

**THE NEED FOR ECONOMIC EMPOWERMENT PROGRAMS FOR REFUGEES IN KAMPALA  
URBAN REFUGEE'S SETTLEMENT IN UGANDA TO REALISE THEIR ECONOMIC RIGHTS**

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**UGANDA CHRISTIAN  
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## DECLARATION

I, Mukisa Angello M.K, declare that this is my original research dissertation and has not been presented in any institution of higher learning for any academic reward.



Signature.....

Date 13 May 2024.....

Mukisa Angello M.K

CS20B11/052

APPROVAL

This is to certify that this research dissertation titled **The Need for Economic Empowerment Programs For Refugees In Kampala Urban Refugee's Settlement In Uganda To Realize Their Economic Rights** by **Mukisa Angello M.K** has been conducted under my supervision and is now ready for submission to the faculty for examination.

Signature.....

Date.....

MS Ruth Kulabako

Research supervisor

## DEDICATION

This work is dedicated to my Mother **MS GRACE RUJUTA MIREMBE** and my **Guardians** for the financial, moral and spiritual support you have given me at all levels of my studies. Your support and care gave me a positive transformation in my life and may the almighty God bless you abundantly with your heart's desires.

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## **LIST OF ACRONYMS**

OPM-Office of The Prime Minister

UNHCR-United Nations Human Rights Commission

ACHPR-African Charter On Human and People's Rights

ACHR-American Charter to Human Rights

OAU-Organization of African Union

IOM-International Organization for Migration

ReHope- Refugee and Host Population Empowerment

UBOS- Uganda Bureau of Statistics

RUFi- Rural Finance Initiative

STA-Settlement Transformation Agenda

PS4R- Private Sector for Refugees

NDP- National Development Plan

## **ABSTRACT**

This thesis asserts that there is need for more economic empowerment programs in Uganda for refugees to realize their economic rights. Refugees in Uganda should be looked at as an asset rather than a liability and it is through these economic empowerment programs refugees realize their economic rights as they take part in economic empowerment programs and also it is to the benefit of host communities. Above all the Uganda's legal framework should be applauded for it has acted as an inspiration to many countries.

## CHAPTER ONE

### Title

THE NEED FOR ECONOMIC EMPOWERMENT PROGRAMS FOR REFUGEES IN KAMPALA  
URBAN REFUGEES SETTLEMENT IN UGANDA TO REALISE THEIR ECONOMIC RIGHTS.

### 1.0 Introduction

The term refugee has varied over time and differs from country to country but in a contemporary society a refugee is a person forced to flee their home (involuntary migrate) due to persecution whether on an individual basis or as part of a mass exodus due to political, religious, military or other factors that may arise and threaten peace.

Relative to the **Article 1A of 1951 Refugee convention**, a refugee is defined as a person owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it<sup>1</sup>.

### 1.1 BACKGROUND

The history of refugees dates back in the **1940's** where the first refugees who came to Uganda were the **Polish**. The oldest refugee camp in Africa is located in the southwest formed in **1959** known as **Nakivale Refugee Settlement**. In **1950's**, over eighty thousand Sudanese fled to the country due to the first civil war and during the **1960's** the Congolese and Rwandese refugees entered the western part of Uganda. Some of these refugees who come to Uganda are Rwandese, Congolese, Sudanese, Kenyans among others. It should be noted that Uganda in the **1972** during the reign of **Idi Amin** expelled its own citizens of Asian descent<sup>2</sup>.

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<sup>1</sup> Convention relating to the status of refugees 1951

<sup>2</sup> <https://www.yesmagazine.org/social-justice/2021/09/01/uganda-history-hosting-refugees>

The **1951 Convention Relating To The Status Of Refugees** does not only establish the definition of a refugee but also the principle of **Non- Refoulement**, which guarantees that no one should be re-turned to a country where they would face torture, cruel, inhuman or degrading treatment or even punishment and other irreparable harm. This principle was further emphasized in the leading case of **Sale v Haitian Centers Council, Inc** where the supreme court ruled that the president’s executive order that all aliens intercepted on the high seas could be repatriated was not limited by the immigration and nationality act of 1952 or **article 33** of the united nations convention relating to the status of refugees<sup>3</sup>.

The **2009 urban refugee policy of the united nations high commissioner for refugees (UNHCR)** advocates for the right of refugees to work, move freely within the country and to live in the local community, rather than in settlements but government still restricts refugee’s right to work and require them to live in camps, for non-government organizations(NGO’s) too often implement programs more appropriate to refugees in camps.<sup>4</sup> In line with the **2006 Uganda refugee Act**, the Ugandan government promotes refugee ‘self-reliance’ to those who live in the so called

“settlements” through apportioning land to refugee households in order to facilitate refugees’ economic independence through agricultural livelihoods.<sup>5</sup>

Proportionately, it should be noted that refugees are protected under a variety of international instruments which include; The **Universal Declaration Of Human Rights (UDHR)** which is enshrined under **article 14**<sup>6</sup> that mandates the right to seek and enjoy asylum in other countries. **Article 22** of the **American Convention on Human Rights (ACHR)**<sup>7</sup>, the **African [Banjul] Charter on Human and People’s Rights (ACHPR)** **article 12(3)**<sup>8</sup>, the **1969 OAU (Organization of African Unity)**.

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<sup>3</sup> Haitian centers council 1993 509 US.155

<sup>4</sup> Alert Net ,Dale Buscher Aid Worker Diaries, Its Time For New Approach To Urban Refugees, 2012

<sup>5</sup> Dr Naohiko Omata and Dr Josiah, Kaplan Refugee livelihoods in Kampala, Nakivale and Kyangwali Refugee Settlements,2013

<sup>6</sup> Universal declaration of Human Rights 1948

<sup>7</sup> American Convention On Human Rights 1978

<sup>8</sup> African charter on human and people’s rights 1981

Uganda is a signatory to all principal international legal instruments for refugee protection and this accented to by the president as per **article 123** of the constitution of the republic of Uganda<sup>9</sup>. These include; 1951 Refugee Convention, the 1976 Protocol and the 1969 OAU (Organization of African Unity) Convention.

In 2006, Uganda adopted new refugee legislation known as the Ugandan refugee act 2006.

In summary, a refugee is an involuntary migrant, a victim of politics, war or natural catastrophe. In the above context, one becomes a refugee migrant, but not every migrant is a refugee.

It is no doubt that Uganda is one of the largest refugee-hosting nations in the world as per last year's (2023) **UNHCR Operational Update** where it was reported that by the end of December 2023, the country was hosting over **16,15162 refugees** and asylum seekers. The update also brought out the fact that Uganda received over **98,232 new arrivals of which 50.7%** arrived through the border entry mainly at **Kisoro, Lokung, and Bundibugyo** and **49.3% were received in Kampala**. Since January 2023, due to the ongoing conflict in Sudan, over **12,900** new arrivals of which **86% arrived in Kampala** and the **145 arrived in settlements**<sup>10</sup>.

**Uganda's refugee management approach has been hailed** as one which is not only *progressive and compassionate but also smart*. As part of the **International Solidarity Summit Tour** around the camps in West Nile in June 2017<sup>11</sup>, **Antonio Guterres, the UN Secretary General** remarked in his own words asserting,

*"... It's important to underline that Uganda, in the past, received these South Sudanese refugees and I had the opportunity when visiting the same area that I visited yesterday, to see that they were not in camps but in so-called settlements that are in reality villages, like villages of the Ugandan people. This allows them to farm the land, allows*

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<sup>9</sup> The 1995 Constitution of the Republic of Uganda as amended

<sup>10</sup> <https://reliefweb.int/report/uganda/uganda-unhcr-operational-update-quarter-4-2023>

<sup>11</sup> <https://ecre.org/uganda-solidarity-summit-on-refugees-2017/>

*them to go to the same schools, the same health centers, to have jobs, to allow them to have normal lives, to live in dignity.<sup>12</sup>”*

In Uganda, refugees are allocated settlements where residential and agricultural land is provided and access to social services like education; they participate in the labor market and enjoy freedom of movement. By this, refugees are able to pursue their livelihoods just like the Ugandan population. Some of these settlements include; Achol-Pii Refugee Settlement, Bidi bidi refugee settlement, Imvepi refugee settlement, Kiryandongo refugee settlement, Kyaka ii refugee settlement, Rhino camp refugee and Rhino camp extension refugee settlement, Rwamwanja refugee settlement, Kyangwali refugee settlement, Kampala Refugee Settlement, Nyumanzi refugee settlement to mention but a few<sup>13</sup>.

## **1.2 Statement of the Problem**

According to the **International Organization for Migration (IOM)**, that it is committed to *the principle that humane and orderly migration benefits migrants and society*. As an intergovernmental organization, the IOM acts with its partners in the international community to assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development thought and uphold the human dignity of migrants.<sup>14</sup> *It should be noted that economic empowerment and resilience program for refugees are interventions aimed to strengthen the income-generating capacity of targeted refugees and their economic resilience to future shocks and market disruptions, through vocational training and grants for startups businesses<sup>15</sup>.*

When it comes to Kampala the capital city of Uganda, the urban refugee case load is excluded from refugee assistance and protection. This mainly affects the kind of refugees who opt to stay out of the settlements and to this; they are supposed to cater

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<sup>12</sup> Winnie Watera and others, Uganda’s Refugee Management Approach Within The EAC Policy Framework, 2017

<sup>13</sup> [https://en.wikipedia.org/wiki/List\\_of\\_Refugee\\_settlements\\_in\\_Uganda](https://en.wikipedia.org/wiki/List_of_Refugee_settlements_in_Uganda)

<sup>14</sup> International organization for Migration, IOM Strategic Plan, 2024-2028

<sup>15</sup> Ibid

for themselves. Relief agencies, service providers and decision makers tend to ignore these refugees and at this point, this is where the role of refugee community organizations comes in play and their role is very fundamental to these vulnerable people.

As already noted, Uganda is the one of the largest hosting countries in Africa after surpassing Ethiopia and Kenya in 2017 and it merges as fifth largest refugee country in 2023.<sup>16</sup> The UNHCR most recent statistics for Uganda manifest that there are so many refugees and asylum seekers from diverse nationalities for which most of them are from Congo. On arrival, most of them are spread in the so-called settlements and in Kampala, which really has a big refugee population of over 50,000 and live on their own. Some of these refugees are people with disabilities, single mothers with many young children, unaccompanied minors and single men expected to cater for themselves and are faced with hardships accessing their basic services, which include healthcare, shelter and food.<sup>14</sup>

The policy that was adopted by the government of Uganda and UNHCR is that only refugees living in these so-called settlements are the only ones eligible and entitled to the relief and humanitarian assistance.<sup>17</sup> It should be noted that this contravenes with a policy that was released in September 2009 that was known as **The Policy On Refugee Protection And Solutions In Urban Areas** specifically **article 11:14**, that asserts that “the office considers urban areas to be a legitimate place for refugees to enjoy their rights, including those stemming from their status as refugees as well as those that they hold in common with all other human beings”<sup>18</sup> and the Uganda Refugee Act which officially gives recognition to a population which in reality already existed<sup>19</sup>.

Despite the government’s endeavor to setup these programs, for instance the **Uganda Host And Refugee Community Empowerment Project**, that is a joint initiative between the government of Uganda, the Korea International Cooperation Agency

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<sup>16</sup> <https://www.statista.com/statistics/263423/major-refugee-hosting-countries-worldwide/> <sup>14</sup> *ibid*

<sup>17</sup> <https://www.unhcr.org/innovation/helping-refugees-help-themselves-community-based-approach/>

<sup>18</sup> Policy on Refugee Protection and Solutions in Urban Areas 2009

<sup>19</sup> Refugee act , 2006

(KOICA) and the United Nations Development Programme (UNDP) that seeks to improve the social -economic empowerment of refugees and host communities, enhance capacities for mainstreaming gender equity and gender based violence(GBV) prevention,<sup>20</sup> **there is need for government to establish more empowerment programs for refugees both in and out of the settlements in Kampala** to cater for these refugees.

Additionally, monetary aid is also very essential to support these programs which in this case comes from a variety of sources such as the United Nations, donations from people of good will and also other non-governmental organizations (NGO's) and humanitarian agencies to enable these programs to thrive.

According to the **Solidary Summit on Refugees 2017** that was conducted in Uganda. The **European Council On Refugees And Exiles** aimed at raising support for the refugee and host communities, namely through investments, projects and development programs asserted that Uganda is one of the most inclusive and welcoming asylum system in the world but over population has made the situation unsustainable and visible strains on the public service which calls for the establishment of economic empowerment programs to enable these refugees cater for themselves rather than depending on the public time and again. In that way, the burden is reduced and an opportunity is seized.<sup>19</sup>

### **1.3 Objectives of the Study**

- To assess the opportunities, the economic empowerment programs, impact on the host countries.
- To determine what barriers hinder refugees in attaining economic empowerment programs so as to realize their economic rights.
- To assess how best, the economic empowerment programs can be improved so as to ensure refugees attain their economic rights and a decent livelihood.

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<sup>20</sup> <https://www.undp.org/uganda-host-and-refugee-community-empowerment-project-safeguards-public-consultation> <sup>19</sup> <https://ecre.org/uganda-solidarity-summit-on-refugees-2017>

### **1.3.1 Main Objective of the study**

- To investigate the effect of having economic empowerment programs for refugees on both the refugees and Uganda as a country.

