grandmother because of the big family in the same house.'*<sup>48</sup>

Regarding what solutions they envisioned to solve the problems they faced in the settlement, respondents wanted aid agencies to help them with financial support for their children, or replacement with the plastic roofing sheet for their shelter. Many refugees of Rwandan descent expressed their wish to apply for Ugandan citizenship, but they didn't know the procedure. A woman stated that she tried to acquire citizenship, without success. Having fled Rwanda in 1994 to Tanzania and then to Uganda in 2001, she echoes the voices of many Rwandan Hutus, saying:

*'We have always asked for [citizenship]. We can feel secure when we become citizens of Uganda because we don't have peace in our country Rwanda.'*<sup>49</sup>

#### 4.4. Poor Healthcare

Lack of access to medicine was a particularly dominant issue in all the testimonies with protection seekers, regardless of whether they were chronically ill or not. People with HIV/AIDS and other chronic diseases (such as diabetes, cancer, tuberculosis, or heart diseases) are classified under the UNHCR vulnerability category 'serious medical conditions'.<sup>50</sup> This allows the service providers to target them for treatment, nutritional support, and other non-food items.<sup>51</sup>

In interviews, many refugees complained about the health care system and the lack of appropriate medication. I also observed this in the healthcare center of Nakivale settlement: Painkillers were handed to patients, to compensate for the absence of the medication that doctors had prescribed. On the day I conducted observations at the healthcare centre, only two doctors were on duty, and there was a long queue of patients. Narrating her experience at the same healthcare centre, a single woman living with HIV stated that:

*'It is not easy to get a doctor. We get medication which are not efficient. I'm suffering from ulcers but when I go there, I get Panadol and Ibuprofen. It is not easy to get referral to Mbarara hospital [the main hospital in the region].'*<sup>52</sup>

48 Interview with Anais 10, May, 2021.

49 Interview with Umererwa 30 April 2021.

50 UNHCR Special Needs Code, P.6.

51 UNHCR Special Needs Code, P.6.

52 Interview conducted with a Burundian refugee by field assistant Tom, April 2021.

She also explained how the lack of adequate financial support for food exacerbated her vulnerability as a person living with HIV. She explained that she coped by begging because the monthly Cash based transfer of 19,000 UGX (4 Euros) provided by World Food Program for food was not enough. She explained, the resulting implications for her health: 'For us who are HIV positive it is not easy to take ARVs<sup>53</sup> when you do not have enough to eat'. She, like many others who participated in this project, hoped that resettlement would put an end to their plight: 'I keep praying to God that I get resettlement, in order to get better medication.'<sup>54</sup>

During an interview with Mzee Kabera, an elderly man who is 93 years old, he recounted that he was refused treatment on account that the scarce medication should be reserved for younger people:

*'3 years ago now I became sick. I went to Nyarugugu Healthcare centre, and they were giving me tablets. They told me the medicine that is there is for young people, you are going to die and they sent me to a pharmacy.'*<sup>55</sup>

By referring him to a pharmacy, where the medicines must be bought, healthcare workers were essentially denying medicines provided by the health centre, which are distributed for free.

Moreover, many refugees I encountered were suffering from traumas. They often complained of sleep troubles due to recurring nightmares of what they had undergone in their countries. Mental health problems were most prevalent amongst victims of sexual violence. For example, many male interlocutors stated that images of the family members they were forced to sexually abuse resurfaced during intercourse, causing intimacy issues. Yet, despite the existence of structures to address these mental health issues, Tutapona (the agency whose mandate is to address mental healthcare issues and severe trauma) was facing severe funding problems. In an interview conducted during the first phase of field research, a key decision maker with the agency explained that their services were constrained by the lack of funding, and that they had to stop some of their core programs, downsize staff, and close one of their offices in a different settlement.

## 4.5. Persons with Disabilities

UNHCR's AGD policy states that:

*'disability arises out of the interaction between an individual's impairment and various barriers, including attitudinal and environmental barriers, which may hinder full and effective participation in society and access to opportunities on an equal basis with others.'*<sup>56</sup>

Accordingly, UNHCR notes that persons with disabilities ('PWDs') may experience 'heightened protection risks and be unable to access humanitarian assistance and programmes, such as education, livelihoods and healthcare.'<sup>57</sup>

<sup>53</sup> ARVs are very strong medication given to HIV /AIDS patients, and which require a good diet to lessen their side-effects.

<sup>54</sup> Interview conducted with a Burundian refugee by field assistant Tom April, 2021.

<sup>55</sup> Interview with Mzee Kabera, April, 2021.

<sup>56</sup> AGD Policy, p.16.

<sup>57</sup> AGD Policy, P.16.

There are many persons with disabilities in Nakivale settlement, and many of them acquired their disabilities during the conflict they fled (for example, because of gunshot wounds). In a focus group discussion with PWDs, and at a meeting organized by their representatives, the consensus was that the humanitarian agencies did not seem to understand their specific life challenges. This is why they had formed their own association, and elected their own representatives, to advocate for better tailored aid interventions. They contested the ‘vulnerability’ classification that UNHCR accords to PWDs, insisting that having a disability does not render you vulnerable *per se*, but that their difficulties resulted from lacking the material support and infrastructure required to live independently. For example, they complained of lacking crutches, wheelchairs, and other paraphernalia, which they need to achieve mobility. Moreover, they reported that the school buildings were not accessible to children with disabilities.

Some of the PWDs who attended the meeting explained that they were not born with disabilities. They explained that their injuries had been sustained through gunshots during conflict. A few even showed scars from bullet wounds, and said that their bodies needed surgery, but that the health centre was ill-equipped to perform complicated surgeries or handle war-related wounds. This shows how existing problems faced by persons with disabilities intersect with the poor quality of the health system, to further exacerbate the vulnerabilities of PWDs.

Moreover, because the focus-group discussion was attended by men and women of varied ages, each emphasized the issues that pertained to the unique challenges they faced. For example, a single woman spoke on behalf of those with children with disabilities, explaining the difficulties she faced in caring for the child without having a job. An elderly woman spoke about needing crutches, and that she had approached the aid offices’ several times, but each time they told her that they did not have any. When the leader of the PWD association gave the concluding remarks, advocating for resettlement to a country that is equipped with infrastructure and can provide them with material support for their disabilities, everyone agreed in unison.

As I would later discover, many different refugee groups that presented their experiences of vulnerability concluded by proposing group resettlement as the only durable solution that could end their suffering. In an informal conversation with the chairman of the ‘Burundi Twa Community’ (a refugee association representing refugees from Burundi with dwarfism, and which had recently broken away from the main association that represented all pygmy refugees), the chairman explained that they had been invited by UNHCR to explain their experiences of vulnerability, and to propose solutions. He explained that he had asked UNHCR ‘to do what they did for the Somali-Bantu’<sup>58</sup>, and then clarified that the Somali-Bantu benefitted from group resettlement (meaning that all of them were resettled, based on their ethnicity).

#### 4.6. Gender Non-Conforming

LGBTQIA+ refugees that flee to Uganda seeking asylum on grounds of sexual persecution do not find a favourable climate. Uganda criminalizes same sex relations under section 145 of the Penal Code. Additionally, public sentiment in the country, and particularly in Nakivale refugee settlement, is generally against same sex relationships. The discrimination or stigmatization of LGBTQIA+ persons was usually

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<sup>58</sup> Informal conversation with Chairman of Burundi Twa community, 31 August 2022.

because their behaviour was perceived to go against African values or as un-Christian.<sup>59</sup> Several countries in Africa stigmatise people who engage in same sex relationships on grounds that it is immoral and ‘un-African’ (Currier and Cruz, 2020, cited in Camminga and Marnell, 2022:1).

Consequently, being part of the LGBTQIA+ community affected access to aid services as refugees were either afraid to seek services, or claimed that they were denied services by some aid workers. Moreover, such discrimination against LGBTQIA+ persons is not unique to Uganda. For example, scholars who conducted a study on the ‘mental and sexual well-being’ of LGBTQIA+ refugees in the Kakuma refugee camp, in Kenya, found that they were often denied access to humanitarian services by aid workers, based on their cultural and/or religious beliefs (George, et al, 2021: 19). Although there is general trans and homophobic treatment of LGBTQIA+ people in countries that prohibit same sex relations in Africa, the experiences of those who are refugees to ‘can be particularly acute among people of diverse [sexual orientation] who already face multiple intersecting vulnerabilities, including that of migrant status (George, et al, 2021: 14).

Discussing cultural legitimacy as a hindrance to implementing human rights, Adeola posits that:

‘The acceptance of human rights norms by individuals and institutions is pivotal if the norms are to change beliefs and behaviours. Acceptance of human rights norms is less problematic when human rights norms have local equivalents or could easily be approximated to the ‘spirit and purport’ of local norms and values’ (Adeola, 2022: 141).

I found both institutional and individual resistance to LGBTQIA+ persons or discussions on matters pertaining to their wellbeing. One of my field assistants, also a refugee, cautioned me to not to spend a lot of time with members of a LGBTQIA+ refugee group, reasoning that ‘OPM would not be too happy’. He felt uncomfortable, and he seemed relieved that they insisted on bringing their own interpreter, so that he wouldn’t have to engage directly with them. My assistant’s discomfort was reminiscent of the interviews conducted with public servants for the first part of the project, in 2021. They too were not comfortable discussing the protection of LGBTQIA+ people during interviews and I was often asked to move on to other questions (Nakueira, 2021).

Despite this legal and social exclusion of LGBTQIA+ refugees, ‘GNC’ (‘Gender Non-Conforming’), is among the categories used by the UNHCR and its partners to assess refugees’ vulnerabilities. Although they didn’t want to discuss it openly, aid workers were thus required to routinely identify and prioritise LGBTQIA+ individuals for specific interventions.<sup>60</sup> Nevertheless, many refugees avoid identifying as GNC, out of fear of revealing their sexual and gender difference.<sup>61</sup>

59 See also (George et al, 2021: 10) on similar homophobic treatment of LGBTQIA+ people fleeing from Uganda to Kenya.

60 While LGBTQIA+ persons are not accepted, they are in practice fast tracked for resettlement unlike other vulnerable groups or individuals. Moreover, when they are arrested, the police immediately notifies UNHCR because they have been trained to take their vulnerabilities into consideration. They are never charged under the specific penal code section criminalising same sex relations. Instead, they are often charged under a lesser crime e.g being idle and disorderly or public nuisance—which carry lighter punishment.

61 Interview with Psycho-social Counselor, Legal Aid International. April, 2021. These findings corroborate those of other scholars, based on empirical studies they conducted in Kenya, where LGBTQIA+ refugees avoided seeking health services out of fear of mistreatment by the medical staff and of being reported to the authorities. On accessing barriers to ‘access services and service provision of LGBTQIA+ refugees in Lebanon, India, Uganda see George et al, 2021: 19.

