

**EXAMINING THE ENFORCEMENT AND IMPLEMENTATION OF THE DURABLE  
SOLUTIONS AMONG SOUTH SUDANESE REFUGEES AT KIRYANDONGO  
SETTLEMENT, UGANDA, 1990-2010**

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## DECLARATION

### DECLARATION

This research project is my original work and has not been presented for the award of any degree in any other university or institution.

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This research project has been submitted for examination with our recommendation as university supervisors.

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## **DEDICATION**

Firstly, I dedicate this work to my father Mr. Samson Rubondo Twinomurinzi and my mother Mrs. Pauline Mirembe Twinomurinzi for always being my pillar and greatest support. Secondly, I dedicate this work to my sister Harriet Byarugaba who led me to this university from the very first day for her guidance in my life and continued support. I am forever indebted to her. Lastly I dedicate this work to the people of South Sudan may there be peace!

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## DEFINITION OF TERMS

**Refugee:** A refugee is an individual who is outside his or her country due to well-founded fears of persecution.<sup>1</sup>

**Encampment:** A place where a group of people live for a short time in tents or cabins.

**Refoulement:** The act of using force on refugees or an asylum seeker to go back to the country they are running away from.

**Return/Repatriation:** Return/Repatriation refers to an act by refugees to voluntarily go back to their habitual residence.

**Self-Reliant:** The ability for Refugees to live independently or take care of themselves.

**Durable Solution:** Durable Solution refers to voluntary repatriation, resettlement to a third country and local integration in the country of asylum.

**Gwanga Mujje:** Gwanga Mujje means let us come together and protect each other as a community.

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<sup>1</sup>Hein, Jeremy. "Refugees Immigrants and the State" *Annual Review of Sociology*. Vol.19 (1993): pp 43-59  
Retrieved from <http://www.jstor.org/stable/2083380> ,accessed on 26-07-2019



## LIST OF ABBREVIATIONS

AMA	:	Australian Medical Exam.
CPA	:	Comprehensive Peace Agreement.
DHO	:	District Health Officer.
DRC	:	Democratic Republic of Congo.
GOS	:	Government of Sudan.
HSD	:	Homeland Security Department.
ICC	:	International Criminal Court.
IOM	:	International Organization for Migration
IOM	:	International Organization for Migration
IRL	:	International Refugee Law.
LGBT	:	Lesbians Gays and Bi-Trans Sexual
LGBT	:	Lesbians Gays and Bi-Trans Sexual
LPR's	:	Legal Permanent Residents
LRA	:	Lord's Resistance Army/ Movement.
MRC's	:	Migrant Resource Centers.
NEMA	:	National Environment Management Authority.
NFA	:	National Forestry Association.
NGO	:	Non-Governmental Organization.
OAU	:	Organization of African Union
OPM	:	Office of the Prime Minister.
SMB	:	Swedish Migration Board
SPL/A	:	The Sudan People's Liberation Army.
SPL/M	:	The Sudan People's Liberation Movement.
SS	:	South Sudan.
TDA	:	Targeted Development Assistance.
TDA	:	Targeted Development Assistance.
TSI	:	Transitional Solutions Initiative
TSI	:	Transitional Solutions Initiative
UN	:	United Nations.

UNCST : Uganda National Council for Science and Technology.  
UNHCR : United Nations High Commissioner for Refugees.  
VHT's : Village Health Teams.  
WFP : World Food Programme.  
WUSC : World University Service of Canada.

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## ABSTRACT

This study examined enforcement and implementation of durable solutions among South Sudanese refugees at Kiryandongo settlement, Uganda from 1990 to 2010. It set out to examine South Sudanese refugees' settlement and coping mechanism at Kiryandongo settlement, examine the enforcement and implementation of the durable solutions among South Sudanese refugees at Kiryandongo and, finally, to examine the impact of enforcement and implantation of durable solutions among South Sudanese refugees.

The project paper was guided by three hypotheses suggesting that South Sudanese refugees had challenges upon settling in Uganda, secondly, durable solutions were not fully enforced and implemented among South Sudanese because of non-compliance of hosting governments, animosity between host communities and refugees not forgetting continued conflicts in refugees' countries of origin. Thirdly there were challenges to the enforcement and implementation of durable solutions for South Sudanese refugees at Kiryandongo settlement.

The study was shaped using the Kinetic model of refugee theory which categorized refugees into two types; the anticipatory refugees and the acute refugees. This research adopted a qualitative research paradigm, descriptive in nature. Research data was obtained from both primary and secondary materials. The study reviewed scholarly refugee journal articles and books in an attempt to understand refugee issues in the world. From the reviews, a research gap was identified. Primary data was derived from oral interviews in Uganda, for two weeks in Kiryandongo and one in Kampala. The interviews conducted with refugees, chief officers of particular NGOs and government officials both in Kampala and at the settlements were in-depth and semi-structured interviews. The study also used internet sources, focused group discussions as well as key informants to collect data during the field visit. The data collected was incorporated and analyzed to breed this thesis.

The study established that South Sudanese refugees discerned the three instruments; local integration, repatriation and resettlement as solutions to their plight. Settlement was an option but they regarded it as a temporary solution, repatriation was not an option refugees took for reasons

of insecurity and continued instability back home and lastly resettlement to a third country was their most preferred solution. All the instruments were applied among the refugees by implementing partners; government of Uganda and the UNHCR but they were not successful. The reason for this was, factors like language barrier, hostility of host communities, animosity and competition of resources between refugees and host communities made local integration unsuccessful, continued instability and conflicts in refugees' countries of origin made repatriation as a process impossible yet noncompliance of host governments to receive refugees coupled with strict policies of host countries against refugees hindered resettlement.

This research recommends that host governments and refugee implementing agencies should protect refugees against discrimination and hostility from host communities to effect local integration, similarly, governments should resolve conflicts in refugees' countries of origin and support refugees to willingly return home in order to achieve repatriation as an instrument to refugee plight and lastly, all refugee laws be should be practical rather than on paper, third countries where refugees desire to be resettled should be complying and loosen up their policies to accommodate refugees because their issues are humanitarian.

The study concluded therefore that all options were to a small extent implemented and enforced among South Sudanese refugees, and are still a work in progress indicating that these so-called durable solutions are not a finality in the life of a refugee.

## CHAPTER ONE

### INTRODUCTION

#### 1.0 Introduction

This study focused on durable solutions to refugee plight in Africa, specifically South Sudan refugees in a Ugandan settlement called Kiryandongo. The study argues that despite settling in a host nation (integration), return to their former abodes or countries of origin (repatriation) or moving to a third country (resettlement), these being regarded as refugees' durable solutions to protracted refugee situations in the world and Africa in particular, no studies have been done to determine the extent to which these durable solutions have been enforced and implemented as solutions to refugees' plight. This is in spite of the issue not being entirely a new problem as the refugee problem is of great concern worldwide. Focus is given to protracted refugee situations as a category, save for an exception of refugee settlers, which many researches and studies have focused on.<sup>2</sup> In Africa, for instance, the challenge of refugees has been huge and with various explanations to their emergency and it is the rampant occurrence of wars and conflicts without interventions like the case of Angola, Uganda, Sudan, Central African Republic, DRC, Ethiopia, among many others.<sup>3</sup>

The challenge of political hostage where a number of African countries have delays by military, political and economic saboteurs, issues of residual caseloads, affect people in protracted refugee situations. This is so especially where members decide in one way or the other to remain in banishment when other members of the same group have been able to repatriate, resettle and locally integrated in the country of asylum.<sup>4</sup>

In response to the ballooning challenges of refugees, various articles of the United Nations such as Article 34 of the 1951 UN convention were formulated to facilitate the assimilation and naturalization of refugees.<sup>5</sup> Globally, refugees experience the challenge of settling, resettling and

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<sup>2</sup>Martin, J. (1965). *Refugee settlers: a study of displaced persons in Australia*. The Australian National University.

<sup>3</sup> Ahimbisibwe F. (2015), Uganda and the refugee problem: challenges and opportunities. *African Journal of Political*. Vol.13. No.5. pp.62-72. Retrieved on 26<sup>th</sup> march 2021 from <http://www.academicjournals.org>

<sup>4</sup> Martin, J. (1965). *Refugee settlers: a study of displaced persons in Australia*. The Australian National University. P.4.

<sup>5</sup> UNHCR, (2007), EU Integration of Refugees, Bureau for Europe. Accessed from, [www.unhcr.org/protect/PROTECTION/463b462c.pdf](http://www.unhcr.org/protect/PROTECTION/463b462c.pdf). p.2.

repatriation. For instance, in Europe, refugees shared their challenges of resettlement and integration which ranged from language barrier, unreceptive culture and discrimination. Similarly, refugees experience challenges ranging from poor understanding of the refugee situations among the host communities, psychological impact on refugees during the asylum-seeking process as well as limited access and protection of persons with subsidiary protection. There are various challenges to settlement as one of the durable solutions to the plight of refugees.<sup>6</sup> Basing their research on Uganda, Frank and Ulrike demonstrate that lack of funding and limited space protracts refugee issues. Further, they show that the burden of hosting refugees impacts greatly on the capability of developing countries to settle refugees.

Resettlement has had challenges that impact greatly on countries of asylum. Stein argues that refugee resettlement reduced sharply in the 20<sup>th</sup> century. This is related to the many needs and increased domestic pressures within the major receiving nations that limited admission of refugees. Low numbers signal decreased long-term commitment to resettlement.<sup>7</sup>

In the same way, repatriation of refugees is the ideal which is used by the UNHCR. However, there is always pressure discouraging repatriation on account that there is still conflict in refugees' countries of origin. This pressure comes from various quarters including refugees themselves from the time they arrive in the host nation, insurgent groups, supporters of insurgency groups such as foreign governments by either opposing, putting pressure on the UN and the host country and lastly human rights group opposition to the repatriation process as a whole.<sup>8</sup>

Notably, systemic denial of repatriation rights also exists. This was particularly demonstrated by Israel's blockage of Palestinian refugees' right of return after the 1947 and 1948 wars. This was a violation of international laws on refugee rights. These rights are anchored in the historical laws

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<sup>6</sup> Ahimbisibwe F, (2013), "The Refugee Dilema: Refugee Rights versus state security in Uganda," The International Research Journal of social science and management, Vol 3, No.6. p.12. Retrieved from [www.theinternationaljournal.org](http://www.theinternationaljournal.org) on 26.07.2019

<sup>7</sup> Stein B. (1983). The Commitment of Refugee Resettlement. *Political and Social Science*, Vol.467, No.1. pp. 187-201. <https://www.jstor.org/stable/1044937>, on 26-07-2019.

<sup>8</sup> Stein. B and Cunny, C. (1994). Refugee Repatriation during Conflict: Protection and Post-Return Assistance. *Development in Practice*, Vol.14, No. 3(1994): pp. 173-187. <https://www.jstor.org/stable1428817>, on 26-07-2019.

of the 1215 Magna Carta law that protected all England citizens to safely leave and return to the kingdom by land and water.<sup>9</sup>

Basing on the preceding arguments, this project set to examine the three refugee's durable solutions: voluntary repatriation, local integration (settlement) and resettlement, their implementation, enforcement and the impact of each as solutions to the plight of refugees.

## **1.1 Background to the Study**

A number of research have been focused on refugees in camps and those that examined refugees in settlements took a different perspective, either repatriation, resettlement or integration as a stand-alone subject. However, the proposed study examines the three in a wholesome manner, it examines the extent to which the three solutions have been enforced and implemented as well as their impact in regard to South Sudanese refugees at Kiryandongo settlement. The research was conducted in Uganda, which, like all East African countries, are bound by the principle of protecting refugees. In the East African bloc, Uganda has traditionally been a refugee welcoming country. According to the United Nations High Commission for Refugees (UNHCR), the refugee admission rate in Uganda is one among the leading in the world. The country is also unique in the region as it overrides the policy of encampment. Instead, refugees are kept in productive and self-reliant refugee settlements. They are provided with land for cultivation as well as building homesteads. Uganda has therefore kept an open-door policy where refugees who are self-sufficient can reside in urban areas while those who require humanitarian assistance stay in refugee settlements.

Uganda is currently hosting 1.4 million refugees<sup>10</sup>, the highest number of refugees in its history largely due to the outbreak of conflicts in the neighboring Sudan/ South Sudan in 1989, but also from the continuous displacements from the Democratic Republic of Congo as well as Burundi. The number of South Sudanese refugees has passed the one million mark while that of refugees

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<sup>9</sup> Malison.T. and Mallison.S. (1980). The Right of Return. *Journal of Palestine Studies*. Vol. 9, No. 3. pp.125-136  
Retrieved from <https://www.jstor.org/stable/2536553>, accessed on 26-07-2019

<sup>10</sup> UNHCR. 'Uganda' (2021) Retrieved on 22 march 2021 from, <https://reporting.unhcr.org/uganda>



from DRC has continued to steadily rise from December 2007.<sup>11</sup> The continued conflict in the Great Lakes and the Horn of Africa has led to an influx of refugees in the region and among the key refugee hosts is Uganda. The prolonged civil wars of rebels, the secession in Sudan and later South Sudan (the newest state) led to deaths and displacement of refugees into Uganda. Scholars like Ahimbisibwe have argued that this is due to the proximity and welcoming nature of the Ugandan refugee policy. Since the emergence of civil wars in Sudan in early 1950s, the flow of refugees into Uganda has been continuous.

Many of these Sudanese and later South Sudan refugees settled in Kiryandongo in the northern part of Uganda. This is linked to the proximity of the border of South Sudan which was easy to manage, logistically. Secondly, it was the Ugandan policy to settle South Sudanese refugees in this part largely because that was the place they could manage to find unoccupied space and from a security point of view it was manageable. This was because some of those who accompanied the refugees were rebels and child soldiers who could pose security challenges to Uganda.

South Sudanese refugees have settled in Kiryandongo since 1990. The refugees in Uganda are taken care of from their day of arrival up to three years by the UNHCR. After the three years, they depend on themselves for their basic needs through farming or business but also supplementing it with food rations from the UNHCR and other donors. However, between 1990 and 2010, a lot of events happened. In the first instance, there was the signing of a Comprehensive peace agreement (CPA) which signified end of conflict and enmity between Northerners and Southerners and later the independence of South Sudan. These events signaled peace back home. However, many of the South Sudanese refugees in Kiryandongo have not exercised their right of return as a durable solution. This is evidenced by majority South Sudanese continued existence at the Kiryandongo settlement.

Kiryandongo refugee settlement is the largest refugee settlement in Uganda and accommodates refugees who were fleeing the Sudan Civil war.<sup>12</sup> Initially, it was purposive as a unique type of settlement where refugees were apportioned agricultural plots to recommence fuller lives, even though in exile. However, their integration into the host people was never envisaged and not

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<sup>11</sup>Reliefweb, "Uganda Refugee Response Monitoring Settlement Fact Sheet Kiryandongo," Retrieved from <https://reliefweb.org> on 26-07-2019, (January 2018)

<sup>12</sup>Ahimbisibwe. F. (2013). The Refugee Dilemma. p 12.

desired by the Government of Uganda, a somewhat laissez-faire attitude which at the local level implied curtailed freedom for refugees.<sup>13</sup> While South Sudan refugees make up the majority of Kiryandongo residents, there are also pockets of refugees from neighbouring countries such as Burundi, Democratic Republic of Congo (DRC), Ethiopia, Eritrea, Kenya, Rwanda and Somalia. Currently, Kiryandongo hosts more than 6,000,000 refugees with up to 1,000,000 being South Sudanese.<sup>14</sup>

## 1.2 Problem Statement

The 1951 convention highlights the principles under which refugees are to be protected. Key among them is that refugees are not to be forced to undergo persecution or threat of persecution - that is the non-Refoulement principle which underscores the fact that refugees should be protected without discrimination, and that their problem is humanitarian and that should not bring tension between states. Refugees face various challenges in the host countries. They experience difficulties with local languages, culture, discrimination and unreceptive attitudes towards them by host communities. Also, they lack understanding of the host communities' cultures as well as having psychological issues during the asylum-seeking period. They equally do not have protection against limited human rights abuses.<sup>15</sup> Similarly, during the repatriation process, there is discouragement of the process due to the continuing conflicts in their home countries coming from various quarters, ranging from the refugees themselves, and what they hear from news and those who visited.<sup>16</sup> Those who are integrated feel excluded, the exclusion ranges from literacy barriers especially for women, unemployment among youths, lack of access to health care and as a result become among the poorest community who stay in fear and uncertainty.<sup>17</sup>

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<sup>13</sup> Ibid, 13.

<sup>14</sup> Radio Tamazuj, "Refugee Population in Kiryandongo" Retrieved from <https://radiotamazuj.org/en/news/article/>, on 26-07-2019

<sup>15</sup> UNHCR. EU integration of refugees. Bureau for Europe. From [www.unhcr/protect/PROTECTION/463b46c4.pdf](http://www.unhcr/protect/PROTECTION/463b46c4.pdf), 29-07-2019.

<sup>16</sup> Barry N, Stain. B. and Cuny, F. (1994).

<sup>17</sup> Taylor, T. (2004). Refugees and social exclusion: What the literature says. *Migration Action*. Vol 26, No.2. p.16-31. Retrieved from <https://www.bsl.intersearch.com.au>, on 26-07-2019

Refugees have the option of settling in a host nation (integration), return to their countries of origin (repatriation) or move to a third country (resettlement). While these options have been regarded as durable solutions to the protracted refugee situations in the world, to what extent have these instruments been implemented and enforced among South Sudanese refugees? Also, what has been the impact of their implementation and enforcement as solutions to South Sudanese refugees' plight? This study on South Sudanese refugees is a response to this lacuna in the literature.

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

1. Examine the settlement and coping mechanism of South Sudanese refugees at Kiryandongo.
2. Examine the enforcement and implementation of durable solutions among the South Sudanese refugees at Kiryandongo.
3. Examine the impact of the enforcement and implementation of durable solutions among the South Sudanese refugees at Kiryandongo.

### **1.4 Justification**

This study is important in several ways. While there are many studies that have been done on reasons for refugees not exercising their right of return, few studies have dealt with the broad question of implementation and enforcement of durable solutions to refugeehood as a wholesome. Questions of the extent to which these instruments have been implemented and enforced have not been sufficiently engaged with nor have there been studies fully addressing the impact of implementation and enforcement of durable solutions. This study is an effort at adding value to studies on lasting solutions to the refugee problem in Africa and the world by demonstrating implementation, enforcement and the impact of implementation and enforcement of the durable solutions as well as why refugees would prefer one option and not the other. Moreover, the study delves into the question of durability as a finality to refugee situations.

## 1.5 Scope and Limitation

The research was undertaken at Kiryandongo Refugee Settlement in Uganda's Masindi District, established in 1990 to cater for the immediate needs of a Southern Sudanese refugee community.<sup>18</sup> The study's temporal space, therefore, spans from 1990 to 2010. The focus is on the South Sudanese displaced people who crossed into Uganda as a result of the earlier conflict from 1989. Later that year, the refugees were accommodated in a transit camp in Kitgum District.<sup>19</sup> The reason of their removal from this transit camp was informed by repeated harassment and attacks from rebels of the infamous Lord's Resistance Army of Uganda. Consequently, the refugees were transferred to Kiryandongo in 1990.<sup>20</sup>

During the research, there were limitations on identifying South Sudanese refugees in Kiryandongo as many of them share a lot of identities with the Acholi of northern Uganda. However, this was overcome by interviewing a number of respondents from host elders who have been in the region for long, as well as interviewing the UNHCR refugees settling staff. Records from the Ugandan government officials were also of significant help. Furthermore, the researcher experienced the challenge of language barrier. Having noted that many of the refugees in the settlement are Dinka and Nuer speakers, I hired a translator who is a friend from South Sudan with whom I studied at Nkumba University and who resides in Uganda.

Lastly was the challenge of unclear statistical data provision where officials of the UNHCR and officials of the government of Uganda were hesitant to provide actual statistics of refugees who were integrated in Uganda, repatriated back to South Sudan or those who had been resettled into a third country. This was overcome by use of estimated percentages that they provided in regard of those who had been integrated, repatriated, and resettled.

## 1.6 Literature Review

This section reviews extensive studies undertaken on durable solutions to protracted refugee situations. The review adopts a thematic approach for easy following on the issues emerging thereof.

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<sup>18</sup>Kaiser, T. (2006). Songs, discos and dancing in Kiryandongo, Uganda. *Journal of Ethnic and Migration Studies*. Vol. 32, No.2. pp.183-202. Retrieved from <https://doi.org/10.108/13691830500487399>, on 26-07-2019

<sup>19</sup> Ibid, p.184

<sup>20</sup> Ibid, p.185

### 1.6.1 Resettlement.

Laura Brownless compares development induced resettlement and forced displacement and posits that despite the difference in the causes of displacement, the affected tend to have similar social disarticulation. However, the process of resettling refugees fails because they are rarely involved in decision making.<sup>21</sup> Initially, self-sufficiency in camps was encouraged which worked for integration, but lack of empowering affected communities left refugees especially the youth, “angry young men” in camps, their situation was more complicated by perilous grounds where host governments did not accept refugee communities, no incentives to invest time and money on protracted refugee policies and generally few resources were allocated. The study evokes serious questions on durable solutions; it raises the issue of consulting refugees before they are resettled. Further, it suggests that though resettlement is the ideal and more respectable way for refugees, it lacked support and finances from responsible institutions. This study delves into the issues of whether South Sudanese refugees in Uganda were consulted as they sought to resettle in third countries. Do UNHCR and the Uganda government have resources to carry out resettlement of refugees? And do these refugees have a liking for this solution and why?

Barry Stein argues that the number of refugees resettled by a country of asylum cannot be the only indicator of commitment because resettlement usually occurs as a response to the prevailing need and danger, not as a steady condition. The author points out that voluntary repatriation, settlement, and resettlement are practical solutions and exceptional measures to be pursued only for compelling humanitarian reasons.<sup>22</sup> However, issues such as troubled countries being adjacent to the country of asylum, motivates large numbers that exceed the capacity to integrate all of them locally. The best solution to this problem is when other countries share the burden. This research examined how the proximity of Kiryandongo influenced the decision of South Sudan refugees and how their numbers affect their choice to repatriation, integration, and resettlement.

Writing about the Acholi IDPs in Uganda, Sandra Sohne argues that the displaced people who embraced group work came up with important networks (jobs, security) that worked for them as

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<sup>21</sup> Lauren, B, “Power and Empowerment in Refugee Camps: Armed Group Activities and the Liminality of Youth,” In “Conflict and Displacement International Politics in the Developing World,” Andrey Boleske, Bialystok, Vol 66, No.1(2004): p.114.

<sup>22</sup> Stein, B. (May 1983). The Commitment to Refugee Resettlement. *Political and Social Science*. Vol. 467. No 7.pp. 187-201. Retrieved from <https://www.jstor.org/stable/1044937>, accessed on 26-07-2019, 20:10 UTC

compared to those who chose to be alone.<sup>23</sup> Despite the fact that the study focused on internally displaced persons, this thesis sought to examine how South Sudanese refugees diversified coping mechanisms in Kiryandongo and how it impacted on choosing their preferred option out of the durable solutions.

There are challenges such as environmental degradation which would make a region completely uninhabitable. Such cases make people to move on and be resettled elsewhere. According to Volker, extreme climate challenges can be associated with sea level rise and vigorous weather events where inhabitants are forced to resettle elsewhere. This thesis is critical to this study because it indicates some of the reasons for the movement of South Sudanese out of their country.