### **1.4 Research questions**

What are the opportunities the economic empowerment programs impact on the host countries?

What barriers hinder refugees in participating economic empowerment programs so as to realize their economic rights?

How best can the economic empowerment programs be improved to ensure refugees attain their economic rights and a decent livelihood?

### **1.5 Significance of the study**

This study may be useful in identifying how best refugees can be empowered so as to live a decent life and the significance of refugees to Uganda.

It is also useful in a way that it brings out the barriers and constraints for refugees in achieving economic rights by participating in economic empowerment programs.

Lastly its significant in a way that it shows how best these economic programs can be boosted to ensure refugees attain their economic rights and a decent life.

### **1.6 Scope of the study /Thematic scope of study**

The study will dwell on examining the existing international instruments ratified by Uganda and domestic legislation, which include the 2006 Refugees Act.

#### **1.6.1 Geographical scope of the study**

The research shall be carried out in Kampala refugees' settlement.

### **1.7 Preliminary Literature Review.**

This section will delve into the existing literature on economic empowerment programs for refugees.

According to **Danny Bahar** wrote an article on the world 's refugee day and asserted that host countries should not look at refugees as burdens but rather look at them as welfare assets. He saw it in a way that if refugees are empowered, the host countries gain, the country of origin wins and refugees themselves benefit. First and foremost, he asserted that accepting refugees protects the most precious gift which is life or the right to live as per **article 3** of the **Universal Declaration Of Human Rights**<sup>21</sup> and thus allowing them without being subjected to discrimination as per **article 3** of The Convention Relating To The Status of Refugees and providing them the most utmost protection saves their lives.<sup>22</sup> He envisioned that , providing refugees with the right to work, to health and to education lays out a platform for them to start their own lives that are productive in the host countries.<sup>23</sup>

Additionally, the faster refugees integrate into labor force, the faster, they can become productive members of society. According to him, the presence of more foreigners in labor force does not hurt natives because both natives and migrants have a different set of skills and zealously compete for different types of jobs. This he wrote referring to an article written by **Giovanni Peri and Mette Foged** titled **How Immigrants And Job Mobility Help Low-Skilled Workers** where in summary they concluded that a labor market that encourages occupational mobility and allows low-skilled immigrants can generate an effective mechanism to produce upward wage and skill mobility of less educated natives, especially the young and low-tenure ones.<sup>24</sup>

**Dany** further added, migrants engage in entrepreneurship at much higher rates than natives do because migrating is associated with risk taking behavior especially in business related spaces. At times migrants create new jobs for everyone. Receiving countries can benefit in more ways too as they foster international trade and investment through mediating between business people in both countries who are willing to invest in the local community and trade with local business. The author also

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<sup>21</sup> Universal declaration of human rights 1948

<sup>22</sup> Convention Relating To The Status Of Refugees 1951

<sup>23</sup> <https://www.brookings.edu/articles/refugees-are-a-win-win-win-formula-for-economic-development/>

<sup>24</sup> Giovanni Peri and Mette Foged, *How Immigrants And Job Mobility Help Low-Skilled Workers*,2015

brought out the fact that refugees still bring a different set of skills than natives, which can be key to creating business network and knowledge diffusion. He concludes that if refugees are given the right protection, support and empowerment, they are more of an asset to their host countries and not a burden for all those countries hence it is a smart move.<sup>25</sup>

In my opinion, I believe that refugees that come to Uganda are equipped with different skills, some are good at making crafts for instance Sudanese, tailoring suites for instance the Congolese, and Somali women are good at making skin care products which are used by a variety of Ugandan women but Dany's article omits the fact that the programs set up should be able to empower refugees with different skills and that these skills should be in different spheres to empower these them and so more programs should be established by the government.

**Fakih C. Mohammed**, a business owner in Canada in a bid to empower refugees economically wrote that he had just hired over 150 refugees to assist them in becoming an asset to the country's economy instead of a liability and asserted that it is up to the Canadians and world constituents to help the refugees to integrate further. He continued to say that when refugees where asked what makes them feel integrated in the society, they answered, until they have a given job or income and if this is not achieved then they do not really feel fully assimilated in the society. This can only be achieved through being introduced to different opportunities that is to say through being introduced to different economic empowerment programs to generate income. He also noted that these refugees come with many skills and professional experiences that they bring and that for them to achieve this kind of economic empowerment, coordinated efforts by a range of actors and entities are required. He added that he had to engage the local stakeholders like the organizations working directly with refugees who also have similar approach and goals and delivered skilled individuals that were able to further train by creating a training program, which included food handling and language training and information relating to Canadian culture. He continued to

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<sup>25</sup> <https://www.brookings.edu/articles/refugees-are-a-win-win-win-formula-for-economic-development/>

assert that these refugees brought new ideas and perspectives that enhance the workplace along with their hardworking and committed dispositions. In this way, the refugees gain economic independence and improve their quality of life<sup>26</sup>. He reiterated what **Margaret Mead, an American cultural anthropologist** famously said, **“Never doubt that a small group of thoughtful, committed citizens can change the world, indeed, it’s the only thing that ever has”**. Therefore, refugees, as much as they are a small group of vulnerable people, they have the ability to change the world if given the opportunity to do so for most of them come with a special skill.

In my opinion, Fakhri Mohammed’s article omits that the most important sector that empowers these refugees which is the government because in the first place it is the one that allows them to stay in a country which in this case is through its laws and it is the government that should come up with these programs because basically it has all the resources to support refugees

According to the report of the **United Nations Secretary General, Gutierrez about The 2016 Leave No One Behind About Women’s Economic Empowerment**, that was adopted to improve the lives for all refugees and applying to all countries promising sustained, transformative change. The report demonstrated four systematic restraints contributing to gaps in women’s economic empowerment opportunities and these include; *adverse social norms, discriminatory laws, unpaid care work and lack of access to resources and assets*.<sup>27</sup> The, report affirmed that displaced women not only face constraints related to their gender but also their displacement such as restrictions and psychological distress. This was further propounded in an article titled **Scaling Economic Opportunities for Refugee Women** where **Kabir and Klugman** pinpointed the pay and employment gaps specifically faced by refugee women and it embedded the causes which included<sup>28</sup>;

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<sup>26</sup> [https://www.linkedin.com/pulse/economically-empowering-refugees-we-can-do-mohamadfakhri?trk=portfolio\\_article-card\\_title](https://www.linkedin.com/pulse/economically-empowering-refugees-we-can-do-mohamadfakhri?trk=portfolio_article-card_title)

<sup>27</sup> Klugman and Tyson, A Call To Action For Gender Equality And Women’s Economic Empowerment, 2016

<sup>28</sup> Kabir and Klugman, Scaling Economic Opportunities For Refugee Women, 2019

- Gendered occupational segregation that keeps women in unskilled, low paid sectors of the economy.
- Intersecting inequalities and discriminatory social norms in the household and wider society,
- Legal barriers to labor market participation for displaced populations
- Concentration of women in the informal economy with low pay and no legal protection □ Gendered social and business networks to which women generally have less access.
- Lack of resources to promote women’s economic empowerment in crisis settings.

This report was mainly centering on women being the most affected gender when it comes to migration and it is based on expanding women’s economic opportunities by 2030 as an agenda for sustainable development. The report further portrays that there have been progress in closing gender inequalities and they believe that women’s economic empowerment is the right thing to do with several interlinked pillars and each is fundamental to progress namely; the universal case for basic human rights, growth and development case and lastly the business case.<sup>29</sup>

The report revealed the primary drivers of women ‘s economic empowerment that is to say building assets, changing business culture and practice, recognizing, reducing and redistributing unpaid work and care, ensuring legal protection and reforming discriminatory laws and regulations, tackling adverse norms and promoting positive role models, strengthening, visibility, collective voice and representation, improving public sector practices in employment and procurement.<sup>30</sup>

In my opinion, regarding the aspect of refugee women that come to Uganda, the article omitted the fact that it is through these economic empowerment programs that if provided by government take away their problems and empower them so as to live decent lives and that the barriers mentioned that they face are really not an issue of concern the moment they take part in these programs.

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<sup>29</sup> Kabir and Klugman, *Scaling Economic Opportunities for Refugee Women*, 2019

<sup>30</sup> Klugman and Tyson, *Leave No One Behind*, 2016

**The International Rescue Committee** whose main objective was to develop a better understanding of women's economic empowerment from the perspective of refugee populations, primarily women and document the challenges that refugee women face in acquiring human capital and participating in the labor market<sup>31</sup>, wrote an article bringing out the restraints to labor market participation for refugee women and these include social cultural norms, health, housing and mobility, legal status and labor code, education and skills, and workplace. Its main objective was to develop a better understanding of women's economic empowerment from the perspective of refugee populations, and document the challenges that refugee women face in acquiring human capital and participating in the labor market.

It further defined women empowerment in the context of women *as the ability of women to safely generate, use and control resources to achieve economic wellbeing.*

The article mainly centered on women refugees concentrating on countries like Germany, Niger, and lastly our sister country Kenya. The committee wrote that improving refugee women's access to decent work (whether formal employment or other income generating activities) provides significant gains for refugee women and their families as well as the host country's economy. However, there are consequences attached to this empowerment which include; being over burdened by work and home responsibilities and receiving adequate support to manage, relationship challenges, jealousy of husbands due to increased independence or greater earning or exposure to new opportunities and harassment and violence.<sup>32</sup>

In regards to that article written by the international committee, it omitted the fact that these empowerment programs cover both women and men and that they are to equip them with skills they don't have or upgrade on the skills that they do have which will enable them to generate income for themselves

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<sup>31</sup> <https://www.rescue.org/page/our-goals#safety#:~:text=The%20International%20Rescue%20Committee%20helps,and%20understand%20their%20human%20rights>

<sup>32</sup> International Rescue Committee, Scaling Economic Opportunities for Refugee Women. Understanding And Overcoming Obstacles to Women's Economic Empowerment In Germany, Niger And Kenya,2019-2020

Analogous to **Markel and Jones**, they wrote that in order for women empowerment to take shape, transformations must take place in women's households, the community and broader society to both improve women's access to key resources and opportunities.(including education, training, financial literacy, capital networks and employment options) and increase their agency (the ability to safely and freely make choices about how they control their time and resources thus this leads to increased economic empowerment hence realizing their economic rights.<sup>33</sup>

In my opinion I believe in order for women to achieve their economic empowerment, it omitted that these programs actually start with them and they must be able to grab an opportunity the moment it surfaces, they ought to be open to whatever comes their way that involves empowering them economically and exhaustively use the resources they have to attain economic empowerment.

Further to that, **Buvunic and O'Donnell**, wrote that the **Center For Global Development (CGD)** recent review of evidence on interventions to support women's economic empowerment pointed to a number of interventions that address the range of barriers that displaced women face which include<sup>34</sup>;Bundled case management services where if these women are provided capital transfers along with technical training and life skills coaching which is referred to as a holistic approach increases the employment among the poor women, Affordable and accessible childcare where an article that was written by Barbelet and Wake was referred to<sup>35</sup>, Vocational or business training responsive to labor market demand and that offer transportation and child care services, Interventions supporting access to networks and mentors that is to say access to supportive mentors and coaches and can also enforce application to new skills and Access to savings accounts or groups.

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<sup>33</sup> Markel and Jones, Women's Economic Empowerment Pushing the Frontiers of Inclusive Market Development,2014

<sup>34</sup> Buvunic and O'Donnell, Revisiting What Works: Women Economic Empowerment and Smart Design, 2016

<sup>35</sup> Barbelet and Wake, Livelihoods in Displacement: From Refugee Perspectives to Aid Agency Response, 2017

In my opinion I assert that this report did not address the opportunities that come along with economic empowerment programs which are providing an income to the refugee women and also raising taxes for the country and in that way becoming an asset to the country. It further didn't address its self to the fact that economic empowerment programs provide skills and also advance skills for those who join these programs.

According to the report written by the **World Bank titled Uganda Supporting Refugee and Host Communities to Become Secure and Self-Reliant**. It asserted that the world bank group, the Uganda bureau of statistics and the office(UBOS) of the prime minister in a bid to understand the social-economic welfare and wellbeing of refugees living in Uganda have worked tirelessly together to analyze the social-economic profile, poverty and vulnerability of refugees and host communities to inform policy, planning and programming for the national refugee response. The article brought out the government's refugee and host population empowerment(**ReHoPE**) strategy as one body which provides a national framework for making refugees part and parcel of the development agenda and to ensure that there is peaceful coexistence between refugees and Ugandans, equip refugees with skills and knowledge to rebuild their countries of origin once peace is assured. Pressure is exacted on the public service, delivery system, government and development partners to have a strong evidence base to make informed decisions including targeting of social programs to improve the living conditions of refugees and hosts. The report brings out the fact that refugees also contribute to the local economy in various ways and there are signs of social integration as they purchase goods and services in the local markets and also sell what they manage to grow on their small plots of land as the 2006 refugees act permits them to move freely and work in the country.<sup>36</sup>

**Tony Thampson**, World Bank country manager for Uganda in his own words asserted that "refugees are a young, untapped source of labor, with lots of potential. Programs that stimulate varied skills initiatives and encourage labor demand in hosting areas can

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<sup>36</sup> World bank, Uganda Supporting Refugee and Host Communities To Become Secure And Self Reliant,2019

significantly improve their wellbeing and at the same time help to develop these regions economically” therefore Uganda should look at these and continue to show the rest of the world that hosting refugees is an opportunity that should be tapped.<sup>37</sup>

Upon the conclusion of the report, the World Bank made recommendations as a remedy to boost economic empowerment programs, which include raising the productivity of agricultural activities through the provision of inputs and extensions of services, as well as creating job opportunities in non-agricultural sectors.