I met with 'Mama Sandra', a transwoman from Burundi, who introduced herself as the leader of the LGBTQIA+ community in the settlement. She came with a transwoman, Betty (originally from the DRC) to meet me. Betty was a 'new arrival' who came to the settlement in 2020, during the pandemic, and could not be registered because of the COVID restrictions that were in place at the time. The challenges faced by LGBTQIA+ refugees are numerous, chief of which include assault, homophobia, and transphobia. Mama Sandra explained that her nickname 'Mama', was given to her because she offers support to LGBTQIA+ people who come to the settlement:

*'We live without freedom. We are stigmatized, people stare at you, we don't get work, we have language barrier, and we are part of LGBTI group [but we get] no support.'*

Betty raised the health issues faced by many LGBTQIA+ people. She said that the 'care kit is difficult to get at the hospital'. Sandra added that they also face discrimination in queues at food distribution points:

*'People say that they do not want to be behind you, and so you have no option but to leave. If you leave the queue and ask to them [i.e., inform volunteer refugee staff and national aid workers] to put you in the line of vulnerable people (those who can't queue for long for example the handicapped, albinos, etc.), they tell you to leave if you don't want [to queue], go without the food!'*

Both Sandra and Betty expanded on the other challenges they faced in navigating public spaces, such as markets and water points. Transgender refugees constantly negotiate the way they present themselves in public in their everyday life in the settlement.<sup>62</sup> Having to hide their transgender identity also impacts their ability to narrate their reasons for fleeing to Uganda, during the refugee status determination interviews that are conducted by OPM. Sandra explained that the registration process at the OPM was very difficult:

*'We have to pretend to be like a boy. We cannot tell our reality. We need to tell our true. They want us to lie. We do not want to lie because at the OPM office we can fail the interview. They can ask you questions which you can't answer, and they will say: You lie! You lie! Of course, I lie because that is what you want me to say.'*

As a result, most of them live without proper documentation:

*'We are about 80 members in the LGBT. [We] live without paper and without paper you cannot get services. We pass in a very, very difficult life and we have many issues every day.'*

When I inquired about their source of livelihood in the settlement, they stated that they had various skills, such as 'braiding, nails, manicure'. However, they emphasized that, 'because of the stigma', they did not succeed in attracting clients. Whereas many refugees complained of not having work, this particularly affected LGBTQIA+ refugees. As a result, some admitted to having engaged in sex work in Kampala. They admitted that these strategies, though very risky and dangerous, were their main means of survival. They no longer engaged in sex for work after being transferred to the settlement for security reasons, and thus found life even more challenging.

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<sup>62</sup> Kiss et al. similarly posit that in 'post-conflict settings, LGBTQIA+ people often experience harassment and need to hide their sexual orientation or gender identity' (Kiss et al., 2022:2).



#### 4.7. People with Albinism

Studies show that oculotaneous albinism ('OCA') is more prevalent in sub-Saharan Africa than anywhere else in the world (Chu, et.al., 2021: 154). People with OCA have less melanin and are thus at a higher risk of getting skin cancer and poor eyesight (Chu et al, 2021). Extant scholarship on people with albinism ('PWA') shows that they are often stigmatized in their communities, and that they encounter mental health problems as a result (Baker et, al, 2010 cited in Chu et al 2022). As the narratives of my interlocutors will confirm, studies show that because of 'associated myths and superstitions' people with albinism are marginalized in the communities, they experience (self) isolation and their body parts are used in rituals (Patoli, et al 2015; Franklin, et al., 2018 cited in Chu, et al., 2021:154).

While conducting observations at the main offices in the settlement, I noticed a group of PWAs huddled under a waiting area. I went to inquire on what they were doing there, and whether I could interview them. The leader of the group explained that they were trying to reach 'Alight', the agency in charge of overall protection for refugees, to explain their challenges. After discussing with members of his community, he contacted me to have a meeting with them.

In the discussions, the members explained that several people had come to conduct research on them, but that their lives had not improved. After expressing the different ways that researchers exploited them by taking photos of them, and doing multiple studies without any benefit to them, they explained the reasons for their flight from their respective countries. A Burundian man with disabilities, who is the father of 3 children with albinism, narrated:

*'You see when you get an albino child he is discriminated in society because he is considered like a demon.'*<sup>63</sup>

As explained by another interlocutor, the discrimination was also experienced inside the family:

*'When you get a child who is albino you are discriminated even within your family, and they sometimes tell you to chase your wife because she is the one who produced the albinos. But if you are a Christian, you cannot do that especially because it was God's choice.'*<sup>64</sup>

Some single women among the group confirmed this, and a few explained that they were abandoned by their husbands after giving birth to children with albinism. In the same focus group discussion, a 23-year-old single woman explained that she, too, was abandoned in hospital by her mother, upon learning that she had given birth to a child with albinism.

Albinos did not feel safe in the settlement. They lived in the fear of being hunted, as their body parts are used for witchcraft rituals. Moreover, the rape of women with albinism is perpetuated by the popular myth that people with albinism have healing powers, and that sexual intercourse with them would cure HIV. It was mainly the war that prompted the PWA I met to flee to Uganda, and they argued that they are now living closer to those who used to target them back home. They did not think that the settlement was safe for their children either. Andrew, the chairperson of the group, further elaborated that they still fear abductions from neighbouring countries:

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63 Interview with Nzeyimana, 21 April, 2022.

64 Interview with Nzeyimana, 21 April, 2022.

*'Here we are bordering Tanzania. It is in Tanzania that albinos are most killed. Even here some albinos have been abducted. At 8p.m. every albino must be at home because of the insecurity.'*<sup>65</sup>

Because of the unsafety, parents didn't dare leaving their children by themselves, out of fear that they will be kidnapped.<sup>66</sup> Moreover, because of the prejudices against PWA, people did not want to hire them. They also explained that their children were bullied at water collecting points, or were discriminated in other ways, including at school. Citing the example of her son, one parent explained that he was rebuked by the teacher in front of the class, after he moved closer to the blackboard because of his poor eyesight. This incident made him drop out of school.

PWA experienced additional health problems due to the sun, which gives them open sores that the health centre can't treat. Although 'Alight' distributes sunscreen from time to time, it doesn't offer sufficient protection.

For these reasons, they were particularly disappointed of not being considered as a 'vulnerable' group by the UNHCR (and thus of not being eligible to resettlement on that ground). As Andrew, the leader of the group, explained:

*'[I] went to the UNHCR protection officer, and I asked whether albinos are considered as a vulnerable group. He said that they are considered like any other group, because UNHCR does not have a protection category for Albinos.'*<sup>67</sup>

#### **4.8. Concluding Remarks. At the Intersections Between Personal and Social Circumstances**

The problems that refugees face are not simply caused by one specific personal circumstance or characteristic. Rather, they are a culmination of how these characteristics and circumstances intersect with one another and overlap with other social factors. As shown above, the refugees that were interviewed cited similar challenges in relation to unemployment, health issues, education, or insecurity. Their testimonies illustrate that these challenges intersect in complex ways that produce different lived experiences depending on their personal characteristic. This suggests that refugees' life experiences are heavily influenced by how their personal characteristics intersect with other factors in a context of scarce resources.

Moreover, the empirical findings show that besides the practical challenges that are associated with some personal characteristics as a result of old age<sup>68</sup>, disabilities, pregnancy, caring obligations towards young children, or heavy trauma, there are also challenges that have an inherent social dimension. Social stigma, in particular, plays a major role in impeding access to resources and restricting the strategies that refugees can develop to overcome their vulnerabilities, such as starting their own businesses. Yet, it does not seem to be fully considered by humanitarian actors in their practices. Social stigma does not only affect the LGBTQIA+ refugees. Other groups, like people with albinism, are also severely marginalized and discriminated against. In interviews with people with albinism, for example, it was apparent that they faced higher rates of poverty, because the other refugees living in the settlement did not want to be

65 Interview with Andrew, chairperson, 21. April 2022.

66 In Focus Group Discussion, stated by several parents of children with albinism, April 2021.

67 Interview with Andrew, chairperson, April 2021.

68 For example, difficulties in doing chores including collecting water and food at the dedicated collection points.

associated with them, and thus refrained from employing them or purchasing their goods and services. Male victims of sexual violence, who fear being associated with LGBTQIA+ refugees as a result of the traditional belief that men cannot be raped, are similarly ostracized.

## V. VULNERABILITIES AND BUREAUCRATIC PROCESSES

This chapter discusses the experiences of vulnerabilities that result from events and interactions occurring as part of the relevant processes for humanitarian interventions and accessing humanitarian aid. Below, I show how refugees' experiences of vulnerabilities are also shaped through interactions with humanitarian actors or processes in Uganda. I discuss how, despite being committed to alleviating conditions that cause refugees' vulnerabilities, humanitarian interventions may at times shape (and sometimes even inadvertently produce) them. This section thus discusses the various ways that refugees' experiences of vulnerabilities are affected by corruption, aid workers distrust of refugees (among other factors), and how refugees go about negotiating these challenges.

### **5.1. Extortion of Asylum Seekers and Preventive Arrests**

Refugees who flee to Uganda use different routes, and they do not always cross borders at official border crossing points. This sometimes lands them into trouble with the local authorities contrary to what UNHCR advocates for (i.e., that refugees should be received by state authorities irrespective of the border entry point they have used). During fieldwork, when I accompanied Benoit and Tom to the police station in the settlement as part of their paralegal work for an NGO that provides legal assistance to the refugees who are detained, we found that some new arrivals were being detained for illegal entry into Uganda.

After negotiating with a policeman, Benoit and Tom managed to secure the release of a group of women, who had been detained overnight. Tom explained to me that detaining unregistered asylum seekers was against the law, and that they should have been directed to the OPM or UNHCR offices, where they can register. Benoit explained that, without their intervention, the new arrivals would probably have been detained until they or their family members paid a bribe. According to the paralegals, arresting new arrivals and threatening to hand them over to intelligence officers was a common strategy used to solicit bribes. As Tom explained, many refugees fear being handed over to intelligence officers, because tracing their whereabouts becomes difficult for paralegals.

Corroborating the paralegals testimonies was not hard, as some of the refugees I interviewed reported that they were arrested upon arrival in Uganda and had to pay a bribe to secure their release. As one Burundian refugee recounted:

*'I was arrested in Uganda when I had just arrived. I had to bribe 50 Dollars to the camp commandant and 30 Dollars to the police.'*<sup>69</sup>

Thus, unscrupulous practices such as extortion and fraud by police officers shape the experiences of vulnerability at the first instance of seeking asylum. Moreover, these practices also affect the relatives of detainees who may have limited resources to secure their release.

At the same police station, I spoke to a policewoman to inquire about the reasons why they may arrest some newly arrived refugees. Pointing to a neatly dressed detainee, she explained that some people were arrested because their entry into the settlement was suspicious. She explained that some people could be spies from neighbouring countries, who disguise themselves as refugees to come into the set-

<sup>69</sup> Interview with Burundian refugee 14. May. 2021. It is worth noting that the settlement commandant was removed later after allegations of corruption came to light in 2018.

tlement with malicious intentions or engaging in other illegal activities. She explained that detention may be warranted to conduct investigation in view of verifying their identity and ensuring that they pose no harm to the refugees living in the settlement.

The threat posed to refugees is real, given the recurring allegations of disappearances of refugees from the settlement in the past (sometimes with the cooperation of the local authorities<sup>70</sup>). As I would later discover when attending an interrogation at another police station, outside the settlement, this precautionary approach of arresting and detaining newly arrived or suspicious visitors targeted only people of a specific nationality, whose entry into the settlement was covert and who could not give credible reasons for visiting the settlement. In the cases I witnessed, the detainees were not asylum seekers but claimed to come to the settlement to meet their 'fiancées' (i.e., their girlfriends), whom they befriended on social media or met through a mutual friend. Thus, in this context, the arrest or interrogation of suspicious persons is meant to protect genuine refugees whose lives could be at risk by unannounced or unregistered presence in the settlement.<sup>71</sup>

Police forces were not the only ones to be accused of corruption. Allegations of corruption against the community workers were also commonly made by refugees. Community workers are refugees who are tasked by aid agencies to identify vulnerable refugees within their community and refer them to respective agencies for intervention. Many refugees complained that only those who could afford to bribe community workers were referred, meaning that the most vulnerable refugees without resources were excluded. Moreover, upon receiving assistance, refugees were often charged by the community workers – especially when receiving entitlements other than food.<sup>72</sup>

Refugees sometimes made claims against aid workers as well. For instance, a refugee criticized the actions of an aid agency which offers scholarships to vulnerable refugees to support their education, complaining that these scholarships were only accessible to those who had the means of bribing the aid workers in charge of the selection process:

*'There are scholarships, but we cannot get those scholarships because [this organisation] asks for money. Of course, it is not official, but they ask for money.'*<sup>73</sup>

Corruption is indeed rampant and widespread in the settlement, as illustrated by a scandal that broke out in 2019 that led the suspension or reduction of aid. I view corruption as a form of 'slow violence' (Cullet and Sujith, 2020), which negatively impacts the experiences of already vulnerable refugees.