Espanoza argues that the reason why resettlement in some regions was successful was because the whole issue had attracted interest, significant funding, triggered rapid establishment of civil society organization networks, involved municipalities and private actors who all supported the initiative.<sup>24</sup> Although Espanoza's study focused on resettlement of Palestine refugees in South America and how commitment from various organizations played part in making it successful, this research examined which kind of organizations have been involved in the resettlement of South Sudanese and what influences their choices of the countries they prefer to be resettled.

In an interview conducted by Marisa Kanof, one of the trauma therapists in the field of refugees — Liyam Eloul — in USA, argues that for a refugee to be eligible for resettlement, it has to be untenable for him or her to be repatriated to his/her own country.<sup>25</sup> For instance, a refugee who is fleeing his country due to LGBT persecution also encounters the same in the country of asylum. Essentially, refugees who are eligible for resettlement are often the most vulnerable. This study examined South Sudanese refugees at Kiryandongo and their reasons for seeking resettlement.

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<sup>23</sup> Sohne.I.S. (2006). Coping with displacement: The case of Internally Displaced Persons in Jinja, 2006" (Uganda. Master of arts project, Tufts University. p.5.

<sup>24</sup> Marcia V. Espanoza, (2017). Extra-regional refugee resettlement in South America: The Palestinian experience," *Latin America and the Caribbean* (2017): p 2. Retrieved from [www.fmreview.org/latinaamerica-caribbean\\_on/01/08/2019](http://www.fmreview.org/latinaamerica-caribbean_on/01/08/2019)

<sup>25</sup> Interview, Liyam E, MA, Problems and Solutions in US Refugee Resettlement Policy, 2015: p.146.

## 1.6.2 Repatriation.

Problematising the right to return to a home country, Rashid argues that there is no authoritative definition of what entails the right to return.<sup>26</sup> According to the author, right of return means many things that range from all the refugees, their descendants and the whole population being sent back to their home country.<sup>27</sup> This observation is relevant to this study as it gives insights into studies of refugees who find themselves in situations of fighting for self-determination. My study examined whether the political independence and subsequent post-independence conflict of South Sudan complicated refugees' exercising their right of return.

Opoku, in examining the relationship between the definitional legal problem as well as voluntary repatriation, issues key to this study, argues that the two conventions aimed at assisting the return of refugees to their home countries. Opoku's focus was on the people who were forcefully evicted, deported, or resettled during the dreadful Second World War.<sup>28</sup> This study is about what methods the Uganda government and UNHCR deployed in dealing with the question of South Sudanese refugees.

Related to the above, the transformation of 1951 UN convention by the 1967 protocol did not wholesomely impact the world refugee status, especially Africans.<sup>29</sup> This was witnessed during the Rwandan refugees' entry into Tanzania, Uganda and Zaire in 1961 that was an awakening call to refugee status as defined by the January 1<sup>st</sup>, 1951, Refugee convention and thereafter ratified by other countries. This research adopted the debate asking whether South Sudan refugees in Kiryandongo settlement are aware of their rights as stipulated by both the UN and OAU conventions. The study engaged with the emotional plight South Sudanese in Uganda experience regarding their protracted refugee status.

Cleophas Karooma writes that despite Rwandan Refugees being repatriated, they have maintained to view Uganda as their "home". Their basis of fear was the conflicts that were witnessed in

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<sup>26</sup> Khalid I. Rashid, (1992). Observation of the Right of Return. *Journal of Palestine Studies*. Vol 21, No.2. pp.29-40. Retrieved from <https://www.jstor.org/stable/2537217>, on 26-07-2019

<sup>27</sup> Ibid, p.30.

<sup>28</sup> Opuko E. Awuku (1995). Refugee Movements in Africa and the OAU Convention on Refugees," *Journal of African Law*, Vol 39, No 1. pp.79-86 Retrieved from <https://doi.org/10.1017/s0021855300005891>, accessed on 26-07-2019

<sup>29</sup> Ibid, p 80

Rwanda more so the 1994 Genocide.<sup>30</sup> The difference between Rwandese and South Sudanese refugees is that one group exercised their right of return while the other did not. Could there be differences in the reasons and fears that motivated South Sudanese refugees and Rwandese refugees considering that the former group did not exercise their right of return while the latter did? Where do South Sudanese refugees in Uganda consider to be their home?

Cleophas Karooma observes that Rwandese refugees exhibited reluctance to return to their country. She asserts that whereas there was the signing of several tripartite agreements, confidence building measures, meetings, forced repatriation and lastly the restriction to humanitarian assistance that barred farming in the settlements as well as access to other social services, Rwandan refugees didn't want to leave Uganda.<sup>31</sup> Similarly, this thesis engaged with questions on whether efforts to repatriate South Sudanese refugees had been explored. The study examined challenges encountered during enforcement of the process if it had been attempted.

### 1.6.3 Integration

Elsewhere, Korac Maja posits that it is functionality and social participation of refugees that influences their integration.<sup>32</sup> In a study examining refugees' integration in the Netherlands and Italy, Maja claims that there are overlapping processes that happen differently in various spheres. This study is relevant to this project as it helped the researcher to examine whether South Sudanese refugees are used to the functionality of Kiryandongo that they do not see the need to return to South Sudan. This further suggested the refugees are already informally integrated in the host community. This study examined refugees' alternative to forceful or voluntary repatriation.

In their study to understand integration, Ager and Strang discuss factors that can be used as a gauge to measure integration which include access to employment, housing, education, and health.<sup>33</sup>

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<sup>30</sup>Karooma. C. (2017), Where Do We Belong: Rwanda or Uganda? *The Conceptualization of "Home" by the Rwandan Refugees in Uganda*. Vol.7, No.6. pp. 413-428. Retrieved from <http://www.academicstar.us>, on 27-07-2019.

<sup>31</sup> Karooma. C "Reluctant to Return? The Primacy of Social networks in the repatriation of Rwandan Refugees in Uganda," *Oxford Department of International Development*, (2014): p.103.

<sup>32</sup>Maja K. (2003). Integration and how we facilitate it: A Comprehensive Study of Settlement Experiences of Refugees in Italy and Netherlands," *University of East London Institutional Repository*. Vol 37, No 1, pp. 51-68 Retrieved from <https://dx.doi.org/10.1177/0038038503037001387>, published on 1-03-2003, accessed on 27-07-2019.

<sup>33</sup>Alaistair. A and Alison. S, "Understanding integration: A conceptual framework," *Journal of refugee studies*. Vol 21, No 2(2008): pp 166-191. Retrieved from <https://academic.oup.com/jrs/article-abstract/21/12/166/1621262>, accessed on 28-07-2019



They assert that refugees should be able to have all their human rights guaranteed and respected. Other factors include socio-cultural, environmental, and language between the host community and refugees. Using the same factors derived from the study, this research examined whether these factors could be the reasons South Sudanese refugees have not exercised their right of return as well as underpinning their preferred option. In other places like Australia, it is the economic participation of refugees in sections such as labour force, occupational, level of income and its sources, and housing; participation in social and well-being which includes language (English) proficiency, satisfaction with life and Australian citizenship, physical and mental being which are used to gauge successful settlement and integration.<sup>34</sup> Here, the researcher examined whether South Sudanese refugees in Kiryandongo were involved in economic and social participation to determine if they are integrated. The study also sought to find out if South Sudanese knowledge of the language and its use made them feel integrated. According to Hovil, Uganda follows the unusual process of integration. This aims at making refugees self-reliant rather than dependent on aid. For example, unlike other countries such as Kenya and Tanzania where refugees are confined in camps, in Uganda they are in settlements where they are given a parcel of land to farm.<sup>35</sup> How do South Sudanese refugees regard this kind of settlement? Do they regard it as integration?

Keiser Tania argues that conditions of extreme insecurity in northern Uganda complicated key factors that concern refugees. A factor such as freedom of movement directly affects refugees' integrative and developmental ideas.<sup>36</sup> He alleges that those privileges are by and large influenced by Uganda's internal political impacts such as internal conflict. Yet such issues are as well influenced by Uganda's wider relation in the international sphere driven by the international donor community. He suggests that though developmental approaches promise a number of advantages in protracted refugee situations, it needs ways that directly protects the socioeconomic welfare of refugees.<sup>37</sup> This proved relevant to this research as it highlights the situation of how insecurity has been a challenge in northern Uganda and more so to the refugee settlement Kiryandongo. However,

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<sup>34</sup> Fozdar, F. and Hartley, L. (2015). Refugee resettlement in Australia: what we know and need to know.p.3.

<sup>35</sup>Hovil L. (2007). Self-settled refugees in Uganda: An alternative approach to displacement," *Journal of refugee studies*. Vol 20 No .4. pp .599-620. Retrieved from <https://jrs.oxfordjournals.org> on 17-01-2014.

<sup>36</sup>Tania, K. (2005). Participating in Development? Refugee protection, politics and developmental approaches to refugee management in Uganda," *Third World Quarterly* Vol.26, No.2. pp.351-367, Retrieved from <https://doi.org/10.1080/0143659042000339155>, accessed on 28-07-2019.

<sup>37</sup> Ibid, p.354.

this study observed that despite the security issues, South Sudanese refugees here have not embraced voluntary repatriation.

Examining the challenge of rules of both the UNHCR and Uganda's administration, Tania notes that by restricting refugees' rights and freedom of movement, it undermines their socio-economic rights.<sup>38</sup> He further affirms that those who are left out of the formal system are similarly deprived of refugee status stipulated under international law. This article helped the researcher to find out whether South Sudan refugees have all their rights respected and fulfilled under international law and whether they already feel fully settled in Kiryandongo.

Jacobsen Karen argues that despite refugees burdening a host country with issues of economy, environment, and security, they form an economic asset, human capital as well as international humanitarian assistance.<sup>39</sup> Seeing that refugees in several parts of the African continent have been linked to insecurity in host countries, this thesis was interested in observing how Sudanese refugees are interpreted by Ugandan security enforcers. In this regard, the study engaged with how such a perception would affect South Sudanese refugees' stay in Kiryandongo and consequently, their choices to exercise their right of return.

According to Jeff Crisp, the international refugee regime, its institutions, legal instruments, and norms are experiencing serious pressure. Some of the challenges are from the media and how they report on refugee issues. As a result, therefore, there is a shift on how refugee movement, asylum seekers and irregular migrants are managed contrary to the orderly and predictably organized manner.<sup>40</sup> The research examined how the UNHCR and its partners organized the reception of South Sudanese refugees in Kiryandongo, Uganda. The researcher was driven by the question; Was the process done in a manner that encouraged integration of the South Sudanese refugees?

The integration process involves advocacy for all migrants and refugees to enjoy fundamental rights such as freedom of expression and equality; they must be treated as other members of the

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<sup>38</sup>Tania. K, (2006). Between a camp and a hard place: rights, livelihood and experiences of the local settlement system for long-term refugees in Uganda. *The Journal of Modern African Studies*. Vol. 44, No. 4. pp.597-621, Retrieved from <https://doi.org/10.1017/S0022278X06002102>, accessed on 28-07-2019.

<sup>39</sup>Karen.J. (2002). Can refugees benefit the state? Refugee Resources and African state building. *The Journal of Modern African Studies*. Vol.40, No.4. pp. 577-596, Retrieved from <https://www.jstor.org/stable/3876026>, accessed on 28-07-2019.

<sup>40</sup>Crisp. J, (2003). New issues in refugee research. New asylum paradigm? Globalization, migration and the uncertain future of the international refugee regime. Working paper No.100. p.3.

society by participating in economic, social, cultural and physical environment.<sup>41</sup> The study examined the above principles in Kiryandongo settlement with regard to South Sudanese refugees. By so doing, the researcher sought to understand if the mentioned factors influenced refugees to consider staying in Kiryandongo.

Ulrike Clouse writes that the good thing with camps is that efforts can easily get to the desired target especially from various developmental aid agencies seeking to improve livelihoods and conditions of refugees. According to research done in 1960s, UNHCR has been trying to align its mandate along this idea of development. The same mission was undertaken in 1980s and 1990s. But in the millennium age UNHCR has been guided by the Targeted Development Assistance (TDA) and the Transitional Solutions Initiative (TSI).<sup>42</sup> However, there are challenges for the approaches ranging from insufficient support, ineffective squeezed planning, polarized positions between the developed and developing countries and lack of political will. In Uganda, for instance, the settlements are in rural setting. Refugees have to depend on aid and also face various restrictions and limitations in the settlement despite the revised refugee policy.<sup>43</sup> The research sought to find out if these kinds of challenges affect integration for South Sudanese refugees.

Frank Ahimbisibwe argues that the fact that Uganda has been praised to be generous to refugees, it has also led to challenges such as increased number of refugees, protracted situations, burden of hosting them with limited resources and little international support.<sup>44</sup> With the various challenges experienced in the region and by Uganda in particular as a developing state, the study examined how Uganda has been able to host refugees for this long.

## **1.7 Theoretical Framework**

This study was based on Kunz's *Kinetic Model of Refugee Theory* which provides numerous insights and understanding on refugees' attitudes and viewpoints towards displacement. According to the writer, whether fleeing or settlement patterns, refugees can be viewed through the two types

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<sup>41</sup>Caritus. E. Integration a process involving all an advocacy paper on integration of migrants and refugees. Retrieved from, [www.caritus-europa.org](http://www.caritus-europa.org), accessed on 01.08.2019.

<sup>42</sup>Ulrike. C. Limitations of development-oriented assistance in Uganda. Retrieved from [www.uni-marburg.de/konfliktorschung/](http://www.uni-marburg.de/konfliktorschung/), on 10/08/2019. (2016): p.1.

<sup>43</sup> Ibid. p.3.

<sup>44</sup>Ahimbisibwe, F. (2018). Uganda and the refugee problem; challenge and opportunities. University of Antwerp. Working paper. No.2018.05. p.7.

of kinetic.<sup>45</sup> The first one is the anticipatory and the second is acute refugee movement. The anticipatory kinetic is where refugees sense danger early, thus they have room to put everything in order and have an organized departure before the crisis happens. This is usually where refugees are seen accompanied by their entire household, resources intact, geared towards a new life. Anticipatory kinetic mostly happens as soon as refugees find a country that is willing to take them.<sup>46</sup>

Acute kinetic has sharp movement of refugees where they have a huge burden in their departure as they leave within a short notice. This is because they are found unprepared to embark to a journey coupled with little survival due to a disaster zone they have to go through. In addition, in this situation, little thought is given to the consequences of flight despite higher chances of refugees experiencing trauma with minimal hope to get help and cope with their struggles. And even if they find a place of asylum, they also have to deal with the shock, difficulties in choices of whether to go back, remain or accept to be resettled whenever the opportunity arises.<sup>47</sup>

The theory does not mention issues such as trauma<sup>48</sup> that refugees go through as they move, the pressure they encounter and losses that come along with movement, especially with the acute model. Despite this shortfall, this theory is relevant to the study as it enables glimpses into whether the above are part of the reasons for leaving in a hurry or in anticipation of conflict in their home country or even their reluctance to go back home.

Indeed, the study applied both the anticipatory and acute model. The questions that were anticipated included whether their reluctance emanated from the fear that the conflicts in South Sudan are yet to be resolved even though there was a Comprehensive Peace Agreement signed in 2005 and thereafter the independence from Khartoum government. Similarly, the findings helped assess whether lack of voluntary repatriation was influenced by the acute refugee movement that Uganda was open to them and therefore that was part of the reasons that influenced their stay.

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<sup>45</sup> Kunz, E. F. (1973). The refugee in flight: Kinetic models and forms of displacement. *International migration review* Vol. 7, No. 2. pp .125-146. Retrieved from <https://doi.org/10.1177/0191837300700201>, accessed on 28-07-2019.

<sup>46</sup> Ibid, p 126.

<sup>47</sup> Ibid, p 127.

<sup>48</sup>George. M, "A theoretical understanding of refugee trauma", *Journal of clinical social work*. Vol.38, No.4. pp.377-387. (2010)

## **1.8 Research Hypothesis**

1. South Sudanese had challenges upon settling in Uganda.
2. Durable solutions have not been fully enforced and implemented among South Sudanese refugees at Kiryandongo settlement.
3. There have been challenges to the enforcement and implementation of durable solutions for South Sudanese refugees at Kiryandongo.

## **1.9 Methodology**

This research adopted a qualitative research paradigm, descriptive in nature. The study used both primary and secondary materials. I reviewed scholarly refugee journal articles and books in an attempt to understand the refugee issues in the world. From the reviews, I was able to identify the research gap. Most of the studies had approached durable solutions singularly. I also read refugee reports by IOM, UNHCR, governments and other implementing partners of refugee issues. I carried out three weeks interviews in Uganda with two weeks in Kiryandongo and one in Kampala respectively. During this time, I conducted in-depth and semi-structured interviews with the refugees themselves, chief officers of particular NGOs, government officials both in Kampala and on ground. I also used internet sources, focused group discussions as well as key informants to collect my data during my field visit.

I interviewed 35 people including refugees of South Sudan origin, IOM officials, UNHCR officials, Uganda government officials and other implementing partners. From the IOM officials, I sought to know how the flow of refugees is along the Uganda - South Sudan border. This helped me examine reasons for continued flows of asylum seekers from South Sudan. From the IOM interviews, I was able to ascertain whether refugees crossing the border have an intention to return to South Sudan or it is a challenge that the individual(s) intention differ. This also helped me to understand the rules at the border and the kind of threats that the refugees run away from.

I further interviewed UNHCR officials. From them I sought to know how Kiryandongo is structured, what programs they run in the settlement and how those activities might be gluing refugees and even attracting more of them from South Sudan. From the interviews with the UNHCR officials, I also inquired if there have been South Sudan refugees who were resettled, and if so, in which countries. Pursuant to this, I sought to establish if those settled left close relatives

in the settlement as well as their opinion about the durable solutions. Further, I engaged with leaders of each refugee group as well as the elderly.

From the government perspective, I was able to interview the representative of the Prime Minister of Uganda as the refugee affairs fall in their jurisdiction. I wanted to know what the law of refugees is as per the Ugandan government pertaining the three durable solutions. Similarly, from the government I inquired on what informed the choice of Kiryandongo region given that the region is very close to South Sudan where the conflict occurred. This is in relation to Stein's argument that the proximity of the settlement influences refugees' decision on whether to go back home or not. This emanates from the fact that refugees easily access the settlement and still follow up with what is happening back home.

I interviewed locals. The host community was of significance as they helped me understand their relationship with the refugees. I examined how their relations with refugees have impacted the three durable solution. I listened to their opinion regarding refugees with a particular interest of determining if their reception of refugees has anything to do with refugees not exercising their right of return. Through the established entry points from the IOM, UNHCR, and government officers, I was able to convene a meeting with each of the leaders of the Nuer, Dinka and Equatorial people of South Sudan in the settlement. This was purposely to build confidence with them by explaining the intention of my research. The leaders helped me to understand the setting of the settlement so that I could arrive at a purpose sampling of the refugee settlement in Kiryandongo. From each community, I requested to have a translator more specifically from the leaders. This greatly helped in achieving smooth interviews.

I further categorized the refugees into gender, age, and the year in which each came to Kiryandongo. By gender I mainly focused on women and men. I avoided the LGBT as that would have jeopardized my research due to the stand of the Ugandan government against the group. From the women and men, I examined their reasons for flight, life in the settlement and what their preferred option is as per the three durable solutions. The reasons to divide them into gender was to make sure that the cultural aspect is dealt with. This is where women are not supposed to talk in the presence of men and the general fear of sharing their experiences. I interviewed the implementing partners in the settlement. They included those involved with health, food, education, shelter, and others. From them, I wanted to know whether since their inception in the

refugee settlement and their services had been expanding or reducing. Also, I wanted to determine how their activities had impacted on refugees exercising their right of return. For instance, I wanted to establish whether it is education, food, shelter, or any other activity that is gluing the refugees in the camp not to consider the three durable solutions.

Lastly, from the interviews carried out at Kiryandongo and in Kampala, I was not able to get clear numbers and statistics of those refugees who have been integrated, repatriated, or resettled. From both the refugees and the officials from the UNHCR, the government of Uganda and the settlement representatives I talked to, all regarded this as their own confidentiality and asked me to respect the same which I did.

The data collected was transcribed according to the three objectives of this study. The conclusions made by the researcher were guided by the *kinetic theory model* that argues that the refugee's attitude is what determines what their decision will be. The findings confirmed the three suggested hypothesis and other findings of this study were mentioned in the conclusion section.

## **CHAPTER TWO**

### **THE SUDAN/SOUTH SUDAN CYCLE OF CONFLICTS AND THE EXODUS OF REFUGEES**

#### **2.1 Introduction**

This chapter sets to assess the challenges of the South Sudanese in war times and after, which made people migrate across international borders to settle in Kitigum, Northern Uganda and, subsequently, at Kiryandongo. The chapter observes that challenges experienced by these refugees have been the core reason to why in the first place, they became refugees and, secondly, they cannot exercise the important durable solution — repatriation. Similarly, the chapter engages with how some of those who became refugees in neighbouring countries have had brief journeys back to South Sudan and, as a result, gathered information about home. This appears to have served as a basis for South Sudanese refugees not to voluntarily repatriate. In a nutshell, the continued cycle of events in South Sudan has hindered refugees from exercising their right of return.

#### **2.2 Causes of conflict and displacement of South Sudanese from Sudan and later South Sudan**

South Sudan is the youngest independent state in Africa. The country separated from Sudan in 2011 after a long war between 1955 and 2005 that pitted the Arabs of the north and Blacks of the south. During this period of war, many were displaced especially the southern blacks who sought asylum in neighbouring countries such as Ethiopia, Congo, Kenya and Uganda. Despite South Sudan's independence from the Arab led regime, challenges seem to have increased as conflict has continued to be experienced in the country. Death, drought, trauma and displacement both internally and externally became the norm.

The wars in Sudan pitting the Blacks of South Sudan and Arabs of the north left the populace devastated. From 1989, President Bashir government together with his oligarchies made Sudan a violent state. They sponsored the conflicts and looted the country dry. Whenever there was an attempt to get those involved in the looting spree, state sponsored violence always disrupted the course. It was between 2003 and 2004 when the conflicts in Sudan got the attention of the world



after over 300,000 people had been killed and millions displaced.<sup>49</sup> In 2009, the International Criminal Court (ICC) issued an arrest warrant against Bashir and his allies in the Sudan government for committing crimes against humanity. The regime had overseen a bloody civil war between the North Arab and the Black South. The atrocities were of a large magnitude causing a large number of displacements of its people.

The impact of the war in Sudan forced the world to intervene and find a solution to the underlying issues. In 2005, the fighting groups from the Black South known as Sudan People's Liberation Movement/ Army (SPLM/A) and the Bashir government signed a Comprehensive Peace Agreement (CPA) that aimed at ending the civil wars that had lasted from 1985 to 2005.<sup>50</sup> The CPA had six years framework to assess whether the Black southerners would want to remain as part of Sudan or secede. However, in 2011, the South Sudan people voted overwhelmingly to secede from Sudan. This led to the formation of the newly independent South Sudan. The separation caused economic shock both to the south and north. In the North, the government lost over 75 percent of oil reserves that translated to over 95 percent of the whole overseas currency reserves.

### **2.3 Fighting, displacements, and other dynamics in the new State**

South Sudan people are mostly cattle keepers apart from depending on oil products to manage their lives.<sup>51</sup> In 2010, there was little infrastructure more so tarmac roads that forced them to depend much on the Nile River for transport that traverses the country for their transport and trade. A few years after independence, hell broke out in South Sudan, the newest state in the region and rich in oil and the new state that borders six countries became a no going zone. The country was flooded with weapons after decades of conflict and ethnic tensions. Politicians took advantage of the proliferation of arms for their personal interests.