The report omitted the fact that the chances of employment, training and skill programs are increased and using social group and associations to implement refugee programs for examples mentoring skills training and providing extension services will ensure that refugees continue to feel safe and welcome in Uganda.

**The Women Refugee Commission, on youth who are refugees** reiterated in their article the barriers that hinder economic empowerment, which include; assets where they asserted that refugee’s ability to earn an income is largely determined by the assets they possess. Young men and women may arrive in their host city with fewer assets than the adult refugees may and this greatly affects them in a way that they have nowhere to start<sup>38</sup>.

In relation to Uganda, you find that some refugees flee and come with nothing from their respective countries and this makes it hard for them to be empowered. Secondly, human capital inform of education also hinders education where refugees who come to host countries are semi educated that is semi educated, some enter but others always have the challenge of tuition.<sup>39</sup> This further takes it to the third barrier which is financial capital where indeed few banks reach out to refugee community members of any age, let alone the youth. Even when youth financial services exist, refugee youth are unlikely to be aware of these services.

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<sup>37</sup> World bank, Uganda Supporting Refugee and Host Communities to Become Secure and Self Reliant,2019

<sup>38</sup> Women Refugee Commission, Youth Speak Out: New Voices 2021

<sup>39</sup> Women Refugee Commission, Youth Speak Out: New Voices 2021

Therefore, this even in Uganda makes it hard for these refugee youth to access economic empowerment programs to live a decent life.

Commensurate to the recent **Global Refugee Forum** held every four years that was conducted on

13<sup>th</sup> to 15<sup>th</sup> December 2023 with the theme “**Action, Unity and Impact**” co-convened by five states namely **Colombia, France, Japan, Jordan and Uganda** and co-hosted by the government of Switzerland and UNHCR saw over **1600 pledges** made to support refugees and their host communities. These also included 43 multi-partner commitments led by governments an estimated **\$2.2 billion** in new financial commitments by states and other actors were announced, including some **\$250 million** pledged by the private sector. These outcomes offer a source of hope to refugees displaced worldwide.<sup>40</sup>

With Uganda being one of the co-convened states, there is hope that this financial aid, if carefully appropriated can be used to finance the economic programs that enhance the lives of the refugees in the different parts of Uganda especially in Kampala which holds one of the biggest number of refugees. One ought to understand that the forum is the world’s largest international gathering on refugees designed to support the practical implementation of the objectives set out in the **Global Compact On Refugees** which are; *To ease the pressure on host countries, enhance refugee self-reliance expand access to third-country solutions, support conditions in countries of origin for return in safety and dignity.*<sup>41</sup>

In conclusion, I aver that there are so many reports, articles blogs and books written about the economic empowerment of refugees and it is important to note that financing these programs is one of the most important aspect host should look at and host countries should never look at refugees as a burden but rather look at them as an opportunity to better their economies.

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<sup>40</sup> <https://www.unhcr.org/global-refugee-forum-2023>

<sup>41</sup> <https://www.unhr.org/about-unhr/who-we-are/global-compact-refugees>

## **1.8 Methodology.**

This section will show the ways in data is going to be collected for the study.

### **Introduction to the research methodology**

This section will show the chassis within which the data was collected and also intimate on the area of study, the research design and lastly techniques used in the data collection.

### **Research design**

The researcher used a number of sources to collect and analyze data, which included the use of articles, working papers, journals, the internet, statutes, case law and legal principles. It should be noted that the sources used in data collection are both from Uganda and other jurisdictions.

### **Data collection and analysis**

The researcher obtained data through secondary data collection methods about the study by way of questionnaires supplied to specific data subjects within the area of study. Analogous to the secondary data collection methods, information was obtained from published and unpublished books, reports, articles, journals and others materials essential to the study.

Commensurate to the interview method of data collection, they shall be between specific individuals that is to say those in charge of Kampala refugee settlement.

Additionally, the findings are then tethered with the objectives of the study.

## **1.9 Chapter synopsis.**

### **Chapter one**

Chapter one will have a brief introduction and background of refugees in Uganda, the problem statement, the objectives of the study as well as the specific objectives of the study listing the research questions intended to be solved, an overview as to the scope of the study which is through the thematic and geographical scope. Justification of the study and its significance and the literature review.

### **Chapter two**

This will define the term refugees broadly, institutions that facilitate economic empowerment programs for refugees so as to realize their economic rights in Uganda and factors that that influenced economic empowerment programs of refugees to realize their economic rights.

### **Chapter three**

This will look at the legal framework, the challenges, gaps and risks involved in attaining the economic empowerment programs of refugees so as to realize their economic rights. What is being done to address these challenges.

### **Chapter four**

This will look at the findings, conclusions and recommendations aimed at addressing the missing gaps in regards to the study and the bibliography.

## CHAPTER TWO

### 2.0 Introduction

This chapter will presuppose an inquest firstly into the definition of refugees, factors that influence refugee empowerment programs in realizing their economic rights and the institutions that facilitate refugee economic empowerment programs to realize their economic rights.

### 2.1 Definition of a refugee.

According to **Austin T. Fragomen**, he defined refugee as a term that contains the risk of future unpredictability. He defined it referring to an in his own words and asserted that a refugee is a person who is stateless or without any country of nationality and has been or will be denied the right to return to his country of nationality or former residence and has been forced to leave his normal country residence due to racial, political, or religious discrimination, has been a victim of a war or a disaster which has seriously disadvantaged his condition of living, or is unable or unwilling to accept the protection of the government of his country of origin as a result of fundamental political dangers and cannot avail himself of the protection of another government except as a right of asylum<sup>42</sup>.

According to **Isabelle R. Gunning**, in her article, asserted that the definition of the term refugee focuses on individual persecution and thus excludes people fleeing war and civil strife in regards to the 1951 convention relating to the status of refugees. She further defined the term refugee using the 1967 protocol and the 1951 international convention relating to the status of refugees asserting that a refugee is a person who owing to a well to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion is outside the country of his nationality and is unable or owing to such fear, is unwilling to avail himself of the protection of that country<sup>43</sup>.

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<sup>42</sup> Austin T. Fragomen Jr, *The Refugee, A Problem of Definition*, 1970

<sup>43</sup> Isabelle R. Gunning, *Expanding The International Definition Of Refugee: A Multicultural View*, 1989

Commensurate to the black's law dictionary 9<sup>th</sup> edition, The state of being a refugee is termed as refugeeism.<sup>44</sup> Relative to the case of R V Secretary For The Home Department, Ex Parte Adan, Exparte Aitseguer<sup>45</sup>; court held that persecution maybe by bodies other than the state. Persecution is not limited to cases where a state carried out or tolerated the persecution. It encompasses instances where a state is unable to afford the necessary protection to its citizens.

R v Secretary of State For The Home Department, Ex Parte Sivakumaran and Conjoined Appeals(UN High Commissioner For Refugees Intervening)<sup>46</sup> court asserted that the requirement that an applicant for refugee status had to have a “well founded” fear of persecution if he was returned to his own country, meant that there had to be demonstrated and a reasonable degree of likelihood that he would be so persecuted, and in deciding whether the applicant had made out his claim that fear of persecution was well founded the secretary of state could take account facts and circumstances known to him or established to his satisfaction.

The requirement of a well-founded fear of being persecuted contains both an objective and subjective criterion. For fear is indeed is a very person response to a situation. Fear must be reasonable under the circumstances. The AD Hoc committee described “well-founded fear” to mean that a person has either been a victim of persecution or can show good reason why he fears persecution<sup>47</sup>

## **2.2 Factors that influence economic empowerment programs of refugees**

### **2.2.1 The Pressure exerted by refugees on the public services delivery system to realize their economic rights in regards to participating in economic empowerment programs.**

To begin with, are the words of world bank senior economist Carolina Mejia-Mantilla and lead author of the report titled Uganda: Supporting Refugees and Host Communities to Become Secure and Self- Reliant, where she asserted in her own words

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<sup>44</sup> Bryan A Garner, Black's law dictionary 9<sup>th</sup> edition page 1394

<sup>45</sup> Court of appeal (England and wales)23<sup>rd</sup> July, 1999

<sup>46</sup> AC 958, 1988 1 ALL ER 193

<sup>47</sup> Austin T, Fragomen, The refugee: A problem of definition,1970

“recent arrivals of refugees have put additional pressure on the public services delivery system, and to some central elements of the response approach, such as land available for refugees” and it is upon this that the government alongside its development partners have grounds to make decisions that target social programs to improve the living conditions of refugees and hosts so as to realize the economic rights of refugees. The pressure that has been mounted on the public service has influenced the economic empowerment of refugees in Uganda<sup>48</sup>. This is also supported by the refugee act where they have a right to be heard either as one or as a collective voice<sup>49</sup> that provides a way for refugees to realize their economic rights through the freedom of movement and right to work.

### **2.2.2 The access to basic services such as water and electricity to realize their economic rights in regards to participating in economic empowerment programs.**

The report continues to show that the access to basic services such as water, electricity also influences the establishment of economic empowerment programs for some of these programs use these basic services to work. For instance, electricity for those programs that are related to technology and ICT. The report further goes on to explain that about 95% of refugees and 66% of hosts have access to improved water and access to electricity stands at around 50% for both populations<sup>50</sup>. According to an article written by Robert Hakiza titled Helping Refugees Help Themselves: Community Based Approach: he asserted that “numerous researchers have shown that most of the services and social supports made available to Kampala’s urban refugees are initiated and delivered by refugees themselves through their different communities, kinships ties, social safety networks and community organizations both formal and non-formal. They have repeatedly demonstrated the desire and ability to use their own capacity to build dignified lives and make a positive contribution, both to their own communities and to their host nations.” This has enabled them to create opportunities, programs and activities that refugees lack such as computer (IT) classes, sporting and artistic

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<sup>48</sup> Carolina Mejia-Mantilla, Uganda: supporting refugees to become secure and self-reliant,2019

<sup>49</sup> The refugee act,2006

<sup>50</sup> Carolina Mejia-Mantilla, Uganda: supporting refugees to become secure and self-reliant,2019

activities as well as informal interpreting and translating<sup>51</sup> so as to realize their economic rights. Since the services are availed by themselves through refugees who are well established, organized and united, it has influenced economic empowerment programs since they know the hustles refugees go through because they live with them so as to realize their economic rights.

### **2.2.3 Access to educational services and skills to realize their economic rights in regards to participating in economic empowerment programs.**

Thirdly is the access to educational services, as another factor that can influence the of economic empowerment programs in a way that these educational services equip refugees with the knowledge and the skill to go about these economic empowerment programs. Some of these skills that they acquire are technical skills, business skills, soft skills/interpersonal skills among others. The report further remarked that Uganda's policy of providing education is leading to equitable school enrollment rates for primary school-age children. 65% of refugees have enrolled their children to primary schools at a similar rate to that of hosts at 68 percent. However, completion rates and secondary enrollment rates are low for both populations but particularly for refugees<sup>52</sup>. To this, the low level of education hinders the economic empowerment programs in a negative way since knowledge and skill is not acquired whereas the high levels of education promote the programs since knowledge and skill are acquired and this promotes their economic rights. It should be noted that the 2006 refugee act advocates for education as one of the services that should be given to refugees. In Uganda we have the Education Response Plan for Refugees and Host Communities which is supported by DFID, USAID and World Bank to set out a realistic and implementable plan to ensure improved learning outcomes for increasing numbers of refugee and host community children and adolescents across Uganda. The overall ambition of this plan was to improve learning outcomes for the refugees and their host communities. When it comes to vocational skills and training, the ministry of education and sports adopted a strategic plan for **BTVET** in 2012, skilling Uganda and it highlights the importance of

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<sup>51</sup> Robert Hakiza, Helping Refugees Help Themselves, community based approach,2014

<sup>52</sup> Ibid

skills development for both economic and social progress. The main purpose was to create employable skills and competencies relevant to the labor market in order for these refugees to realize their economic rights <sup>53</sup>.

#### **2.2.4: The portion of land apportioned to refugees so as to acquire capital to realize their economic rights in the economic empowerment programs.**

It is no doubt that refugees are given pieces of land to start their livelihoods and use the surplus for their own personal gain. However, the portion apportioned to them is small. And so this affects them in a way that they don't have enough capital to enter these programs. This is also in line with the fact that refugees in most cases are taken to places that are not so unproductive and where abject poverty is at its peak. To this, refugees are subjected to poverty since it's not easy to gain capital from unproductive land. The article asserts that most of the refugee population endures poverty and that poverty among refugees is highest in the west Nile region of the country where over 60% of them are poor yet over 54% report that humanitarian assistance is their main source of income and that the incapability to generate income is deterred by the low levels of human capital. To this the high levels of human capital to start or join these economic empowerment programs fosters their economic rights<sup>54</sup>.