However, not all corruption allegations are founded. To the contrary, many of them seem to result from a lack of information on the conditions that determine humanitarian interventions. Refugees are often not aware of the elements and circumstances that were considered when deciding on their requests for humanitarian intervention. As a result, they are quick to blame corruption for decisions they do not understand nor accept. For instance, a refugee complained that he was being charged by aid workers for

<sup>70</sup> For instance, the former Inspector General of Police was accused of working with Rwandan authorities to refool people back to Rwanda. The Monitor, a national newspaper reported this story on August 25, 2018 with the headline 'General Kayihura Charges: How Rwandans were Kidnapped'.

<sup>71</sup> It is worth noting that everyone who visits any refugee settlement in Uganda must report to the OPM settlement Commandant's office to show that they have a permit detailing the reason for their visit. During research for this report, OPM even advised me to make my presence known to the police to avoid potential arrest.

<sup>72</sup> Interview with male victim of sexual violence and member of Men of Peace, May 2021.

<sup>73</sup> Interview with male victim of sexual violence and member of Men of Peace, May 2021.

water, whereas it is meant to be free. However, a UNHCR official informed me that water is not free for everyone: only the refugees from very vulnerable households are entitled to free water, while the others are required to pay a small fee.<sup>74</sup> This misunderstanding is indicative of a communication gap, which is likely to remain in the future as the water services will no longer be subsidized by aid agencies. As part of the Comprehensive Refugee Response Framework (CRRF), which aims to alleviate the role of humanitarian actors in utilities that should be developed as part of a long-term development strategy, the UNHCR will hand over the management of the water system in Nakivale settlement to the Uganda National Water and Sewerage Corporation (NWSC), which is expected to adopt its own reference system to determine the fees.<sup>75</sup>

Another example is the one of an elderly woman, who I found in a state of advanced sickness and severe malnutrition. She explained that several years ago, she had approached aid workers because her food rations were very limited, and that she was consistently turned away because she was not deemed to be vulnerable enough. She wrongly blamed her situation on perceived corruption in the system. The reality is that aid workers follow specifications in a centralized system, which relies on vulnerability codes to allocate food or cash portions to refugees depending on how they are categorised.

Allegations of corruption are equally widespread against the resettlement process, which is run by UNHCR. For example, a male victim of SGBV explained that he was referred to UNHCR by Tutapona, one of their partner organisations, for resettlement because he met the vulnerability criteria corresponding to severe health consequences from SGBV and torture. UNHCR called him in 2018 for an interview, but he had not heard from them since. This experience led him to suspect that it is bribery that determines the resettlement decisions:

*'We went with my wife and they [UNHCR officials] interviewed us for 3 hours. They said they would call us after two weeks but they never did. Another challenge is that I lost my sim card, but I don't think they called me because even if they didn't get me they could have put my name on the noticeboard or come to the local leaders. There's no way you can miss to get someone if you want them. Some people did their cases [resettlement interviews] in 2019 and they are gone because of money. So, you just pray to your God and say if it comes, it comes' [referring to resettlement].<sup>76</sup>*

Without discounting the allegations of corruption in the resettlement process (which were frequently raised by both refugees and aid workers), the lack of detailed feedback from UNHCR about the selection process further fuels speculations that it is marred with corruption. A UNHCR interlocutor explained that the final decision is made by the receiving countries who provide UNHCR with their own preferred criteria and this determines the outcome of the resettlement process.<sup>77</sup> Therefore, even though UNHCR established universal vulnerability criteria to identify the refugees who should be proposed for resettlement (such as those in need of physical and legal security, medical needs and so forth), in practice, those who are resettled in receiving countries are those who have been ultimately selected by them, based on their own criteria, which often favour those who have the capacity to integrate and contribute to their economies.<sup>78</sup> This leads to a paradox, as among the refugees who are selected for resettlement, those

74 Informal conversation with High Profile Protection Officer, December 2021.

75 Informal conversation with High Profile Protection Officer, December 2021.

76 Informal conversation with High Profile Protection Officer, December 2021.

77 Informal conversation with High Profile Protection Officer, December 2021.

78 Informal conversation with High Profile Protection Officer, December, 2021.

who are less vulnerable or not vulnerable at all will be the ones who are more likely to be resettled. This causes confusion among refugees who know the universal resettlement criteria, but then realize that the less vulnerable among them are the ones who are ultimately allowed to leave the settlement.

Moreover, because each receiving country has its own timeframe within which to interview and choose the refugees that they will resettle, the selected refugees leave at different intervals. Those who are interviewed but are not selected for resettlement perceive the system to be unjust. This misunderstandings among refugees who are not chosen stems from not being informed about the reasons for their exclusion. Without a clear timeframe in mind of when they might leave, the rejected refugees conclude that the system is unjust, and that it unduly rewards people with the resources to bribe their way into resettlement programs whilst excluding the deserving poor.

## 5.2. Distrust

In the interviews we conducted, some refugees complained that they were barred from accessing certain services because of a culture of distrust among aid workers, who suspected that they were seeking help as a way to demonstrate that they should benefit from resettlement. This is particularly true in those instances where the service being sought could also support a resettlement claim, for example, on the ground that the settlement is unsafe for them. A father whose child went missing shortly after arriving in the settlement relayed that when he reported his child missing, his claims were dismissed by the police. He was tossed from one organisation to another:

*'I went to the chairperson to inform him about the disappearance of my child, but he dismissed me saying I will find the child. I went to the police, but they told me to come back the next day. I went back and wondered how I will find my child. They told me to come back at 9.00 a.m. and I asked them but if I come back at 9.00 a.m. won't I have delayed? They gave me this paper. I took it to OPM but OPM chased me. When I reached there, the woman at OPM asked me after reading it: 'what do you want us to do to? Go and look for your child.'<sup>79</sup>*

When he eventually reported to 'Alight' (the aid agency in charge of addressing refugees' security in the settlement), their response was not much better, as they suspected him of hiding his child:

*'My brother and I went to ALIGHT. They said they do not have any way to help me. But we were first accused of hiding the child. I was asking them how we can hide our own child?'<sup>80</sup>*

The above accusations are indicative of a culture of distrust, and of how some refugees' strategies (e.g., those who falsely declare their children missing in efforts to get into the resettlement process) perpetuate a vicious cycle of distrust. In a humanitarian context, distrust worsens refugees' experiences of suffering, especially when they feel let down by the very system that is supposed to protect them. It also conjures up previous trauma, which further exacerbate existing experiences of suffering. As exemplified in the interlocutor's words below:

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<sup>79</sup> Interview with Kayonde, April 2021.

<sup>80</sup> Interview with Kayonde, April 2021.

*'I have no peace. I don't know whether my child is alive or dead. At least if she were dead, you can see a tomb. My mother was an albino. She was killed and we never buried her. We only found her arm in the bush. What happened in Congo has followed me here.'*<sup>81</sup>

Additionally, distrust slows down humanitarian interventions and effectively exacerbates vulnerabilities, especially when a swift response is required. For example, in an interview with one of the representatives of the refugee-led organisation 'Men of Peace', he shared his experience with a young female psycho-social counselor. He said that the woman accused them of lying when he and a few members sought medical intervention, and that she asked them if their real motivation for seeking treatment was the food, which was distributed at the hospital that conducts the surgeries. They found the accusation by the aid worker (that one would lie about being sexually assaulted just to get food) very offensive, and they decided to never seek help from that agency again.

However, not all psycho-social counselors were inexperienced in dealing with SGBV cases. Many aid workers have received SGBV training or are usually refugees themselves, and they understand refugees' challenges through their own experiences. In one case, an interlocutor, who had been victim of SGBV in his country, identified Tutapona, an agency that provides mental health services, as having been particularly helpful when he was contemplating suicide due to the horrific persecutions he suffered before fleeing to Uganda:

*'When I was in Burundi I was sodomised. They slaughtered my mother [mother's head was cut off] and ordered me to rape the dead body. We were three: I, my sister and my mother. After they forced me to rape my mother's dead body they also raped me. After I fled my sister committed suicide after 1 year [interlocutor breaks down in tears]. We were in IDPs. This happened in the IDPs.'*<sup>82</sup>

From the above examples, we see how refugees' diverse interactions with psycho-social counselors, the police and other aid workers influence how they experience vulnerability. In the last case where the interlocutor went through very traumatic events, the kind and empathetic interaction with a psycho-social counselor helped him deal with life much better.

Distrust in the humanitarian system goes both ways. Thus, it was not simply the aid workers that distrusted refugees. It was also the refugees, who distrusted the aid system's ability to provide them with crucial services. The distrust of humanitarian organisations was a general finding, but it was particularly expressed by groups that face social stigma. For example, during a focus group discussion, a mother of a child with albinism said that she lost her child because, when she went to the hospital, the health worker did not want to touch her.<sup>83</sup> LGBTQIA+ refugees similarly reported issues of unprofessional conduct at the healthcare centre. They complained that healthcare workers reacted negatively when they realized their sexual identify. Betty, a transwoman, expounded on the experiences of the LGBTQIA+ refugees when interacting with doctors:

*'If someone gets STD and goes to a doctor, the doctor calls others to come and says—"look at this man". Many LGBTQI have HIV and need support. Doctors ask how you got the HIV and when you say you have a husband, they refuse to treat you and tell you, you can go and die.'*<sup>84</sup>

81 Interview with Kayonde, April 2021.

82 Interview with male victim of sexual violence and member of Men of Peace, May 2021.

83 In a FGD, mother of children with albinism. April 2021.

84 Interview with Betty April 19, 2021



Such reactions discouraged many from seeking treatment. One interlocutor said:

*'For us sometimes we get sick we don't rush to hospital because you find that the medical workers don't freely handle you. When they find that you belong to that community [LGBTQIA+] there is a way they handle you differently. The good thing for me I don't get sick too much but if I did, I wouldn't go there. You see the reaction of the medical worker and you wonder if they will even help you.'*<sup>85</sup>

Healthcare workers' bad practices, therefore, function as deterrents from seeking treatment. In the context of LGBTQIA+ communities in need of treatment, this could worsen their health due to marginalization and mistreatment.

Refugees knew that their rights were being breached and some admitted to reporting these incidences to official hotlines and not getting any response. Such complaints or demands for better services were often interpreted as being entitled, as this departed from aid workers definition of what 'makes a "good refugee (Twigt, 2022: 35). When discussing with public servants during the first research phase, and with aid workers on previous field trips, I observed how refugees' requests for additional services or better services were interpreted. They were prompt to label them as ingrates, and to point out that equally poor Ugandans did not have similar opportunities (Nakueira, 2021).<sup>86</sup>

### 5.3. Refugees' Agency Within the Aid System

This section discusses how refugees exercise agency in conditions of vulnerability within Uganda's humanitarian system and analyses the strategies they use to navigate the norms and practices of a humanitarian regime and its definitions of 'vulnerability'. I describe how refugees survive within (or in spite of being excluded from) humanitarian protection programs. I therefore borrow on Page's broad definition of agency, which she defines 'as a capacity for action that is necessarily mediated through situated capabilities, struggles and desires' (Page, 2018: 281). In doing so, I pay particular attention to how refugees in Uganda mobilize 'vulnerability' as part of their survival strategies, to claim access to humanitarian assistance. I also show how the refugees frame their needs in ways that allow them to fit into existing vulnerability categories, as established by the humanitarian actors, or to contest these categories.

#### 5.3.1. Fitting into the Existing Vulnerability Categories

Refugees often used terminologies and framed their problems inherently in the humanitarian framework, thereby making claims as 'rights holders under the protection of international community' (Holzer, 2013: 839). In using specific phrasings and vocabulary, refugees mobilised 'UNHCR's protection framework and its emphasis on durable solutions' (Twigt, 2022: 29). This was particularly the case for the group leaders or representatives of the various refugee organisations I met with, such as at gathering with PWDs, people with albinism, or male victims of sexual violence. All were careful to detail their challenges while mobilizing humanitarian concepts.