In December 2010, a few months after president Salva Kiir (from the Dinka ethnic group), had sacked his deputy Riek Machar (from Nuer ethnic group) in July alleging that he was organizing for a coup, war erupted in Juba, South Sudan. There had been various prolonged minor rebellions

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<sup>49</sup>Enough. "Sudan". (2017). Retrieved on 15/07/2019, from <https://enoughproject.org/conflicts/sudan>

<sup>50</sup>Enough. "Sudan". Retrieved on 15/07/2019.

<sup>51</sup>BBC.10<sup>th</sup> May 2014). South Sudan: what is the fighting about?" (10<sup>th</sup> May 2014). Retrieved on 10<sup>th</sup> July 2019. <https://www.bbc.com/news/world-africa-25427965>

on the border areas away from the capital over cattle. But these were nothing compared to the crisis South Sudan was facing. While Salva Kiir accused Riek Machar for being the architect of the coup, Machar accused Kiir for corruption. It is remembered that at one point in early 1990s, Machar had led a breakaway faction from the SPLM party which was now in power.

Following the political turmoil, mass killings along ethnic lines and displacement of people continued. Soldiers allied to Machar seized all major towns of Bentiu which is the capital of oil producing state. This led many to flee the region for their lives and crossed borders to Uganda, Kenya, and other countries. As the situation became worse, the international community put more pressure on the two factions and convened a meeting in Addis Ababa in May and signed a peace deal to pave way for a ceasefire that was to be followed by the formation of a transitional government, discuss the need for a new constitution and ultimately fresh elections. This was after the January agreement had collapsed and the two groups gone to war. According to BBC, the Addis Ababa truce was fragile.

#### **2.4 Factors that triggered the conflicts in South Sudan**

First, there was power rivalry and struggle in the ruling party. The Sudan People's Liberation Movement (SPLM) had long-standing political dynamics underneath which were only suppressed during the fight for their independence from Sudan. There were divisions between the leaders that at one point Machar and Kiir differed and in response Machar worked with Lam Akol to replace John Garang as the party's leader. However, that did not yield results and forced them to form a break away party- SPLM-Nasir. The formation of SPLM-Nasir was the beginning of the whole challenge, a few days later, Machar's Nuer forces attacked Bor killing over 2,000 people as well as displacing many others. Machar was being supported by the Khartoum government and as payback, his forces helped north Sudan get oil from the southern fields. The argument put forth here is that institutions in South Sudan were weak as they were anchored on ethnicity. At the end, South Sudanese were forced to leave their country to become refugees in neighboring countries such as Uganda.

The approach taken to reconcile the conflicting quarters was also marred with short-term goals that became a failure. For example, it is evident that the rebels were quickly absorbed in government forces after their ethnic leaders made deals. This left the military as an ethnic entity that would not be counted on to justly protect the citizens of South Sudan. It is plausible to argue

that the military were composed of ethnic factions who did not know their core mandate. Several scholars have asserted that the rebels were integrated into the government forces such as the SPLA/M without a clear understanding of the consequences of their rebellious actions in the first place.<sup>52</sup> As a result, the South Sudan's forces became answerable only to whoever made them get recruited. Hence, this suggests that the South Sudanese army was but an ethnic militia loyal only to its commanders. The population was not able to accommodate a weak and centralized regime. With scarce resources, patronage politics, and a legacy of war with totally no signs of peace, South Sudanese civilians saw no hope of establishing their lives in their country.

The lack of a national language in South Sudan has also been viewed as a factor in the escalation of the war in South Sudan. The absence of a national language denied people a chance to have a mix of symbols from the very many ethnic groups in the country. This would have helped the people practice their religions and culture, embrace the natural environment, engage in performing arts with the understanding that they are one imagined community. It is believed that a common language would have made people feel they belong to a different state from the Arab-led Sudan.

While under the Arab-led regime, the South Sudanese were minority. According to Gunnar, South Sudan was shaped by external pressures especially with those who wanted to Arabize it. Interestingly, in the independent South Sudan, there seems to be no clear enemy and as a result the country is so divided and hence lack a national identity.<sup>53</sup> Therefore, the population have no link with the nation and resolves to their clan and tribe cultures.

The challenge of gender equality in South Sudan also contributes to the conflict. The challenge is exacerbated by lack of security, poor infrastructure, and human resource. As a result, there is no easy access to basic services such as good education, housing, or even better health care services. The worst situation has come when those opposing change in Sudan used them to deny the rest the chance to have equal services between women and men.<sup>54</sup> In essence, there was no observance of human rights in South Sudan which is the same reason the people moved to Uganda where the services were made available. Arguably, women's rights are overlooked and their empowerment

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<sup>52</sup> Gunnar.S. (2014). Return to war in South Sudan. p.1. Retrieved from [www.peacebuilding.no](http://www.peacebuilding.no) on 16<sup>th</sup> July 2019.

<sup>53</sup>Frahm O. (2012). Defining the Nation: nation identity in South Sudanese media Discourse. *Africa Spectrum*. Vol 1. pp.21-49.

<sup>54</sup>Nada, A. M (2011). Gender and State building in South Sudan. *Unites states Institute of peace*. p.2. Retrieved on 10 July 2019 from <https://www.peacewomen.org.pdf>

brushed off by the discriminating structures in the country. This includes the bypassing of women in decision making especially on critical issues affecting the country. The customary law in South Sudan is believed to discriminate women. Women who are alleged to have participated in adultery are imprisoned for eight to twelve months. Such laws ignore the fact that young children also deserve a right to their mothers.

The high cost of living in South Sudan also contributes to the conflict as well as the decision of South Sudanese refugees' reluctance to return. For example, a teacher cannot afford a full meal in a day and if one to buy chicken they need to save for two months.<sup>55</sup> Examining the reasons why South Sudanese refugees would exercise the durable solutions and opt for a most preferred option, the researcher engaged with refugees. This is expounded on in the subsequent chapters. It appears most refugees settled in Kiryandongo fear returning to South Sudan where they would be faced with an extremely high cost of living. If anything, who would want to go to a country where all agricultural regions are nearly emptied of people for safety as well as finding food expensively and other basic services? Who would want a place where over fifty percent of consumable products are imports, which implies that those goods are expensive?<sup>56</sup> The matter is made worse with frequent attacks on deliveries, lack of roads, flooding in most parts of the country and weak politics within the government. Therefore, for South Sudanese to survive, they opt to be refugees elsewhere so that they can get health services and education for their families.

## **2.5 A Humanitarian Crisis**

The situation affected the young ones too. The country was unable to meet the maternal, newborn and child health care needs. The instabilities in the country distracted attention to the health infrastructures. The state's incapacity to provide for the sector meant that people had to look for the services in the neighbouring countries. This affected majority villagers in the rural areas of South Sudan. According to Mugo *et al*, the continued wars in the country handicapped the health

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<sup>55</sup>Thompson C. (2018). Life is miserable: Even when there's food in South Sudan, many can't afford it. *Washington Post*. Accessed on 18<sup>th</sup> November 2019 from <https://www.washingtonpost.com/world/africa/>

<sup>56</sup> Ibid.

system and hence the deteriorating health status of the entire population.<sup>57</sup> The population had no option but seek medical services in a seemingly stable country like Uganda.

Therefore, South Sudanese continuously moved out of the country due to long-term instability that had caused famine and severe shortage of food. Arguably, supplies were blocked from reaching the people and farmers. Many investors, too, had been evacuated. This factor led to drastic reduction in foreign exchange. Notably, the United Nation troops had proved incapable of preventing violence across South Sudan's vast territory.<sup>58</sup> This clearly explains why it was eminent that the population had to cross the border for their survival.

It should be noted that there are other reasons why people were displaced from South Sudan. For instance, there was the challenge of rape. In the oil rich regions like Bentiu, women experienced rape from the rebels and government forces. This led to either internal or external displacements. Rape was used as a tool of war on many occasions. For example, Rebecca, a twenty-year-old in a camp was displaced from her home after being raped by rebel troops from Nuer community. She faced the ordeal of gang rape by two soldiers when pregnant.<sup>59</sup> She was targeted because she was a wife to a Dinka soldier. The goal was to terminate the pregnancy of a Dinka child she was carrying.

Those who run from the war experienced the worst. For instance, Kai hid in a swamp for several days (he cannot recall the exact number of days) after he escaped death by a whisker from sporadic shootings by the rebels and soldiers in the Unity state. On top of that, the 11-year-old boy had to trek for over 129 km alone for four days from his small town of Leer.<sup>60</sup> This trauma was coupled with the loss of their loved ones and livelihood such as cattle. This demonstrates traumatised young families such as that of Kai's whose dreams and opportunity to prosper had been killed by the war. For them to have a new beginning they had to move either to internal camps or to refugee camps in the region, especially in Uganda and Kenya.

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<sup>57</sup>Ngatho M, *et al.* (2015). *Maternal and Child Health in South Sudan: Priorities for the Post-2015 Agenda*. Sage. pp.1-14.

<sup>58</sup> Ibid.

<sup>59</sup>Alastair. L. (9<sup>th</sup> May 2010). Investigating rape and murder in South Sudan's Bentiu. Retrieved on 6<sup>th</sup> July 2019, From: <https://www.bbc.com/news/world-africa-27329787> .

<sup>60</sup>Soy A. (27<sup>th</sup> October 2016). South Sudan boy who went spent days hiding in a swamp. *BBC Africa*. retrieved on 10<sup>th</sup> July 2019. From: <https://www.bbc.com/news/world-africa-37779023>

The continued wars also led to malnutrition in the country. Young children died due to hunger and other diseases that emanated from lack of a balanced diet. For example, the United Nations children's agency, the UNICEF, reported that the escalating wars meant that more supplies and staff were needed. This is after the northern part of Bahr al-Ghazal was affected by malnutrition to a severe rate of three times more than the previous years.<sup>61</sup>

The other reasons as to why people moved out of South Sudan to the refugee settlement in Uganda and camps in Kenya were related to the collapse of economy. The death of what was at one's robust towns ignited people to move out and get the goods they would not find. Some would move within the country to the internally displaced camps while others crossed over to neighbouring countries. The towns deep into South Sudan were mostly affected by the wars and as a result people vacated. For instance, Malakal was a big town, second only to Juba city, with good roads, health facilities, schools and booming socio-economic activities. However, due to wars, the town was looted and almost everything vandalized. The children's hospital that was built after independence was reduced to a shell after looting and arson.<sup>62</sup>

The experiences of war in South Sudan made many to scatter to different directions and even lose touch with their loved ones. Families were temporarily or permanently separated or found themselves as refugees. In the refugee camps, South Sudanese appear to have felt secure as that formed the ground where they would share their experiences of the war. This was the case of one family who, after the conflict, moved in different directions and had to depend on the strategic point of refugee camps to try and locate their relatives. Arguably, many refugee camps like in Uganda and Kenya have good communication network where information moves faster. For instance, Dak Chak had lost his family during the war and after a long search, they were able to trace the relatives in Ethiopia, Kenya and Uganda.<sup>63</sup> In the event, many other families found their loved ones. Therefore, it will be noted that the camps have in many ways served as a safe waiting point for the families that lost track during the wars in South Sudan.

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<sup>61</sup> Ibid.

<sup>62</sup>Tim F. (24<sup>th</sup> October 2015). Malakal: The City that vanished in South Sudan. *BBC News*. Retrieved on 11 July 2019. From: <https://www.bbc.com/news/world-africa-34571435>

<sup>63</sup>Igunza E, (6<sup>th</sup> May 2015). South Sudan refugees search for missing loved ones.' *BBC Africa*. Retrieved on 11 July 2019. From: <https://www.bbc.com/news/world-africa-32591809>

## 2.6 Other Push Factors

The other reason that made the people to flee during the conflict period in South Sudan was related to the attacks on aid workers in South Sudan. According to the Guardian, there were rampant ambushes, abductions, and restrictions on humanitarian access in most parts of the country.<sup>64</sup> Arguably, this state of affairs inflicted fear in the people that if those who are providers are attacked then they did not have reason to stay around. For instance, in Maban county, armed men broke into the compound of an NGO camp in an area called Bunj where they attacked, ransacked, vandalized, looted property, and even killed staff - three UN staff were killed when they were caught in crossfire between government forces and rebels. What forced people to vacate, then, is the response of those organizations. For example, the UN suspended all border screening points for Ebola and, in fear, people moved to Uganda and straight into refugee settlements.

The country has also been hit by natural calamities that as well generated many refugees. Hodal alleged that most of the East African countries are affected by the Indian Ocean Dipole — a climate condition where temperatures of the sea are greater in the ocean's west and its east that caused a lot of rains. As a result, a country like South Sudan was hit by rains and flooding and affected over 900,000 people thereby forcing the country to declare a state of emergency.<sup>65</sup> The rains destroyed crops, livelihoods as well as leaving millions vulnerable to displacement.

The fear under which people left their homes still lingers in their minds away from the home country. For example, in a town of Mondikolok, south of the country and near Uganda, some people had projected and planned for clashes while others were caught unawares. Someone like Chaplain Logonda was unprepared, and that is why when he heard gun shots and rushed outside only to find government soldiers lined up and coming his direction, in uniform, he was disturbed.<sup>66</sup> They gave him an order not to run but being in the know that citizens in South Sudan are often mistaken for rebel fighters, Logonda, a former county school inspector, knew better and left.<sup>67</sup>

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<sup>64</sup>Hodal K, (6<sup>th</sup> December 2019). UN peacekeepers intervene after violent clashes in South Sudan. *The Guardian*. Retrieved on 10<sup>th</sup> December 2019. From: <https://www.theguardian.com/global-development/>

<sup>65</sup> Ibid.

<sup>66</sup>Thompson. *et al.* (2019). The sound of gunfire”, in the “forced out: measuring the scale of the conflict in South Sudan.” *Aljazeera*. Retrieved on 10<sup>th</sup> august 2019. From: <https://interactive.aljazeera.com/aje/2019/south-sudan-forced-out/index.html>

<sup>67</sup> Thompson. *et al.* (2019). The sound of gunfire”, in the “forced out: measuring the scale of the conflict in South Sudan.” *Aljazeera*. Retrieved on 10<sup>th</sup> august 2019. From: <https://interactive.aljazeera.com/aje/2019/south-sudan-forced-out/index.html>

The experience of Logonda who currently resides in the Uganda refugee settlement became worse than he fled. The flight had a lot of challenges. The county school inspector had to roll on the ground to escape the bullets the army targeted at him and go through bushes that he sustained a lot of scars. The scars remind him of the tough situation he underwent. He ran to the farm fields, to the forests where he tore his shirt and exposed his body to more harm. He had to turn off his phone so that it does not ring and attract the attention of his enemies. Even though the phone could have been used to alert his people of his whereabouts, the urgency and acuteness of the situation he found himself in did not allow that. In the neighbouring villages he crossed, there were gunshots and screams from women and children. Men were either in the bush fighting or had run for their lives. He had to hide in the mud and thorny bushes to escape the marauding soldiers.

The conflict that had erupted exactly two years after South Sudan had gotten independence had a devastating impact to the people and region. As earlier noted, the war broke out in 2010 in the capital Juba after President Kiir accused his deputy Machar of planning a coup.<sup>68</sup> The conflict escalated quickly to the villages where it took an ethnic perspective since the president comes from Dinka community which is the largest ethnic group whereas his deputy Machar from the Nuer, the second largest ethnic group in South Sudan. In December that same year, and the ensuing months, many people were displaced, lost their lives and property worth millions. Some crowded in United Nations or NGO controlled protection centers while the rest crossed the borders to become refugees. The situation mostly affected the Shilluk who were perceived to side with Nuer. Although few years later there were attempts to bring Machar back through mediation with the president, the process was delayed as it emerged that negotiation over weapons and conditions of the SPLA in government and SPLA/IO- in opposition were difficult. War broke out again and areas dominated by the Nuer such as the equatorial region which comprises three provinces were affected. This forced Machar to flee into Democratic Republic of Congo. Millions of people crossed into Uganda and registered as refugees while over 383,000 people were killed.<sup>69</sup>

The other dynamic that made people flee was the destruction of their property. This affected those people who were believed to be doing well in business. Those who seemed to be involved in

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<sup>68</sup> Thompson. *et al.* (2019). The sound of gunfire”, in the “forced out: measuring the scale of the conflict in South Sudan.” *Aljazeera*. Retrieved on 10<sup>th</sup> august 2019. From: <https://interactive.aljazeera.com/aje/2019/south-sudan-forced-out/index.html>

<sup>69</sup> Thompson *et al.* (2019) “The spread of war” in the “forced out: measuring the scale of the conflict in South Sudan.” *Aljazeera*



entrepreneurship in South Sudan were alleged to support the opposition either by funding them directly, providing fighting materials or supporting their ideas. This was what directly affected Joseph Lugala Wani, a former millionaire who is now in a refugee settlement in Uganda. Wani used to own a guesthouse in Wadu, restaurants, shops, bicycle and car spare parts shops and a chain of staff where after all the expenses he would make a profit of between \$1,500 and \$3,200 per month.<sup>70</sup>

Wani's business had opened up most of the country's dull areas. For instance, when he begun a 16-hotel room and 10 shop in Wadu, the town celebrated. The facilities came with a lot of goodies attached. He created employment to the locals and provided accommodation to both government officials and the rest of the population travelling to the region and beyond. However, Wani became a target and was threatened as one of the people funding the opposition. In 2010, he packed part of his belongings and rushed to Uganda as he was threatened with arrest and imprisonment by government officials.<sup>71</sup> In a span of three years after he left, everything he owned was destroyed either by looting or burning with an aim to undermine the communities.

The challenge to the people of South Sudan is made worse by the issue of land grabbing. Due to the conflict, people left in a hurry and all their properties intact. However, after few years, those who went back either for burial of their relatives or friends would come to reality. Their land, houses, and other properties on it were grabbed. For example, Mary travelled to Malakal, her home, to bury her Catholic bishop. In the neighborhood of the church was her home, a fully furnished two-bedroom house. She requested those she was traveling with to allow her go see her home which they accepted and stopped in the compound. To her surprise, a man in army uniform with three stars on his epaulettes, accompanied with children came out of her house. She greeted them, got back to the waiting car and left.<sup>72</sup> The above experience, has happened to a number of people. Their land, houses and properties were forcefully acquired and as a result hindered the refugees exercising voluntary repatriation. In many African countries, land is a sacred place where they

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<sup>70</sup> Thompson *et al.* (2019) "The spread of war" in the "forced out: measuring the scale of the conflict in South Sudan." *Aljazeera*.

<sup>71</sup> Thompson *et al.* (2019) "The spread of war" in the "forced out: measuring the scale of the conflict in South Sudan." *Aljazeera*

<sup>72</sup> *Ibid.*

bury their people, umbilical cord and have permanent attachment. For peaceful repatriation, therefore, there is need that land right is extensively dealt with.

Before the land problem, there was the slave trade issue whereby the Arab northerners traded the black southerners. Apart from them being sold, they were forced to pay taxes and provide labour to the northerners. This would extend to Egypt in what was then referred to as the Turco-Egyptian regime. The regime forcefully took up slaves and controlled all that would happen with their land. The subjugation was worse during the Anglo-Egyptian regime despite the fact that in 1920, the British regime brought some legal measures to curb the use of violence against the people of southern Sudan.

At the Sudan's independence, southerners were both politically and economically marginalized by discriminatory policies from GOS. The state elites and businessmen from the north and their foreign allies used the resources from the south to their advantage. The situation was coupled with the 1970 land Act by General Numeiri regime that declared all the unregistered land to be state property. This gave a leeway to the state to sell parcels of land for large scale projects: by and large the government divided water and oil projects without the consent of the people.

Ultimately, the exploitation of resources in the southern part of Sudan by GOS was severe. The Khartoum government ignored the human security, land rights, and livelihood of the Dinka, Nuer, Anuak, Shilluk and Murle among other communities of the south and initiated projects such as the Sudanese-Egypt Jonglei Canal of 1978 which intended to drain the Sudd marshes of the White Nile while supplying water for commercial purposes in North Sudan as well as in Egypt.<sup>73</sup> The swamps were to be used for farming to the advantage of the north. The projects created bad blood between the north and the south.

The above, coupled with the deep-rooted challenge of weak state structures as well as legacies of ferocity and violence from the previous war laid a basis for the conflict that escalated into a full-blown war. On 9<sup>th</sup> July 2011, South Sudan got its independence. But the independence was severely disrupted when on 15<sup>th</sup> December 2013 conflict erupted in the capital Juba.<sup>74</sup> Firstly, the

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<sup>73</sup>Shanmugaratnam. (2015) Post-War Development and the Land Question in South Sudan. *Noragric*. Retrieved on 10<sup>th</sup> July 2019.

<sup>74</sup>Oystein H, (2015). Another civil war in South Sudan: the failure of Guerrilla Government. *Easrern African Studies*. Vol 9, N0 1. pp.163-174. Retrieved on 6<sup>th</sup> July 2019. <http://dx.doi.org/10.1080/17531055.2014.993210>

SPLM was unable to govern and secondly, there was mistrust in the government by the SPLM leaders. This forced the military government to round up those believed to be the forces allied to the deputy president, who were consequently forced to the bush as rebels. In the event and many days to follow, a lot of people were killed while others fled to Uganda, DRC, and Kenya to become refugees.

Seeing there was no trust amongst the leaders of state themselves, the population did not find reason to live together cohesively.<sup>75</sup> It should be noted that citizens depended on the government for protection, the government victimizing and targeting one group for elimination. Worse still, the conflict that began in the capital Juba later spread to the entire country and mostly affected regions such as the Greater Nile-Bentiu, Malakal, Bor and Jonglei. With time, the conflict pitted the government military forces, Darfuri rebel group, the Ugandan army against the defected SPLA soldiers and the armed civilian

In the independent South Sudan, there emerged a dominant class whose only focus was on resource capture and kinship network.<sup>76</sup> In essence, the new state was a formation of an aristocracy. The military used force to acquire and distribute state resources to its followers. For instance, it is alleged that the military benefited from the donations reserved for famine through its established networks while it was also accused of its involvement in illegal currency trades.<sup>77</sup> Therefore, it was eminent that the military and the coming into being of the military was not to benefit or rather protect the people but only focused on one key thing - to enrich themselves. This resulted in the mass exodus of the people to the neighbouring countries such as Uganda and Kenya.

The problematic land issue dates back to the Khartoum regime. In their fight over liberation, the Sudanese People's Liberation Movement /Army (SPLM/A) had its community at heart for it wanted land rights. While the war between the state and community was waged, at stake was land. The state had declared that land was its rightful property while the southerners felt it was communally theirs. Interestingly, according to the state's legal authority, Sudan owned 90 percent of land.<sup>78</sup> Conversely, the people of Sudan practiced customary land ownership in the whole

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<sup>75</sup> Ibid.

<sup>76</sup> Clemence P. (2014). South Sudan: Civil war, Predation and The Making of a military Aristocracy. *African affairs*. Vol .113 No. 451. pp.192-211. Retrieved from <https://academic.oup.com/afaf/article> on 17<sup>th</sup> June 2019.

<sup>77</sup> Ibid.

<sup>78</sup> Shanmugaratnam. (2015). p16.

country which in essence there were dual parallel land systems. Customary land rights were more practiced in the rural setting where people lived freely while constructing their homes, involving in crop farming, and grazing. However, it is in the same rural areas that the conflict's impact was severe.

Therefore, the government in Khartoum was unable to obtrude statist land rights particularly in areas where SPLA had control.<sup>79</sup> Arguably, the SPLM/A laid down customary laws that guided the usage of land in the southern parts of Sudan which later on would come to hound them. The complication over land was made worse by the issue of natural resources such as water, and the discovery of oil deposits from the early 1970s. The South Sudanese are known to be pastoralist; therefore, the discovery of oil was both a threat to the activity and those who did inland fishing and agro-pastoralism economic activities.