#### **2.2.5 Access to health for refugees to realize their economic rights in regard to participating in economic empowerment programs**

Notably, the access to health is also a key factor that can influence the participation of refugees in the economic empowerment program. due to the fact that they are victims of persecution subjected to all kinds of illnesses, their participation in these programs is hindered. The report remarked that over 75% of the refugee's travel at most three kilometers to reach a healthcare center when ill and so the question goes back to whether government provides enough healthcare services for refugees for it is a right that they are entitled to under the refugee act and constitution and also the non-government organizations(NGO'S) to which they have really tried their best to

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<sup>53</sup> Uganda Education Response Plan for Refugees and Host Communities,2017

<sup>54</sup> Ibid

establish these facilities<sup>55</sup>. According to an article titled Access To Health Care By Urban Refugees And Surrounding Host Population In Uganda by Gloria Kirungi Kasozi, Roy William and Christopher Orach. They asserted that the UNHCR responds to specific protection and basic needs of refugees with short and long term assistance programs, some of which include education, health care, food and non-food support, shelter and income generating activities. Refugees in Kampala seek medical attention from public health facilities and are referred to the national referral hospital (Mulago) unlike the ones in rural settlements whose health care is fully supported by partners and the UNHCR which basically means that those who live in urban areas don't really have access to exclusively free health care unlike their comrades in the rural areas. This was due to the complaints they made where the refugees reported that language barriers, absence of health workers, discrimination towards refugees and difficulty in accessing drugs in the government health facilities and costs where they asserted that despite the service being free, there are some costs that must be made for instance the cost of transport, investigations and some drugs, there also reported delays in the delivery of timely health care for life threatening conditions. They also added that community-based health care was not available in urban areas, unlike in settlements where refugees benefit from the services of community-based workers for preventative and promote health services, lastly is that there no established referral arrangements affiliated with the urban healthcare system to transport patients from home to health facilities. To this if the health of the refugees is not good then they can't participate in economic empowerment programs and thus cant realize their economic rights while the presence of health care services in both rural and urban areas fosters participation in economic programs which fosters their economic rights<sup>56</sup>.

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<sup>55</sup> *ibid*

<sup>56</sup> Julius and Three Others, Access to Healthcare By Urban Refugees And Surrounding Host Population In Uganda, 2018

### **2.2.6 Social groups and involvement of refugees in decision making to realize their economic rights in relation to economic empowerment programs.**

In addition, social groups and decision making involvement by refugees in a bid to promote a collective voice to be heard by UNHCR and the government when advocating for these economic programs fosters economic rights. The views of all refugee community organizations need to be heard, and the refugee community organizations, are keen to get involved and to have all their views heard for involving them in decision making and the implementation process of the UNHCR programs helps them grow and develop too economically<sup>57</sup>. Robert Hakiza asserted that “true partnership means...being willing to receive as well as to give; to listen to refugees as well as to talk to refugees; to be questioned by refugees as well as to ask questions; and finally, to use all resources for refugees to enable them to face their present and hope for a better future”<sup>58</sup>. To this, the UNHCR should work to ensure that refugees participate in the design and delivery of the organization’s programs so as to make them more effective, efficient and respectful of the dignity of the refugees so as to realize their economic rights.

### **2.2.7 The Ugandan regulatory frame work in realizing refugee economic rights**

Since the 2006 refugee act allows refugees to move freely and work and it is upon this self-reliance model that is different from other countries’ that require refugees too stay in camps. According to an article titled Refugee Economies in Uganda: What Difference Does the Self-Reliance Model Make? By Alexander Betts, Imane Chaa, Nechako Omata and Oliver Sterck, talked about freedom of movement. (mobility) where they asserted that that “greater mobility rights are valued because they enable refugees to adopt economic strategies that might otherwise be unavailable or expensive”. They reported that many Somali refugee families adopt a split-family strategy in which some family members can remain in Nakivale in order to access aid and accommodation while other live in Kampala on returning when there is verification or food distribution. By dividing household members, families can take advantage of

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<sup>57</sup> Robert Hakiza, Helping Refugees Help Themselves: Community Based Approach, 2014

<sup>58</sup> Robert Hakiza, Helping Refugees Help Themselves: Community Based Approach, 2014

the aid provided in Nakivale while benefiting from business opportunities/programs in Kampala hence enabling them to realize their economic rights<sup>59</sup>.

### **2.2.8 The assistance model that Uganda uses to realize economic rights of refugees**

Another factor that is prominent to influence the economic empowerment programs is the **assistance model** Uganda uses. Uganda launched the **self-reliance strategy** in 1999. This strategy focused on extending self-reliance's application to the more arid west Nile region. Its aim was to increase the standard of living of the people of refugee hosting districts, including the refugees by empowering them to help themselves so as to realize their economic rights through economic programs and by creating a model of integrated service provision for refugees and host communities. It is through this strategy that humanitarian and donor assistance is attracted. This is through the **Inter-Aid** in Kampala that provides some limited support, through livelihood training and psychosocial support to a small proportion of the most vulnerable refugees so that they can be able to realize their economic rights<sup>60</sup>.

### **2.2.9 Affordable childcare for women refugees mostly in realizing their economic rights while participating in economic empowerment programs.**

Commensurate to the **Center for Global Development( CGD)**'s review of evidence that mainly centers on women as they are the most affected people, asserts that **affordable, accessible childcare** increases women's opportunities for employment, participation in economic empowerment programs and increased income so as to realize their economic rights as enunciated by Buvunic and O'Donnell.<sup>61</sup> This is supported by research, which specifically identifies high quality and affordable childcare as one of the services most relevant to support displaced women entering the labor force as per Barbelet and Wake<sup>62</sup>. To this, where there is support for children

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<sup>59</sup> Alexander Betts and others, Refugee Economies in Uganda: What Difference Does the Self-Reliance Model Make?2019

<sup>60</sup> Alexander Betts and others, Refugee economies in Uganda: what difference does the self-reliance model make?2019

<sup>61</sup> Buvunic & O'Donnell, Gender Matters in Economic Empowerment Interventions: A Research Review, 2019

<sup>62</sup> Veronique Barbelet & Amp: Caitlin Wake, Livelihoods in Displacement: From Refugee Perspective to Aid Agency Response,2017

in in regards to economic empowerment programs, the women will definitely participate in the economic empowerment programs so as to realize their economic rights.

#### **2.2.10. Vocational or business training programs in realizing the economic rights of refugees.**

Vocational or business training programs designed in response to labor-market demand, and that offer transportation and childcare services to participants, are evidenced to support refugee's increased opportunities, particularly for younger women as per Buvunic and O'Donnell<sup>63</sup>and also influence the economic programs in a positive way. According to an article by the British Council, it observed that in many countries where they work, governments and donors are increasingly interested in addressing barriers to life-long learning and access to employment for refugees as part of their technical and vocational education and training (TVET) reform agendas. This research by the British Council examined the inclusion of refugees in technical and vocational education and training (TVET) to realize their economic rights. In order to improve (TVET), the report made the following recommendations in regards to TVET's on how they can be enhanced to realize the economic rights of refugees.<sup>64</sup>

- a) **Availability for consideration by policy makers and funders** that is to say where the TVET systems are weekly established within an administration, consideration should be given to improving the state of the wider TVET system in the host country as well as the integration of refugees into that TVET system. Governments of host countries should regularly update existing asylum and refugee policies to include education entitlement and also the UNHCR's future policies and strategies should stipulate requirements for state signatories in respect of TVET, as this may encourage signatories to improve the availability of public TVET for refugees.

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<sup>63</sup> Buvunic & O'Donnell, Gender Matters in Economic Empowerment Interventions: A Research Review, 2019

<sup>64</sup> British Council, Inclusion of refugees in Technical and Vocational Education and Training, 2018

- b) **Accessibility for consideration and funders** that is to say that where access to TVET is restricted by local institutions or officials in a way which is contrary to national policy, funders should seek to use whatever influence they have to bring attention to, and so help rectify this. Furthermore, those involved in funding TVET should identify a single official or point of contact, to gain an overview of the TVET profile of the country in which they are working, to seek to assess the relevance of the provision on offer to local employment patterns and to promote and explain the distinctive nature of TVET.
- c) **Acceptability for consideration by education providers, funders and NGO'S ;** this calls for research into the quality of non-state-funded TVET provision within those administrations with weak or no TVET systems, policy makers and donor agencies should conduct more independent impact evaluations of the TVET interventions for refugees. This will enable stakeholders to learn from each other's experiences and use this learning to improve the planning, funding and delivery of TVET for refugees. Funders should use impact assessments to determine which programs are meeting objectives so that funding can be channeled to the most successful initiatives. Furthermore, these assessments should include a mapping of destinations. Preferential funding should be given to that TVET provision which can demonstrate good progression into work. Measures should be proposed to improve refugee access to the formal economy in the host country.
- d) **Adaptability- for consideration of policy makers and donor agencies;** this calls for the aspect of priority in funding should be given to projects which are longer-term and have the potential to be sustainable, rather than short-term, temporary schemes. In addition, organizations concerned with improving refugees access to TVET should seek to collaborate with actors delivering other support services in order to develop more far-reaching and long-term solutions. Policy makers and funders should take measures to expand the provision of TVET within areas that host large concentrations of refugees, such as camps and villages. Funders and planners of skills training should create systems, which draw on evidence about the cultural and personal expectations of refugees as

well as their prior educational attainment. Lastly policymakers and donor agencies should consider how strategies for refugee inclusion can be included in broader development policies which also demonstrates clear benefits to the nationals to refugee host countries.

### **2.2.11 Interactions with mentors or coaches in realizing economic rights of refugees when participating in economic empowerment programs.**

The CGD's review of evidence suggests that access to both formal and informal groups and sustained one on one interactions with supportive mentors or coaches is promising to increase the impact of other interventions for poor women as per Buvinic and O'Donnell.<sup>65</sup> Furthermore, networks and mentors can reinforce ongoing learning and application of new skills and behaviors as per Berger and Yudon.<sup>66</sup> In Sweden, one casual factor that is put forward is that immigrant's refugees lack country specific human capital and one way to increase country specific human capital is to allow newly arrived immigrants to interact with native inhabitants. Recent studies have indicated that a variety of mentoring projects can be an efficient way of integrating immigrants and refugees into the labor market. The **National Board for Youth Affairs NBYA's** instructions stated that the mentoring should be based on clearly formulated objectives as regards the roles of the mentor and the participant. The relationship should be aimed at maintaining the refugee's vocational identity and at establishing contacts with occupationally active persons in the same professional category. The article also talks about the impacts of mentoring programs and asserts that they have a positive impact on the possibility of establishing a career, on job satisfaction and on the possibility of combining work and family life so as to realize economic rights<sup>67</sup>.

### **2.2.12 The access to savings accounts and effective saving mechanisms in realizing economic rights of refugees in regards to economic empowerment programs.**

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<sup>65</sup> ibid

<sup>66</sup> Mayra Buvinic and Megan O'Donnell, Revisiting What Works: Women Economic Empowerment And Smart Design,2016

<sup>67</sup> Janos Manson, Mentoring as a way of integrating refugees into the labor market-evidence from a Swedish pilot scheme,2017

In addition, access to savings accounts or groups in conjunction with value of effective savings mechanisms for economic empowerment and refugees at large has been documented by recent rigorous research and are considered a “proven” approach by a recent global evidence review as one of the factors that can influence economic empowerment programs as acknowledged by Buvinic and O’Donnell<sup>68</sup>. In Uganda, we have the FSD Uganda (financial Sector Deeping Uganda) whose motto is to support refugees to find freedom by expanding access to finance. The FSD Uganda and FSD Africa commissioned the financial inclusion for refugees (FI4R) project. The Project aimed at deepening and broadening access to usage of formal financial services among refugee and host communities in Uganda, with a profound focus on the west Nile and southwest regions. The project also had a learning and research component to assess refugee’s incomes and expenses to inform the development of financial products and services offered to them in Uganda. The project supported three financial institutions; Rural Finance Initiative (RIFI), Vision-Fund Uganda and equity bank Uganda limited to rectify this grim situation by enabling them to offer a variety of savings and credit products as well as financial literacy programs to refugee groups in the target areas so as to realize their economic rights in participating in economic empowerment programs.<sup>69</sup>

### **2.2.13 The business sector, United Nations and Multilateral organizations in realizing the economic rights of refugees through economic empowerment programs.**

The **business sector** can lead by changing business culture and practices, building on the accumulating experience of companies already promoting gender equality so as to foster economic rights for all refugees and The **united nations and multilateral organizations** can play a critical role in supporting reform and investments and a collective voice is critical- especially refugee’s groups, women, worker and employer organizations and other civil society organizations- to advocate, represent and hold

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<sup>68</sup> ibid

<sup>69</sup> <https://fsduganda.or.ug/supporting-refugees-to-find-freedom-by-expanding-access-to-finance/>

decision makers accountable so as to realize the economic rights of refugees through the economic empowerment programs established.<sup>70</sup>

#### **2.2.14 The aspect of social protection when it comes realizing economic rights of refugees through economic empowerment programs.**

Lastly is the point of **Social Protection** where refugees believe that communities, family and friends are the most important sources of social protection in situations such as an emergency, food and also in terms of empowering them economically. it should be noted that the social protection role for international organizations and NGO's is identified as supporting employment/programs and in Uganda this is more experienced by the people living in Kakuma, where incentive work is offered. In Kampala, there are over **20 refugee led community organizations** providing a variety of services, despite receiving little recognition and funding from international. For example, in **Somali refugee communities in Kampala Ayutos** represent an important source of collective savings and social insurance, especially among female refugees so as to realize the economic rights of refugees <sup>71</sup>.