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<sup>85</sup> Interview with Mama Sandra, April 19, 2021.

<sup>86</sup> Many conversations about the VULNER project with various people often raised questions about my focus on the vulnerability of refugees and not Ugandans. People thought focusing on the vulnerability of 'outsiders' was sensationalizing their experiences since majority of Ugandans were equally just as vulnerable or possibly more vulnerable than the refugees.

The literature amply discusses and shows the ‘continuous and dynamic process of becoming-and-being...a refugee’ (Twigt, 2022: 29), and how this process is influenced by interactions with other refugees, ‘humanitarian operations, everyday encounters and the many conditions imposed on people’ (ibid). Accordingly, ‘the social and subjective process of being a refugee is never simply the result of crossing nation-states’ borders and/or being able to prove one’s individualized persecution.... [i]t refers to the gradual transformation through which refugees learn from their own and other’s embedded experiences’ (Twigt, 2022: 29).

In Uganda’s case, it is not about simply becoming a refugee but an ‘extremely vulnerable’ one or, to put it in other words, about learning to embody vulnerability in a manner that is recognizable by the humanitarian protection system and its actors. For example, as already discussed above, during meetings, all the different groups I met with were careful to show that there was no durable solution for their challenges in Uganda and that resettlement was the only option. When drawing on perpetual insecurity to their lives (e.g. in the case of PWAs), or insisting that the country lacked the health infrastructure to address their injuries (as stressed by SGBV men and PWDS), interlocutors were wittily mobilizing the language used to assess vulnerability categories that support referral for resettlement.

The strategy of framing needs in wordings and concepts that fit within existing humanitarian categories is not specific to the leaders of refugee-led organisations, who are accustomed to encounters with humanitarian actors to advocate for the needs of their members. It has been integrated by most of the refugees I met. Those that were excluded from the vulnerability categories as established by the humanitarian actors, did not simply sit by as their experiences of sufferings were relegated to the margins. They tried in different ways to lobby aid agencies or enroll researchers (like myself) to advocate for them to be included in existing protection programs. As a parent of children with albinism implored:

*‘We beg you to advocate for us so that we can be resettled to countries where our children have the same skin colour as the whites. I am not advocating for just my children but also for every single parent here.’<sup>87</sup>*

Another way refugees exercise their agency is by forming their own organizations or support groups, which allow them to gather forces when contesting the humanitarian labels that exclude them. Each of the leaders of the refugee led associations, with whom I met, mobilized the humanitarian lexicon to show how members of their group fit within various vulnerability criteria and should thus be eligible for specific humanitarian interventions. As Andrew, the chairperson of people with albinism, explained:

*‘Considering the problems, we were facing, we decided to form a group called ‘Refugee with with Albinism community’. As leaders we go to OPM, NGOs and explain the problem with Albinism even if we are not heard.’<sup>88</sup>*

In her research on internally displaced people in Georgia, Brun theorises that there is ‘agency in waiting’, as people in protracted displacement engage in what she qualifies as ‘active waiting’ (Brun, 2015:19). Borrowing from Brun, I posit that refugees in Nakivale engage in activities that would be considered as ‘active waiting’ (Brun, 2015:19) as they form their own refugee associations that advocate to aid agencies (albeit with limited success) for their collective experiences of sufferings to be recognized by the human-

87 FGD, Parent of children with albinism April 2021.

88 Interview with Andrew, chairperson, April 2022.

itarian actors. Refugee led organisations are thus critical sites of contestation, which allow their members to resist the constraints of the aid system. This kind of resistance does not always allow them to overcome their vulnerabilities (Butler, et al., 2016), but it rather ‘coexist’ with them (Schenk, 2020: 637). Nonetheless, refugee led organisations have become crucial sites for mutual support, through which their members mobilise themselves based on collective forms of suffering. For the refugees in Uganda, engaging in such resistance offers hope, and sometimes temporary relief within the constrained boundaries in which the refugees attempt to minimize or overcome everyday life challenges.

### 5.3.2. Circumventing the Limitations of the Humanitarian System

Many refugees develop their own coping strategies outside of the humanitarian system. It is common to see refugees trying to find work in host communities, by offering to work on farms and cultivate or herd cattle. They often offer their services in exchange for food, as many people in the host communities cannot afford to pay them due to rampant poverty in the rural areas of Uganda. For example, my field assistant told me that, upon arrival in Uganda, he used to go into the villages looking for food:

*‘the nationals would give us a place to dig and after you digging for them, they would give you bananas or money.’<sup>89</sup>*

Others manage to secure jobs as maids for other refugees, who are relatively better-off, such as entrepreneurs in the Somali community. Others work as teachers in primary schools, or as paralegals and interpreters in different aid agencies. Before the COVID pandemic, when the camp was swamped with field researchers from Western institutions, many of the refugees worked as field assistants or translators. Those who can afford to establish small businesses also run restaurants, bars, or small shops. A few have even become successful entrepreneurs or founders of non-profit organisations. Wakati foundation, for instance, runs several training programs that equip refugees and host community members with skills, which they can use to earn a living. One of their program trains women to make building blocks and construct houses. Those who are members of marginalized groups, such as LGBTQIA+ persons, have developed their own support network by relying on each other for emotional and material support, and share whatever food they have amongst each other.<sup>90</sup>

Sometimes, refugees also engage in activities that might be perceived as transgressing laws or taking advantage of humanitarian programmes. For example, some interlocutors explained that taking on a different nationality is an important survival strategy, which used to be particularly widespread when some resettlement programmes were targeting certain nationality exclusively, which is no longer the case.<sup>91</sup> This example should not be read as reinforcing the stereotype of refugees as untrustworthy. It rather illustrates the extent to which some refugees can go to escape from a position of extreme disadvantage and deprivation.

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<sup>89</sup> Interview with field assistant May, 2021.

<sup>90</sup> Interview with Abudallah, Transgender, April 2021.

<sup>91</sup> Taking over a different nationality is also a common strategy used to benefit from *prima facie* recognition of the refugee status. This strategy is often used by genuine asylum seekers fleeing from countries before conflicts are heightened or not yet perceived to be a high threat. However, the Ugandan government is aware of this strategy and has countermeasures in place during RSD procedures.

Moreover, not all the coping strategies that the refugees adopt are harmless. There are also ‘negative’ coping strategies. I use the term ‘negative’ to describe harmful practices, not to pass moral judgement. I do so in a way that captures refugees’ own views on these strategies, which they describe as harmful because they put them at risk (such as the risk of contracting sexually transmitted diseases because of sex work). Additionally, ‘negative’ is also used by UNHCR in official documents, and by aid workers in the interviews conducted in the first research phase, to describe some survival strategies, including those that harm others (such as exploitation). Lastly, acknowledging the harmful aspects of these strategies does two things. First, it allows us to take stock of the of the ‘complexities in agency that are not standardized across bodies, contexts, and conditions’, and that should not be reduced to strategies that are harmless to refugees and others (Page, 2018: 285; Schenk, 2020: 639). Secondly, it enables us to appreciate how vulnerability is variously experienced and situated, and how these disparities impact the kind of coping strategies that refugees develop when exercising their agency (Page, 2018).

Negative coping strategies range from prostitution, stealing (particularly food items), or scamming. In interviews some single mothers and married women interlocutors confessed to engaging in sex work in order to survive, and they explained the dangers they faced in this type of work, including not being paid or clients not wanting to use condoms. Transgender women also admitted that, before their relocation to the settlement, they were working as sex workers in the capital city, because sex work was the only paid activity they could do as people were hesitant to hire them because of their sexual orientation. They too complained that some clients did not pay them, and they could not report to police because prostitution is illegal (as is engaging in same sex relations).<sup>92</sup> These examples show how ‘individuals might draw upon different embodied resources in response to particular situated conditions’ (Page, 2018: 283).

Some refugees exploited and preyed on others by engaging in brokering services (mostly for resettlement or other humanitarian interventions). A female interlocutor with albinism recounted that when she first arrived, a woman asked her and her brother ‘to be joined’ (that is, to add them on her attestation card as family members), which they agreed to. She then kept the food rations, which are distributed by the food agency to the head of the household listed on the attestation card, for herself. Despite reporting to all aid agencies, my interlocutor and her brother did not manage to be separated in the registration system, so that they could get their own attestation card. During this interview, my field assistant (a refugee aid worker who was interpreting during the session) said:

*‘I don’t think this is about food. You might find that the woman doesn’t want to separate because of resettlement. She must think that having those people on the card [albinos], they might get resettled one day as a family, and that’s why she does not want them to be separated in the system.’<sup>93</sup>*

### 5.3.3. Contesting the Aid System

As discussed above, refugees exercise their agency within and outside of the humanitarian protection system through diverse coping strategies such as adopting humanitarian concepts and language to express their protection needs or to circumvent its exclusionary definitions of vulnerability. However, in other instances, some refugees seem to engage in resistance strategies against the aid system itself and contest its underlying distribution logics, arguing that it is disempowering.

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92 Interview with Mama Sandra, LGBTQIA+ leader April, 2021.

93 Remarks by Godfrey, field assistant, April 2021.

For example, Wakati Foundation is a refugee led association that contests the concept of vulnerability and the central role of vulnerability classifications to allocate humanitarian aid and in selection criteria for resettlement. In an interview with the founder, he explained that the *a priori* classification of refugees along different criteria of vulnerability disempowers them to move beyond such categories, out of fear of losing entitlement to humanitarian assistance or resettlement. He argued that refugees are most vulnerable as newcomers, but that the continued use of vulnerability categories by the UNHCR to address protracted displacement renders the refugees powerless and keeps them dependent on humanitarian aid – which is not even sufficient to fully sustain them. He also added that many refugees regard the vulnerability criteria as the only pathway to get resettlement, and that they are thus worried that overcoming their vulnerabilities would make them appear less vulnerable, thereby forfeiting any chance to get resettled. Having seen refugees spending many in the settlement while being classified as ‘vulnerable’, but with nothing much to gain from such classification, he argued that UNHCR was ‘stealing’ refugees’ time.

In an in-depth conversation about UNHCR’s approach to protection, the founder of Wakati foundation stressed that the organisations’ focus on ‘vulnerability’ is inherently flawed from the onset. He explained that vulnerability should not be a permanent situation, and that by categorizing refugees as ‘vulnerable’ without offering them sufficient assistance, the aid system disempowers them. He further explained that new arrivals are advised by other refugees to lie about their skills or profession at the registration stage. He claimed to know doctors, teachers, and engineers, who had lied about their education level to appear more vulnerable. The assumption among many refugees was that being a professional made one less vulnerable and therefore ineligible for resettlement, so many had been advised by others to lie about their professions so as not to ruin their chances for resettlement.

## VI. VULNERABILITIES AND THE REFUGEE PROTECTION REGIME IN UGANDA

This chapter describes the protection gaps that result from the implementation of refugee policies and the circumstances that shape refugees' experiences of vulnerability within Uganda's humanitarian bureaucratic system. It will show how Uganda's well-intentioned policies and programs produce or exacerbate experiences of vulnerability in varied ways. As is often the case in conditions of forced displacement, the assumptions of those fleeing (and even by Uganda's humanitarian system) is that the conditions for flight will be temporary. Thus, in spite of Uganda's open-door policy, and granting refugees land on which to build shelter and grow food, these structures are not meant to be permanent. UNHCR provides plastic sheets and poles for refugees to build their shelter upon arrival and these plastic sheets are replaced periodically. This creates a form of 'permanent-temporariness' (Tize, 2021:3025) for refugees in Uganda and is paradoxical given the protracted nature of refugee situation for Somali, Congolese, and South Sudanese refugees.