In the wake of the CPA between Government of Sudan and SPLM/A, it was agreed that self-determination of the people of South Sudan be given priority, that power, oil and non-oil wealth should be shared.<sup>80</sup> It is shocking that they did not talk about the land issue, given it was the key economic resource to the population.

At independence, South Sudan as a country was poor both politically, economically, and socially. The state was militarized, corrupt and overly dominated by patrimonial system of governance. Many viewed that the state had technocrats and foreign donors who wanted integrity. However, the system was resistant to reforms.<sup>81</sup> This was so rampant that Salva Kiir complained to his commander, John Garang about the elites in SPLM/A who had siphoned money and properties both within and in foreign countries. Similarly, the country was militarized to the extent that those in higher position used force and threats to acquire or bargain deals that favored them.

## **2.7 The Brief visits of Refugees and Situation Back at Home**

Since the war erupted in South Sudan there has been efforts to bring the situation into context. There have been peace activities such as the meeting held in Addis Ababa to bring together President Salva Kiir and his deputy-turned-rebel leader Riek Machar who later signed an armistice

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<sup>79</sup>Shanmugaratnam (2015). p16.

<sup>80</sup> Ibid.

<sup>81</sup> Waal D. (2014). When kleptocracy becomes insolvent: brute causes of the civil war in South Sudan. *African Affairs*, Vol. 113. No. 452. pp.347–369. <http://creativecommons.org/licenses/by-nc/4.0/> on 15<sup>th</sup> June 2019.

to end the nearly five-year civil war.<sup>82</sup> This was followed with peace walks of residents in conjunction with government soldiers in all their largely empty towns. Across the border, the host of many Sudanese refugees, the Ugandan President Yoweri Museveni floated the idea that South Sudanese refugees like Logonda and Wani might soon leave.

Since there have been a small number of returnees reported, majority of refugees are still in the settlement of Uganda. Those who went home to check their property and overall situation mentioned that since the conflict happened, and they gather they became hesitant to encourage others to return home. There are those who met swaths of empty villages and untended fields. Despite the fact that they wanted to go home, the whole process was complicated by the prevalence of property destruction and land occupation in this conflict which for many years the government has not yet addressed. Therefore, people like Wani ask: “Now, how do you again go back and start from zero?”

The South Sudan peace deals were criticized by analysts and scholars. For instance, Alan Boswell associated the peace agreements in South Sudan to the earlier failed pact that makes no reference to key issues on the ground such as land rights or compensation. According to Boswell, the idea of going home must also include the returning of properties that were looted, occupied, or destroyed to the rightful owners.<sup>83</sup> Similarly, Lucy Hovil, a renowned researcher on refugee issues, argues that there is a major gap in humanitarian structures on the definition of refugee repatriation. The writer asserts that on many occasions it has meant the dumping of the displaced people on the border with three month’s rations, limited mechanism in place to ensure that they can get their piece of land back. Conversely, those who would go back or rather return were on their own which is a precedent and the harsh reality.

Interestingly, those who returned to South Sudan became the internally displaced. The end result was refugees becoming displaced within their own country as they would not have a place to go to, as their ‘home’ was destroyed. In essence, the next war would emanate from the long-term cyclical nature of conflict in South Sudan. This, definitely, has already impacted on the issue of voluntary return for refugees to their home country more so those in the neighbouring Uganda. The cycle of conflict in South Sudan is sowing a seed of the next conflict which the refugees are

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<sup>82</sup>Thompson *et al.* (2019). pp.21-34

<sup>83</sup> Ibid.

aware of. The refugees in the settlements do not find the government to have any policy to assist those who are willing and returning home whose houses and other properties had been destroyed during the war or those whose properties were forcefully acquired by other people.

To complicate the matter, South Sudan's minister for information, Mr Michael Makuei Lweth, is on record for claiming that South Sudanese refugees in Uganda were there for political and economic reasons.<sup>84</sup> Therefore, he wondered if they were waiting for their destroyed houses to be rebuilt by the government. He also said that for those who returned home, their land was there and that they had a right to go occupy it. According to Lweth, the land policy was not part of the peace agreement as it was a non-issue. This made refugees wonder if the conflict in South Sudan was economically instigated as the minister alleged. It was also surprising how the minister would be ignorant of the land issue given the fact that land is the natural and central economic acquisition that Africans have an attachment to. The sentimental attachments to land are cultural, traditional and economic. Conversely, political assertions and politics exists for division of resources. South Sudanese refugees were in Uganda due to political issues and land was one of the key resources at stake though not equitably shared and protected.

The promises from leaders regarding efforts to initiate peace, were never kept. For instance, Salva Kiir admitted that leaders had led down the people:

It was a complete betrayal of our people and their liberation struggle and this is what has warranted my apology to the people of South Sudan...This war was not your war.... All routes will be opened for humanitarian supplies, for trade.... More importantly, it will allow internally displaced persons to return home. Peace has come at last and it is here to stay.<sup>85</sup>

## **2.8 Settlement of South Sudanese refugees in Uganda.**

As discussed in the preceding sections, South Sudanese refugees were displaced as a result of the earlier conflict. They crossed into Uganda where they were accommodated in a transit camp in Kitgum District.<sup>86</sup> This was to address the crisis that refugees experienced especially the pressure under which they left and their urgent requirement of basic needs. However, Kitgum being a transit

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<sup>84</sup>Thompson *et al.* (2019) pp. 16-30

<sup>85</sup>Thompson *et al.* (2019) pp. 16-33

<sup>86</sup>Kaiser, T. (2006). Songs, discos and dancing in Kiryandongo, Uganda.p.184

camp, their removal to this camp also became an urgent one. The reason of their removal from this transit camp was due to repeated harassment and attacks from rebels of the infamous Lord's Resistance Army of Uganda before their transfer to Kiryandongo.<sup>87</sup> They were then settled in Kiryandongo.

Despite being in exile, South Sudanese were allocated plots to till, erect temporary structures and call it a new home where they resumed fuller lives. This was however coupled with the challenge of integration into the local community especially in the initial stages, an aspect never desired by the government of Uganda, that the refugees had to deal with limited freedom which also directly affected their economic, social, and political transformations.<sup>88</sup>

Apart from farming and building of temporary structures for themselves and starting life again, refugees also developed mechanisms under which to cope. One of these was that they came up with a social framework based on their values, activities and finally what they prioritized. Indeed, despite the environment they were living in which hit them with poverty, change of environment, trauma, language barrier, they used culture to cope in the settlement. They maintained their traditional forms of music and dance which they practiced during celebration and mourning seasons in the settlement.

Similarly, the settlement being in the majority Acholi region, minority communities such as the Madi and Lutuko, especially their children were quick to learn the Acholi culture and traditions which helped them to cope.<sup>89</sup> The reason was to make sure they are not excluded from social and production activities because of lack of knowledge about the people they were living with.

According to Uganda's refugee settlement program, South Sudan refugees were relocated to Kiryandongo settlement. Here, South Sudanese refugees were settled among local Ugandan communities where the UNHCR provided them with provisions for the first three years as they settled. This helped the refugees to cope with life challenges in a new land. After three years, the refugees at Kiryandongo were given land to cultivate for subsistence and also for cash crop as

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<sup>87</sup> Ibid, p.185

<sup>88</sup> Mulumba, D. (2011). The gendered politics of firewood in Kiryandongo Refugee Settlement in Uganda. *African Geographical Review*, Vol.30 No.1. pp. 33-46.

<sup>89</sup> Murahashi, I. (2018). Reorganizing "family" to secure livelihoods: Coping strategies of South Sudanese refugees in Uganda. *Diversification and Reorganization of 'Family' in Uganda and Kenya: A Cross-cultural Analysis*. pp.15-25.

some of them started up their own small businesses from the help given to them by missionaries and UNHCR as a mechanism to cope in the settlement. In Kiryandongo, refugees continued to trade with local communities while doing business. They attended the same schools with Ugandan local communities and accessed the same medical facilities provided by the government<sup>90</sup>. However, challenges such as language barrier, poverty, lack of full participation in decision making in the communities such as voting rights, limited movement in and out of the settlement made them feel not fully integrated. But they would rather stay on as they await UNHCR and responsible bodies to give them a way forward regarding their fate.

At Kiryandongo, the three durable solutions were made known to refugees by the UNHCR and representatives from the government of Uganda. These included local integration, voluntary repatriation and lastly resettlement to a third country.<sup>91</sup> Refugees had these three options to choose from, something they have grappled with. This would be a subject for the next three chapters. We begin with local integration in chapter 3.

## **2.9 Conclusion**

This chapter has discussed the dynamics that necessitated the exodus of the South Sudanese people to the neighbouring countries such as Uganda and Kenya. The argument put forth is that there were various dimensions that explained the displacement of people to Uganda which is the area of this study. There are issues to do with conflict that culminated into war between the North Arab regime against the south majority black. Initially, it began with the issue of slave trade where Black people was sold as slaves to the Arab world and western countries with the facilitation of the Turco-Egyptian regime and later the Anglo-Egyptian agreement that continued the brutal acquisition of the people. This was the first instance which led to the refugees. Although it was later in curbed the challenge only morphed to become the conflict between the north and south over resources.

The south fought over marginalization from leadership and usage of resources. The actions affected the southerners that they formed rebel groups such as the SPLA and SPLM to fight for

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<sup>90</sup> Murahashi, I. (2018). Reorganizing “family” to secure livelihoods: Coping strategies of South Sudanese refugees in Uganda. *Diversification and Reorganization of ‘Family’ in Uganda and Kenya: A Cross-cultural Analysis*. pp.15-25.

<sup>91</sup> Mulumba, D. (2011). The gendered politics of firewood in Kiryandongo Refugee Settlement in Uganda. *African Geographical Review*, Vol.30 No.1. pp. 36-46



their rights. They wanted equality in the government jobs, development in the south as it was in the north. They needed roads, hospitals, schools, and racial equality. The fights led to various peace agreements, some held in Kenya, Uganda while others in Ethiopia between the Southerners and the Khartoum government. However, the conflict transformed into various other issues. The people from southern Sudan joined their efforts for self-determination through a military campaign. As the conflict with the north persisted, the course would later change.

The southerners exercised their right for self-determination. The process was bloody and displaced millions of people. Despite the Comprehensive Peace Agreement of 2005, little was achieved, and their cry was later implemented and in 2011, South Sudan became the newest independent state in the Horn of Africa. However, the situation was only made worse as the independence was only for a few elites. They captured the state and used for their own self-interest.

Conflict broke out in the newest state and it transformed into an ethnic perspective. Anarchy dominated the state. The military forcefully took over land and resources deemed to be from the opponent ethnic group. As a result, the refugees flocked into Uganda, which this study examines to delineate their preferred durable solution. The subsequent chapter will engage refugees on whether they view local integration as their most preferred durable solution, it's implementation, enforcement, and impact.

## CHAPTER THREE

### LOCAL INTEGRATION OF SOUTH SUDAN REFUGEES IN UGANDA.

#### 3.1 Introduction

This chapter examines local integration as a durable solution available for refugees. As already indicated in the previous chapters, Uganda is home to the largest number of refugee population in Africa and is third in the world after Turkey and Pakistan. Unlike in many countries where refugees are kept in camps and their movements restricted, refugees in Uganda are allowed to work, establish a business and own private property. Refugees have access to basic public services, such as education and healthcare. With little prospects of the refugee wanting to voluntarily repatriate back to South Sudan due to continuous civil wars and economic collapse coupled up with Uganda's generous refugee policy, this chapter seeks to establish the viability of local integration for South Sudan refugees in Uganda.

#### 3.2 Benefits of Hosting Refugees

Uganda's refugee policy has received widespread praise from both the political and humanitarian actors for being very progressive. These policies include the Refugees Act of 2006 and the Refugees Regulations Act of 2010. Unlike many countries around the world, Uganda accepts all refugees regardless of their country of origin or ethnic affiliation. Asylum seekers from South Sudan and Congo are in fact granted refugee status on a prima facie basis on arrival in Uganda.

According to Gaim Kibreab, hosting large numbers of refugees brings with it not only the very severe economic crises but also the looming environmental degradation especially for many of the underdeveloped countries like in Africa and therefore, concludes that poor African countries should not be expected to come up with policies and legal frameworks regarding refugees. Kibreab suggests local settlement structures which are spatially segregated and supported by donors as the most appropriate solution.<sup>92</sup>

Despite the obvious challenges that refugees pose to host countries, refugees bring with them some benefits to the refugee hosting nations. Resources associated with refugees contribute to the host

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<sup>92</sup>Gaim K. (1989). Local Settlements in Africa: A Misconceived Option?" Journal of Refugee Studies. Vol. 2 (4). p.47

state notwithstanding the security problems and other challenges that refugees bring with them to a country. While these challenges hinder a countries' ability to access and control the massive potential of resources provided, the potential benefit of refugees to the host country outweighs the burdens imposed as they provide long-term gains for that country.<sup>93</sup>

### **3.3 What is Local Integration?**

According to a recent biometric verification process of refugees that was conducted in 2018 by the Office of the Prime Minister (OPM) of Uganda, UNCHR and the World Food Program (WFP), there was a total of 1.1 million refugees in Uganda as of October 2018. A huge chunk at 66% of refugees from South Sudan and further 26% coming from the neighbouring Democratic Republic of the Congo. The rest were from Rwanda, Burundi, Somalia among other countries in the region.

The civil war in South Sudan is mainly responsible for the large number of refugees in Uganda. Almost 1 million South Sudanese refugees were displaced to Uganda since the blowout of the civil war in 2005. The definition of 'integration' is not straightforward, making the analysis of what successful integration rather difficult. The UN Refugee Convention of 1951 aims at restoring refugees' dignity and making sure that the provision of human rights entails an approach that would result to the integration of refugees in the host society. The Convention uses the word 'assimilation' to suggest the disappearance of differences between and among refugees and their host communities as well as permanence within the host society. However, scholars have suggested the need for refugees to maintain individual identity in case of situations where local integration could be temporary.

Local integration at Kiryandongo is taken up and the host communities of Uganda stay and co-exist with the refugees, they share the same resources, they go to the same schools and share the same health centers. This gives a more explicit definition and provides indices that can be used to measure refugee integration to a host community, Uganda in this case.

Social and economic factors are very crucial in the assessment of refugee's integration into host communities and plays a huge role in either promoting or preventing successful local integration.

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<sup>93</sup>Karen J. (2002). Can Refugees Benefit the State? Refugee Resources and African State building. *Modern African Studies*. Vol. 40, No. 4

### **3.4 Indicators of Integration**

Alastair Ager and Alison Strang provide a more elaborate framework upon which successful local integration can be assessed. In their framework, Ager and Strang suggest ten core domains which reflect normative understandings of local integration and provide a potential structure for analyzing relevant outcomes of local integration. While Ager and Strang did not seek to provide a comprehensive map of political, social, economic, and institutional factors influencing the process of integration, they came up with potential indicators on the domains of local integration as a means to facilitating discussion regarding perceptions of local integration accessible to policymakers, researchers, service providers and refugees. They provided what they referred to as “a coherent conceptual structure for considering, from a normative perspective, what constitutes the key components of integration.”<sup>94</sup>

This chapter applies conceptual structure for considering, from a normative perspective, what constitutes the key components of integration as provided by Ager and Strang to assess the local integration of South Sudan Refugees in Kiryadongo settlement Uganda. The conceptual framework of integration establishes four main domains of integration. These domains are *Markers and Means* of integration, *Social Connections*, *Facilitators* of integration and *Foundations* of integration.

### **3.5 Markers and Means of Integration**

Access to education, employment, housing, and health were identified as the most recurrent and important key issues in Ager and Strang’s analyses and were specified as distinct jurisdictions in the proposed framework as key indicators of successful integration. Ager and Strang had initially decided to view the refugee’s achievement in those areas as ‘public outcomes’. However, they realized that treating such achievements purely as a maker of integration was problematic because while they may serve as such, achievements in those areas also plays a key role in serving as potential means to support the achievement of integration. They, therefore, decided to refer the achievements in employment, housing, education, and health as not just makers but also means of successful integration.

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<sup>94</sup>Ager, A and Strang A. (2008). Understanding Integration: A Conceptual Framework. *Refugee Studies*, Vol. 21, No. 2.p. 2

### **3.5.1 Employment**

Access to employment is considered to as the most important marker of integration. In western countries such as in the United Kingdom, as Ager and Strang found out, employment has consistently been identified as an important factor shaping many other important indicators such as economic reliance, strategic planning, playing members of the host society, providing opportunity to develop language skills, restoring self-esteem, and encouraging self-reliance.

This marker and means of integration are however, limited when it comes to assessing the local integration of refugees in a third world country like Uganda. While refugee's barrier to securing employment in industrialized countries arises from non-recognition of qualifications and previous work experiences or the inability to produce proof of previous qualifications and work experience, in poor third world countries there are no employment opportunities even for the host local communities.

According to Article 29 (1) of the Ugandan Refugee Act of 2006, all refugees in Uganda have the right to work. However, the nature of the refugee settlement has little employment or no opportunities for employment let alone sustainable employment. In northern Uganda where many refugees from South Sudan reside, the only meaningful employment is from aid agencies who operate in the refugee settlements. However, the work with aid groups is often limited to a short period and therefore not sustainable.

Additionally, only the educated with good command in English language can find better jobs with international aid organizations. Another challenge is that most activities conducted by the aid agencies are in English and not in Arabic or other local Ugandan languages that could be familiar to most of the refugee. Consequently, the most common income-generating activities for both refugees and the host community in Kiryandongo and the entire of northern Uganda is brickmaking, retail trading and selling fruit and vegetables.

Heidrun Bohnet found out that many refugees in Uganda, just like their host communities do not find meaningful employment and therefore have limited sources to earn enough to make a living. Refugees have, therefore, turned to other activities for coping with their survival. Other refugees engage mainly in game speculating and sport-betting within refugee settlements, both in the north and the south of Uganda. Bohnet argues that these negative coping mechanisms are neither sustainable nor do they facilitate self-reliance. They actually create social tensions where wives of

the mostly male gamblers complain that their husbands spend all the money on gambling, leading to quarrels within families.<sup>95</sup>

In Uganda, just like in many African countries, large section of the population depends on subsistence farming as a source of livelihood. Since most of the refugee's settlement are far from urban areas where refugees can look for formal employment, subsistence farming is viewed as the only way towards self-sustenance and integration. Consequently, all refugees in Uganda are allocated a piece of land for cultivation. According to the Uganda Bureau of Statistics, Kiryandongo District has a population of 317,500. The district's poverty level is higher than the national average. Over 80% of households in Kiryandongo District earn their livelihood from subsistence farming although 91% of households have other non-agricultural household-based enterprises.<sup>96</sup>

Uganda's refugee policy has been described as the most generous in the world because, since 1959, Uganda has been hosting refugees in village-style settlements as opposed to camps. In refugee hosting northern Uganda, the local settlement program was started mainly for Sudanese refugees, now South Sudanese refugees. The settlement program foresees those refugees are given a plot of land to enable self-reliance in the medium and long run. Uganda in partnership with other organizations has the self-reliance program, the aim of the program is to integrate services provided to refugees into existing public service structures and make refugee settlements self-reliant by not just allocating them a piece of land but also allowing refugees free access to government health and education services.<sup>97</sup>

Patrick Mugunya is the government officer in charge of Kiryandongo refugee settlement. He elaborated more on Uganda's refugee policy:

We are currently hosting about 63,000 refugees at Kiryandongo refugee settlement. Our policy is that when refugees arrive from wherever that it is they are coming from, we register them and give them a place to stay until we process all the details about them. If the situation where they are coming from improves, we can assist them to return back home but of course majority of them don't want to return back especially those coming from South Sudan because the situation back home has not

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<sup>95</sup>Heidrun B. (2019). Uganda: A role model for refugee integration? University of Geneva.

<sup>96</sup> Atari and McKague, (2019). Using livelihoods to support primary health care for South Sudanese refugees in Kiryandongo, Uganda. *South Sudan Medical Journal*; 12(2): pp.38-43

<sup>97</sup>Heidrun B. (2019).

improved. We don't force them to go back if they don't feel like. We just let them live here.<sup>98</sup>

Christopher Baja, a 49-year-old South Sudanese refugee who has been in Kyankede village in Kiryandongo since 2007 confirmed that they indeed received a piece of land from the government of Uganda.

The government has given us a piece of land here where we can not only build our houses but where we also cultivate the land and grow crops which we can eat and sell for. If you can eat and sell others then you are fine. No one can chase you from your land here.

Despite Uganda's settlement policy anticipating that each arriving refugee will become self-sufficient and self-reliant after receiving the plots of land, it is not always the case. According to Heidrun Bohnet, there are several challenges facing the local integration of refugees even after receiving the plots of land. First, while it is true that access to land may foster self-reliance and could be major facilitator for social integration. It is actually a double-edged sword in the sense that it is also a source of potential tensions between refugees and the host communities. First, the willingness of the local host population to give up land for a refugee settlement depends on the availability of land. Two, even when the land is available the Office of the Prime Minister negotiates the land for the allocation to refugee settlements with the respective district governments. Normally, the negotiations leading to a Memorandum of Understanding are often lengthy and complex. It also depends on different types of land tenure systems.

Secondly, the poor quality and size of the plots allocated means that the refugees cannot earn a decent living from agricultural production. In some refugee settlements, the soil is reportedly infertile and both the refugee and Ugandan communities struggle with water shortage and hunger. Traditionally, refugees are allocated 30x30 m<sup>2</sup> residential land and 50x50 m<sup>2</sup> for farming purposes per household. However, with the increasing number of refugees, some refugees, especially the new arrivals are only being allocated a residential plot. Others are being allocated a farming plot that is too far away from their residential plot. Worst still, some refugees have been allocated larger plots than others creating a feeling of inequality between different groups of refugees.

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<sup>98</sup> Oral interview Peter Mugunya, Kiryandongo, on 2<sup>nd</sup> December 2019.

Third, not all refugees arriving in Uganda are farmers. Many refugees are not used to farming and therefore, have difficulty adapting to the new lifestyle. Most refugees coming from South Sudan are pastoralist or businesspersons who were displaced from urban areas. Consequently, a lot of refugees in Kiryandongo have started small businesses as a way of eking out a livelihood with the help of non-governmental organizations. This is true for a refugee like Majok Fayizo who is originally from Central Upper Nile. Fayizo explained:

I used to trade in Juba as a businessman, buying and selling cattle. I also used to rare my own cattle which I would sell to those who wanted to pay dowry for marriage. I was a broker for those who were looking for cows to buy and would connect them with a potential seller then I get some money. I came here (Kiryadongo) in 2015 and I have been here for 4 years with wife and my 3 children. To support my family and earn a living, I run a small shop here, the capital to start it I got from a missionary group that visited the settlement last year. They told us that they wanted to preach the good news to us and also give us help. So, after everything they gave us an envelope that had some money and after discussing with my wife we decided to open a retail shop.<sup>99</sup>

Uganda started implementing the Refugee and Host Population Empowerment (ReHoPE) strategy. The strategy meant to harmonize the refugee response in Uganda by integrating refugee programming into the national development plan. ReHoPE was a key component of the Comprehensive Refugee Response Framework (CRRF) implemented in Uganda. The CRRF is a multi-stakeholder approach with the objective of easing pressure on the host communities and facilitating self-reliance of refugees. The strategy was crucial for the sustainability of the refugee settlement because in Kiryandongo, just like in other refugee settlements in Uganda, the OPM and other agencies such as UNHCR, the Food and Agriculture Organization (FAO) and other non-governmental organizations are responsible for the provision of basic services such as security, clean water, and food to arriving refugees.