#### **2.3.0 The institutions that facilitate economic empowerment programs for refugees so as to realize their economic rights in Uganda.**

##### **2.3.1. The Comprehensive Response Refugee Framework (CRRF)**

Back in 2021 in Uganda, women and children constituted the highest number over 1,205,495(81%) while the elderly were 41,507(3%). Those who lived in settlements were over 1,401,776(94%) while those living in urban areas accounted for over 92,729(6%).<sup>72</sup> In 2016, United Nations Summit for the refugees declared Uganda's policy a model and the country has moved a step forward by adopting the **Comprehensive Response Refugee Framework(CRRF)** in a bid to realize the triple nexus of humanitarian, peace

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<sup>70</sup> UN Secretary, Leave no one behind; A Call To Action For Gender Equality And Women's Economic Empowerment,2016

<sup>71</sup> Alexander Betts and others, Refugee economies in Uganda: what difference does the self-reliance model make?,2019

<sup>72</sup> UNHCR, "refugee statistics may 2021, available at <https://reliefweb.int/sites/reliefweb.int/files/resources/uganda%20->

and development and has integrated the refugee response into key sectors and the national development plan 111(NDP 111) to enable the refugees in Uganda realize their economic rights by including them in the national development plan. To this the inclusion of refugees in the national development plan was to enable refugees take part in economic programs that foster their economic rights <sup>73</sup>

### **2.3.2 The Settlement Transformation Agenda**

The (GOU) Government of Uganda introduced the **Settlement Transformation Agenda (STA)**<sup>74</sup> in 2015, which operationalized the national legal framework and aims to achieve self-reliance for refugees and bring social development to Ugandan nationals in refugee hosting areas through six main objectives namely land management, sustainable livelihood, governance and rule of law, peaceful co-existence, environmental protection and community infrastructure. The STA was incorporated into its **National Development Plan 11**<sup>75</sup>, thus integrating refugees into the national development planning. Refugee inclusion into **NDP 11**, paved the road for comprehensive responses to address the needs of both refugees (especially economic needs) and Ugandan nationals living in host communities and created fundamental entry points for line ministries and development actors into Ugandan's refugee response, which underpin the current model.

The effort to support Uganda's STA were quickly mobilized as early as 2015 through a program called the **Refugee And Host Population Empowerment (ReHoPe)**<sup>76</sup> with a soft loan of **USD 50 million** from world bank(WB), the GOU started a 5 year development response to displacement impact project(DRDIP) to improve access to social services, expand economic opportunities and enhance environmental management for Ugandan nationals and refugees in refugee hosting areas so as to realize their economic rights.

### **2.3.3 Refuge and Host Population Empowerment(ReHoPe)**

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<sup>73</sup> *ibid*

<sup>74</sup> The settlement transformation agenda project 2016-2021, office of the prime minister,2016

<sup>75</sup> National development plan NDP 11 2015/16/20, Office of Prime Minister, Refugee Department

**ReHoPE**, a **transformative strategy and approach** is a key building block of comprehensive response to displacement in Uganda, led by the Government of Uganda and the United Nations (UN), in partnership with the World Bank, donors, humanitarian and development partners, national and international, non-governmental organizations (NGOs), private sector and civil society. It is a response to specific challenges to developing durable solutions for refugee and host communities, and it is a practical application to the comprehensive refugee response framework as stipulated in the New York Declaration on Refugees and Migrants (September 19, 2016)<sup>77</sup>.

It has the following objectives.

- **strategy outcome:** this is to have in place strong and resilient institutions that can deliver appropriate, accessible, cost-effective, affordable services to all people in the refugee-hosting districts in ways that build resilience and self-reliance among both refugee and host communities and that maintain and promote the asylum space
- **overall objective:** under the leadership of the government of Uganda, to strengthen collaboration between government institutions, humanitarian actors, development actors, donors, academia, civil society and the private sector to enhance resilience among refugees and host communities by: building and strengthening ownership and capacity among local governments and community institutions, improving basic social service delivery in terms of access, quality and efficiency, expanding economic opportunities and sustainable livelihoods with a focus on women and youth and addressing environmental degradation in refugee hosting areas.

#### **2.3.4: The Financial Sector Deeping Uganda (FSD)**

As the number of people accessing formal services continues to grow, primarily driven by mobile money services, the figures are much lower in refugee settlement communities. According to FinScope 2018, overall financial inclusion stood at 78% for adult men and 77% for adult females in Uganda. The challenges faced by these groups and their members, as well as the demand for loans to make productive investments

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<sup>77</sup> ReHoPE-Refugee and Host Population Empowerment, 2017

in economic empowerment programs provides an opportunity for financial service providers to tap into exist practices, generate demand-side data that profiles refugees accurately to adopt alternative credit scoring and on innovate based on their needs and profiles. The FSD Uganda and the Financial Sector Deepening (FSD) Africa in collaboration with BFA Global launched the F14R project so as to study the development of financial products and services offered to refugees and their host communities by three implementing partners who are the Rural Finance Initiative, Vision Fund Uganda and Equity Bank Uganda Ltd to enable refugees realize their economic rights as they taking part in the economic empowerment programs<sup>78</sup>.

### **2.3.5 The Vision Fund Uganda**

Vision Fund Uganda(VFU) is the microfinance subsidiary of world vision. A Christian relief, development and advocacy organization. Vision Fund Uganda intends to pilot a unique wholesale credit model within saving groups in west Nile region. VFU does this by accessing existing and stable NGO supported groups and leveraging the repayment and share-out data from previous cycles to determine eligibility for additional loan capital. In this way VFU boasts the availability of credit for savings group members, allowing them to invest in income-generating activities/ programs (including agriculture, trade) to boost household incomes in refugee and host communities in the region and so in way it is promoting economic rights of refugees<sup>79</sup>.

### **2.3.6 Equity bank Limited (EBUL)**

This intends to use the learning from Kenya, Rwanda and other jurisdictions in which it provides refugees in Uganda with fully-fledged bank accounts from which they can access their humanitarian aid payments. EBUL does this by setting up their systems and processes to ease refugee verification, facilitate account opening and aid financial literacy. The bank also setup an enabling infrastructure or cash out by extending their existing agent banking network to refugee settlements and within host communities. In this way, EBUL will provide necessary and relevant infrastructure to enable digitalization of humanitarian payments in Uganda while simultaneously availing a wide

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<sup>78</sup> <https://fsduganda.or.ug/financial-inclusion-for-refugees-fi4r-in-uganda/>

<sup>79</sup> <https://www.visionfund.org/where-we-work/africa/uganda>

array of financial services to this underserved market segment<sup>80</sup>. By the mere fact that is it providing financial services to refugees, their economic rights are realized as they use the funds in the economic empowerment programs.

### **2.3.7 The Rural Finance Initiative (RUFi)**

This is a cross-border MFI incorporated as a limited liability company initially in South Sudan in 2008 and in Uganda in February 2017. RUFi provides refugees with a combination of savings and lending products. The saving product will use the village savings and loan association(VSLA) model which will aggregate the groups using ledger links developed by **Grameen Foundation**. Each VLSA owns a phone on which they can make all their transactions, financial or otherwise which will be stored on a database and can be retrieved at any time. The system also creates credit scores which allow RUFi to process VSLA loan application in real-time since they can also apply online. The groups will be able to withdraw their money through the use of mobile money. RUFi, as agent of centenary bank will provide a saving product to the VSLA's where they can keep excess money between group meetings. Other than those in VSLA's, RUFi also target entrepreneurs with loans with a special focus on youth<sup>81</sup>. In this way loans are provided to refugees to invest in these programs in order to realize their economic rights.

### **2.3.8 The world bank**

The world bank group, **the Uganda Bureau Of Statistics** and the office(**UBOS**) of the prime minister, have worked closely together to better understand the social-economic welfare and wellbeing of refugees living in Uganda and their host communities developed new household survey report titled **Informing The Refugee Policy Response In Uganda**, which analyses the social-economic profile, poverty and vulnerability of refugees and host communities to inform policy, planning and programming for the national refugee response. The survey is representative of the refugee and host population in Uganda as well as the refugee and host population in the West Nile and south west regions and the city of Kampala. **Carolina Mejia-Mantilla**, the world bank

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<sup>80</sup> <https://africanfinancials.com/company/ug-ebf/>

<sup>81</sup> <https://refugeesinvestment.org/opportunities/rural-finance-initiative-rufi/>

senior economist and lead author asserted that, “with this report, government and development partners have a strong evidence base to make informed decisions, including targeting of social programs to improve the living conditions of refugees and hosts.”<sup>82</sup> In 2021 the world bank provided over 150 million dollars for refugees and host communities in additional financing from The International Development Association(IDA) to boost an ongoing projects to improve access to basic social services, expand economic opportunities, and enhance environmental management targeting both refugees and communities that host them in Uganda. The **150 million dollar project** is financed through the **IDA 18** refugee sub window.<sup>83</sup>

### **2.3.9 The Private Sector for Refugees (PS4R)**

This was launched in 2018, PS4R was previously known as the refugee investment and matchmaking platform (RIMP). PS4R builds bridges between the private sector and forcibly displaced people (FDPs) for mutual benefit while generating economic growth for the communities that host forcibly displaced people. The PS4R approach fuels the growth of strategically targeted micro, small and medium enterprises(**MSMEs**) in host communities, yielding jobs and entrepreneurship opportunities for the forcibly displaced. It supports the growth of host economies in two ways;

- It coordinates in country action that builds local **MSMEs**.
- It facilitates knowledge and good-practice exchange to support similar efforts by partners. Partners for both include NGOs, businesses and philanthropies.

It scales up by building on existing world bank development projects in countries where there are concentrations of refugees, helping to add an element focused on the forcibly displaced to those initiatives<sup>84</sup>.

### **2.4.0. Conclusion**

In conclusion, there is need for more establishment of institutions and to enable refugees attain their economic rights through participating in economic empowerment programs since its mostly the institutions that influence the economic rights of refugees.

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<sup>82</sup> <https://www.worldbank.org/en/country/uganda/publication/uganda-supportig-refugees-and-host-communities-to-become-secure-and-self-reliant>

<sup>83</sup> <http://drdip.opm.go.ug>

<sup>84</sup> <https://www.worldbank.org/en/programs/private-sector-for-rfugees>

## Chapter three

### 3.0 Introduction

This chapter will delve into an overview of the international, regional, national legal frameworks of refugees in Uganda and government institutions responsible for refugees. It will further delve into the challenges, gaps and risks involved in attaining the economic rights of refugees in regards to participating in economic empowerment programs and what has been done to address these challenges and gaps.

### 3.1 The international Legal framework

#### 3.1.1 The 1951 Convention Relating to The Status of Refugees

The 1951 UN convention is the core international legal instrument relating to the protection of refugees and is also referred to as the Magna Carta of the international refugee law and goes ahead to bring out the definition as well as the obligation of the contracting states. According to article 1A (2) of this convention, a refugee is a person who is unable or unwilling to return to his country of origin “owing a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of particular social group or political opinion”<sup>85</sup>. It should note that the legal status provided by this convention is completed by the general rules of international law, human rights law and international humanitarian law (*which points to the convention (IV) relative to the protection of civilian persons in time of war and the 1977 additional protocol*)<sup>86</sup>.

Relative to article 33 of the convention, it asserts that state parties have the negative obligation not to return a refugee to his country of origin where he/she would face the risk of persecution and this is referred to as the principle of non refoulement.

It should be noted that the convention also looks at the personal status of the refugee and asserts that the personal status of the refugee shall be governed by the law of the

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<sup>85</sup> Convention Relating to The Status of Refugees ,1951

<sup>86</sup> Carmen Moldovan, The Notion of Refugee, Definition and Distinctions, 2015

country as per **article 12**<sup>87</sup> and that if the person has no domicile then it will be by the law of his residence and also protects those who enter unlawfully under article 31.

In conclusion the convention is subject of criticism due to the fact that its frame of protection may be considered incomplete and outdate but it is no doubt its aim is to offer protection to those who lack protection from their own country and face a well-founded risk of persecution.

### **3.1.2 The Protocol Relating to the Status of Refugees of 1967**

The 1967 protocol broadens the applicability of the 1951 convention. The 1967 protocol removes the geographical and time limits that were part of the 1951 convention. These limits initially restricted the convention to persons who became refugees due to events occurring in Europe before 1 January 1951.<sup>88</sup>

This is further evidenced in **article 1**<sup>89</sup> that makes a mention of the fact that ratifying the protocol makes agreement to abide by the convention. The protocol provides for the commitment to treat refugees in accordance with international legal and humanitarian standards a case in point is the principle of non the principle of non refoulement which is further enunciated in the case of **Sale V Haitian Centers Council, Inc.**: where the supreme court ruled that the president's executive order that all aliens intercepted on the high seas could be repatriated was not limited by the immigration and nationality act 1952 or article 33 of the United Nations Convention Relating To The Status Of Refugees<sup>90</sup>.

States wishing to accede to the 1967 protocol must follow a similar procedure as for accession to the 1967 protocol obliges the acceding state to apply the provisions of the 1951 convention without any temporal or geographical limitations, unless in relation to the latter they maintain a declaration under **paragraph (a) of article 1B (1)** of the 1951

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<sup>87</sup> Convention relating to the status of refugees, 1951

<sup>88</sup> UNHCR, the 1951 Convention Relating to The Status of Refugees And Its Protocol.

<sup>89</sup> 1967 Protocol relating to the status of refugees

<sup>90</sup> Haitian centers council 1993 509 us.155

convention.<sup>91</sup> A model instrument for accession to the protocol can be found in **annex (ii)**<sup>92</sup>.