Many of the refugees we interviewed had been living in protracted displacement for many years or for several decades. Some of the refugees I met during previous research in 2017 were still in the settlement, and it became clear from the interviews we conducted that some had come in the 1990s, having fled from other refugee camps in neighbouring countries. Others, such as some of my field assistants, had grown up in the settlement, having fled with their parents and arrived in Uganda as children. They expressed their aspirations for their lives, such as education for themselves and a better life for their children or a desire to have children and raise them outside the settlement – illustrating that refugees too have 'a biographical life, the life through which they could independently give a meaning to their existence' (Brun, 2016, Fassin, 2012: 245 cited in Twigt, 2022, 29).

Interviewees often expressed frustration about life in Uganda and Nakivale settlement in particular. The frustration stemmed from what they described as a hard life (see also Nakueira, 2020; Krause, 2022) in the settlement and their inability to return home but also exclusion from resettlement or "process" (Ruzibiza and Berckmoes, 2022: 9). This was especially the case for some Burundian refugees who claimed that people who were opting for voluntary repatriation had no idea what was awaiting them back home. Burundians of Twa ethnicity said that while Burundians were being repatriated, this option was not possible for them. Unlike other Burundians, the Twa could not return to Burundi because they had been dispossessed from their land and therefore had nothing to return to. Like other self-ascribed vulnerable groups, they too aspired for resettlement to developing countries. In a focus group discussion, Twa elders explained that historically, the Ba-Twa population from the different countries have been marginalized and have been targeted for ritual killings. This confirms that 'a focus on refugeeness, obliterates the fact that everyday experiences of people who become refugees are related to their future aspirations and past memories' (Twigt, 2022, 29).

During fieldwork, my research assistants and I encountered refugees whose experiences of aid interventions varied significantly, depending on their time of arrival in Uganda. There were different procedures in place for the assessment of refugees depending on the aid program and date of arrival. For example,

the food rations were decreased for the refugees who had spent more than three years in the settlement, because the assumption was that by then they should have grown their own food and achieved self-reliance.<sup>94</sup>

During my initial fieldwork in the same settlement in 2017, I interviewed Congolese refugees who were awaiting to be resettled. At the time, there was an initiative to resettle anyone from DR Congo who had come to the settlement in the mid 1990s. This initiative which was introduced in 2012, aimed at increasing the number of resettlement slots for Congolese refugees who had lived in protracted situations. According to UNHCR's Priority Situation Fact Sheet of 2013:

*'In order to implement the resettlement strategy in a regionally harmonized manner and taking into account reservations towards resettlement, such as pull factors and processing capacity, refugees considered for resettlement are being profiled according to two main criteria: Arrival in country of asylum from 1 January 1994 to 31 December 2005; Province of origin/ last residence must be North Kivu, South Kivu, Katanga or Province Orientale.'*<sup>95</sup>

Therefore, people who arrived in the same period but were of different nationalities were not prioritized for resettlement. Moreover, the Congolese refugees who arrived long after the 2012 to 2017 timeline for resettling the targeted number of 50,000 refugees from sub-Saharan Africa<sup>96</sup>, were not prioritized for resettlement either. This also concerned those who had been screened and found eligible for resettlement, but who were affected by Trump's ban on resettlement from Africa.

The different treatment of asylum seekers or refugees from same country also depends on the time of arrival. For example, Burundians who arrived around 2017 had *prima facie* refugee status, and they therefore benefitted from group recognition. However, Burundians who arrived during the first phase of research in 2020 had to undergo the refugee status determination process, because Burundi was then considered as a safe country – meaning that their experience of the asylum process (which normally takes 2 years) would differ, despite having similar needs for protection. This is not the case for refugees from DRC and Somalia, however, who still benefit from the *prima facie* refugee status owing to their countries' instability. Complicating matters was the ban on registration of asylum seekers entering the country during the COVID pandemic, which put new arrivals at higher levels of vulnerability due to the limited access to aid services. Therefore, given that asylum seekers and refugees interviewed for this project arrived at different periods and are of different nationalities and therefore subject to different procedures, their experiences of vulnerability are varied and must be contextualized as such to understand the disparities in the narratives of their experiences.

To understand the situatedness of the refugees' experiences of vulnerability, one must place these experiences in their political, economic, and cultural contexts at local, national and global level. At the local level, the everyday lives of refugees are shaped by regimes of care that are premised on the protection of particular imaginations of suffering in a nation state without a functioning welfare system for its own citizens. This raises important questions about the usefulness of Western democratic ideals of protection

94 Before the COVID pandemic, the newly arrived refugees used to get full food rations but due to the impact of COVID, and the funding shortages by World Food Program (WFP), there was a switch to Cash for food which was less than 5 Dollars a month (interview with Food Distribution Officer, Food is Life, 2020).

95 <https://www.unhcr.org/558c0e039.pdf>

96 Namely, Congolese refugees living in Burundi, Rwanda, Tanzania and Uganda.

in the context of developing or underdeveloped countries. At the global level, it is vital to examine the global processes that are still at work, namely the colonial legacies and their continuous effects in former colonies as they are to blame for the forms of violence taking place presently within these countries (Mamdani, 2003: 133-135). The latter is important, since many of the refugees that participated in this study are from DRC Congo, Burundi, and Rwanda, with reasons for their flight including ethnic violence, homophobia, or conflict in mineral rich areas.

### 6.1. Access to the Refugee Status

Uganda's open-door policy to people seeking refuge in its territory has led to high numbers of asylum seekers from neighbouring countries in recurring conflict. There are varied experiences of the asylum application process, based on one's country of origin and whether or not one benefits from the support of social networks pending a decision on the asylum application. My earlier research in 2017 showed that some Somali's experienced greater community support from fellow clan members at the time of arrival in the country (Nakueira, 2019). At the asylum reception stage, new arrivals without social support in Uganda usually face a lot of challenges due to the time it takes to register them – an average time of 2 years according to refugee status interviewing officers (RSIOs) (Nakueira, 2021) and as corroborated by interviews with refugees from countries that did not have *prima facie* refugee status at the time of arrival.

Asylum seekers who are living in settlements, but who have not been granted the refugee status yet, still have access to food rations (that were replaced by Cash Based Interventions during the pandemic). Other services are reserved to those who have been granted refugee status. Moreover, the asylum seekers' cards must be renewed every three months. Considering that it takes up to two years to obtain the refugee status, the 3-month obligation to renew the asylum seeker card results in prolonged and unintended structural violence, due to the long queues often in harsh weather conditions. This makes asylum seekers prone to the exploitation of brokers.<sup>97</sup> Their freedom of movement is also limited due to the lack of identification cards, and they are advised to the settlement, which makes it more difficult to develop economic activities and find a job.<sup>98</sup>

Not all the refugees are submitted to this lengthy asylum process. The Burundian and Congolese refugees I interviewed said that they didn't face such difficulties, because they came when the government granted Burundian and Congolese nationals with the *prima facie* refugee status (Nakueira, 2021). In 2020, when a first phase of the fieldwork was conducted, those who arrived at the onset of the COVID pandemic faced further hardships. While the country's borders were closed, Uganda exceptionally accepted people fleeing conflict (Nakueira 2021). This stands out as particularly commendable, because at the height of the pandemic other countries reinforced their borders and closed them off to all outsiders. However, because Uganda had very strict lockdown conditions across the country, and particularly in the settlements, these restrictions enhanced the challenges of new arrivals (e.g. those resulting from limited aid services).

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97 Interview with Registration Officer Refugee Desk Kampala, 2020 and observation during fieldwork in 2017 of verification exercise at OPM office.

98 This is not the case for asylum seekers who register in Kampala as there are no settlements in the city.



## 6.2. Land Allocation and Livelihood

The current policy for all protection seekers coming to Uganda is that they are granted a small plot of land on which to build shelter and grow food to enhance self-reliance as part of a development approach (World Bank, 2016). In practice, land allocation was problematic. Some refugees reported that the land was not free. One refugee said he bought a house from a fellow refugee and that he rents a plot of land for farming from another. This is an option that is only available to more affluent refugees or those who arrive with enough money in the settlement and want to leave closer to aid offices and services. Remark- ing on the same point, another refugee explained that OPM was sly in the way they allocated land:

*'OPM will take you to a plot of land and tell you this your place and leave you there. The moment they leave, the bystander who has been watching as they allocate the place to you will threaten you: you build here if you are man enough!'*<sup>99</sup>

With such threats, newcomers are scared to stay on the allocated land and have no option but to move. One elderly woman, who had arrived during the pandemic and had been allocated land in a centrally located place in a village, refused to move despite the threats. She told my field assistants that she feared that she would be forcibly removed by people who wanted to take her plot. According to my assistants, and my own observations, her plot was coveted because it was by the main road and a walking distance from the trading center and food distribution point.

Another criticism of OPM's land allocation system was the location of the plots. One refugee stated that newcomers were allocated land in places that were far away from services and trading centers. This is because centrally located areas are already occupied by an ever-expanding refugee population. Refugees who were allocated plots in distant places opted to move to get closer to where they could access basic services, as they were essentially living 'in the bush'. He gave alternatives of how OPM could make people stay in allocated areas if it was serious about land allocation. He suggested that bringing services closer to the people would decongest other areas in the settlement. Some of the refugees we interviewed who lived in Rubondo, a distant village, said they had never heard of let alone been visited by most of the agencies in the settlement. This was the case with one PWD lady from Burundi who had relocated from Kampala to the settlement with her husband after finding life in the capital very expensive. She never encountered any agency other than OPM, and she distrusted my field assistant and I. Mistaking us for aid workers, she feared that the interview was a guise to collect information and steal her I.D. for purposes of resettlement fraud.

Contestations between the host community and refugees due to the ever-expanding refugee population and, by implication, reduction of land on which the host community dwell sometimes arise (Bagenda, et al., 2003.)<sup>100</sup> The host population is sometimes reported to destroy refugees' crops. These contestations over land borders potentially exacerbate refugees' vulnerability if they get violent or destroy refugees' livelihood sources.

Additionally, the approach to self-reliance based on agricultural activities has failed to yield the expected independence from humanitarian food aid, and consequently many interlocutors relied on the insufficient amounts of cash for food assistance. It has also provoked criticisms by scholars and consultants,

<sup>99</sup> Informal conversation with Roger, Congolese refugee, June 2021.

<sup>100</sup> Also in an informal discussion with RWC III Juru Subcounty, about the issues he deals with that involve refugees and host population, May 2021.

who have challenged the successes touted by a livelihood model that promotes self-reliance based on unproductive land (Kaiser, 2006). This prompted consultants commissioned by WFP to recommend for the development of a more realistic alternative (Development Pathways 2020).

### 6.3. Reactive Approach to Protection

A paradox of Uganda's humanitarian bureaucratic system is that it 'has simultaneously inclusionary as well as exclusionary aspects' (Ubink, 2018: 214). By focusing on some vulnerability categories, those who are excluded either demand that they be included (by forming associations based on their concrete experiences), or completely lose trust in the system. This was the case with Mukadde, an elderly person I interviewed and several other informants. The elderly woman complained that she had gone to the refugee agencies long before she was malnourished and was 'chased away from the [aid] offices because they didn't view her as vulnerable'.

When I met with 'Mukadde', she was bitter and had lost faith in the ability of aid agencies to assist her. She narrated that she was living in a house that had been built for vulnerable people. When my field assistants asked me to intervene fearing that she was on the verge of death, she was diagnosed with severe malnutrition and tuberculosis. Only then did she qualify for special intervention by Medical Teams International (MTI), and following the health centre doctor's recommendation she was put on a 3-month nutrition program. Upon pleading with MTI to place her on a longer nutrition program, they agreed to consider the request after reviewing her progress upon the conclusion of the initial support period.

This suggests that there is a vicious cycle of vulnerability that is produced by the system. Since the system attends to the most vulnerable, it creates a situation where protection seekers compete to show the numerous ways that they are vulnerable so as to access services. In this 'vulnerability competition', sometimes those who access aid are not necessarily the most vulnerable, but rather those with the resources to present themselves as such.