Because much of rural Uganda is underdeveloped and lack much of the basic services, refugees end up receiving better health, education, and security services than the Ugandan host communities. As a result of the potential for inequities arising, the ReHoPE strategy requires any refugee support programs and activities by non-governmental organizations allocate a minimum

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<sup>99</sup> Oral interview with Majok Fayizo Kiryandongo, on 2<sup>nd</sup> December 2019.



of 30% of support for local host communities. All health facilities and schools established in the refugee settlement must also be accessible to host community members.

### **3.5.2 Health**

In Kiryandongo District where the South Sudanese refugee's settlements are, there is a General Hospital which is classified as Health Centre 4. The refugee settlement has one Health Centre 3 facility, called the Panyadoli Health Centre, and two Health Centre 2 facilities, called Nyakadoti and Panyadoli Hills. The three health centers in the settlement serve both refugees and host community members. Access to basic healthcare for the refugees is not a challenge as Christopher Baja explained:

With access to healthcare, the government and other organizations provides us with free healthcare, every time you fall sick, there is free government hospital within the settlement across there at Ward A cluster we call it Kigya. When you get sick you just go there with your card as a refugee and get treated for free.<sup>100</sup>

However, just like in other parts of the country, government funding on health is limited with medications regularly out of stock and the Ministry of Health often relying on NGOs and donors for support. In the Kiryandongo refugee settlement, for example, the Real Medicine Foundation (an NGO), with the assistance of UNHCR, has been actively supporting healthcare among refugees and their host communities. In cases of serious medical cases, patients are referred to Kiryandongo or Gulu General Hospitals which are outside the refugee settlement. At the grassroots level, provision of primary healthcare in the refugee settlement and the host community is supported by government community health workers, the Village Health Teams (VHTs).

The Village Health Teams work under the supervision of the District Health Office (DHO) under the Ministry of Health. They work mainly on voluntary basis and receive some basic health training to promote primary healthcare in their communities. They usually visit households and act as resource persons for disease surveillance, identification and education on hygiene, sanitation, and other health issues. However, Atari and McKague argue that if sufficiently trained, coordinated, and incentivized, the VHTs can reduce neonatal and childhood mortality, maternal and child undernutrition, maternal mortality, the spread of HIV/AIDS, and mortality and illness due to

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<sup>100</sup> Oral interview with Christopher Baja Kiryandongo, on 2<sup>nd</sup> December 2019.

malaria and TB. In 2019, there were about 138 VHTs serving the Kiryandongo settlement and 62 in the surrounding host communities.

### 3.5.3 Education

Education is necessary for the acquisition of skills and competences needed for subsequent employment. It enables people to become more constructive and active members of society. Additionally, especially for refugee children, schools are experienced as the most important place of contact with members of local host communities, playing an important role in establishing relationships supportive of integration. In the western countries however, there are barriers towards effective integration in schools due to isolation and exclusion, bullying, racism, and difficulties making friends with the host community children.

In Kiryandongo however, issues of racism and isolation were not reported because both the refugees and the host community children are the same race. Respondents reported not experiencing major challenges with regard to access to education. For instance, Samuel Deng explained:

Personally, I don't go to school but for those who go to school or have kids who go to school have no problem accessing education. There is a government school here around ward B just after the hospital at Kigya. All the children in this area go to that school both refugees and from the host communities<sup>101</sup>

Elizabeth Nyalei a 42-year-old woman from Bari in South Sudan residing at Panyadoli added that even adult education is available:

There is a group of elderly women called Adult Education Association here where we go and we are taught how to read and write, how to keep healthy and other things so it depends on which category you want to join. We are also taught how to knit clothes like sweaters and other things that might be of help to us. We are both women from the refugees and the host community.<sup>102</sup>

However, even though both the refugees and the host communities don't pay school fees for public primary schools, they have to pay for school uniforms, lunch, other materials repairs and development fee. Secondly, secondary school education is also very costly and students who attend

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<sup>101</sup> Oral interview with Samuel Deng, Kiryandongo, on 2<sup>nd</sup> December 2019.

<sup>102</sup> Oral interview with Elizabeth Nyalei, Kiryandongo on 3<sup>rd</sup> December 2019.

prefer private schools are better than public schools because there are fewer students and the quality of teaching is better. Many refugees cannot afford private school for their children.

### **3.6 Foundations**

According to Ager and String, the second domain of indicators of successful integration is the *Foundation*. The main element under foundation is Citizenship and Rights. The authors note that the theme of citizenship and the rights and responsibilities that comes with it is usually the most confusing when it comes to the understanding of local integration. Consequently, understandings of citizenship and nationhood across societies differ depending on the various countries. In the USA, for example, immigrants are required to take up citizenship in order to be eligible for certain benefits. In France, full citizenship is seen as an essential prerequisite to integration, along with the rights and responsibilities.

In western countries like in the UK, refugee integration is viewed as the extent to which refugees are provided with full and equal engagement in society. This includes utilization of legal and welfare benefits advice as well as a sense of equity in accessing services as well as entitlements. Citizenship and the rights that accrue to it is limited in its applications in assessing the success of local integration in countries like Uganda. This is because in Uganda, refugees are not granted Ugandan citizenship. Francis Izama from UNHCR in Kiryadongo explained this:

On the issue of local integration, there are refugees who have been here for over 10 years, others over 5 years. You will find that they don't care about going back home to South Sudan and they don't care that they are not fully Ugandans. The only thing they care about is life and living in a calm and peaceful environment. Of course, here they are not allowed to move out of the settlement like their local hosts Ugandans, they are also not allowed to vote or participate in politics. They just watch. Of course, some of these things make them feel not fully integrated but for them the most important thing is the right to stay here until they find another place. Either they return home or resettle in another country.<sup>103</sup>

While their freedom of movement exists only in theory, most refugees do not know that they have the right of movement or when they actually move. But there are refugees who have occasionally encountered harassment from police officers or government officials who demand that they get a permit to be allowed to travel beyond West Nile from the refugee settlements. There are several checkpoints on the road. For South Sudanese refugees, cars with a South Sudanese license plate

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<sup>103</sup> Oral interview with Francis Izama Kiryadongo on 3<sup>rd</sup> December 2019.

are usually stopped more frequently than Ugandan cars. Because of these difficulties, many refugees are afraid to or cannot move freely out of the settlements and therefore cannot access other markets or find jobs outside the settlements.

### **3.7 Social Connections**

Ager and Stang's third domain of indicators of local integration is Social Connection. Under this domain the main indicators are Social Bridges, Social Bonds and Social Links. Social connection was identified as playing a very vital role in the process of integration at a local level. Refugees identified social connection to be a key defining feature of an integrated community. In western countries, local connections are what provides the connective tissue between foundational ideas of citizenship and rights on the one hand and, on the other, public outcomes in sectors such as employment, housing, education, and health. Local integration is a two-way process where mutual accommodation is important. It is, therefore, crucial to consider means of social connection between refugees and members of the host communities within which they settle.

#### **3.7.1 Social Bonds**

For many refugees, it is important for them to settle near their family members or members of their ethnic group because this enabled them to share cultural practices and maintain familiar patterns of relationships. Such proximity plays a large part in them refugees feeling settled which makes integration much easy. For South Sudanese for example, when it comes to marriage traditionally the family and the community generally plays a significant role in finding wives for the single men and helping them pay dowry. Therefore, according to Ager and Stang, the establishment of connection with one's ethnic or like-ethnic groups is crucial to contributing towards effective integration.

In the Ugandan set up, the OPM and UNHCR implement the Ugandan settlement policy of mixed settlements where they mix of Ugandan and refugee households. However, for South Sudanese refugees who did not return after the Comprehensive Peace Agreement (CPA) in 2005 and independence in 2011, they have segregated themselves. For example, at Bidi Bidi Zone 1, a refugee settlement in northern Uganda, the Ugandan communities live in one part of the settlement while the refugee communities live away from them. Some refugees have even moved nearer a newly established refugee settlement. Normally, the houses of refugees and nationals are not mixed. In most cases refugees preferred to settle close to their compatriots instead of being settled

apart or in-between the local host population. Some refugees would even accept to share plots and have less space for building their house and for cultivating, just to be able to be close to relatives or other members of their community. For example, a Dinka would wish to settle together with another Dinka.

### **3.7.2 Social Bridges**

The relationship between refugees and host communities is generally considered as being important in fostering social harmony. In western countries such as in the UK, race relations between the refugees and the host communities' play important roles in enabling refugee participation in the host society shared activities such as sports, college classes, religious worship, community groups and political activity which are evidence that integration was taking place. For both refugees and host communities, it is important to feel at home in an area where there is friendliness amongst the people they encountered on a daily basis.

Ager and Strang found out that simple gestures like being recognized by greetings by others in the neighborhood was greatly valued. Small acts of friendship appeared to have a disproportionately positive impact on perceptions. Friendliness from the settled community was very important in helping refugees to feel more secure and persuading them that their presence was not resented. Equally, perceived unfriendliness undermined other successful aspects of integration.

### **3.7.3 Social Links**

Ager and Strang describe social links and connections as the network between and among individuals and structures of the state, such as government services. They found out that that refugee's circumstances for instance lack of familiarity with one's environment or not being able to communicate well in the language may led to barriers that required additional effort from both refugees and the wider community if genuine equality of access to services was to be achieved. For successful integration, attention should be focused on specific initiatives that will improve accessibility of relevant services and also working to remove the structural barriers to effective connection. Obviously, the nature of refugee's settlements in Uganda is different from the UK and refugees. In Uganda refugees are settled not in urban areas but in rural areas and UNHRC is mainly responsible for the provision of their services unlike in the city where it is the state. Secondly refugees in Uganda established social links by settling amongst their fellow ethnic members making it easier to establish social bonds and social bridges.

### **3.8 Facilitators**

*Facilitators* is the fourth domain of indicators of successful integration. Ager and Strang identified two categories of facilitators, language, cultural knowledge and safety and security. Participation in economic and social aspects of the mainstream society is considered as crucial to the understanding of integration. However, such participation is often limited by certain factors that act as barriers to effective integration. For effective integration to take place, governments should work to eliminate these barriers. As such, language and cultural knowledge as well as safety and security were identified as discrete domains with respect to local integration.

#### **3.8.1 Language and Cultural Knowledge**

The ability to speak the official language of the host community well is considered as central to the process of integration. In the context of the US or UK, for example, not being in a position to speak English is seen as a major barrier to all forms of social interaction, amalgamation into economic activities as well as full participation in the society. With integration being a two-way traffic, language is not only a barrier for refugees arriving in new communities but also a major hindrance for the receiving host communities. This as well affects the providers of fundamental services such as education or health care. Therefore, enhancing societal integration means minimizing the prevailing barriers to key information through provision of material which are translated into the languages of refugees and other migrants.

In the UK, for example, there are short programs for refugees to learn the English language although the level of competence attained through such short courses is rather limited. Additionally, the availability of translated material from English into the languages of refugees and other migrants help to reduce barriers to key information. While the availability of material translated into the languages of refugees and other migrants as well as availability of interpretation services has been criticized as an inhibitor of language learning and thereby integration. Availability of such support, especially at the early stages are crucial to helping refugees. Both refugees' knowledge of national and local procedures, customs, and facilities as well as the host communities' knowledge of the circumstances and culture of refugees.

Integration for refugees in the western countries differs significantly with integration in third world countries. In countries such as Uganda, refugees face many challenges to learning the languages of the local host communities and vice versa. Indeed, language barrier remains a major challenge

to successful integration among South Sudanese refugees in Kiryadongo settlement. Unlike in the UK, in Uganda there are no formal training programs where South Sudanese refugees can go and learn local Ugandan languages. Additionally, there is no availability of translated material from the local languages to the languages of the refugees.

A major challenge is the fact that the Dinka and Nuer refugees from South Sudan arriving in Uganda do not share a similar language. Equally, among the host community, there are also multiple languages like Luganda, Luteso, Acholi etc. For integration to be effective, refugees are forced to learn the local languages on their own mainly as a coping mechanism. For instance, Christopher Banja explained his experience thus:

At first when I arrived here, I had a big problem with the language. I could not understand anything but with all the years that I have stayed here, I have been able to learn some Ugandan languages. Now I can speak Luganda, the Acholi language, and a bit of Luteso. We are many communities here from many different places. We also live with Ugandans here who are our host communities. So, I learnt all the languages slowly by slowly by integrating with members of these communities.<sup>104</sup>

Cultural differences are also a major barrier to local integration. For refugees who previously enjoyed close family ties and their own culture, they find themselves isolated, devoid of a local strong community tie. In Kiryadongo, interethnic marriages between Ugandans and South Sudanese are almost impossible to happen because of cultural differences. For example, bride-price for Nuer and Dinka women is too high for Ugandans to marry them. The reverse is true for South Sudanese men who want to marry Ugandan women. Christopher Banja explained:

We have a big problem of culture here; the Ugandans have their cultures and we have our culture and so when you go to a new place it is hard to adapt to the new culture and this can be a problem because if you don't do it according to their culture then there is a misunderstanding. For example, I tried to love a Ugandan woman I met from the host community here and then she required that I visit her family. Our relationship did not last long and one of the main reasons that our relationship did not last long is because of our cultural differences. So, I find culture being a big hindrance to me integrating here.<sup>105</sup>

Another challenge is the fact that intergroup relations between the refugee and host communities are a homogeneous or static group. It is crucial to note that relations between the two groups stand for a variety of groups with divergent cultural and historical backgrounds, forms of livelihoods,

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<sup>104</sup> Oral interview with Boyi James, Kiryadongo, on 3<sup>rd</sup> December 2019.

<sup>105</sup> Oral interview with Cristopher Banja, Kiryadongo, on 3<sup>rd</sup> December 2019.

where interethnic marriages happen. These might, on the one hand, illustrate close contact and trustful relationships between some communities.

### **3.8.2 Safety and Stability**

Ager and Strang identified safety and stability from the perspectives of the refugees and the host community as a common indicator of successful integration. According to the two authors, Refugees felt more 'at home' in their new localities whenever they saw them as 'peaceful', while host communities were confident that integrating refugees in the community reduced chances of unrest in their locality. For refugees, personal safety is what they considered important. If refugees don't feel a sense of personal safety, then it indicated that if they did not feel physically safe in an area, they could not feel integrated.

Refugee settlements, especially in north of Uganda, have previously been attacked by rebel armed groups. For example, the Lords Resistant Army attacked the Kitgum's Acholi-Pii camp in 1997 and killed more than 100 refugees. Another attack happened in 2002 on Maaji settlement in Adjumani district leaving thousands of refugees displaced. 20% of the refugees fled back to Sudan, while others fled to other Ugandan towns like Arua.

In recent years, however, security and safety of refugees drastically improved in many refugees' settlement in Uganda. Nonetheless, there are occasional violent confrontations which are largely small-scale interethnic conflicts between the Dinka and other groups from South Sudan. These have, however, led to serious deaths, displacements, evacuations, and the relocation of some ethno-linguistic groups, mainly Dinka to separate them from their perennial adversaries like the Nuers. Initially, the Office of the Prime Minister and UNHCR aimed for ethnically mixed settlements. However, as more violent confrontations happened, the Dinka are now often settled apart from the other tribes or deliberately choose to settle amongst Dinka to feel safer. Ezra Lipu explained this more clearly:

Previously, we used to have a lot of problems of insecurity in this settlement especially for women where kidnappings and rape were common. However, the government stepped up the security and gave us the opportunity of combing our own efforts and come up with a form of community policing that we call *Gwanga Mujje* which literally means let us come together and protect each other. So, we came together and elected several people to be in charge of security and now the



settlement is a very safe place. On top of that we have a police station that works to keep the area safe and serves both the refugees and the host community.<sup>106</sup>

For the refugees, insecurity does not only come from armed rebels or interethnic clashes. It comes from fellow refugees too. For female refugees especially, sexual and gender-based violence is a major concern. Occasionally, perpetrators are husbands or other males in the community who often go unpunished. The victims of this kind of violence face severe stigmatization and isolation after sexual violations like rape. Other issues such as sports betting, gambling and excessive drinking alcohol have led to some tensions are minor but consistent with the conflict that eventually turn violent at the micro level.

Another source of conflict is between the refugees and the host communities caused by the scramble for the scarce natural resources such as water and firewood, and even for aid distributed by international agencies. There are also disagreements emerging between farmers and cattle-keepers where farmers complain about free-roaming cattle belonging both to Ugandans and refugees that destroy their crops in the farms. Access to water is particularly a major conflict issue in areas where water is a very scarce resource. Conflict over water exists not just between refugees and Ugandan communities, but also among refugees. Refugees frequently complained that water points are claimed by certain groups. Access to aid is also perceived as a conflict issue not only by Ugandans but also by refugees. Locals demand a share of the aid from agencies meant for the refugees, even threatening to do something bad to refugees if the aid agencies don't provide support for them. Refugees appear to helplessly accept integration because it is better compared to what is happening at home. Some have taken to doing business including crop farming and retail outlets where they sell the produce from their farms and other essentials. Aside from these engagements, South Sudanese have used funds received from diasporic remittances from relatives who have since resettled in Canada, USA, Australia to buy houses in some of the most exclusive areas of Kampala like Kajjansi. In Entebbe they have bought residences in Bwebajja another affluent part of Central Uganda. In other words, while they consider movement to third country countries as resettled refugees or maybe back to their country, they are making the best of the circumstances.

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<sup>106</sup> Oral interview with Ezra Lipu, Kiryandongo, on 5<sup>th</sup> December 2019.

### **3.9 The impact of Integration of South Sudan refugees at Kiryandongo**

Generally, Ugandans have been apprehensive about refugee presence in their country but more so because of what they see as luxurious lifestyle that the foreigners lead while they languish in poverty. For example, a Ugandan interviewed for this study pointed that the idea of giving away land to settle Southern Sudanese and other refugees was wrong and ill advised<sup>107</sup>.

Another interviewee observed:

We do not know where they get their money from because we only see their big cars that not any of us Ugandans here can afford. The houses they buy and the residence they leave in are way beyond an ordinary Ugandan. These are things associated with ministers and not us<sup>108</sup>.

Ugandans are incised by the government's positive attitude towards refugees including South Sudanese. They are also unhappy that South Sudanese are living better lives than they are, further still, the host community views refugees as competitors for the available resources something they feel greatly impacts on their progress as Ugandans thus resulting in animosity towards South Sudanese refugees.

### **3.10 Conclusion**

This chapter has examined integration of South Sudanese refugees at Kiryandongo settlement. The chapter concludes that in spite of Ugandan refugees' access to land, education, employment and the theoretical right to movement, the refugee situation on the ground provides a contradicting picture. The chapter found that while Uganda's refugee policy with regard to its sustainability aims at fostering self-reliance of refugees and local communities, the real implementation and enforcement/practicability of integration is facing serious challenges and to a very small extent has been successful. While it is laudable that refugees are not put in camps, the small parcels of land offered to refugees, poor quality of the soil, lack of water, and lack of farming skills amongst refugees impede self-sufficiency and reliance of many refugees.

Additionally, according to the framework for assessing successful refugee integration as provided by Ager and Strang, refugees did not meet many indicators of successful integration in Uganda. For example, while refugee's children can access primary education and healthcare is provided for

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<sup>107</sup>Oral interview with Flavia Karunji Kampala, on 6<sup>th</sup> January 2020.

<sup>108</sup>Oral interview with Joel Kajaawu Kampala, on 6<sup>th</sup> January 2020

by the aid agencies, many refugees cannot access any form of employment. Barriers to successful integration such as language and culture persist. Tensions and conflicts are common between refugees and the host communities and among the refugee's population. Lastly, the study found out that of the 6 million refugees who came to Uganda, 70% of them are still in Uganda as integrated refugees on paper still awaiting to either be repatriated or resettled<sup>109</sup>. In conclusion therefore, local integration of South Sudanese refugees in Uganda has to a smaller extent been implemented and enforced among South Sudanese refugees as a durable solution available for them.

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<sup>109</sup>Oral interview with Victoria Bagala, Kiryandongo settlement officer. Kiryandongo on 9<sup>th</sup> December 2019

## CHAPTER FOUR

### TIME TO GO HOME: REPATRIATION PROCESS OF SOUTH SUDANESE REFUGEES IN UGANDA

#### 4.1 Introduction

The world, Africa and more specifically, the Horn of Africa, has seen protracted refugee issues for years. This chapter aims at assessing the process of repatriation of refugees. It focuses on the process of voluntary repatriation, its safety and dignity of South Sudan refugees in Uganda. The chapter analyzed if the process conformed to what has been a long journey since 1951 in relation to the South Sudanese refugees in Uganda, in Kiryandongo settlement.

The chapter examines various pros and cons in the repatriation of refugees in Uganda and how refugees view the process in its totality. To achieve this, the researcher carried out various interviews both on refugees, staff from the government of Uganda and their implementing partners.

#### 4.2 Repatriation in East Africa

According to Crisp, repatriation is a long process that is supposed to be all round with human rights at heart. However, in the Horn of Africa, refugees have been threatened and chased from their host countries without prior preparation. To begin with, there was the situation refugees faced during the Derg regime of Ethiopia. Their camps were attacked by the military who were opposed to their stay. Majority of the refugees moved to Kenya and Sudan. The international community condemned the act but there was little they could do because Ethiopia is a sovereign country.

Then came the Kenyan regime which in April 2016 announced an intention to close Dadaab refugee camp after it alleged that it had become a radicalization joint. At that particular moment, the camp hosted up to 400,000 refugees who were mostly of Somali origin.<sup>110</sup> The then Interior Cabinet Secretary Joseph Nkaissery claimed:

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<sup>110</sup>Crisp J and Long K, (2015). Safe and Voluntary Refugee Repatriation: From Principle to Practice. *Journal of migration and Human security*. Vol. 4 No. 3. pp.141-147.

The decision we have made to close the camps is explicit and final. The refugees must be repatriated.<sup>111</sup>

The plan was to put to an end radicalization by closing the camp and repatriate Somali refugees. However, this plan elicited widespread criticism from all quarters, both the refugees as well as their advocates. The latter argued that they were supposed to be consulted and their return needed to be voluntary and in consideration of their safety. Initially, such situations had forced the government of Kenya, Somalia, and United Nations Human Commission for Refugees (UNHCR) to have a round table meeting that generated a Tripartite Agreement which was then signed in November 2013 to facilitate such repatriation by May 2015. Yet, by the close of the deadline, only 5,200 refugees had repatriated under its auspices.<sup>112</sup>

### 4.3 Repatriation on Paper

On paper, the mainstream refugee protection understands the norm of non-refoulement. This is outlined in Article 33 of the 1951 UN Refugee Convention that compels all states to adhere to the stated requirement:

No state shall go to an extent of expelling or returning a refugee when their lives and freedoms are threatened.<sup>113</sup>

The above would later be fortified by OAU with an inclusion that

The host and the country of genesis should always be in contact so that in times of return all the arrangements are adequately and in safe planned and executed.<sup>114</sup>

These principles were further explained in later years where the UNHCR and other partners would issue a conclusion in 1985. According to the UNHCR, there was need for voluntary repatriation and this was “To be carried out under conditions of absolute safety.”<sup>115</sup>

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<sup>111</sup>Psirmoi D, (June 1<sup>st</sup> 2016). Dadaab Refugee Camp to be Closed by November, Says Nkaissery. *The Standard*. retrieved from <https://www.standardmedia.co.ke/article/2000203740/> on 6<sup>th</sup> January 2020.

<sup>112</sup>Mutamo A. (May 11<sup>th</sup> 2016). Kenya: How Kenya Sealed the Repatriation of Refugees. *All Africa*, retrieved from <http://allafrica.com/stories/201605120367.html> on 6<sup>th</sup> January 2020.