### **3.1.3 The Universal Declaration of Human Rights(UDHR)**

Refuges under this declaration are provided for under article 14 which asserts that that everyone has the right to seek and enjoy asylum. Asylum means that at the very least, basic protection that is to say no forcible return(refoulement) to the frontiers of territories where the refugee's life or freedom would be at risk, with the possibility of staying in the host country until a solution outside that country can be found<sup>93</sup>.

### **3.1.4 Cartagena Declaration of 1984**

This was adopted by the American governments but added a more objectively consideration to the definition from the 1951 convention and includes persons who flee their countries “because their lives, safety or freedom have been threatened by the generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which are seriously disturbed public order”.

## **3.2.0 The Regional Framework**

### **3.2.1 The 1969 Organization of African Unity (OAU)**

The Convention Governing Specific Aspects of Refugee Problems in Africa adopted the **1969 Organization of African Unity (OAU)**, which gave a more extensive definition on the notion of refugee at a regional level and referred to refugees as any person compelled to leave his/her country owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or whole of country of origin or nationality.

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<sup>91</sup> Convention Relating to The Status Of Refugees 1951

<sup>92</sup> UNHCR, the 1951 convention relating to the status of refugees and its Protocol

<sup>93</sup> Inter-Parliamentary Union,2001

### 3.3.0 Domestic Framework

#### 3.3.1 The 2006 Refugees Act

The **2006 Refugees Act** reflects the international legal standards of refugee protection in the 1951 convention, its protocol and the 1969 OAU convention governing the specific aspects of the refugee problem in Africa. Its progressive, human rights and protection oriented.

This act repealed the CARA (Control of Alien Refugees Act) that directly contradicted and violated certain refugee rights specifically all provided for under the international instruments and refrained from the total implementation of its provisions and instead adopted practices which were at least partly informed by the international instruments on refugees to which Uganda is a party. The process of enacting the 2006 Refugees Act began in 1998 to reflect international legal standards of refugee protection provided for in the 1951 convention relating to the status of refugees and its 1967 protocol and the 1969 OAU convention governing the specific aspects of the refugee problem in Africa. It is progressive, human right and protection oriented.

Since the refugees act derives its power from the 1951 Convention Relating To The Status Of Refugee's, article 1(2) in line with section 4<sup>94</sup> of the act provides for the qualifications for refugee status and basically the convention provides that for one to qualify to be granted refugee status, there has to be well founded fear of being persecuted for reasons of race, sex, religion, nationality, membership of a particular social group or political opinion that person is outside the country of his her nationality and is unable , owing to that fear, is unwilling to return to or avail himself or herself of the protection of that country, not having a nationality and being outside the country of his or her former habitual residence owing to a well-founded fear of being persecuted for reasons of race, sex, religion, membership pf a particular social group or political opinion, that person is unwilling or unable to return to the country of his or her former habitual residence.

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<sup>94</sup> Refugee Act 2006

Relative to section 19<sup>95</sup> of the act, it asserts that any person who enters Uganda and wishes to remain in Uganda as a refugee shall make a written application to the eligibility committee for the grant of a refugee status within 30 days after the entry into Uganda. The application when made is written to the commissioner or a UNHCR representative and then an authorized officer or UNHCR representative to whom the application is submitted as per section 19(2) where it is forwarded to the commissioner.<sup>96</sup>

The rights of the refugees are embedded in section 29 while in Uganda and the specific rights are provided for under section 30,32, 33. Under section 29, it enunciated that a recognized refugee will be issued with an identity card in a prescribed form stating the refugee status of the holder for identification and protection.

However, it should be noted that this act has so deficits, loopholes, inadequacies, room for excess and glaring omissions which potentially erode the progressive and protection of the act and threaten to lower its compliance with international protection standards considerably.

### **3.3.2 The Refugee Regulations 2010**

The regulations provide for the procedure to be followed by the different kinds of refugees for instance application for refugee status of unaccompanied minor, HIV positive persons, stateless person, refugees in east African community. There is also provision for the appeals board whose function is to listen to and make judgements on appeals to said board alongside with the procedure for hearing. Registration is also provided for as well as identification and travel documents and the necessary documents are provided for in the schedules.

### **3.3.3 The Uganda Citizenship and Immigration**

This act basically provides for a **criteria** which must be followed in accordance with **section 16(5)** of the **UCICA** and asserts that the qualifications for naturalization are

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<sup>95</sup> Refugee act 2006

<sup>96</sup> Refugee act 2006

that he or she (a) has resided in Uganda for an aggregate period of twenty years; has resided in Uganda throughout the period of twenty-four months immediately preceding the date of application; has adequate knowledge of a prescribed vernacular language or the English language: is of a good character; and intends, if naturalized, to continue to reside permanently in Uganda.

Relative to the Constitution Of The Republic Of Uganda, article 123<sup>97</sup>, it asserts that the president may make treaties, conventions, agreements or other arrangements between Uganda and any other country or between Uganda and any international organization or body in respect of any matter. To this, Uganda is a party to the 1951 convention, the 1954 convention. Uganda also ratified the 1969 OAU convention governing the specific aspects of refugee problems in Africa in 1987. Uganda ratified the African union convention for the protection and assistance of the internally displaced persons which is also known as the Kampala declaration that was adopted by the special AU summit convened on the 23rd October 2009 in Kampala Uganda.

### **3.4.0 Government Institutions Responsible for Refugees in Uganda**

#### **3.4.1 The Refugee Eligibility Committee**

The determination of refugee status is carried out by the refugee eligibility committee and the role of the UNHCR is to adjudicate in its capacity. According to section 20 of the refugee's act, it asserts that the role of the refugee eligibility committee is;<sup>98</sup>

- ✓ To consider and deal with applications for refugee status.
- ✓ To review and revise cases previously dealt with by it
- ✓ To advise the minister on matters relating to refugee status
- ✓ Reject applications where necessary
- ✓ Within fourteen days after the date of the decision of the eligibility committee and inform the applicant in writing of the decision of the committee

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<sup>97</sup> The 1995 Constitution of The Republic of Uganda as Amended

<sup>98</sup> Refugees Act 2006

### 3.4.2 The Office of the Prime Minister

Section 7 to 10 of the refugee act 2006 asserts that the role of the prime minister is that he/she is responsible for all administrative matters concerning refugees in Uganda, and co-ordinates inter-ministerial and non-governmental activities and programs relating to refugees. The office of the prime minister is the one that provides the refugees with the settlement areas where the refugees settle and given pieces of land where they carry out agriculture so as to sustain their lives.

The prime minister grants the freedom of movement, the right to work, to own property and to access education and health services in the country which rights are also enunciated in the refugee's act section 29<sup>99</sup>.

### 3.4.3 The STA refugee inclusion in NDP (II0 ReHope)

The government's refugee and host population empowerment(**ReHope**) strategy is a body which provides a national framework for making refugees part and parcel of the development agenda and to ensure that there is peaceful coexistence between refugees and Ugandans, equip refugees with skills and knowledge to rebuild their countries of origin once peace is assured.<sup>100</sup>

The refugee and host population empowerment (ReHope) strategic framework is transformative strategy and approach to bring together a wide range of stakeholders in a harmonized and cohesive manner to ensure more effective programming. It is a response to the specific challenges faced in delivering protection and achieving social and economic development for both refugees and host communities. It supported Uganda's integration of refugees into the national development plan ii (NDP II, 2015/16-2019/20), through the settlement transformation agenda(STA), thereby making refugees part and parcel of the development agenda of Uganda. It is also a component in the application of the comprehensive refugee response framework(CRRF) as stipulated in the network declaration on refugees and migrants (19 September 2016).

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<sup>99</sup> Refugees act 2006

<sup>100</sup> World bank, Uganda Supporting Refugee and Host Communities to Become Secure and Self Reliant, 2019

The principles of ReHope are reflected in various country partnerships strategies. For example, they have been integrated into the UN development assistance framework (UNDAF) 2016-20. The UN agencies initiated the implementation of ReHope principles in 2016 building on the progressive rights environment and the settlement approach.<sup>101</sup>

### **3.5.0 The challenges, gaps and risks involved in attaining the economic rights of refugees in regards to taking part in economic empowerment programs**

#### **3.5.1 Social/cultural capital and norms**

First and foremost is social/cultural capital and norms, which include the lack of networks and contacts, cultural barriers, inability to navigate the system and lack of appropriate services to support employment transitions hinders refugees in attaining their economic rights through the economic empowerment programs.

#### **3.5.2 Discrimination and lack of Knowledge of host countries' work place culture**

Secondly, is the workplace where they are subjected to discrimination, they lack the knowledge of host countries workplace culture<sup>102</sup>, lack of specific assets belongings and savings. Discrimination and lack of integration into local communities are serious constraints for refugee economic empowerment programs. The lack of integration prevents refugees from being able to adapt their products to the Ugandan market and market them to Ugandans, or share their skills with other Ugandan enterprises and this situation is detrimental to both Ugandans and refugees as interactions between them could spur creativity and lead to new products which both Ugandans and refugees could sell to support their livelihoods<sup>103</sup>. Programs that target refugees do not always include host community beneficiaries, which can further exacerbate negative perceptions, challenges and tensions hence making it hard to attain their economic rights<sup>104</sup>

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<sup>101</sup> United nations country team and world bank, ReHoPE- Refugee and host population empowerment strategic framework-uganda,2017

<sup>102</sup> Berivan Elis Murat Citigulu and Sarah Stamatious, Global Road Map for Refugee Entrepreneurship”

<sup>103</sup> Agora global, “mercy corps system labor market assessment focused on microenterprise

<sup>104</sup> Data collection survey on refugee-related business and social investment.”

### 3.5.3 lack of educational services and skills

Thirdly, the aspect of educational and skills; where they are limited to the proficiency of the local language, there are low levels of education and lack of qualifications, lack of documentation for education and skills and also lack of work experience, difficulties with the recognition of skills, qualifications and experience. Education help refugees rebuild their lives. It is protective and empowering, giving them the knowledge and skills to live independently. However, in many parts of the world refugees face multiple barriers when it comes to education and skills, such as restricted or no access to schools and colleges, language differences which create additional hurdles to integration and limit refugees awareness of and ability to leverage business opportunities<sup>105</sup>, and prohibitive costs of learning materials, transport, fees and more. They also face difficulties in getting their previous academic qualifications recognized thus, they opportunities are cut or limited. The issue of skill is also one of the biggest constraints. Some refugees have no prior entrepreneurship experience or training and both of these are critical for an enterprise to be successful<sup>106</sup>. Some of the skills needed for a refugee to take part in economic empowerment programs include; **Technical skills** which include Industry specific skills, Financial planning, Financial management, Legal understanding and Analytical skills. **managerial skills** which include planning and organization, visioning and strategizing, goal setting, leadership, teamwork, decision-making and resource mobilization. **business skills** which include marketing, opportunity recognition, opportunity development, environmental scanning, innovating, problem analysis and solving, accounting and risk management. **Personal and soft skills** which include time management communication, negotiation, self-awareness, emotional maturity and stress tolerance, grit (perseverance combined with passion), integrity, assertiveness. Therefore the lack of educational services and skills hinders refugees in realizing their economic rights when participating in economic empowerment programs.

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<sup>105</sup> Data Collection Survey On Refugee -Related Business and Social Investment

<sup>106</sup> Martin M Baluku Et Al, Policy Brief On Refugee Entrepreneurship and Skilling in Uganda.

### **3.5.4 The Legal Status and Labor Code (Restrictions to enter the labor market)**

Furthermore, is the legal status and labor code: where the issues of temporary and uncertain residency and also the legal restriction to enter the labor market. As much as the 1951 refugee convention and the UDHR provide for the right to work. Some of the host countries limit this right and are reluctant to ease the restrictions. Most refugees are unable to work because of their papers are still being processed yet this can take several months. Therefore, this in most cases leads to poverty because they are not working and not being able to pay for their basic needs. This is worse for even those who live out of the refugee settlements. Therefore, restrictive laws and limited economic inclusion frequently push the refugees to work in low-paying and risky employments in Uganda, the refugee act as per **section 29**, **chief analyst Minddrea Godwin Buwa of The Legal Aid Clinic Refugee Law Project made a recommendation on section 29** and asserted that the act should clearly stipulate that the refugees' right to work excepts the requirement of a work permit which is a requirement for aliens generally under the Uganda citizenship and immigration act. This is to allow them to work freely in a host country without any restriction.<sup>107</sup>

### **3.5.5 Housing and mobility due to being in remote areas**

In addition is the point of housing and mobility: where refugees are limited to affordable housing close to employment and also face the mobility issue for those who stay in settlements. This is line with the freedom of movement which consists of the right and ability to move and choose one's residence freely and I safety within territory of a state. To access decent work, refugees need to be able to exercise their right to movement however this is constrained by those whose who live in settlements as they are not allowed to move. This hinders their work and access to lifesaving services such as health. In relation to mobility, most refugee settlements are in remote regions that lack reliable roads and transport services which makes it hard for these economic empowerment to reach them. This is due to the long distances and poor infrastructure

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<sup>107</sup> Minddrea Godwin Buwa, Refugee Law Project Critique of The Refugees Act 2006

making it costly to move goods from settlements to urban market<sup>108</sup> an example to this is individuals in Kiryandongo refugee settlement reported higher levels of success than their counterparts in Bidi Bidi refugee settlement. This is because the latter is along the highway and trading centers and the former is in a rural place and hard to reach area with limited economic activities.<sup>109</sup>

### **3.5.6 Poor health as a factor that can affect their participation in economic programs to realize the economic rights**

**Health** can also be another issue where refugees are subjected to psychological distress and poor physical health due to persecution. According to a report written by J Glob Health Rep he concluded that elevated symptoms of mental disorders are found among refugees and Ugandan nationals testing for HIV in Nakivale refugee settlement. The significant association between refugee status and PTSD, anxiety and lack of social support symptoms highlights the distinct needs of this population. To determine the prevalence of mental disorders in these populations, comprehensive assessment, including psychological and neuropsychological testing is needed. To this there is no way a mentally disordered person can take part in an economic empowerment program<sup>110</sup>.