This competition is further exacerbated by the temporal aspect to interventions once one has been deemed eligible. This means that interventions are designed to address the problems of refugees for a limited period of time only (as in the example of Mukadde). This is a result of a humanitarian protection system that is designed to provide short-term humanitarian assistance, which inadvertently (re)produces vulnerabilities, because it hardly addresses the identified vulnerabilities sufficiently. As such, refugees or asylum seekers that were interviewed complained that while they received some help, the same problems recurred once the intervention period had expired.

Although I focus on Mukadde as one example of the way vulnerability is produced through the exclusion of refugees who do not appear to be vulnerable, in an informal conversation with a person working with a food distribution agency, he explained that there were certainly more cases like Mukadde's. According to him, many vulnerable people fall through the cracks because it is the duty of refugee welfare councils (RWCS) to identify vulnerable people in their communities and then refer them to the relevant aid agencies. RWCs are refugee-elected leaders who are responsible to address problems within the communities and forward the ones that fall outside their mandates to the police or OPM.

My field assistant, a refugee as well, explained that RWCs usually identify people who are able to pay them ‘something’ to be on the list of vulnerable people. Moreover, getting on the vulnerability list does not mean that the Non-Food Items (NFI) one is entitled to are free, those listed as being extremely vulnerable must still pay RWCs to receive those entitlements.<sup>101</sup> This makes the poor but very vulnerable individuals unable to make it on the list. This confirms what one aid worker noted about this particular settlement: ‘This is a business camp’. It is also corroborated by scholars who have conducted research in the same settlement. Ruzibiza and Berckmoes, who conducted ethnographic research among Burundian boys and young men that were seeking to get resettled in Europe or other developed countries, stated that their interlocutors ‘expressed difficulties meeting their basic needs and lamented that everything in Nakivale required money’ (Ruzibiza and Berckmoe, 2022: 7). This has been corroborated by several aid workers and refugees not just in this phase of fieldwork, but also during previous field trips to this settlement over the years.

The request for cash incentives or facilitation fees by RWCs could be understood as a survival strategy resulting from a design flaw in the protection program. Given that RWCs too are refugees, and that they have little to no support from the humanitarian system (save for occasional trainings in human rights), it is not incomprehensible that they would request money from members of the community.

#### **6.4. Contradiction in Protection Policies and the Legal Frameworks**

As mentioned already, in the UNHCR doctrine there are three durable solutions for refugees, namely voluntary repatriation, resettlement, and integration. Since most refugees cannot go back to countries, which they fled due to recurring conflict, integration and resettlement become the most viable durable solution. However, integration and resettlement are inherently contradictory policies because they offer differential benefits and opportunities. The choice between resettlement and integration is equivalent to one between life in a poor country and a developed one. In a country where it is hard to live off subsistence farming and humanitarian aid rations, many refugees we talked to preferred resettlement outside Africa and thought it the best durable solution that would save them from a life of hardship (Nakueira, 2019). Given that resettlement programs also use vulnerability criteria for assessing eligibility, they are inherently much preferred than integration by refugees while officially, UNHCR emphasises voluntary repatriation as the most preferred solution.<sup>102</sup>

The contradiction between resettling the most vulnerable refugees to developed countries and the goal of self-sufficiency to promote their integration inadvertently produces and exacerbates vulnerabilities in many ways. It positions Western or developing countries as willing to receive refugees and aid workers as gatekeepers to a world of opportunities. Resettlement is not a viable solution since there are more refugees than resettlement slots globally thus, it gives false hope to refugees (see also Twigt, 2022: 45 on Iraqi refugees’ expectations for resettlement in Jordan).

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101 Informal conversation with field assistant May, 2021

102 Informal conversation with UNHCR official, he explained that voluntary repatriation was not just one of the durable solutions, but rather the most preferred durable solution by UNHCR, August 2022.

Many refugees put their lives on hold in hopes that they can live a better life once they are resettled. Some refugees I spoke to had put off marriages, or having children, or did not want to find work in fear of appearing less vulnerable.<sup>103</sup> As one aid worker in a micro-financing institution explained to me, many refugees feared to take up loans to start small businesses because of fear that having debt, or a business, would impede resettlement opportunities (Nakueira, 2021).

Uganda's policy of naturalisation has remained a contentious issue, particularly in respect to granting citizenship to refugees (Veradirame and Harell- Bond, 2005). Although many refugees and their offspring have been living in Uganda for more than 20 years, the prospect of getting citizenship is not effective in practice. Refugees of Rwandan origin that fled the 1994 genocide expressed interest in applying for citizenship during interviews. However, currently, there does not seem to be any political appetite to do so. This is reflected in the spirit of section 17 (5) (a) of the Uganda Citizenship and Immigration Act of 1999, which prescribes a 20-year period for anyone to be eligible for naturalisation. This period is too long (even in the event that government was willing to effectively grant refugees with citizenship).

Guaranteeing and facilitating access to citizenship for the refugees who are eligible, could provide a basis for integration and possibly independence from humanitarian aid, as refugees would not have to periodically travel long distances to renew their refugee status, which can only be done in the settlement as explained below. Citizenship offers the opportunities to own land, to vote, and to travel. For stateless Rwandans, it would lessen the anxiety of living in situations of deportability. This, by itself, would mitigate the structurally produced vulnerabilities caused by frequent and prolonged bureaucratic interactions, including arbitrary arrests of stateless people and practices of extortion that are associated with them.

## 6.5. Paucity of Information

During my fieldwork, it became apparent that there was insufficient information, or that asylum seekers and refugees wanted more information from different agencies, such as OPM or UNHCR, about the bureaucratic decisions affecting their everyday lives. On different days, refugees would request me during or after interviews, asking whether I could call UNHCR to check on their resettlement cases or inquire from OPM about their registration as refugees. They said that their offices, though physically present in the settlement, were inaccessible to them.

In the absence of clear information, refugees came up with their own conclusions about their precarious conditions. For instance, one LGBTQIA+ refugee said that because he was transgender, he was being punished by the OPM staff and that they had deliberately refused to register him on account of his sexual orientation. As a result, as a newly arrived refugee he had no access to a ration card for food, and he depended on the mercy of the leader of the LGBTQIA+ community. Upon checking with the OPM staff member in charge of registration and showing her the copy of the paper, she told me clearly that everyone who had arrived during the pandemic was not being registered because there was a presidential directive in place restricting registration of new arrivals (see also Nakueira, 2021). She explained that until that directive is lifted by the president, there is nothing that OPM could do and that they did not know when this would happen. This information clearly communicated to me was relayed to the transgender asylum seeker.

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<sup>103</sup> Founder of Wakati Foundation. Hence his program dedicated to changing the mindset of refugees.

Much to her disappointment and despair, all she could do in absence of employment opportunities was to wait for the directive to be lifted. It was unclear to me whether refugees were afraid to inquire for the information they needed, or whether they had asked for information and were simply turned away.

There were conflicting accounts from aid workers. Many of them stated that refugees did not heed any information that was given to them, and they kept coming back to inquire about the same issue. A high-profile protection officer confessed that he had worked in different countries, and that refugees often complain about the lack of information. He stressed that no one is more knowledgeable about how the settlements or camp offices work than refugees themselves. He suggested that they were not asking me to inquire on their cases out of ignorance or lack of information. Rather, he explained, they were hoping that I would use my position to influence decisions or get other answers than the ones they had already been given by aid workers.<sup>104</sup> Without discounting the possibility or veracity of his proposition, it is worth noting that the lack of clear information by humanitarian agencies has also been noted by other scholars in similar contexts (see for instance Sandvik 2011; Sandvik, 2012; Twigt, 2022: 53). In Nakivale, the paucity of information, whether deliberate or not, potentially worsens refugees' experiences of vulnerability, especially when decisions directly affecting their survival are also unknown to aid workers in charge.

In many of the interviews we conducted, it was clear that there was a lot of misconception or distrust of the resettlement process, generally. Overall, it was understood by refugees that the process was fraudulent. Some of them stated that they knew people who had been resettled without having to pay bribes, but they viewed this as a 'miracle' or luck. Although they did not expressly state it, many refugees' responses suggested that they thought resettlement was a 'right' from which they were unduly deprived. For example, in the focus group discussion with elders of the Twa people, one of the interlocutors complained that other vulnerable groups or individuals had been resettled, but no one from the Twa ('Pyg-mie') group had ever benefited from that opportunity.

To make matters worse, the opacity and fluidity of the resettlement process led some to entrust brokers for information about resettlement categories, and to pay refugee church leaders to pray for them to get slots for interviews or hasten the resettlement process.<sup>105</sup> Many refugees that had undergone selection for medical interventions several years back and, who had even been vaccinated and undergone orientation training for life abroad, were still not resettled several years later. Having waited for years, they had no idea how much longer to wait, or if they would eventually get resettled, and the anxiety of living an uncertain future was weighing down on them. Refugees in the resettlement process were either told they would be contacted or to check the status of their cases electronically, a prospect that made those who were computer illiterate untenable.<sup>106</sup> Noting a similar situation in the case of Iraqi refugees waiting for resettlement, Twigt posits that this exposes refugees to exploitation, 'potentially leaving them vulnerable to misinformation, stereotyping and rumours that can affect their economic and social capital' (Twigt, 2022: 50).

The factors above perpetuated the anxiety of refugees and fueled suspicions of foul play (Nakueira 2019; Sandvik, 2011). Those who were selected for the resettlement process were afraid of being poisoned by jealous 'others'. The head of a Burundian family, who I had known for several years, had moved his family

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104 Informal conversation with High Profile Protection Officer, 2022.

105 Interviews and observations in previous field research on resettlement (2017-2019).

106 Interviews and observations in previous field research on resettlement (2017-2019).

to Mbarara, an hour and half away from the settlement, in efforts to keep them safe once he had got confirmation that he was in the last stages of being resettled to America. A former field assistant explained to me that it was dangerous to stay in the settlement close to the time of departure, and that refugees with means usually moved out to keep their families safe. An aid worker corroborated stories on the prevalence of poisoning, but she couldn't confirm if this was connected to resettlement prospects. She stated that poisoning in the settlement was so prevalent that, when refugees are taken to a doctor, he first checks if the ailment resulted from poison.<sup>107</sup>

At the time of writing, the Burundian interlocutor mentioned above, and who was eventually resettled to the US, called me to give me the news that one of the people from the SGBV men group had died that day. Upon inquiring what he had died of, he responded:

*'Someone called me because they give him the poison. He was from Congo. Living in New Congo. Got sick in the morning, evening time was dead. According to the information I got it's poison. I think it's poison.'*<sup>108</sup>

The point here is not to argue whether or not these allegations of poison are true but to posit that due to the precarious conditions that refugees live in, anxieties are amplified in such conditions (Nakueira: 2019).

As a safety measure, UNHCR and IOM used to advise people who were about to be resettled to refrain from sharing this news with others, but paradoxically UNHCR used to pin names of refugees being considered for resettlement on noticeboards.<sup>109</sup> At the time of fieldwork for the VULNER project, the practice of pinning names on notice boards had stopped. Instead, refugees were contacted by telephone. This change, according to my field assistant, was for safety reasons.

## 6.6. Operating With Limited Resources

Related to the issue of information is the continuous operation of aid programs in situations of ever dwindling resources. During the first research phase, high level decision makers explained that one of the biggest issues they face is lack of resources. They complained that most of the pledges that had been made to Uganda had not been fully paid, or had been channeled through aid agencies originating from donor countries (Nakueira, 2021). This reinforces further exclusions of a large number of eligible vulnerable populations due to the incapacity of existing resources to cater to their needs. This has prompted scholars to call for an honest discussion about the country's refugee model (see Hovil, 2018; Harrel-Bond, 2002). Back in 2022, Harrel-Bond asked: 'If an enduring problem is scarce resources (or in this case resettlement slots), would it not be more honest (humane) to explain this reality to refugees?' (Harrel-Bond, 2002).

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107 Informal conversation with refugee aid worker, April 2021.