<sup>113</sup>Convention relating to the Status of Refugees (Geneva, 28 July 1951). Retrieved from <http://www.refworld.org> on 5<sup>th</sup> January 2020.

<sup>114</sup>Organization of African Unity (OAU), (10 September 1969). Convention Governing the Specific Aspects of Refugee Problems in Africa. Retrieved from <http://www.refworld.org/docid/3ae6b36018.html> on 6<sup>th</sup> January 2020.

<sup>115</sup>UNHCR (1996a). Voluntary Repatriation. No. 18 (XXXI) (1980). Retrieved from <http://www.refworld.org>. From 6<sup>th</sup> January 2020.

Twelve years after the 1985 conclusion, in 1992, a UNHCR Discussion Note was added to the existing Protection Aspects during the Voluntary Repatriation. It stated that the process “Must be carried out under conditions of safety and dignity”.

Arguably, the UNHCR principles of voluntary repatriation are all round towards refugee protection. However, states play the limitation parts depending on each other’s actions like what Ethiopia and Kenya would do to forcefully either put them in camps or repatriate them. On the one hand, host countries are impatient seeing unauthorized refugees leave. On the other, countries of origin are sometimes impatient to see them return as a political signal of the end of conflict. This is coupled with donor states and organizations’ need to end the long-term refugee assistance programs that they fund.

Therefore, the UNHCR has frequently played that central role as the custodian. This has been through making sure that negotiations and seeking to uphold internationally recognized legal, ethical principles while concomitantly meeting concerns of these stakeholders are up to date. However, the UNHCR, in its worst cases, has capitulated to such pressures especially from states due to the dynamics touching on voluntary, safety and dignity interpreted differently by countries actively engaged in repatriation operations that are far from safe and voluntary. Such pressures, for example, were engaged with in 1996 when the UNHCR came up with a handbook about repatriation. In the handbook, the UNHCR defined voluntariness as follows:

The absence of any physical, psychological or material pressure which push the refugee to repatriate.<sup>116</sup>

It further asserted that to fulfil safety and dignity for refugees, they are not manhandled when they can return unconditionally, at their own pace, that are not arbitrarily separated from family members and are treated with respect and full acceptance by their national authorities.<sup>117</sup>

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<sup>116</sup> UNHCR (1996b). Chapter 2.3: Voluntariness.” In Handbook. <http://www.refworld.org/docid/3ae6b3510.html> on 6 January 2020.

<sup>117</sup>UNHCR (United Nations High Commissioner for Refugees). “Chapter 2.4: Ensuring Return in Safety and with Dignity.” In Handbook - Voluntary Repatriation: International Protection. Geneva: UNHCR, Department of International Protection. (1996b). retrieved from <http://www.refworld.org/docid/3ae6b3510.html> on 6th January 2020.

#### 4.4 Reaching a Decision to go Home

Refugees go home based on the information they receive while in exile, whether informal or formal. This section discusses how this influenced the decision on refugees from South Sudan in Kiryandongo settlement in Uganda to either stay or go. Refugees in this settlement have developed a large network both locally and internationally that have largely impacted on their stay and repatriation process. In essence, refugee camps and settlements such as Kiryandongo are believed or appear to be isolated. Interestingly, that is not always the case as refugees continue with their daily lives, they are always on the lookout for networks and any news about their home. This is quite true with the South Sudanese refugees in this part of the country.

Many camps and settlements have become the centre of information dissemination about the goings-on back home. Makanya notes that for the Zimbabwean refugee camps in Zambia and elsewhere, the refugees' lives revolved around the getting and redistribution of news about the current conditions at their home.<sup>118</sup> As they continued with their daily lives in the camp, they kept part of their time to get information about what is going on back at home. They would go in search for official information by attending meetings organized by NGOs to talk about issues back home and the possibility of repatriation. They could be meetings organized by the host state and responsible countries, like in the case of this study, between Uganda and South Sudan. In addition to that is the media.

Similarly, there are the unofficial communication channels in Kiryandongo, a multitude of informal sources that refugees depend on to receive and circulate information concerning their homelands which are not to be underestimated in decision-making and repatriation processes.<sup>119</sup>

As soon as they settle in exile, refugees skillfully plan their next move.<sup>120</sup> This concurs with what Aliap, a refugee in Kiryandongo but has currently visited his relatives in Kampala, says when asked about the situation back home in South Sudan:

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<sup>118</sup> Makanya, Stella. T, "The Desire to Return: An Examination of the Effects of the Experiences of Zimbabwe Refugees in the Neighboring Countries on Their Repatriation at the End of the Liberation War." In *UNRISD Symposium Papers*. 1991.p.25.

<sup>119</sup>See, Makanya, T. (1991). The Desire to Return: An Examination of the Effects of the Experiences of Zimbabwe Refugees in the Neighboring Countries on Their Repatriation at the End of the Liberation War." In *UNRISD Symposium Papers*. p.25 and Hendrie, Barbara. "The politics of repatriation: The Tigrayan refugee repatriation 1985–1987. *Journal of Refugee Studies*. 4, no. 2.pp. 200-218.

<sup>120</sup>Nunes, J., and Kenneth W (1991) Repatriation to Mozambique: Current processes and future dilemmas *Refugee Studies Center RSC/J-56 Conf Box SYM 91, 1991*. (1991). p.13.

I do not think I need to go back home in Lopit. The situation there is not good. The villages are deserted and no life at all.” After I intercepted to know how he had the information this is what he had to say: “Part of my relatives who ran to Juba are business people with interests in and always goes through our village. Whenever they visit this place, they tell my relatives in Juba about the activities on the ground and through phone we talk occasionally to check on each other, that is how I get to know what is going on at home.”<sup>121</sup>

This confirms the idea that during conflicts, not all people cross over to become refugees. Some stay back and whenever information is needed from back home, they are there to share with the rest who are in exile. This has been so because Kiryandongo settlement in northern Uganda is so near with the international border to South Sudan. Interestingly, many refugee camps and settlements tend to be closer to the border of their home countries. This gives refugees an upper hand to collect accurate information from home and later determine the viability of repatriation.<sup>122</sup>

Conversely, refugees, in many cases relied on multiple sources of information which are filtered out to avoid exaggeration as well as misleading information. It is documented elsewhere that refugees have multiple sources of information. For example, over 20 percent of Chadian refugees who were in Sudan had direct contact with their relatives at home who provided and were important sources of information to refugees.<sup>123</sup>

The refugees in Kiryandongo have, in many years, relied on several means of communication. This was in regard to security and economic situations which are the most basic things they wanted to know about. There are some who depended on sending letters or messages across Uganda and South Sudan. Then, in camps, refugees have common friends and relatives who came from similar regions. Being a communal society, they have common groups that disseminated communication to other refugees, who might not have had any contact back home. Despite the well-choreographed way of getting informal but detailed information about home areas, some of the refugees did not have access to such information. Such was the response of Mawat when asked about if he had heard about voluntary repatriation in Kiryandongo:

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<sup>121</sup> Oral interview with Alliap M in Kampala, on 3<sup>rd</sup> January 2020.

<sup>122</sup> Rogge, J. (1991). Repatriation of Refugees: A Not-so-simple" optimum" Solution. University of Manitoba. p.26.

<sup>123</sup> Ruiz, H (1987). When Refugees Won't Go Home: The Dilemma of Chadians in Sudan? US Committee for Refugees. p.23.



I have not heard about the process. I'm waiting for what the UNHCR will say. They are my father and mother here. They give me everything from food, shelter, and healthcare. If they say it is time to go, I will go. Until then I don't think it is any safe to go anywhere.<sup>124</sup>

It is noted that many were and still are left out of the repatriation process and decision making as a whole due to lack of reliable and endless updates about their home situation. This largely affects women refugees due to the patriarchal setting of many communities from South Sudan. Decisions are meant to emanate from men and therefore it has become a challenge to women who only awaits to hear from their men on what should be the next direction.<sup>125</sup>

The challenge has been so on the minority ethnic groups such as the Jie, Lopit, Luo among others, due to the fact that the informal networks in Kiryandongo mostly took an ethnic dimension in the dissemination of information. In South Sudan, men were in the frontline during the fighting and therefore the grudge was carried over to the camp, which limited the exchange of information between the communities whenever men went to have their drinks.

Interestingly, in refugee settlements and camps, many households are headed by women, an arrangement that made men to take back-seat due to their traditional dictates. This curtails their interaction with women and hence little information is shared with their women which, at the end, impacted the whole issue of repatriation. Similarly, it has been very complex for a female headed household in Kiryandongo to decide on behalf of the whole family, including where men are that it is time to go home.<sup>126</sup>

#### **4.5 Persistence of Push Factors**

Kiryandongo has been a beehive of activities since its inception. Some of the men are actually refugee returnees. These refugee returnees turned out to be very crucial in determining the whole issue about voluntary repatriation. They came with lots and lots of stories that were considered to be gospel truth. For example, when I asked Lolle, a Binga from Lol in central equatorial about her plans of going home, she replied:

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<sup>124</sup> Oral interview with Mawat a Jiye from Maridi Kampala, on 3<sup>rd</sup> January 2020.

<sup>125</sup> Brazeau, A. (1990). Gender sensitive development planning in the refugee context." *Expert Group on Refugee and Displaced Women, UNHCR, Geneva*. p.2.

<sup>126</sup> Martin, D. (1995) *Refugees and migration*. p.46. retrieved from <https://scholar.google.com/> on 10<sup>th</sup> January 2020.

Our home is not safe. I went there voluntarily in 2011. After independence. I had to leave again after two years. In 2014 January I was back in the settlement because there is no security in our village. Why should I go there again?<sup>127</sup>

Basing on Lolle's information, therefore, would be an uphill task to convince her that home is peaceful. Mark you, her fellow refugees who she meets interacts with in the settlement and pass the information would have a second thought before deciding to go back to an insecure home. This is in tandem with the assertion that the information coming from home is taken seriously by refugees.

The reason being they have experience of being in the situation before and know where the shoe pinches most. In fact, refugees close to the frontiers are known to detect information which is most valued to those still in exile.<sup>128</sup> Such trips are made and in return check on their properties. They check on their land, houses, friends, and relatives and generally the coping mechanisms after the war that made them flee. Such was the case of Poggo:

I went to South Sudan to attend the burial of one of us. She was an elderly woman and we had to go and bury her in her home state. We have burial site here in Uganda, but one day we will go back to our home country. We are not here permanently! The burial site is traditional in our place and therefore we had to make this trip. However, the situation in our home country was....<sup>129</sup>

This was a reverse case of Sudan refugees living in Uganda. They instead developed a pattern of incremental repatriation where they returned a certain family member only when it was considered totally safe. They organized for heads of households with perhaps one son to return with a few head of cattle, or to clear a small plot of land.<sup>130</sup> This, technically, was to test whether home was safe for them and their children. The handicapped including those with other special responsibilities would travel home later. Such refugees were very keen in making deliberate decision to take as fewer risks as possible during repatriation.

Therefore, it is important that official information is relayed to the refugees for them to have a clearer picture of the whole process of repatriation. This could be done by the government, NGOs,

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<sup>127</sup> Oral interview with Lolle from Binga, Kampala, on 3<sup>rd</sup> January 2020.

<sup>128</sup>Hendrie. B, "The politics of repatriation: The Tigryan refugee repatriation 1985–1987." *Journal of Refugee Studies* 4, no. 2 (1991). p.204.

<sup>129</sup> Oral interview with Poggo from Lango community, Fashada. Kampala On 4<sup>th</sup> January 2020.

<sup>130</sup>Kabera, B, and Muyanja C. (1994). Homecoming in the Luwero Triangle." *When refugees go home*. p. 96-104.

political leaders, media, and other relevant organizations which are very important in helping refugees make decision on repatriation. However, this is not to say that refugees have not been betrayed by such official information channels. Therefore, many who have been lied to by governments and other organs such as the South Sudanese in Kiryandongo have become skeptical of the entire process about repatriation.

It should be noted that distrust of governments is almost universal when it comes to the whole issue of refugee migration. In many cases, migrations are linked directly/indirectly to government actions or inaction. In South Sudan, freedom of expression is limited and the media is gagged. Therefore, much of the information is from where the government is seated. A similar experience was in Chad where the government official media sources announced to those in exile that it was safe for them to return. Conversely, the refugees had the right information through their informal channels that entirely affected the repatriation activity.<sup>131</sup> This does not suggest that they ignored in its totality the communication from the government despite the skeptical of double speak they were used to.

Combining both informal and official networks, refugees followed on news about their home country. Ethiopian refugees in Djibouti can be a classic example where it was done through coded means with an aim it misrepresented the security situation in the country.<sup>132</sup> This was so, despite the prior visits to the areas they were promised to be resettled. Only efficacious and optimistic commentaries of refugees were picked by the official press. The aim was to startle refugees especially those going back on their own.<sup>133</sup> It is evident that with their formal knowledge about their home conditions, they were likely to initiate willingness to return.<sup>134</sup> This has been so when the refugees of Kiryandongo listened to the local radio and read on newspapers concerning the two countries.

#### **4.6 Dependence of Aid**

Another formal channel that the refugees in Kiryandongo depended on was the aid and relief agencies such as the UNHCR Which greatly filled in the informational gaps left by the two

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<sup>131</sup> Kabera, B, and Muyanja C. (1994). Homecoming in the Luwero Triangle." *When refugees go home*. pp. 96-104

<sup>132</sup> Crisp, J. (1984). The politics of repatriation: Ethiopian refugees in Djibouti, 1977. pp.73-82.

<sup>133</sup> Crisp, J. (1984). The politics of repatriation: Ethiopian refugees in Djibouti, 1977. pp.73-85.

<sup>134</sup> Ibid.p.78.

countries. My interview with one refugee revealed the depth under which they depend on these agencies, as he responded to the question regarding his next step after the life in the settlement:

I depend on UNHCR for it knows what awaits me. Remember they are the one who decided that I stay here and they provided me with everything after I had come here in a dire need of everything from food to clothing. If they decide that it is time, I go home I will do so because I have nothing to depend on if they say that my time here is over. UNHCR is our protector.<sup>135</sup>

This is why scholars such as Crisp argue out that aid agencies must take advantage in providing rightful information in regard to refugee repatriation.<sup>136</sup> However, there must be a note that some NGOs might also mislead the population especially the inexperienced employees representing them. This can result from the broader aspect of security to the refugees back to their home countries forgetting that there are various reasons as to why the refugees are displaced. Therefore, refugees need to use caution when acting on their advice.<sup>137</sup> In addition, this was sometimes complicated by NGOs with vested interest who would provide compromised information which in essence calls for more attention.<sup>138</sup>

This should be the case in Kiryandongo where many households are headed by women. The Aid agencies must come up with a mechanism like they have done in countries such as Mexico and Cambodia to ensure that women refugees get access to the information needed on repatriation. This is informed by the fact that many African women refugees do not receive sufficient information. Many of these organizations can still be working in the areas the refugees have fled and would, therefore, have the most reliable information. In the case of Save the children, safe world, UNHCR among others are both in Uganda and in South Sudan and therefore are in good position to communicate and give a full scenario of home country.

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<sup>135</sup> Oral interview with Moses from northern Liech in Kampala on 4<sup>th</sup> January 2020.

<sup>136</sup>Crisp, J. (1984b). Voluntary repatriation programs for African refugees: a critical examination. Vol. 1, no. 2. Refugees Studies Program. p.5.

<sup>137</sup>Cuny, F. and Stein B. (1992) NGOs and repatriation during conflict. *Center for the Study of Societies in Crisis*. p.33.

<sup>138</sup>Ibid.p.36.

#### 4.7 How is South Sudan?

From the media, South Sudan has had various peace deals which their leaders have committed to follow. However, the deals were always broken and the country went back to the wars that caused more refugees. I asked Bengazi why he had not exercised his right of return, he argued that:

There is no cloud of peace in South Sudan. Currently we have SPLM in opposition and that of government. Ask yourself what that means if you see that leader themselves cannot listen to each other. We are mere citizens when they fight, we are the one suffering. I don't think it is any reason to push me go back home from the settlement in Kiryandongo. It is safer here than in South Sudan. Of course, I miss being in my home country but that alone cannot justify that I go home and get killed.<sup>139</sup>

Away from the home situation is the dynamic that touches on the unassisted refugee repatriations. This is where the refugees are not helped either by the governments or NGOs. This has been partly the situation in Kiryandongo settlement that has impacted greatly on the overall process. The refugees in Kiryandongo have largely relied on their ability to interact with the local community who have links to their home country. This is due to the easy information they get from home as they are very close to their home country.

Another factor was the access to necessities such as firewood and water, which in the initial stages might be in good supply but get depleted over time, pushing the refugees to look for alternative source of energy. Luckily, in Kiryandongo, there is enough land to till, there are bushes for firewood and they all get tools from the UNHCR which makes them self-sufficient. Deng says that:

On arrival we are given a sickle, slasher, *panga*, maize and beans seeds and land to clear and plant. We use the cleared bush as firewood. The land here is very fertile, a small portion usually gives us a good harvest. Nowadays I plant here vegetables to supplement the diet of my entire family.<sup>140</sup>

Refugees who partially or entirely depend on assistance for their daily needs are more vulnerable to the impulse and whims of governments as well as international agencies. The reason being refugees who were completely reliant on food aid were denied the aid as part of a strategy to repatriate them. This was the strategy used on the Ethiopian refugees in Djibouti in the mid-1980s.

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<sup>139</sup> Oral interview with Bengazi. Kiryandongo, on 8<sup>th</sup> December 2019

<sup>140</sup> Oral interview with Deng. Kiryandongo on 2<sup>nd</sup> December 2019.

Such mechanisms have not or rather would not be sustained in Uganda as majority of refugees are supported for three years and from there on, they are left on their own.<sup>141</sup>

Again, refugees who go home and then the input to sustain them is reduced tend to look back to the country they sought asylum before despite the fact that the services they were getting before are denied.<sup>142</sup> To them, it is the basic survival which remained superior compared to conflict at the home country and threats to discontinue the supply of their rations.<sup>143</sup>

Forced repatriation can also work where there is no arable land like in Kakuma in Kenya but is abuse of the rights of a refugee. Conversely, it is so difficult to sustain single repatriation, which is perceived by donors to be cheaper than maintaining refugees in camps for an extended and unknown period of time.<sup>144</sup> At the end, governments have turned out to play politics using refugees in the international arena.

#### **4.8 Impact of repatriation as a durable solution**

Uganda on many occasions has threatened to repatriate all the refugees as a response to what it terms as burden to its economy and security. It is observed that even with the available option for a durable solution like voluntary repatriation to South Sudan refugee situations in Uganda, no record of refugees has been recorded for forced repatriation or return against the refugee's will, as it is abuse of their rights.

The study found out that of the 6 million refugees who arrived, 70% of them still leave in Uganda, and the UNHCR together with the government of Uganda have been able to only repatriate 8000 refugees back to South Sudan. 1000 refugees of those who were repatriated later came back to Uganda as refugees because of another conflict that broke out in South Sudan, others among those who returned said they did not reunite with their families as their expectation was, so they ended up back to Uganda as refugees. This made the process of repatriation unsuccessful.<sup>145</sup>

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<sup>141</sup>Huffman, T. (1992). Repatriation of refugees from Malawi to Mozambique. *Africa Today*.pp.114-122.

<sup>142</sup> Ibid.p.120.

<sup>143</sup>Goodwin-Gill and Guy S. (1987). International law and human rights. Trends concerning international migrants and refugees. *International Migration Review* 23, no. 3.pp. 526-546.

<sup>144</sup>Harrell-Bond and Barbara E. (1989). Repatriation: Under What Conditions Is It the Most Desirable Solution for Refugees? An Agenda for Research 1. *African Studies Review*. 32, no. 1. pp.41-70.

<sup>145</sup> Oral interview with Victoria Bagala, Kiryandongo settlement officer. Kiryandongo on 9<sup>th</sup> December 2019.

#### **4.9 Conclusion**

This chapter examined the whole process of repatriation of South Sudanese refugees, its implementation, enforcement, hindrances to exercising this durable solution and lastly, the impact of repatriation as a durable solution. The study found out that in Kiryandongo not all refugees necessarily were thinking about the process in certain direction. This was due to the fact that their reasons of being in the settlement were unique and needed a very specific way to address them. The chapter also observed that the process of repatriation has to a very small extent been successful despite the fact that the government of Uganda and the UNHCR made efforts to help refugees return to their country of origin, however the process is still a work in progress because refugees are relaxed to return to their home country and didn't regard repatriation as a solution to their problems due to continued conflicts back home. Similarly, the chapter found out that refugees in Kiryandongo had various mechanisms that they depended on in decision making on whether to go back home or not. They were both formal and informal. The informal were information from their relatives, messages, brief visits and meetings in the settlement. The formal included the government, newspapers, and aid agencies. The chapter discussed how they were of help and their undoing in its totality.

## CHAPTER FIVE

### RESETTLEMENT IN A THIRD COUNTRY

#### 5.1 Introduction

This chapter aims at assessing resettlement as a process available to South Sudan refugees and what they thought about resettlement if they had a chance to relocate to a third country. It engages with refugees' wishes about the countries they would like to relocate to as well as the key reasons to why they intend to relocate to that specific country. The key questions that this chapter advances are to what extent has the implementation and enforcement of resettlement of refugees been successful, what impact does the instrument have towards refugees and the hosting community not forgetting that refugees have their pre-planned country of preference with reasons ranging from adaptability to the willingness of their host community to welcome them.

#### 5.2 A History of Resettlement.

According to Goodwill-Gill, for resettlement to be called a durable solution, in whichever way, it must be a process that integrates all in the society. In essence, the refugees must attain self-sufficiency, be able to participate in all social economic life of the community and more importantly, have the integrity and identity.<sup>146</sup> Voltonen writes that a successful integration must be seen in terms of economy, social, cultural and participation in the politics of that specific country they are resettled.<sup>147</sup> Putting it differently, as Soojin *et al* observe, integration services are offered by government and private sponsors.<sup>148</sup>

Various countries have served as safe havens for refugees in the globe under different environment. There are those who, by staying too long in the temporary camps, opted to be resettled because they did not have the option of going back to their home. Others who ran away due to war, violence, political conflicts, and ethnic conflicts as is the case with the issues in the horn of Africa in

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<sup>146</sup>Goodwin-Gill G. (1990). *Refuge or Asylum: International Law and the Search for Solutions to the Refugee Problem*. Toronto: York Lane Press. p.38.

<sup>147</sup>Valtonen K. (2004). From the Margins to the Mainstream: Conceptualizing Refugee Settlement Processes". *Journal of Refugee Studies*. Vol, 17 No.1. pp.70-96.

<sup>148</sup>Soojin, E and Angelyn W. (2007). Refugee integration in Canada: A survey of empirical evidence and existing services. *Informing integration*. Vol. 24 No.2. pp.17-34. Retrieved on 14<sup>th</sup> may 2021 from <https://doi.org/10.25071/1920-7336.21381>.



countries such as Ethiopia, Eritria, Kenya, Somalia, South Sudan, and Sudan, have had difficulties that later led to people being uprooted from their homes.

Resettlement is determined by the laws that emanate from the United Nation resolutions, the refugee act on durable solution, and the receiving country's law on resettlement. Examining some of the laws governing the refugee resettlement in those countries that are regarded as safe havens, this chapter begins with the USA, Australia, and other countries in Europe. This is not to mean refugees in Africa are not settled elsewhere. The reason for this is to examine the link between refugees in Kiryandongo and the countries they considered and preferred to be resettled in. To begin with is the USA where refugees are taken every year after the president and congress consult and decisions are made to resettle refugees based on humanitarian crises coupled with the relations they have with that country of origin in terms of policies and other rights.