### **3.5.7 Limited access to clean energy such as electricity and internet.**

Limited access to clean energy such as electricity as some economic programs use this kind of energy to run inhibits the development of economic empowerment programs that require electricity. For example in Nakivale while 93% of refugees have phone access, only 26% can access the internet which is also expensive and yet these services

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<sup>108</sup>Refugee Investment Network Data collection survey on refugee -related business and social investment,2022

<sup>109</sup> Martin M Baluku Et Al, Policy Brief On Refugee Entrepreneurship and Skilling in Uganda,2021

<sup>110</sup>J Glob Health Rep, Mental Disorders and Lack of Social Support Among Refugees and Ugandan Nationals Screening for HIV at The Health Centers in Nakivale Refugees Settlement in Southwestern Uganda,2023

are needed to promote the economic empowerment programs so as to realize the economic rights<sup>111</sup>

### 3.5.8 Political discourse (the perception of the host communities)

**Political discourse:** this is where refugees are seen as an economic burden rather than an asset to the host country. Refugees are often cast as an economic burden for host countries, although research provides evidence that they are not. In Europe for example, far right groups often exploit public fears that refugees may be taking their jobs, undercutting wages and putting pressure on public resources for example schools, transport. In low to medium-income countries, some communities are already struggling to meet their needs and are concerned about refugee arrivals sometimes, tensions between host communities and refugees result from concern over the use of local resources. Refugees are young, untapped source of labor, with lots of potential. Programs that stimulate varied skills initiatives and encourage labor demand in hosting areas can significantly improve their wellbeing, and at the same time help develop these regions economically as per Tony Thompson, world bank country manager for Uganda<sup>112</sup> In Uganda 1972, following the expulsion of Indians and Asians by Amin who saw them as a political threat yet they are contributing to the economy and after their expulsion there was a huge economic breakdown in Uganda.<sup>113</sup>

### 3.5.9 Inability to Access Financial Services

The inability to access financial services is also one of the constraint economic empowerment programs. Financial services include deposit accounts, payment, credit, insurance and other mainstream services can be a major hurdle to self-reliance and economic independence. It should be noted that over 56% of refugees live in countries

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<sup>111</sup>Refugee Investment Network Data collection survey on refugee -related business and social investment,2022

<sup>112</sup> <https://.worldbank.org/en/country/uganda/publication/uganda-supporting-refugees-and-host-communities-to-become-secure-and-self-reliant>

<sup>113</sup> UNHCR, Refugees Access to Jobs and Financial Services,2023

where the law doesn't recognize UNHCR or government-issued ID as a valid document to open a bank account which makes it difficult to spend, save, borrow or even send money as well as to start and operate a business. Lenders require borrowers to put up collateral against loans, list of referees and give evidence of a consistent source of income. Refugees often cannot meet their requirements because they have a small social network, primarily confined to their refugee's circles and mostly engaged in unreliable forms of informal work. to this in the absence of financial or tangible collateral refugees are generally considered by financial institutions to be high risk borrowers who may default their loans<sup>114</sup> and their status is associated with a nomadic lifestyle and lenders fear that refugees will relocate back to their home countries without first clearing their loan<sup>115</sup> for example over 90% traders in **kyangwali and kyaka 11 refugee settlements** reported using personal savings as the main capital source for their businesses, while only 19% use some form of credit<sup>116</sup>

### **3.5.10 Lack of confidence**

Lack of confidence coupled with language barrier is another challenge that breeds uncertainty and difficulty in projecting long term. Uncertainty about the future and difficulty planning over the long term reduces the likelihood that a refugee will invest heavily in an economic empowerment program. Hence hindering attainment of economic rights.<sup>117</sup>

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<sup>114</sup> Norma Md Saad Et Al, Refugee Microenterprise: Prospects and Challenges." Journal of Asian and African Social Science and Humanities 2 No.4 (January 2016): 55-69

<sup>115</sup> Refugee Investment Network Data collection survey on refugee -related business and social investment,2022

<sup>116</sup> Martin m Baluku et al policy brief on refugee entrepreneurship and skilling in Uganda." ,2021

<sup>117</sup> Kevin Jahndel, Institutions and Refugee Entrepreneurship: A Case Study of Congolese Refugees in Rwamwanja Refugee Settlement,2018

### **3.6.0 What is being done to address these challenges and constraints of participating in economic empowerment programs for refugees to realize their economic rights?**

#### **Introduction**

This part is going to show how different bodies such as the government, the UNHCR, businesses, NGO's, and host communities are addressing the challenges, constraints to economic empowerment programs.

#### **3.6.1 Ensuring access to affordable and suitable financial services to realize their economic rights**

The UNHCR works to ensure that refugees have access to affordable and suitable financial services. A clear example is the Swedish International Development cooperation agency and the Grameen Credit Agricole Foundation UNHCR launched a program to promote access to financial and non-financial services for refugees and host communities in Uganda. The program provides selected financial service providers with debt financing and technical assistance to enable them to expand their lending operations and access to entrepreneurial training to over 100000 refugees and host communities<sup>118</sup>.

#### **3.6.2 Expanding the cash based interventions (CBI) to realize their economic rights**

UNHCR has expanded its Cash Based Interventions(CBI) Program to give refugees a choice on how they spend the money and benefiting local economies. it also enables them to pay their rent especially those who are staying out of the settlements, pay off their debts and starts business. This is done through delivering of cash in banks or mobile money accounts. The rationale of CBI is to provide persons of concern greater dignity of choice in meeting their needs. Experience and evidence highlight that CBI increases protection outcomes, facilitates inclusion and solutions, and improves efficiency and effectiveness in program delivery<sup>119</sup>. In 2020, as a result of the implementation of the UNHCR CBI policy,47 countries managed to negotiate such

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<sup>118</sup> <https://www.gca-foundation.org/en/technical-assistance/financial-inclusion-of-refugees/>

<sup>119</sup> UNHCR-Cash-Based Interventions,2022-2026

access, of which 32% have set up mobile money mechanisms. Refugees can use NGO supported savings groups to access the necessary financing to for example in Uganda we have the Equity Bank Refugee Program that has been implemented in settlement across Uganda and it helps refugees to open bank accounts and issue loans to refugees and host community members<sup>120</sup>.

### 3.6.3 Advocating for jobs, education and other services

Furthermore, the UNHCR advocates for refugee's access to jobs, education and other services in their country of asylum and works with partners to help refugees make a living. For instance, it works with ILO and UNDP on micro financing programs to increase refugee's self-reliance<sup>121</sup>. The UNHCR recognizes the access to financial capital as an important element of the durable solutions needed to promote self-reliance, co-existence and dignity of refugees through economic empowerment. The UNHCR in Uganda also works with CIYOTA which has a unique operating model of education. It provides access to quality education for conflict affected children, living in the critically under-served refugee camps especially in the western Uganda. CIYOTA further connects these high school graduates to different college scholarship programs and partners with **Master Card Foundation Scholars Program(MCFSP)** African leadership academy, universities like Bugema university for university education.<sup>122</sup> Therefore when refugees are empowered it creates an opportunity for employment thus promoting economic empowerment programs. and realization of economic rights

In conclusion the UN and multilateral organizations can play a critical role in supporting reform and investment.

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<sup>120</sup> Dr Naohiko Omata, "Refugee Livelihoods and The Private Sector: Ugandan Case Study,2012

<sup>121</sup> UNHCR, Investing in Solutions: Practical Guide for The Use of Microfinance in UNHCR Operations,2011

<sup>122</sup> <https://www.coburwas.org/education>

### **3.7.0 GOVERNMENTS**

#### **3.7.1 Ensuring that refugees have equal rights as locals so as to realize their economic rights**

Governments can help to ensure that refugees have the same rights as locals when it comes to access to services, administrative processes and legal rights. These rights include work permits and ownership of property (e.g. ending restrictions on foreign ownership of land and businesses). In Uganda, the refugees act under section 29 asserts that the refugees shall have the same right as the citizens of Uganda and should be treated like normal citizens<sup>123</sup>. Removing discriminatory laws is essential to accelerate refugee's economic empowerment programs and therefore respect human rights and protection against discrimination enshrined in international law and in a series of major ILO conventions<sup>124</sup>. In 2021 Jordan issued a record 62000 work permits to Syrians. And under the Jordan Compact Initiative which was a game changer to how host countries and international respond to protracted refugee situations and provided lessons on which to build subsequent iterations in other protracted displacement contexts<sup>125</sup>. The initiative was to improve access to education and legal employment for Syrians, the Syrian refugees were allowed to work in several sectors of Jordan economy.

#### **3.7.2 Provision of training and education to facilitate refugees access to job market**

The governments can further provide training and education to facilitate refugees' access to the job market, since refugees may live in countries where their diplomas and experience are not recognized or where their skills aren't in demand. In Uganda, the government has established a comprehensive policy framework for TVET, built a stronger governance bodies as well as introduced innovative ways of skilling up the youth refugees targeted to strategic sectors for example agriculture, construction, tourism, oil and manufacturing in both urban and rural areas. Some of the most

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<sup>123</sup> The refugee act 2006

<sup>124</sup> UN Secretary-General, Leave No One behind. A Call to Action for Gender Equality and Women's Economic Empowerment, 2016

<sup>125</sup> <https://relief.int/report/Jordan-compact-three-three-years-where-do-we-stand>

prominent bank engagements include the establishment of BVET strategic plan (called skilling Uganda) in 2011 as well as the Uganda Skills Development Project(USDP) which has played an instrumental role in expanding access to skilling as well as improving the quality and relevance of training<sup>126</sup>. In 2016 the German government created a program providing regional vocational centers with the funds to enroll refugees in a six-month apprenticeship scheme, include training in trades such as metal and electrical work, as well as language and integrated classes. The Dutch government launched a Multi Program To Support The Livelihoods Of Refugees And Host Communities(Rhcs) In 2019 known as the multi country programming(MACP) of the partnership to improve prospects in 2019 and some of the partners to the program included the ILO,UNICEF,IFC,UNHCR, and world bank engaged in 4 components of the MACP which include<sup>127</sup>:

- Component 1 education and learning
- Component 2 employment and livelihoods
- Component 3 protection and inclusion
- Component 4 new ways of working

### **3.7.3 Through easing the pressures on host communities for refugees to realize their economic rights**

Governments can help ease the pressures on host countries. For instance, the Canadian government increased its refugee resettlement levels for the next three years in its 2021-2023 immigration plan. Such actions can help host countries with a limited economic growth and high unemployment rates to cope with the cost of refugee arrivals and to facilitate the economic integration of refugees. In Uganda, the government took part in the Global Compact and Global Refugee Forum which was affirmed by the United Nations General Assembly In 2019 and put in place a new and comprehensive refugee response model and its objectives were very key and include<sup>128</sup>;

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<sup>126</sup> World bank ,Tacking the demographic challenge in Uganda ,2020

<sup>127</sup> [https://www.ilo.org/wcmsp5/groups/public/-dgreports/-ddg\\_p/documents/publication/wcms740578.pdf](https://www.ilo.org/wcmsp5/groups/public/-dgreports/-ddg_p/documents/publication/wcms740578.pdf)

<sup>128</sup> <https://globalcompactrefugees.org/about/global-refugee-forum/global-refugee-forum-2019>

- To ease the pressures on host countries
- Enhance refugee self-reliance,
- Expand access to third-country solutions and support conditions in countries of origin for return to safety

### **3.8.0 BUSINESSES IN ENSURING REFUGEES ATTAIN THEIR ECONOMIC RIGHTS.**

#### **3.8.1 Finding Innovative ways to increase refugee employment so as to enable them realize their economic rights**

These can work together to find innovative ways to increase refugee employment. A case in point can be the tent partnership for refugees, founded by Hamdi Ulukaya, CEO of Chobani, works with businesses to identify and understand opportunities to help refugees integrate in the economy.

#### **3.8.2 Offering employment to refugees to realize their economic rights**

Furthermore, businesses can offer employment to refugees. For example, in 2021, the UNHCR launched the Companies with Refugees Forum to encourage businesses in Brazil to hire refugees<sup>129</sup>.

#### **3.8.3 Offering a wide range of technologies and goods to refugees to realize their economic rights**

Another role the businesses world plays in curbing these constraints is through offering a wide range of technologies and goods that can facilitate refugees access to the job market. For example, in 2019 where Microsoft partnered with UNHCR to empower over 25000 refugees and host community youth with digital skills and computer science training by 2021, with plans to expand to Malawi, Iraq, Pakistan and Uganda<sup>130</sup>.

In conclusion, the business sector can lead by changing the business sector and practices, building on the accumulating experience of companies already promoting gender equality.