108 Personal communication over phone with former member of Men of Peace 29 March, 2022.

109 Interviews and observations in previous field research on resettlement (2017-2019).

## 6.6.1. Insufficient Funding for New Asylum Seekers

In an interview with aid workers who were providing funding to the most vulnerable refugees who had arrived during Covid, I asked how they chose the most vulnerable individuals. They explained that they had conducted an assessment but that, in the end, the determining factor of eligibility was dictated by funding. They admitted that the results of their assessment showed that far more people fit the 'most vulnerable' category, but they could only cater to 4,000 people. Interestingly, they did not use UNHCR criteria to assess vulnerability. This was because their assessment showed that:

*'New arrivals are naturally vulnerable. When they leave their homes, they have lost everything and usually come with nothing.'*<sup>110</sup>

He explained that 90 per cent of their funding mainly targeted new arrivals, because the bureaucratic categories of vulnerability did not mean that people were financially vulnerable. In his words, he stated that:

*'You can be a PWD [Persons with Disability] but own many businesses, you can be elderly but not be vulnerable. We are interested in financially vulnerable people.'*<sup>111</sup>

Aid workers also said that their monetary interventions were specifically targeted for only a specific period, and for people who came to Uganda during the Covid pandemic. Going by their response, it is evident that exclusion from vulnerability is not a denial of experience of vulnerability by agencies. However, it leads to a misunderstanding by those who are found to be vulnerable but nevertheless excluded because they do not understand why they were excluded from interventions that are targeted to people in similar circumstances. In the same interview, the aid workers explained that some refugees who had been selected for financial support due to extreme vulnerability did not understand that the support was only for 8 months. Some beneficiaries kept coming back requesting for more financial support. Aid workers admitted that the amount given to each individual was minimal (29,000 UGX/5 Euros), however they also added that if a household pooled their resources together, the amount was substantial enough to open a business since the money was given per individual in a household. In an informal conversation with one of the aid workers, a refugee himself, the respondent said that Danish Refugee Council and Tracing International - the implementers of this intervention had now increased the amount to 35,000 UGX per individual for new arrivals.

The respondent could not explain the difference between this new intervention (referred to as multipurpose cash assistance) and the previous one, which was called multipurpose cash transfer. He said, 'the way I see it they work the same way'. Both interventions targeted new arrivals for a specific period, after which other very vulnerable new arrivals are offered financial support.<sup>112</sup> This suggests that even the implementers did not often understand the differences between various forms of interventions that were frequently introduced and that targeted vulnerable people. Such information is important to legitimize aid programs so that those who are excluded understand the criteria of assessment. This is especially crucial because the exclusionary effects tend to cause confusion amongst people who are eligible for the interventions but might not have been selected as beneficiaries.

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110 Informal conversation with Babihuga, Tracing International, June 3, 2022.

111 Informal conversation with Babihuga, Tracing International, June 3, 2022.

112 Informal conversation with Babihuga, Tracing International, June 3, 2022.

Thus, from the above we can see that new arrivals are a priori considered to be most financially vulnerable when they first arrive by some aid agencies. Yet, during conversations with aid workers, they stated that new arrivals were easy targets for resettlement scams at the asylum seeking/application stage. Many people, particularly refugee brokers target new arrivals for resettlement fraud because they are considered to be the most financially well off and desperate. These two factors make them easy prey to an array of people offering services such as brokering resettlement deals<sup>113</sup>, interpreting/translation services during Refugee Status Interviews (even though the state hires interpreters for this very purpose) or offering advice on how to present one's story of vulnerability during the registration stage.<sup>114</sup>

#### 6.6.2. Poorly Resourced Healthcare Facilities

Related to the issue of resources is that of inadequate staff and a poorly equipped health facility. At the time of fieldwork, there were only two doctors attending to large numbers of refugees. The Ugandan doctors did not speak the local languages and there were interpreters at the premises, but it was unclear whether these interpreters spoke many of the languages of the refugees who needed interventions. The waiting times were insufferable although it was clear that there was a sort of system to prioritise those who needed urgent interventions. In spite of the doctors' efforts to attend to as many people as they could, our observations were that there was still a long time before those prioritized as vulnerable could be attended to.

During the time we spent at the health center when we accompanied an elderly woman who needed urgent medical attention, we spent more than an hour waiting to be called in. Whilst the doctor attended to the elderly woman, another patient was brought in with a severely cut head (having been attacked with a machete by another refugee). This patient's case seemed more or just as urgent as the elderly lady we had accompanied. In spite of the gaping wound which exposed the insides of the patient's head, he was asked to wait outside on a bench set aside for priority cases, and the doctor continued to attend to us for close to an hour, even taking time to show us which places our patient should go to after leaving his office.

The above should not be misunderstood as a criticism of the doctor's conduct because the patient we accompanied was in fact well attended to. Rather it is a criticism of a system that forces an overworked healthcare worker to choose between emergencies when faced with several patients with urgent conditions.<sup>115</sup> Given the number of other patients that were waiting outside to be seen by the two healthcare workers, the long queues corroborated what majority of the refugees had reported during the interviews. Many refugees complained that it sometimes took them several days before they could see a doctor.

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113 Informal conversation with a group of refugees in 2017 and also June, 2021 with the same group.

114 Interview with a refugee founder of an association, critiquing the inherent design of Humanitarian Protection in Uganda and arguing that UNHCR's focus on vulnerability forces people who professionals to lie so that they can fit into categories, for fear of missing out on resettlement at a future date. June 2021.

115 Observations at the healthcare clinic May 2021. When I asked the doctor how he was able to calmly continue his work without being alarmed by the patient's gaping wound, he explained that he saw that sort of wounds very often.



## 6.7. Settlement Approach to Humanitarian Assistance

Uganda currently grants refugees with freedom of movement and choice of place of residence – which some argue to be critical to the enjoyment of all other rights (Veradirame and Harrel-Bond, 2005: 28). However, the country has been criticized for ‘merely rebranding camps as settlements’ (Hovil, 2018). After acknowledging the great steps that Uganda has taken to welcome forced migrants at a time when other countries are closing their borders, Hovil advocates for ‘a more honest discussion of Uganda’s refugee policies’ arguing that because humanitarian aid is channeled through a settlement approach, it becomes difficult to ‘find genuine alternatives to encampment’ (Hovil, 2018).

Moreover, those who find employment outside the settlement are still inadvertently lured back through Biometric Control Systems. Unable to cope with the transport costs from Kampala to the settlement, one of my interlocutors explained that he had to give up his job because it did not make financial sense to pay a large fraction in transport costs to collect his Cash Based Transfer of 19,000 UGX (4 EUR), which was far less than the travel costs. The cost of the transport to the settlement was far more expensive than the amount provided by humanitarian aid. Yet, as he and many other interlocutors explained, they feared to miss this verification three times in a row because they would be removed from the UNHCR database – and they thought this would affect their refugee status.

During observations conducted at one verification exercise, an aid worker showed me the ration card of one of the refugees in the queue at a food distribution point. Pointing to her ration card, the aid worker explained:

*‘This woman has missed verification twice. She is here because if she were to miss it for the third time, we would remove her from the system.’<sup>116</sup>*

When asked whether that would affect her refugee status, the aid worker explained that it is a common but false perception among refugees. He admitted that while it is true that they would be removed from the system, they could be reinstated if they went to OPM and explained the circumstances for their absence. When I asked a high-profile decision-maker who spoke on condition of anonymity, he explained that the verification is necessary to keep updated statistics of refugee populations.<sup>117</sup> The food distribution officer explained that the reason refugees missed this verification was because they were working or looking for jobs outside the settlements.

This means that for a paltry monthly amount of 5 EUR or less (depending on the classification of vulnerability), the humanitarian system effectively impedes refugees means of livelihoods and produces or worsens their experiences of vulnerabilities. The consequence is that the bureaucratic system inadvertently keeps already vulnerable individuals dependent on insufficient humanitarian aid. Employment is deemed vital to integration (Veradirame and Harrel-Bond, 2005: 30), and integration is a durable solution that is often promoted as the best next alternative for refugees who are unable to opt for voluntary repatriation. Consequently, by keeping refugees encamped through mechanisms that curtail their freedom of movement, the biometric system defeats self-sufficiency strategies and hinders integration.

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<sup>116</sup> Interview with food distribution officer, May 2021.

<sup>117</sup> see also Veradirame and Harrel Bond, 2005 who note a similar system in Kenya refugee camps.

While this is not postulating that all refugees are unable to go for verification, the irony is that those who are able to afford to collect the monthly financial increments or food rations, are those who are financially least vulnerable. For example, Somali refugees were reported to be among those who travel from Kampala for verification. From my observations in Kampala and in the settlement, many Somali refugees own businesses in and outside the settlement, and many of those who live in the settlement also employ refugees from other ethnicities to work for them (Nakueira, 2019). These examples show how the biometrics verification system, which was introduced to guarantee that refugees received their humanitarian aid personally (and by implication account to donors that aid was reaching the right recipients)<sup>118</sup>, produces unintended negative effects.<sup>119</sup> Indeed, the effect of this system has been profound on one interlocutor who upon giving up his job in Kampala, came back to the settlement and having failed to find employment in the settlement, told me that his only hope for a better life was on onward migration, hopefully through resettlement.

## 6.8. Protracted Refugee Situations

Of the three durable solutions, voluntary repatriation is posited as the most desirable solution by UNHCR. However, due to continuous instability in some countries, it is not always a viable option. Moreover, some scholars who conducted similar research in African settings (and elsewhere) refuted the presupposition that refugees desire to go back to their countries of origin (Chatty and Mansour, 2011; Crisp, 2003 cited in Twigt, 2022:52). They argue that the emphasis on voluntary repatriation in the official discourse rather serves to legitimise the containing of refugees close to countries of origin in protracted conditions (Twigt, 2022: 52). In our interviews, we found out that many of the Burundian refugees fled to Uganda after the Tanzanian government asked them to leave in the mid-1990's, and that some Rwandans cannot return. Thus, the invocation of cessation clauses based on the supposed stability of countries emerging from conflict obscures the complexity of who can return and who cannot, as well as refugees' motivations for going back home.

Additionally, those who opt for repatriation return to countries of refuge when the conditions in the countries of origin are not as conducive as they had imagined. At the time of writing, a Burundian refugee working with one of the aid offices wrote to me, and informed me that Burundian refugees that had been repatriated were returning to Uganda.<sup>120</sup> At the time of fieldwork in 2021, the Burundian refugees were being repatriated back to Burundi. Their repatriation is still ongoing at the time of writing. However, as I came to learn during interviews, the Ba'Twa (a minority ethnic group from Burundi) commonly emphasised that they did not have a place to return to. As explained by the Ba'Twa, and also by some Burundian Tutsis, going back to Burundi was not an option due to remaining ethnic tensions. In interviews with several refugees of Tutsi ethnicity, they indicated that the political situation was not safe as for them (suggesting ethnic tensions with the majority Hutu government). In a conversation with my field

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<sup>118</sup> Interview with anonymous decision-maker, December 2021. Twigt posits that in Jordan donors strongly influenced UNHCR's turn to biometrics and 'humanitarian technology' (2022: 37). The turn to Cash Based Transfers through ATMs has also been hailed as innovative in Jordan. In Uganda, ATM cards were also provided to refugees in the settlement, suggesting a universalization of the Cash Based Transfer mode of assistance even though there were no ATMs or banks in the settlement.

<sup>119</sup> These include loss of jobs for employed refugees who may miss several days of work since it takes several days to complete the verification exercise and it is worse on people with disabilities and elderly persons since the sites of verification are usually not easily accessible to them.