In USA, refugees are accepted since the passing of the Refugee Act of 1980 which drew a distinction from the immigrant admission program. The program is different to the act in the sense that it focuses mostly on households, families, and employees to immigrate for legal permanent residency. While refugees under the act are on the other hand screened outside the USA where the officer from Homeland Security Department or UNHCR must be present to determine the process, this is usually done in the second country and not where they are permanent citizens.<sup>149</sup>

In Australia, refugees are assisted and influenced to resettle through government-funded programmes called the Integrated Humanitarian Settlement Strategy (IHSS). This program consists of a variety of time-bound services which are available to refugees free of charge. However, the "voluntary" migrants are required to pay for some of the services such as 510 hours of English tuition. Similarly, they are required to cater for on-arrival accommodation, help in accessing public housing, assistance in the skill-recognition process and employment, special provisions in health and dental care, torture and trauma as well as "general" counselling, and advocacy and community development through various agencies.<sup>150</sup> In various cities, such as

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<sup>149</sup> Singer A and Wilson H. J. (2006). From 'There' to 'Here': Refugee Resettlement in Metropolitan America." *Metropolitan Policy Proggmme*. Brookings's institution. Vol 202. (2006). pp.797-6139. Retrieved from [www.brookings.edu/metro](http://www.brookings.edu/metro) on, 22/01/2020.

<sup>150</sup>DIMIA. (2003). Integrated Humanitarian Settlement Strategy, Immigration Fact Sheet. No. 66. <http://www.dimia.gov.au/facts/66ihss.htm> . 26<sup>th</sup> January 2020.

Sydney and Perth there are Migrant Resource Centres (MRCs) purposed with services, advice, advocacy, and opportunities for social support and community development for the refugees.<sup>151</sup>

There are also government-funded autonomous agencies that facilitated access to, or directly provide, counselling and other services to severely traumatized refugees and torture victims. Unlike other migrants in Australia, refugees are entitled to welfare assistance upon arrival.<sup>152</sup> These extra services as well as entitlements are provided as a response to the particular difficulties that refugees experience while fleeing from their homes without practical and emotional preparation.<sup>153</sup>

The setting in the receiving countries led my study to interact with various reports, news, scholarly works and more so interviews with the refugees in Kiryandongo to examine the whole issue about resettlement.

### **5.3 Resettlement in Kiryandongo Settlement**

According to the IOM, the resettlement of refugees was announced as one of the long-term solutions to the large caseload of refugees.<sup>154</sup> Interestingly, focus was made to move Congolese refugees and indeed about 25,000 were airlifted to countries such as Australia, Canada, Norway, Sweden, United States, the Netherlands, and Ireland among other countries.<sup>155</sup> Most of these refugees relocated from settlements such as Kyangwali in Hoima, Nakivale in Isingiro district, and Kyaka II in Kyegegwa.<sup>156</sup> IOM prepares refugees by taking them through the cultural expectation in the countries they accepted for resettlement such as Australia, Canada, USA and Norway, Sweden and Netherlands for about 3-5 day of pre-departure. This is aimed at settling their fundamental needs and those of host communities.<sup>157</sup>

While the resettlement of Congolese refugees to the USA appears to have gone on well, generally the process to relocate refugees from Uganda has not been an easy one especially for South Sudan

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<sup>151</sup> Peisker C and Tilbury F. (2003). Active” and “Passive” Resettlement: The Influence of Support Services and Refugees’ own Resources on Resettlement Style. *International migration*. Vol 41. No 5. pp.61-90.

<sup>152</sup> Ibid.p.70.

<sup>153</sup> Donna, G., and Berry J (1999). Refugee acculturation and re-acculturation. Pinter Publishers, London and New York. (1999). p.170.

<sup>154</sup> IOM UN Migration. Uganda .30 years of serving mobile population. Resettlement operations. Retrieved from <https://uganda.iom.int/resettlement-operations> on 26<sup>th</sup> January 2020.

<sup>155</sup> IOM UN Migration. Uganda .30 years of serving mobile population. Resettlement operations. Retrieved from <https://uganda.iom.int/resettlement-operations> on 26<sup>th</sup> January 2020.

<sup>156</sup> Ibid.

<sup>157</sup> Ibid.

refugees. There have been impediments which emanate from receiving countries. To begin with are the policy problems. For example, the USA under Obama's administration had promised to resettle as many refugees as possible. His predecessor, Trump, slashed the number to 18,000 refugees worldwide.<sup>158</sup> It should be noted before Trump's stand quite a number of refugees had passed through resettlement of Kiryandongo in Uganda. Arguably, Trump's laws impacted on the whole issues of the resettlement as it is highlighted by Alita:

My stay here is not good; I want to go and get good education like my sister who is in the USA. She is the one who was first resettled there after we did the interviews, I was told next time it will be me. Our mom died and we lost contact with our dad. I have nothing to go back to in South Sudan. I want to join my sister in USA.<sup>159</sup>

In addition, Alita said this about life in the USA from what her sister told her:

There is freedom of expression and she has the best education at the moment, she has a degree in psychology which has helped her get employment. She is the one who sends me money to survive here in the settlement. The reason I'm here in Kampala is because I'm a student in Makerere and she is the one paying all my upkeep. I do not want to depend on her for everything, I am waiting for that opportunity, my turn to travel to the USA. I have my own plans after.<sup>160</sup>

Refugees must pay the price of the always changing policies on resettlement even as they get resettled. There are challenges emanating from the policies by receiving countries which play a key role in making it hard for the refugees to be resettled in the country of their choice. The argument made here is that in many ways the changing dynamics involving refugees has stagnated South Sudanese refugees to exercise this key instrument.

The dynamics of natural challenges and policies by both host governments and receiving countries put refugees in a precarious position at times. For example, this happened in Uganda and led the UNHCR to conflict with a government-owned newspaper about the whole process of resettlement affecting refugees. The newspaper said that refugees were to be moved from the central part of the country to the north while adding that the UNHCR was not consulted according to some of their

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<sup>158</sup> Reuters. (Thursday October 3<sup>rd</sup> 2019) "All I can do is pray": A family in limbo as US slows refugee admissions. *The EastAfrican*. <https://www.theeastafrican.co.ke/news/ea/> on, 15<sup>th</sup> January 2020.

<sup>159</sup> Oral interview with Alita, a refugee student at Makerere. Kampala, on 10<sup>th</sup> January 2020.

<sup>160</sup> Oral interview with Alita, a refugee student at Makerere. Kampala, on 10<sup>th</sup> January 2020.

officials. However, the UNHCR opposed the news and said it fully supported government's initiatives and that no one from their organization was against the government stand. The government wanted refugees moved after it was alleged that many had been settled in a protected forest area.<sup>161</sup> This was after a video of refugees cutting trees for charcoal and firewood was seen circulating on various media platforms and the National Environment Management Authority (NEMA) together with National Forestry Authority (NFA) advised that due to the challenges the refugees had coupled with the whole issue of climate change, it was advisable for the refugees to be moved away from gazette areas. According to Grace:

Life in the settlement is not easy, there are various regulations by both the locals and the government that we are not able to cope with. Sometimes we are told to be self-sufficient, the other time there are laws that we cannot manage. For example, last year we were told by one of the representatives from the Office of the Prime Minister that we are all welcome and feel free to see life as we were at our home country and that he understands what our situation back home was and therefore we are allowed to use firewood and mingle with the locals at our own wish. The meeting was attended by the locals. We did not see anything sinister until we went to get firewood for cooking. Some of us were held by the forestry officers given that we did not know the laws around we had to suffer. Some of our food rations from my fellow refugees were sold to get enough money to pay for the police fine, otherwise we were to be taken to prison. Out of fear and panic we had to cope and tip the forestry officers.<sup>162</sup>

Asked whether they were told anything about their right in the settlement and if such treatment made her think otherwise, she continues: "I feel like going back to my home country, but there is no peace. The only option is being resettled to another country like Canada and Australia."<sup>163</sup>

I inquired why she would like to be resettled in either of the two countries, to which she replied:

"They have good education for refugees because in the settlement there are several refugees who were resettled in the said countries and currently, they are sponsoring football and education for their fellow refugees. They visit here together with their friends from those countries with a lot of projects. They pay fees for several kids here and that makes us feel

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<sup>161</sup> Emorut F. (5<sup>th</sup> July 2019). Govt advised on refugee resettlement. *New Vision*. [https://www.newvision.co.ug/new\\_vision/](https://www.newvision.co.ug/new_vision/) on, 26<sup>th</sup> January 2020.

<sup>162</sup> Oral interview with Grace, Kampala, on 10<sup>th</sup> January 2020.

<sup>163</sup> Ibid.

that there is hope in those countries because in the settlement we are not sure of our daily lives.”<sup>164</sup>

From Grace’s view it is evident that she anticipates a good life and an educated generation if she and her family get a chance to be resettled to either Canada or Australia. Such is what many refugees think of because majority in the settlement have given up with life. Majority have committed suicide and from a joint investigation by the UNHCR and partner organizations it was revealed that over 19 percent of households in the northern Uganda’s refugee settlement suffered from psychological distress. However, there are very few suicide prevention programmes and those that are there are strained both in delivery of services and funding.<sup>165</sup> Such statistics give proof that medical attention is minimal thus making resettlement to a third country something worth seeking for because of the feeling that a better life resides elsewhere.

The stories of better life about third countries make refugees in Uganda to always look forward to the day when they will be interviewed for airlifting. They compete for those opportunities whenever they arise. For example, in 2001, it was reported that over 800 refugees were camping in Kampala awaiting to be interviewed to be resettled abroad.<sup>166</sup> They were all settled in Kampala suburbs awaiting the process to be accomplished and according to the UNHCR official concerned with the exercise, 20 refugees were resettled to Canada and 780 refugees were taken back to Kiryandongo to wait for their turn to be resettled.<sup>167</sup> However, the reaction by Earnest the UNHCR official was after it was alleged that several South Sudanese refugees had gone for days without food and accommodation in the suburbs they had been settled in Kampala. The whole saga shows how the process of resettlement was competitive and meant a lot to refugees. In August 2008, another group totaling to 1000 refugees were in Kampala for interviews to be resettled in USA and Australia as the largest recipient while the rest were to be flown to Canada, Denmark, and

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<sup>164</sup> Ibid.

<sup>165</sup> UNHCR. (24 January 2020). Suicides on the rise among South Sudanese refugee in Uganda. <https://www.unhcr.org/news/stories/> retrieved on 25<sup>th</sup> January 2020.

<sup>166</sup> Vision reporter. “800 refugees in Kampala.” *New Vision*. (3<sup>rd</sup> may 2001). accessed, <https://www.newvision.co.ug/>, on 20<sup>th</sup> January 2020.

<sup>167</sup> Oral interview with Earnest Wisdom Kiyonga, Kampala, UNHCR officer for South Sudan refugees. Kampala on 9<sup>th</sup> December 2019.

Switzerland.<sup>168</sup> During that particular period, Uganda was hosting over 200,000 refugees from South Sudan, DR Congo, Rwanda, Burundi and Somalia.<sup>169</sup> Indeed Biong argues that,

Everyone is waiting to hear on when we will be resettled. We have been here for so many years and whenever the process is done, I only hear it from people. Who doesn't want to get a better life out there? I also want to go to USA, Australia, Canada or England. I know there I will have my life proceed from when it stopped immediately I became a refugee.<sup>170</sup>

However, there was another aspect that came up during the interviews. Bari a Nuer and Lo-Guya from Central Equatorial had one thing in common. They all felt that the whole process favored the Dinka whom they accused of high jacking it since they got first priority of resettlement. According to them this situation was a continuation of the issues that made them to be refugees. "Our brothers the Dinka are well placed in the country and even in regional politics, therefore, whenever there is an opportunity for resettlement, coincidentally, it is the Dinka who are mostly given the chance."<sup>171</sup>

Upon further interrogation, Lo-guya said:

My son has a name which is more than of a Dinka, he was interviewed for the chance to be resettled in Netherlands, came the day to be resettled, they went ahead to look for someone who has a similar name with my son only to be rejected because he was not marching the years of my son. After following up I am told there was a mix up and my son will be considered for the next trip. I always ask together with our people the equatorial and others in the settlement, how will we know that the process is not wholly clean as it is supposed to be?<sup>172</sup>

Indeed, due to the secrecy in the process to determine who should be resettled, refugees always force their way to be heard, instead of waiting to be invited for an interview, they would organize their own trips to the UNHCR and implementing partner's offices to know their fate regarding resettlement. In 2003, 35 South Sudanese refugees escaped from the Settlement, attacked the United Nations High Commissioner for Refugees (UNHCR) office in Kampala but they were arrested and escorted back to the camp under tight security. The reason for storming into the UNHCR offices was to demand their names be included on a list of 200 refugees short-listed to be

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<sup>168</sup>Vision reporter. (11<sup>th</sup> August 2001). Refugees to resettle." *New vision* Accessed, <https://www.newvision.co.ug/> on 12<sup>th</sup> December 2019.

<sup>169</sup> Ibid.

<sup>170</sup> Oral interview with Biong, Kampala, on 11<sup>th</sup> January 2020.

<sup>171</sup> Oral interview with Bari, Kampala on 11<sup>th</sup> January 2020.

<sup>172</sup> Oral interview with Lo-guya, Kampala, on 11<sup>th</sup> January 2020.

interviewed soon by officials from the US immigration department for resettlement in the USA and this was because of the frustration and hope lost after waiting for a long time to be considered for the next interviews to be resettled but in vain.<sup>173</sup>

The incident forced police to intervene and arrest the refugees who were held at Kira Road Police station after UNHCR officials failed to placate them.<sup>174</sup> After three days they were released and allowed to go back to the settlement. They, instead, went back to the UNHCR offices where they rioted and were re-arrested. Addressing them at the police station, the second deputy premier and internal affairs minister, Brigadier Moses Ali, who had earlier on visited the UNHCR representative in Uganda, Saihou Saidy, asked to arrange for their return to the camp. He said, “Refugees are not above the law and should not abuse the hospitality provided by Uganda and the UNHCR.”<sup>175</sup>

Saidy added:

Do not use “arm-twisting tactics, “the decision about resettlement interviews is made by the resettlement countries not UNHCR.”<sup>176</sup>

According to the information from Lo-guya, it is evident that there is some hidden information about the process which excludes some refugees from the whole issues pertaining resettlement. The idea that refugees could plan to go and storm the UNHCR offices reveals some gaps that the officials and government were not willing to share. Even though refugees were complaining against discrimination during the whole process, government officials refuted this. The government official who works in the region said:

Double registration is a common issue all over the world especially when dealing with refugees who flock in whenever conflicts arise. We also do a follow up and sort out the issue. If Lo-guya had such an experience I am very sorry for that. We will sort out the issue and his son will get the chance to be resettled if he qualifies. It is a continuous process and we don’t stop sorting out these issues because it’s a mandate of the UNHCR and the Office of the Prime Minister.<sup>177</sup>

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<sup>173</sup> Vision reporter. (25<sup>th</sup> march 2001). Rioting Sudanese refugee sent back to Hoima camp. *New Vision*. Accessed [https://www.newvision.co.ug/new\\_vision/news/](https://www.newvision.co.ug/new_vision/news/), on 24<sup>th</sup> December 2019.

<sup>174</sup> Vision reporter. (25<sup>th</sup> march 2001). Rioting Sudanese refugee sent back to Hoima camp. *New Vision*. Accessed [https://www.newvision.co.ug/new\\_vision/news/](https://www.newvision.co.ug/new_vision/news/), on 24<sup>th</sup> December 2019

<sup>175</sup> Ibid.

<sup>176</sup> Ibid.

<sup>177</sup> Oral interview with government official Victoria. Kiryandongo. on 9<sup>th</sup> December 2019.



The above sentiments go in line with what was reported in one of the dailies that the issue of double registration was due to the fact there was an influx of refugees and they were competing for food ratio. Therefore, double registration is a deliberate move by refugees for them to have enough food to sustain their big families. However, according to the Office of the Prime Minister (OPM), the challenge was addressed by the introduction of a biometric machine to track a double registration. Similarly, the office of the prime minister was verifying the refugees with immunization cards and fingerprints.<sup>178</sup>

In 2002, what happened in 2001 occurred again in which refugees in large numbers and including different nationalities such as Ethiopia, Somalia and Sudan demanding for assistance. To manage the situation again, the police were called in to bring order. Much is said about the hospitality host countries offer to the refugees.<sup>179</sup> However, less is communicated about what the dynamics they undergo in those particular host countries.

Another factor is how refugees, especially women, found themselves in the hands of rebels. They had arrived from a devastating war from South Sudan and upon their arrival, majority were kidnapped by the Joseph Kony-led rebel to serve as women regardless of their age and health status. For example, Nakout, a refugee from South Sudan was kidnapped and would spend over 12 years as a sex slave in the remote areas of central Africa. She was not able to contact her family especially her younger daughter. She encountered hard life and even sired a child for Kony who was taken away after seven months. She later ran away to another refugee camp in Greece and later on to Finland. Nakout cries for her child and wishes she can find someone to get her daughter from Uganda.<sup>180</sup> However, back in Uganda, it is believed the children are hesitant to accept how she would be their mother especially the eldest daughter that Nakout is forced to do a letter because the children refused to be convinced through phone calls that their mother is alive somewhere in Europe.<sup>181</sup>

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<sup>178</sup> Vision reporter. (12<sup>th</sup> June 2017). OPM battles refugee multiple registration. *New vision*. <https://www.newvision.co.ug/> accessed 25 December 2019.

<sup>179</sup> Vision reporter. (14<sup>th</sup> may 2002). Refugee's raid. *New vision*. <https://www.newvision.co.ug/> , accessed on 26<sup>th</sup> December 2019.

<sup>180</sup> UNHCR. (22 January 2020). Abducted mum finally finds safety in Finland, but yearns to see children again. <https://www.unhcr.org> , accessed on 25<sup>th</sup> January 2020.

<sup>181</sup> Ibid.



It is said that there are reasons why people would want to be resettled. People will fight for those chances for whatever might happen. No wonder, in Uganda we have had refugees storming the UNHCR offices to be interviewed for a chance to be resettled. Colic-Peisker and Tilbury argue that refugees who want to be resettled can be divided into two categories: Achievers and consumers. The ideal type, achievers, can be described as goal-oriented toward achieving their long planned higher occupational and social status.<sup>182</sup> Therefore, achievers will opt for delayed gratification and see language learning and full-time study as a way to achieve their longer-term goals. They tend to be younger refugees – since people above 40 are less likely to be found among achievers. This was confirmed by Malok a student in Uganda said when asked about what his plans are about the three options:

At the moment I do not want to think about going back or staying here in Uganda. My aim is to finish my studies first. Last term I scored a B+ in form five. That is the pass mark for the Windle organization, which sponsors students to go study in Canada and also provide a chance for resettlement. That is what I am focusing on and school is all that is keeping me here. I want to score well in school and then get the chance to go and study in Canada and why not get the chance to stay there. I will pull my family. My mother is my pillar, we always think of life in Canada and that makes me work hard in school. In Canada I hope to be a doctor and that is why I cannot keep away my book.

Indeed, during the entire interview, Malok was having an English book in his hands.

English is the only subject that I did not perform nicely in school, I was given this book by one of my classmates who is good in English. That is the reason I do not want to leave it behind. If by any chance you can get past papers and English tapes I will really appreciate. I want to be good in this subject.<sup>183</sup>

In essence, these people value their education, and it is their major axis of identity and abandoning it would thus lead to not only a loss of vision in life but also a loss of identity. As it is argued by quite a number of scholars, majority of the achievers work hard to acquire or improve English-language skills as their highest priority.<sup>184</sup> This, they do by welcoming and mixing with the mainstream English-speaking community. Examining achievers, one will notice that they are generally enthusiastic about learning. Even where they might experience a temporary loss of

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<sup>182</sup>Peisker C and Tilbury F. (2003). p.68.

<sup>183</sup> Oral interview with Malok. Kampala, on 9<sup>th</sup> January 2020.

<sup>184</sup> Peisker C and Tilbury F. (2003). p.69.

occupational status, they approach the experience of relocation as a challenge with the potential to provide new insights and contribute to their personal growth.<sup>185</sup>

The situation among refugees in Uganda resembles what Peisker got from Bosnian family. Since many of the refugees might have qualification, in some instances they do not march the standards of their host countries. It forces them and at the end they have to work extremely hard to fulfil the missing gap. For example, both the wife and husband of the Bosnian family had degrees in economics.

However, according to the Australian education standards, they did not qualify nor were their papers recognized. Therefore, they had to study again at a university in Australian to acquire degrees. To supplement their lives, they also did cleaning which, however, they did not see it as something they will do forever. An account with another Bosnian surgeon also gave a glimpse on what a refugee with experience will undergo in a foreign country. For example, after spending many years working in a Sarajevo sanatorium under constant shelling in his home country, he was determined not to lose focus. He went forward to prepare for AMA exam (Australian medical exam for overseas trained doctors) intensely for two years and everything was subordinated to that goal. He marshaled the life of his family towards his goal. Together with that he learned English from scratch and whenever he failed any paper, he was ready to redo the exam.

Similarly, a female Ethiopian high school student, saw life in Australia as an opportunity to achieve and argued that it really helped her get something to do unlike other places where all was just to idle. It is evident that many refugees would like to be resettled so that they would continue with what they were doing in their home country. For example, an interview with Waniba, confirmed that he was a tailor back in South Sudan and was willing to resettle so that he can get enough space and freedom to resume his work as a tailor. In his words,

Back at home Bari says, “I was doing tailoring activities, I used to have a lot of business and good network back there. I had schools I supplied uniform for, I had employed over ten people to help me saw and supply. I used to pay people salary it hurts me when now am in the settlement doing nothing and my children coming home from school to an empty kitchen. I pray I get chance to go to Europe, Australia, Canada or USA. There I will improve my skill and become a renowned designer. It is my wish that I get that chance. Because I will do the African clothes

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<sup>185</sup> Ibid.p.69

with the current technology, I know will be able to get enough market be it here in Africa and the world over.

Asked about his children, Bari said:

I want to go with all my children we are used to stay as a family, just look my wife is here, she has gone to the farm and all our sic kids are in school. I want to have an informed family. If we get a chance my kids will do better than me. Here in the camp, those who had certificated from high school, college and university from South Sudan and elsewhere easily got various jobs. Some become teachers to our children, some were heading various section of the UNHCR and its implementing partners. Therefore, it really helps to have education.<sup>186</sup>

According to Bari, having a skill in the situation they are in as refugees it really helps. He gave an example of Majok, who was a truck driver back in South Sudan.

Majok begun driving trucks while a young boy in South Sudan. He used to move goods all through South Sudan and across borders like Uganda and Sudan. For him, he took very short time to settle here and continue with lifeHe was interviewed for resettlement and he will be moving to USA soon. I know very well it is his skill here of driving Red Cross vehicles, ambulances and UNHCR trucks that gave him an advantage over others. Luckily, the young man speaks good English. His connections have put his family and relatives in this camp in a better position. Whenever he is given an assignment, he gets the money and caters for his young one's fees, clothing and other necessities. It will take him shorter time to be used to the roads and people there in USA because this is something he has been doing from South Sudan, Uganda and now preparing to move to USA as soon as his travelling documents are sorted out.<sup>187</sup>

From Bari's sentiments, Majok is an achiever because he will be moving with his family and relatives to the USA as their main provider. This, in essence, will help them settle fast because they will be having someone to provide for them in the initial stages. According to Peisker and Tilbury, it works magic for those refugees who are resettled and immediately get employed.<sup>188</sup> One, they easily settle. Secondly, after being aggressive and disciplined at work, they usually end up building a good rapporteur which works advantage to their family, relatives, and friends. That is, they serve as the link between the employer and those who want to be employed in the specific

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<sup>186</sup> Oral interview with Bari. Kampala, on 11<sup>th</sup> January 2020.