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<sup>129</sup> <https://globalcompactrefugees.org/good-practices/companies-refugees-forum>

<sup>130</sup> <https://www.unhcr.org/about-unhcr/our-partners/private-sector/microsoft>

In conclusion, the public sector can lead by implementing policies to promote inclusive growth and refugee economic empowerment and by improving the public sector practices in employment and procurement.

### **3.9.0 REFUGEES, HOST COMMUNITY AND NGO'S**

#### **3.9.1 Influencing innovative ways to create jobs/programs for refugees**

Refugees, host communities and NGO's can influence innovative ways to create jobs for refugees. For example, **Na Takallam** provides income to refugees, displaced persons and their host community members by hiring them as online tutors, teachers, translators and cultural exchange partners.

#### **3.9.2 Equipping refugees with the tools and skills needed to access the job market**

Host communities and NGO's can help **equip refugees with the tools and skills needed to access the job market**. For example, **power coders international**, an NGO that empowers refugees for an IT career. Power coders is an ICT job integration program for people from refugee and migrant backgrounds. it provides free intensive coding courses and a subsequent work placement allowing its students to gain valuable, market-relevant skills as well as work experience which increases their chances of employment<sup>131</sup>.

#### **3.9.3 Through refugees standing as one (collective voice)**

As a **collective voice** refugee can advocate, represent and hold decision makers accountable. This is further reflected in the **2006 refugee act** where it mandates refugees to seek fair trial and justice in case they have any form of grievance. This is enunciated in **section 29(h)** where it stipulates that they have a right to court of law, including legal assistance under applicable laws of Uganda<sup>132</sup>. In addition, women's collective and representative organizations especially those representing women at the base of the pyramid, play a critical role in driving women's economic opportunities for the rights to freedom of association and collective bargaining are fundamental labor

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<sup>131</sup> <https://powercoders.org/>

<sup>132</sup> Refugee act 2006

and human rights enshrined in the ILO conventions<sup>133</sup>. All these factors enhance the economic rights of refugees in regards to participating in economic empowerment programs.

#### **3.9.4 Tackling adverse norms and promoting positive role models**

Tackling adverse norms and promoting positive role models through embracing social norms that are considered acceptable in a group or society especially those that are related to work done by men and women. Some of them include women's mobility outside home and about women and men's rights to expect equal remuneration and respect at work. this also includes refugees<sup>134</sup>.

#### **3.10. conclusion**

In conclusion, there is need to amend the Uganda frame work so as to favor also those refugees who stay in the urban areas as the legal framework doesn't effectively cater for them.

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<sup>133</sup> The un secretary general, leave no one behind, a call to action for gender equality and women's economic empowerment,2016

<sup>134</sup> ibid

## Chapter 4

### 4.0 Introduction

This will look at the summary of findings in relation to the research questions, conclusion and the recommendations.

### 4.1 What are the opportunities that the economic empowerment programs impact on the host countries?

#### 4.1.1 Sustainable livelihoods

Economic empowerment programs create sustainable livelihoods for refugees and also the host communities in a way that they also uplift the members of the community economically and lead to the development of communities.

#### 4.1.2 Employment opportunities for the host community members

These programs have further created employment opportunities for the host community members as they have also engaged in taking them for example teachers who teach refugees in the education sector through these programs are earning. Another clear example can be Ugandan people from these host communities who act as counsellors and sensitizers of these programs and finally are the members of the communities themselves who directly take part in the economic empowerment programs.

#### 4.1.3 Social integration

These programs also foster social integration as they take part in the normal economic activities of the people such as agriculture by the mere fact that they are given land to carry farming. To this, new skills are shared by these refugees and host community members also adopt and enhance these skills.

#### 4.1.4 Economic integration

Economic integration is also another important point of contention as the refugees also support their host communities by buying their products in the local markets and this also applies to the urban areas as refugees come and buy goods from shops, malls and supermarkets which contributes to the economy of the host communities.

#### **4.1.5 Contribute to labor in the community**

It is true as they say they refugees are an untapped source of labor as they contribute to labor as these programs require the work of refugees that is needed or in demand and it is because of their skill that can contribute to the development of the host communities.

#### **4.1.6 The digital economy**

Lastly is the aspect of digital economy which is an avenue for job creation connecting them to the global economy and enabling social economic inclusion within local communities in their host countries, which in turn, speeds up their process of integration.

#### **4.2.0 What barriers hinder refugees in participating in economic empowerment programs so as to realize their economic rights?**

##### **4.2.1 The lack of opportunities**

The lack of opportunities especially after primary education have denied refugees to get the skills needed on how best they can take part in the different economic empowerment programs to realize their economic rights.

##### **4.2.2 Language barrier**

Language barrier has also been a challenge especially when it comes to educational programs and this has really frustrated refugees in attaining their economic rights through participating in economic empowerment programs.

##### **4.2.3 The need to access finance for economic empowerment programs**

There is need to finance refugee empowerment programs, by donors and the UNHCR in order for them to thrive and support refugees to realize their economic rights.

##### **4.2.4 Incentive work**

Disregarding incentive work by refugees is another factor that has acted as a barrier yet they offer a stable and secure source of employment to many refugees in town.

#### **4.2.5 lack of evidential support from the government and UN**

No evidential support that manifests from the united nations and the national government in regards to social protection and they instead leave this to refugee community led organization which doesn't have enough support and really needs the help government and the united nations (UN) to realize their economic rights.

#### **4.3.0 How best can the economic empowerment programs be improved to ensure refugees attain their economic rights and a decent livelihood?**

##### **4.3.1 In regards to the education programs,**

Cash should be provided to address education financial barriers. That is to say money to finance teachers, scholastic materials among others.

Remedial and catch-up classes should be given to those refugees who have lagged behind and also support primary education for young refugees and also provide adult education.

More vocational training to young adults should be set up since most refugees that come to Uganda are half educated and so need to undergo adult education.

There is also need to support the teacher's profession by financing their education for further studies so that they can deliver high quality work in terms of their teaching services. This also involves improving the welfare of the teachers in areas that are not easy to access through providing a means of transport and also some money to enable them to move quickly to and from school.

There should be construction and rehabilitation of more learning facilities for the refugees so as to accommodate the increasing number of refugees who keep coming.

School materials should be provided to refugees and aid to remedy financial barriers to education such as hidden costs of education such as transportation costs, lack of scholarships.

#### **4.3.2 In regards to Legal assistance, counselling and information sector**

Through research and providing information services and training sessions on housing, land and property refugee status determination, legal identity and employment laws and procedures.

#### **4.3.3 Programs related to livelihoods and food security.**

By supporting communities to access agricultural tools and seeds through cash interventions.

Through offering vocational skills development to refugees and nationals in these programs and agriculture.

Through providing cash grants to refugees with specific needs, especially the disabled and elderly ones.

#### **4.3.4 Programs that promote water hygiene and sanitation**

Through raising awareness and sensitize on the high-risk practices including on cholera, hepatitis and covid19 prevention.

Through collaborating with the local actors for instance the organization has worked with the KCCA to extend water facilities to unserved areas with vulnerable communities.

Through providing permanent water solutions to refugee's urban refugees and people with low income.

By working together with communities to establish water facilities for refugee villages and schools.

By providing clean drinking water to refugees in town as well as those in schools and training and institutions.

#### 4.4.0 Conclusion:

In conclusion, there three elements that make up Uganda's development model(self-reliance) and they are **assistance model, the regulatory framework and its approach to refugee -host interaction** and they all have different implications for both refugee and host community welfare. Uganda's refugee model has been regarded as one that is inspirational and has been recommended by the UNHCR and indeed it has supported the refugees and host communities as well as the country itself through development. However, it offers insights into areas in which more reflection is needed through the government's Settlement Transformative Agenda (STA) and its ReHoPE strategy that concentrate on achieving integrated development for refugee-hosting districts. There is indeed need for more economic empowerment programs to support refugees.

#### 4.5.0 Recommendations

According to the Chief Analyst Mindrea Godwin Buwa in the article titled "Critique of The Refugees Act 2006", criticized the act pinpointing out some of the sections that really need to be looked into or even amended. Some of them include the definition of an asylum seeker as per section 19 and made a commentary asserting that the definition is too narrow because it excludes persons who despite entering Uganda with the intention of applying for asylum are prevented from doing so by circumstances beyond their control, such as detention, illness or even unawareness regarding the process of acquiring status. (sometimes they take long at the police and inter aid before OPM meets them)<sup>135</sup>

The definition of persecution as per section 2 of the act is looked at in a way that it is so ambiguous and not it is not entirely clear as the first part reflects the widely recognized position that persecution any threat to life or freedom or serious violation of human rights and then the definition goes further to provide; and as long as a person was threatened with any harm<sup>136</sup>.

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<sup>135</sup> Chief analyst Mindrea Godwin Buwa, Critique of the Refugees Act, 2006

<sup>136</sup> The refugee act 2006

He pinpointed out section s.4(c) in regards to qualification for refugee status and asserted that it fails to cater for refugees “sur place”. Refugees sur place are persons who while already abroad, determine that they cannot or will not return because of risk of persecution in their country of origin. Yet this is catered for in article 1(1) of the OAU convention and article 1(A)(2) OF THE 1951 convention.<sup>137</sup>

In regards to the freedom of movement as per section 30, the restriction by law is reasonable but directions issued by the commissioner maybe arbitrary. There are no detailed criteria upon which the commissioner may issue directions restricting freedom of movement. Further more in line with section 44, those who wish to live outside of the settlement camps have to apply to the commissioner for permission to live outside the camps<sup>138</sup>. He recommended that this permission to live outside should be deleted.

According to Giovanni Peri and Mette Foged who wrote an article titled how Immigrants And Job Mobility Help Low-Skilled Workers where in summary they recommended that a labor market that encourages occupational mobility and allows low-skilled immigrants can generate an effective mechanism to produce upward wage and skill mobility of less educated natives, especially the young and low-tenure ones.<sup>139</sup>

**Tony Thampson**, World Bank country manager for Uganda in his own words asserted that “refugees are a young, untapped source of labor, with lots of potential. He recommended that programs that stimulate varied skills initiatives and encourage labor demand in hosting areas can significantly improve their wellbeing and at the same time help to develop these regions economically” therefore Uganda should look at these and continue to show the rest of the world that hosting refugees is an opportunity that should be tapped.<sup>140</sup>

The right to work and the freedom of movement (Uganda’s regulatory framework) that is provided for under the refugee’s act and the regulations has indeed created a big

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<sup>137</sup> The refugees act 2006

<sup>138</sup> Refugee Act 2006

<sup>139</sup> Giovanni Peri and Mette Foged, How Immigrants and Job Mobility Help Low-Skilled Workers,2015

<sup>140</sup> World bank, Uganda Supporting Refugee and Host Communities to Become Secure and Self Reliant,2019

positive impact on the refugees and host communities when it comes establishment of economic empowerment programs. it is because of these rights that higher incomes and sustainable sources of employment that have really made refugees realize their economic rights. To this a round of applause ought to be given to the Ugandan government for a regulatory framework that emphasizes on social and economic rights so as to promote the self-reliance of refugees and so other countries such as Kenya ought to pick a leaf from it<sup>141</sup>.

it is true that refugees who come to Uganda, are allocated pieces of land but this only favors a significant proportion of refugees consistent with the economic activities of the surrounding host community and this contributes to their health through effective nutrition so there is need to establish an effective and functioning land allocation system to support those refugees skilled in agriculture not forgetting that each and every time refugees are coming from all corners of the world. This land allocation system should only be for those refugees who are skilled in agriculture. For those refugees who are not skilled in agriculture or those who live in urban areas such as Kampala, the government with the help of the United nations should set up other pathways to self-reliance. Thus agriculture should not only be looked as means to promoting the economic rights of refugees but also other options should be looked at such as the economic empowerment programs which really need boast in order for them to thrive and promote self-reliance for them realizing their economic rights<sup>142</sup>.

Furthermore, there is also need to strengthen the town assistance due to the assumption that urban refugees have the capacity to support themselves; this is because as much as refugees who are engaged in these economic empowerment programs in the urban areas are on average earning more compared to those who live in settlements and their social and economic muscle is fairly strong since they don't rely on formal assistance. it is essential to put more programs and policies that alleviate poverty among them so as to boast. For example of Congolese who live in town have

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<sup>141</sup> ibid

<sup>142</sup> ibid

trouble accessing their basic services and this kind of social protection and economic opportunity comes from the community<sup>143</sup>.

Rewards should be given to refugees who work in economic empowerment programs to encourage and motivate them to work harder. This applies to those who are working already in the economic empowerment programs. These programs may not be sustainable but they offer a stable and secure source of employment for refugees in urban areas. To this the international organizations such as the UNHCR should structure more programs of incentive work for both the refugees and host communities and should be established in areas that are also carrying out agriculture so as to act as an alternative means to make money and become self-reliant<sup>144</sup>.

Need to fund refugee social protection by the government and the united nations. Many community based organizations operate in Kampala and actually it is the community structures and personal networks that have played a big role in social protection of the refugees. Some of these refugee led organizations are YARID, HOCW and Bondeko which are really doing work that is so magnificent and deserves international recognition. They have gone ahead to even address market imperfections and provided specific avenues for insurance and finance. To this, international donors as well as the UNHCR should consider funding the Refugee-led organizations and priority should be given to those organizations that address identifiable gaps in social protection<sup>145</sup>.

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<sup>143</sup> ibid

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