<sup>120</sup> Personal communication via WhatsApp messaging 16, June, 2022.

assistant, a Burundian refugee of Tutsi ethnicity, he questioned how Burundians could be lured back so easily, arguing that the country was still volatile. He cautioned that those who are being repatriated will realize that they do not have anything to return to when they get there.<sup>121</sup>

During my initial observations at the premises of one of the aid offices in charge of the registration of Burundian refugees who wanted to be repatriated, an aid worker informed me that some of those who were repatriated had already returned to Uganda. When I pressed for an explanation, he hypothesized that some were incentivized or motivated by the money that is given to help them rebuild their lives in Burundi.<sup>122</sup> However, another aid worker said that the reason why some Burundians were returning was that, upon arrival in Burundi, they were confronted to living conditions that were worse than in the settlement.<sup>123</sup> This was corroborated by a refugee aid worker, who did not take part in the study but was aware of my interest in the repatriation exercise. In a WhatsApp communication, he wrote:

*'There are some who are coming back because they found that what they were told was a pure lie. They were told that there is peace, but what I heard [is] that some of those repatriated are kidnapped and brought in unknown places. They were told they were also told they will run businesses with the money they give them but found it was not possible.'*<sup>124</sup>

My field assistant, who had questioned his countrymen's decision, did not mince his words when I cross-checked whether repatriated Burundians were returning:

*'Of course they are coming back; in fact they were voluntarily repatriated not because Burundi is safe but because of very many challenges they were facing here in the country of asylum. Reaching Burundi, the same persecutions they faced continued.'*<sup>125</sup>

He added:

*'Everywhere in these two countries it is like to be between a rock and a hammer. I mean Burundi and UGANDA'* (emphasis in original).

Although this might be viewed as speculative (as he stated that he had not spoken to the returnees personally), this viewpoint suggests that the repatriation was prematurely sold to refugees, and that the financial benefits that might have motivated people to rebuild their lives underscored the challenges they would face upon return. Forced migrants come to Uganda largely because of political persecution and conflicts in their countries of origin. The experiences they face in the settlement drive them to desire or engage in onward migration, for a number of overlapping issues that disturb the forced versus voluntary migration binary (see also Bachelet, 2019: 41; Campbell 2009:2). In light of the precarious conditions that many refugees face, Burundian refugees' motivations for opting to return home raise complex questions about definitions of 'voluntariness'.

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121 Informal conversation with field assistant May 2022.

122 Informal conversation with national aid worker at Alight premises May 2021.

123 Informal conversation with national aidworker, at Alight premises May 2021.

124 Personal communication with Ntakirutimana\*, Burundian refugee aid worker via WhatsApp message 21, June 2022.

125 Personal communication with Lane Mbarushimana, field assistant 22 June 2022.

## 6.9. Vulnerability Shaped by Donors' Interests

In many developing countries, donors play a major role in donating aid that makes up a large percentage of developing countries' budgets. Uganda is no exception. Aid comes with conditions, which by implication enables donors to influence humanitarian aid policies in countries that receive refugee assistance (Veradirame-Harrel-Bond, 2005: 277). However, while donors have urged developing states to adhere to human rights principles, they also compel them 'to adopt restrictive policies in order to protect the boundaries of fortress Europe' (Veradirame-Harrel-Bond, 2005: 278). Veradirame and Harrel-Bond argued as far back as 2005, when they conducted empirical research in Uganda and Kenya, that 'donors still choose to promote the inhumane and unworkable logic of control and containment of refugees in countries in the 'developing world' (Veradirame-Harrel-Bond, 2005: 278). They stated that by promoting restrictive policies, donors contribute to the very issue that they aim to mitigate: 'the apparently high number of people seeking asylum in countries of the "developed world"'.

In Uganda, the frequent counting of refugees through biometric methods interferes with people's search for livelihoods outside the settlement, and it promotes the structural violence that comes with waiting for long hours or several days for verification. Such use of 'humanitarian' or 'accountability' technologies (Twigt, 2022; Jakobsen and Sandvik, 2018), which has also been documented in other refugee contexts, results from the insistence of donors. It serves to assure them of actual numbers of refugee population, and it prevents inflating statistics. For refugees, the disciplinary effects of frequent verification contribute to the hardships that they experience.

As was explained already, although 'vulnerability' is mobilized as a bureaucratic concept to guide and customize the implementation of aid programmes, in practice, the definition of who counts as vulnerable also depends on donors' interests. This further contributes to refugees accusing aid workers of corruption, as they do not understand the selection process for 'vulnerable' refugees, nor why others with equal needs are excluded (on this point see also Twigt, 2020: 140).

The findings show that vulnerability categories are simultaneously rigid and fluid. They are rigid because they are pre-determined by UNHCR's universal criteria of vulnerability, and fluid because their implementation also depends on donor interests, which are expressed through ever-evolving funding priorities. These factors lead to the exclusion of experiences of vulnerability that are contextual or based on concrete challenges experienced by refugees. Consequently, this forces refugees to devise coping strategies that draw on these categories or, worse, a loss of trust in the system's ability to protect them. The latter contributes to onward migration by those who can get the resources to move, which often entails taking risky journeys outside the country in their search for better lives.

## VII. Conclusion

This report culminates from an empirical study of refugees' experiences of laws and aid programs in Uganda. It drew on their testimonies and perspectives, to investigate the varied ways in which their experiences of vulnerabilities are produced and experienced through Uganda's protection programs and policies. This research complements the first research phase (Nakueira, 2021), which studied how decision makers define and target vulnerable refugees and asylum seekers through policies and aid programs. The aim of the second phase was to provide a grounded approach to refugees' vulnerabilities – as they are essentially the targets of aid programs and refugee policies that aim at addressing their vulnerabilities.

A key finding was that refugees perceived the aid programs and interventions as slow, unresponsive and unfair. The perception of unfairness was a result of them not being aware of the criteria for vulnerability assessments, which excluded them. The lack of awareness of these criteria stem from a variety of factors and circumstances, including the complexity of the humanitarian system, which involves numerous aid agencies with different protection mandates and target populations. Based on the testimonies of interlocutors there is a major information gap, which is critical to how they perceived various interventions, such as resettlement programs or access to vital services (water, scholarships, registration, food rations, and so forth). Not only does that gap lead many to perceive the entire aid system as corrupt and unjust. It also renders refugees more prone to exploitation and worsens their experiences of vulnerability in diverse ways – for example, brokers exploited the information gap of newly arrived refugees, by promising to get them quicker access to services, or resettlement slots.

Another finding was that some of the features of the humanitarian system have the indirect consequence of preventing refugees from achieving self-reliance. For example, the biometrics verification system, which was introduced to reduce fraud and increase accountability to donors, functions in ways that sustains aid dependency. It exacerbates existing vulnerabilities through frequent verification exercises that interfere with employment and livelihood opportunities. This runs the risk of promoting encampment and defeating the self-reliance strategy, which aims to promote a long-term development approach to refugee hosting. Interlocutors who could not afford the frequent and high costs of travel to the settlement to collect the digital cash, and be verified by the system, gave up their employment outside the settlement to avoid missing the verification exercise. This ultimately left them dependent on insufficient humanitarian aid, due to lack of employment opportunities in the settlement.

The shortcomings in the implementation of humanitarian interventions stem from a web of issues, such as overwhelmingly high numbers of refugees and asylum seekers, limited financial, human, and material resources to cater to the most vulnerable among them. Empirically, the report argued that because of these overlapping factors, even those who are categorized as extremely vulnerable may not have much to benefit from the existing programs that target them. This is because the protection programs are essentially reactive in nature and thus fail to address the root causes of refugees' vulnerabilities. For example, those who had been identified as vulnerable, and thus deserving of financial support, did not understand why there was an expiry date on their 'vulnerability', when their conditions of precarity had not changed. As for those who are excluded from the vulnerability categories, and by implication the protection programs, they resort to coping strategies that sometimes expose them to additional risks and harms.

The testimonies and experiences of the refugees, as presented in this report, invite us to rethink what it entails to be identified as ‘vulnerable’ by humanitarian actors, how to refine the nexus between humanitarian intervention and development, and how to better involve refugees themselves in the design and implementation of humanitarian interventions. The findings also force us to seriously reflect on questions about minimum standards of suffering, and how long and for whom such suffering is acceptable. This question becomes particularly important when we consider the limited resources that are available to cater to the large number of refugees in Uganda.

Some scholars have argued that, as a result of the structural deficiencies of the Uganda protection system towards, it is not a ‘helpful’ model to other countries, which might want to emulate Uganda’s model (Hovil, 2018). This report disagrees. For countries with the resources or sufficient support from the international community and the political will to implement human rights and refugee laws indiscriminately, Uganda’s model has much to offer. What is not helpful for the refugees, is to praise Uganda’s refugee policies and protection model uncritically, without reflecting on how it interacts within a complex local and international context that take part in shaping its limitations in addressing refugees’ vulnerabilities.

## ANNEX

### **Appendix 1: Interview Guiding questions**

1. Age:
2. Gender
3. Marital status
4. Household size
5. Do you have children?
6. If yes, how many?
7. If yes, do they have birth certificates if they were born in Uganda?
8. Nationality
9. Settlement?
10. Zone?
11. Education level
12. What credentials do you have?
13. Which languages do you speak?
14. Is language a barrier to accessing services?
15. When did you flee your country of origin?
16. What reasons forced you to flee your country?
17. What is your refugee status? Asylum seeker or refugee.
18. As an asylum seeker, how long have you been in the asylum application process?
19. What services are you getting as an asylum seeker?
20. If you are a refugee, did you face any challenges in the application process?
21. If so, which ones?
22. How long have you been a refugee?
23. How many times have you renewed your refugee status?
24. Have you applied for citizenship?
25. If not, why not?
26. How have you survived in the settlement from the time of arrival up to now?
27. Do your children go to school?
28. If yes, where do they attend school?
29. How many go to school?
30. If No, what reasons hinder them from attending school?
31. Have you tried to look for any source of income in Uganda?
32. If yes, what is your source of income?
33. If no, why haven't you?
34. If employed, when did you started working in Uganda?
35. Do your children work?
36. If so, where do they work?
37. Have you gone to any organization for help?
38. If yes, which organization?
39. Did they help you?
40. When you get sick, where do you go for medical treatment?
41. Do you face any problems in accessing medical treatment?

42. If yes, what problems do you face in getting medical treatment from the healthcare facility?
43. What other problems do you experience that stop you from living a full life?
44. What could improve your life better in the settlement?
45. When you get problems, where do you report?
46. How do you cope with these problems?
47. When you arrived in Uganda where were you settled?
48. Where do you stay currently?
49. What are the reasons for relocation?
50. Do you get all services from where you stay?
51. What means of transport do you use?
52. If not, how much do you spend on transportation to get services?
53. When you get money from WFP or any other agency, what do you spend it on?
54. How would do you want the aid agencies to respond to the problems you face to improve your life?
55. Have you ever taken part in any support groups?
56. If yes, what have you benefited from the support group(s)?
57. Have you ever participated in election processes to choose your refugee leaders since arrived in settlement?
58. Do local leaders help refugees in solving their problems?
59. If yes, how?
60. If no, what prevents them from helping refugees?



## Appendix 2: Key Sites where Observations took place

Participant Observations	Nakivale Settlement	Outside Settlement	Type of Activity	Accompanied by
<b>Police Stations</b>	Kashojwa, Kabahinda, Juru and Kahirimbi	Mbarara	Police Follow Up	Refugee Paralegals
<b>Health Centre &amp; Private Clinic</b>	Nyarugugu	Mbarara	Accompanying patient for treatment	Refugee field assistant and refugee patient
<b>Aid Offices</b>	Base Camp and Rubondo	Mbarara	Informal interviews and observations interactions between aid workers and refugees	Refugee Paralegals and National Aid workers
<b>Cash Verification and Food Distribution Centres</b>	Base Camp and Nyakagando		Observation of verification exercise	National Aid Worker
<b>Refugee Status Determination Procedure</b>	Base Camp		Observation of RSD process	OPM
<b>Water Collection Points</b>	Base Camp, Nyarugugu		Observations of water collection	Refugee field assistant
<b>Registration for Voluntary Repatriation</b>	Base Camp		Observations of registration and informal interviews	Self
<b>Prison Monitoring with Key Humanitarian Agencies and OPM</b>		Mbarara	Observation of Prison monitoring and verification of prisoners and legal aid service provision	National Aid worker

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