<sup>187</sup> Oral interview with Bari. Kampala, on 11<sup>th</sup> January 2020.

<sup>188</sup>Peisker C and Tilbury F. (2003). p.69.

companies. Similarly, he becomes the contact person in case of any reference is needed to be made. As refugees, they will tell what their experiences were. They will maintain the bond with each other and speed up the process of adopting to the new environment.

Away from the achievers are the consumers. They are goal-oriented as they are the achievers. However, they differ on their settlement arrangement whenever they are resettled in a third country. The settlement in the third country is majorly influenced by refugees' ethnic and community oriented dynamic, close to their co-nationals and focusing their resettlement on conforming to community expectations.<sup>189</sup> According to Gans, consumers (refugees) perceive those countries they are resettled in such as Australia, Canada, Europe and USA as the land of plenty and their goal is to reach a higher consumption level than before migration and to obtain status symbols valued in their community.<sup>190</sup> Their aim is mostly impacted with the aim to redeem themselves stress and loss involved in the forced migration.

In a capitalist environment, consumption is regarded as one of the indicators that influenced self-esteem and positive identity of people. Therefore, according to the refugees, material goods are a sign for success and tell their communities; in diaspora as well as in their homeland; that they have achieved it in their adopted land.<sup>191</sup> For example, the Australian community nurse who was employed exclusively to work with refugees for years observed that refugees sometimes saw material possessions as a sign of normality. Performing well as a refugee in a foreign country generated pride among the refugees.

Consumption-oriented resettlement is based on the tendency of the community to allocate status to individuals and families on the basis of culturally appropriate conspicuous consumption, in the form of large and neatly decorated and furnished homes, cars, clothing, jewellery, and so on.<sup>192</sup> As it is the nature of human beings, and articulated by hierarchy of needs, every individual would wish to have a lot of possession even if they add less to their daily life. Therefore, as consumers,

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<sup>189</sup>Gans G. (1962). *The Urban Villagers, Group and Class in the Lives of Italian Americans*. Free Press of Glencoe, New York.

<sup>190</sup> Ibid. p.69.

<sup>191</sup>Baldassar, L. (2001). *Visits Home: Migration Experiences between Italy and Australia*. Melbourne University Press, Melbourne.

<sup>192</sup>Peisker C and Tilbury F. (2003). p.70.

refugees in those countries are usually settled in prestigious suburbs which to them it will mean success. Similarly, to the refugees the size of the house and its furnishing are more important.

According to Peisker and Tilbury, material possessions are the most important factor. For example, the refugees settled in Australia, competed to buy own home as a priority, one because they were pushed by their culture and secondly, renting was considered inappropriate for a stable family life.<sup>193</sup> They value being within the house as they are mostly used by their families and relatives but not as an investment because renting a house will be considered someone who is on the move. Indeed, there are many South Sudanese refugees who own properties in form of homes first in Kenya and Uganda. In addition, there are those who have added commercial houses. For example, in Entebbe and Kampala, there are various landlords who are South Sudanese refugees. However, it is alleged by various informants both from the refugees to the locals in Uganda who argue that majority of those with houses and properties in Uganda and other parts of the world siphoned the country firstly as government officials and then using proxies.<sup>194</sup>

From an African perspective, they all depend on the factor of inheritance. Therefore, the research argues that the reason as to why refugees would want to own a house and other property is because they are informed by that particular cultural instinct. In an African setting, property such as land, houses and business investments by people are acquired with a vision that their children will inherit something from them in future. However, some have argued that such mentality has pushed people to involve themselves in corruption. For example, the conflicts in South Sudan are connected to corruption and plundering of public resources by those in the helm of leadership. Indeed, from the interviews conducted among refugees in Uganda, the aspect that people lost their properties to government officials such as the military, explains why many of the refugees would view resettlement as an option because they are assured of acquisition of other properties which they will later pass to their families.

The acquisition of property among the refugees, however, has since been diversified. To begin with, refugees are taking education as one of the very important property to have in each and every family. In fact, resettlement, is affected because many refugees in Uganda viewed that to the conflict back at home hindered them from getting education and therefore even though the

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<sup>193</sup>Peisker C and Tilbury F. (2003). p.71.

<sup>194</sup> Oral interview with refugees and locals in Uganda, Kiryandongo. on 11<sup>th</sup> December 2019.

settlement was not a better option, they prefer to be here as they get to quench their education thirst in Uganda awaiting the next journey.

When I asked Muleri whether she would consider resettlement, she said: “I want to be resettled in Canada. But I do not want to go there as an illiterate. Here in Uganda, I have been given an opportunity to go there through merit. The channel is very strict, but I better do that....”

Asked what the channel was and how strict it was, she continued:

As refugees we are given an opportunity by the Windle trust, a Canadian organization which focuses on education and this is done by funding us here and in Canada. They pay school fees in schools in Uganda, up to universities and later airlift you to Canada where you have the chance to be a citizen. Alternatively, they finance your education to high school and later airlift you to the universities in Canada. Where after completion you are given a job and citizenship. For these reasons, I will not have to bother myself with the issue of being resettled at the moment because the channel I want is getting permanent citizenship. I have promised my dad and mom that I will score high and get that chance to go study I Canada. Thereafter, immediately I get a job, will invite them to come stay with me.<sup>195</sup>

Muleri’s sentiments are a classic example of how conflict and displacement has really impacted on the cultural activities and believes of the people of South Sudan and more so on African personality. People like Muleri do not view land as an immediate investment, rather education as the most important acquisition. Traditionally, the South Sudanese are known to be pastoralists and some are agriculturists. However, due to the conflict in their country, they have begun to diversify on what should be transferred to their generation. Education is one of them. Whether the country had to go through the conflicts to get the education and hence a good course it is yet to be confirmed by refugees.

Another key channel is sports. Quite a number of refugees are keen with what their children do now and in future. Talking to refugees in Kiryandongo, majority want to relocate because of what they want for their children. I asked a lady (who declined to share her name with me) if she had children, where they were and if she had heard about resettlement, she had this to say:

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<sup>195</sup> Oral interview with Mureli. Kampala, on 11<sup>th</sup> January 2020.

I have one boy and four girls. The boy plays football for his school and also a local club which plays in regional league in Uganda. He was approached by various academy clubs in Uganda with a promise that he will get a nice football academy in Europe. A few weeks ago, I had to travel to Kampala to help sign various documents so that I am involved with what my son does. I just want to hear that my son is playing abroad for either Manchester united, Liverpool, Chelsea, Hotspurs, Real Madrid or Barcelona. That way he will get enough money to either get us a nice place to stay or even move to where he will be. My girls are not much into sports, instead they are so much in academic activities. Either way, I know there will be a path under which I will get out of this kind of life.<sup>196</sup>

#### **5.4 Impact of Resettlement.**

A UNHCR officer made known to me that between 2001 up to 2008, a total of 5,000 refugees have been resettled to third countries like Canada and this has not reached refugees' expectations and the reason why resettling refugees to a third country has not usually been implemented by responsible organizations is because third countries are strict and reluctant to receive refugees so this makes the process very slow and almost impossible.<sup>197</sup> Resettlement of refugees is not only a desired and most preferred durable solution to refugees who have been finally resettled to a third country, it heightens interest for the ones who have remained behind in the host country in hope that they are going to be resettled to so that they can acquire better education, get good jobs to support their lives and for their families at large as it has been the case from the interviews above from refugees who have relatives and friends who were resettled to a third country.

#### **5.5 Conclusion**

This chapter aimed at examining resettlement as a process to South Sudanese refugees. There were varied responses on the whole process. There were those who wanted the process of resettlement done immediately (consumers), they mostly wanted to continue with their life and stay in designated regions where they would be able to meet their communities whether relatives or Africans like them. They had training in various fields such as medics, driving and tailoring and hoped that the process of resettlement should be done immediately so that they can take advantage of the well-established system in other countries to get employment in designer companies for those with experience in sowing and truck drivers to large scale companies with a hope that while

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<sup>197</sup> Oral interview with Ernest Wisdom Kiyonga Kampala. UNHCR officer, Kampala on 11<sup>th</sup> December 2019.

in those companies they will create quick networks which will help them bring along other refugees to work there.

The second group was the achievers who wanted resettlement delayed. They included refugees who are still in schools who wanted the process of resettlement delayed because they had the fear that going to a country such as Canada needed someone who would comprehend things given that this is a first world country. For them they wanted to get a chance through education, which starts from Uganda. They argue that organizations such as Windle trust gives such chances which they find to be the best. Some want it delayed through sports. To them going to these developed countries and directly being absorbed (in athletics or football) in a system would be better.

In conclusion therefore, this chapter demonstrated that South Sudan refugees are aware of resettlement as a durable solution but the instrument has to a very small extent been implemented and enforced by the responsible partners, refugees have not been given the opportunity to resettle into a third country since 2001 up to 2008 only 5,000 refugees have been resettled, the reason for this is unreceptive attitudes of third countries towards refugees, strict policies of hosting countries, slow process, dominative, and according to some refugees, the process is in favor of the Dinkas and lastly, it's biased due to corruption. Even though resettlement has not been fully successful, South Sudanese refugees still await and hope that one day it will happen for them, that they will get resettled to a third country as their wish is.



## **CHAPTER SIX**

### **CONCLUSION**

This study has examined enforcement and implementation of durable solutions for South Sudanese refugees at Kiryandongo refugee settlement in Uganda. The three durable solutions are voluntary repatriation back to South Sudan, local integration in Uganda and resettlement in a third country. As observed in this study, refugees found themselves in Uganda because of a protracted civil war pitting the majority Christian blacks of the south and the majority Arabs of the north that devastated people. The then President Omar El Bashir government sponsored terror unleashing violence on the south population who had to flee the country. Between 2003 and 2010, the conflicts in Sudan got the attention of the world after over 300,000 people were killed while millions were displaced earning an arrest warrant for Bashir and his allies in the government by the International criminal Court (ICC) for the crimes against humanity.

The impact of the war in Sudan forced the world and the region to intervene and find a solution to the underlying issues. In 2005, the fighting groups from the South Black (Sudan People's Liberation Movement/ SPLM/A) and the government went into a Comprehensive Peace Agreement (CPA) that aimed at ending the civil wars that had lasted since 1983-2005. The CPA had six years framework to assess whether the Black southerners would want to remain as part of Sudan or they secede to form their own country. In 2011, the South Sudan people voted overwhelmingly to secede from Sudan leading to the formation of the independent South Sudan

With South Sudan being the latest nation in the world, refugees were expected to voluntarily go back home, however peace did not come easy. In December 2010, a few months after the president sacked his deputy Riek Machar in July for allegations of plotting a coup, conflict broke out in South Sudan. The civil war not only made it harder for refugees to return to South Sudan but actually displaced even more refugees. By 2018, Uganda was hosting close to 2 million South Sudanese refugees and due to the continuing economic collapse and civil war in many parts of South Sudan, By the end of 2020, South Sudan refugee influx into Uganda was over 1 million.

The study established that all the three durable solutions have not been fully implemented and enforced and refugees are facing several challenges with regard to achieving them. Repartition was the least desirable of the three durables solutions. Refugees did not wish to go back to South

Sudan for various reasons. First is because peace and normalcy has not returned in South Sudan due to continued conflicts. Secondly, most refugees lost everything in the civil war, all property including family members. They did not want to rekindle the memories of the past which they have at least accepted and are trying to move on from and back with their lives. The aid that they receive from the aid agencies is preventing refugees from going back to their country as they do not know where to start from. They prefer to stay in the settlement in Uganda where they have established their sources of livelihoods despite the challenges that they face there, repatriation therefore was not to South Sudanese refugees a solution to their plight even though there was little effort by the UNHCR and implementing partners to repatriate South Sudan refugees back home.

The study established that despite the generous nature of the Government of Uganda's policy in receiving refugees, more needs to be done to guarantee refugees access basic needs. The study found out that refugees are still in highly precarious situations in the settlements due to the limited resources available from humanitarian assistance. Stakeholders in government as well as international partners still have a long way to go in ensuring that basic needs like food, housing, healthcare, and education for refugees are met in the settlement.

There are several challenges that make local integration of South Sudanese refugees in Uganda difficult. One, despite the fact that refugees are given small pieces of land under the premise for cultivation so as to enable self-reliance in the medium and long run, more has to be done. The study found out that while the settlement policy encouraged social local integration and sufficient land fostered self-reliance, land access also caused tensions between refugees and the local host communities in Uganda, thus threatening the peace and safety of refugees. Additionally, the willingness of the local populace to share their land for refugee settlement differs depending on the general availability of land and their access to the services offered by the refugee aid agencies. When they don't receive those services, refugees are at risk of displacement.

Secondly, even when refugees have been allocated the plots of land, they still face other constraints to cultivation. Not all refugees are farmers. Thus, assuming that all refugees will establish sustainable livelihoods by farming underestimates what successful integration looks like. Even when refugees want to engage in farming, the plots are small not forgetting poor soil and seeds, low rainfall and conflicts between farmers and herders still affect farming as a way of livelihood for the refugees.

Third, while in Uganda all refugee groups have the right to access employment as is enshrined in the Ugandan Refugee Act from 2006, this remains only in theory. They have, as well, the right to education. Apart from aid agencies where refugees can be employed, there is nowhere else. Even with the aid agencies, it is only the educated and those with English language skills that will be given the employment chance. So, most refugees engage in activities such as retail trading, farming, brickmaking, and selling fruit and vegetables like tomatoes and bananas as a source of livelihood and income for sustainability. Other challenges include good health facilities, housing, medication, voting rights (where refugees are not allowed to participate in any voting or decision making in their community as well as the policies of the country at large. So, this makes them feel left out and not belonging to the communities of Uganda. In practice, many refugees in the refugee settlement have little employment opportunities, almost no availability of health care services because they are many in number and the availability of drugs, doctors, and health care in general is not enough. So many resort to self-medication and home care making their life hard to live in the settlement. Further, still, refugees face challenges of language barrier. This alone is a problem because communication with the host community is hard.

Fourth is the challenge of both Intra and intercommunal relations in the refugee settlement. Sporadic violent confrontations which are small-scale have been witnessed. These conflicts are mostly interethnic pitting the Dinka and other groups from South Sudan leading to fighting, deaths, displacements and evacuations and the relocation of some ethnolinguistic groups.

The last challenge to local integration is the restrictions on the freedom. In theory, refugees have the right to move freely in Uganda. However, there is a variety of mostly structural factors that impede mobility of refugees. For example, most refugees are settled in the very rural areas of Uganda where there is poor roads or transport infrastructure as well as network for instance constrains to mobility of settlement-based refugees and that of members of the host communities. Movement is also threatened by insecurity. Besides security related constraints to free movement, financial constraints also play a role as transportation is expensive, and many people in remote areas cannot afford it. All these made local integration impossible for South Sudan refugees in Kiryandongo.

Resettlement is the most preferred durable solution for the South Sudanese refugees in Uganda but has to a smaller extent been a success. The study found that refugees prefer resettlement in western

countries such as Canada, Australia, USA, Norway etc. because they believe that it is in such countries that they can live their best lives. This is true especially for the younger refugees who believe that resettlement will offer them the best chance for a quality education and that through education they will be able to find meaningful employment to better their lives and the lives of their family members. Resettlement also is the only way refugees feel they can escape the insecurities, poverty and unemployment that characterize their home country South Sudan and their refuge country Uganda. In western countries, they will access better housing, better services such as good healthcare services, good housing, and the overall safety of their families.

The study found out that the instrument has not been fully implemented and enforced because of several reasons. For example, in Kiryandongo settlement since 2009, only about 200 to 300 refugees have moved to another country which is not South Sudan. These are refugees who were not necessarily resettled by the UNHCR, governments or agencies but rather they left through familial networks that were crucial in processing their travel and stay in a different country. So, these refugees were not necessarily being resettled, they were just reconnecting with their family members in a different country that is not Uganda or South Sudan. There are those who traveled to Kenya, actually, most of them went to Kenya. Others went to Tanzania. Only two travelled to Australia by the help of their family members.

The challenge that refugees found regarding to resettlement is with the change of policy in many of the third countries that they wish to resettle in: most countries are no longer willing to generously welcome refugees. A good example is the USA with the election of President Donald Trump, the Obama administration had promised to resettle as many refugees as possible. However, Trump has slashed the number to 18,000 refugees worldwide. In fact, Trump administration preserved a huge number for Iraqis, Central Americans and religious minority. The others, world over, were to share 7,500. Other countries are following suit with right wing conservative parties that are against refugees gaining popular support in countries such as Italy Netherlands even in the UK.

Another challenge is that refugees are faced with frustrations. Some of the frustrations from the research's finding are guided by the expectations which either they compared to where they came from, what they heard before and what they hear from those who are resettled. In addition, frustrations emanated from the natural environment, changing policies either from their host

country and those that are supposed to receive them. Such frustrations push them to have conflict with their host country, Uganda, and agencies such as UNHCR. For instance, in 2001, 35 Sudanese refugees escaped from their Settlement and besieged the United Nations High Commissioner for Refugees (UNHCR) office in Kampala and were arrested and driven back to the camp under armed escort. The refugees stormed the UNHCR offices and demanded that their names be included on a list of 200 refugees short-listed to be interviewed soon by officials from the US immigration department for resettlement in the USA.

Frustrations are also linked to another challenge, lack of information to the refugees. Refugees depend much on their own mechanisms which again play out whenever they believe in rumours and lead them into commotion and conflicting with the government and other agencies such as the care international, windle trust and UNHCR in general. Lack of information led to misinformation which circulates quickly among refugees leading to conflict between implementing agencies in Kiryandongo and refugees. This would sometimes spiral to Kampala, where most of the organizations are situated. In fact, during the vetting process, be it for education, food, repatriation, and resettlement it was mired with challenges.

The misinformation which is shared among communities such as the Dinka, Nuer, and others like Dodoth, Acholi, start reading malice and suspicion that refugees who are compatriots are favored in the resettlement processes at their expense. This happened up in Kampala when communities complained to the UNHCR that most of those scheduled to be interviewed were from the Dinka community while the rest were not considered. Indeed, they produced their own list of over 200 names whom they thought would be appropriate to be included in the list of those to be resettled. And further, still, the process of repatriation is very slow and this also affects refugee's patience to almost losing hope that it will never happen for them to be resettled to a third country.

The study discussed the impacts of implementation and enforcement of durable solutions with regard to local integration, South Sudan refugees at Kiryandongo settlement continued to depend on government services provided such as schools, health care and learning the language to associate more with the host communities as a way of integration. However, some refugees have been pushed to go to school outside of the settlement where they get better education and later better jobs compared to their counterparts in the settlement, this they do with support from their extended relatives who also took on the same approach and as a result, they have been able to buy

good houses and moved to good places like Kampala and Entebbe where they have made good out of their lives as well as their relatives, so when they return to the settlement, they encourage the ones they left behind to do more in anticipation of improving their lives as well. However, Ugandan host communities are unhappy that South Sudanese are living better lives than they are, they see refugees as competitors for the available resources something they feel greatly impacts on their progress as Ugandans thus resulting in animosity towards South Sudanese refugees in regard to local integration.

Regarding repatriation, some refugees visited South Sudan to check on how the situation is, in anticipation of finding their property and connect with their families after displacement, refugees also thought they would go back to their previous life as it was before their displacement. This never happened due to continued conflicts back home so they ended up with no option but to come back to Kiryandongo settlement with no hope but to depend on the host government regardless of the challenges they are facing there making the instrument unsuccessful. The study found out that there was no record of South Sudan refugees forcefully returning home as it would be abuse of their human rights.

Further in relation to resettlement, South Sudan refugees found themselves at the UNHCR offices in Kampala having mobilized themselves to go and strike for not being called for interviews for resettlement and not getting clear information concerning the process, when they heard that a group of refugees was being interviewed for the same. Due to the frustration, they faced for staying too long waiting to be invited for resettlement interviews and challenges like slow and biased process of resettlement, they were pushed into storming the UNHCR offices in anticipation that they would also be interviewed, they ended up being arrested and returned to the settlement.

The study found out that resettlement of refugees is not only a desired and most preferred durable solution to refugees who have been finally resettled to a third country, it also heightens interest for the ones who have remained behind in the host country in hope that they are going to be resettled to so that they can acquire better education, get good jobs to support their lives and for their families at large.

This study's main goal was to examine the extent at which durable solutions were implemented and enforced among South Sudanese refugees. This was arrived at using a narrative form obtained through interviews with officials from the UNHCR and other implementing partners as well as

refugees while at Kiryandongo settlement in Uganda. The study found out that the three durable solutions have to a very small extent been implemented and enforced among South Sudan refugees because of varied reasons such as policies on paper, animosity among refugees and host communities, non-compliance of implementing partners and host countries, continuous conflicts in refugees 'countries of origin and unfriendly policies of third countries towards hosting refugees.

As observed in this research, refugees have not had good experience with implementation and enforcement of the three durable solutions. Right of return is the least preferred solution, while integration seemed to have been an option as they hoped for their most preferred durable solution which is resettlement in a third country.

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## **ORAL INTERVIEWS**

Oral interview with Peter Mugunya, Kiryandongo, on 2<sup>nd</sup> December 2019.

Oral interview with Alita Kampala, on 10<sup>th</sup> January 2020.

Oral interview with Alliap M in Kampala on 3<sup>rd</sup> January 2020.

Oral interview with Bari Kampala on 11<sup>th</sup> January 2020.

Oral interview with Bengazi, Kiryandongo on 8<sup>th</sup> December 2019.

Oral interview with Biong Kampala, on 11<sup>th</sup> January 2020.

Oral interview with Christopher, Kampala on 3<sup>rd</sup> January 2020.

Oral interview with Chul Kiryandongo on 7<sup>th</sup> December 2019.

Oral interview with Grace, Kampala on 10<sup>th</sup> January 2020.

Oral interview with Lo-guya, Kampala on 11<sup>th</sup> January 2020.

Oral interview with Lolle Kiryandongo December 2019.

Oral interview with Malok Kiryandongo December 2019.

Oral interview with Mawat Kampala, on 3<sup>rd</sup> January 2020

Oral interview with Mureli. Kampala, on 11<sup>th</sup> January 2020

Oral interview with Mureli. Kampala on 11<sup>th</sup> January 2020.

Oral interview with Poggo Kampala on 4<sup>th</sup> January 2020.

Oral interview with Cristopher Baja Kiryandongo, 2<sup>nd</sup> December 2019.

Oral interview with Majok Fayizo Kiryandongo, on 2<sup>nd</sup> December 2019.

Oral interview with Samwel Deng Kiryandongo, on 2<sup>nd</sup> December 2019.

Oral interview with Elizabethe Nyalei Kiryandongo on 3<sup>rd</sup> December 2019.

Oral interview with Francis Izima Kiryandongo, on 3<sup>rd</sup> December 2019.

Oral interview with Boyi James Kiryandongo, on 3<sup>rd</sup> December 2019.

Oral interview with Ezra Lipu Kiryandongi, on 4<sup>th</sup> December 2019.

Oral interview with government official Kiryandongo, on 4<sup>th</sup> December 2019.

Oral interview with Flavia Kabasinga Kampala, on 6<sup>th</sup> January 2020.

Oral interview with Joel Kajaawu Kampala, on 6<sup>th</sup> January 2020.

Oral interview with Moses Kampala on Kampala on 4<sup>th</sup> January 2020.

Oral interview with Victoria Bagala Kiryandongo settlement officer, Kampala on 9<sup>th</sup> December 2020

