Uganda’s Human Rights-Based Approach to Refugees and its Impact on the Prevention of Human Trafficking

Isaac Arinaitwe
Programme Officer Networking and Community Development
Platform for Labour Action, Kampala, Uganda

VIDC - Vienna Institute for International Dialogue and Cooperation (ed.)
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Executive Summary

This paper aims to offer what has been learned from Uganda as a role model for pioneering a comprehensive approach to refugee protection. It highlights how this approach impacts the vulnerability of refugees and the prevention of trafficking in human beings, and discloses its potentials and limitations, in particular because of the high influx of refugees from South Sudan. Based on this analysis the paper concludes with recommendations for Uganda, refugee receiving/sending countries and the international community.

The historical background of refugees in Uganda dates back to the Second World War when 7,000 European refugees from Poland, Germany, Romania and Austria displaced by the war were hosted in Uganda. Since then, many refugee waves from neighbouring countries have followed due to political turmoil. Currently, Uganda hosts 1,326,750 refugees and asylum seekers (994,643 from South Sudan, 223,924 from Democratic Republic of Congo (DRC), 37,188 from Burundi, 35,732 from Somalia, 14,956 from Rwanda and 20,308 from other countries), a figure that is higher than the number of refugees hosted by the European Union (EU) in 2015, the peak of the so-called ‘refugee crisis’. Today Uganda ranks as Africa’s leading refugee hosting country and 3rd in the world after Turkey and Pakistan.

Uganda is internationally known, not only for its open door policy, but also for its human rights-based approach to refugee protection guided by progressive legislation, such as the Refugee Act 2006, which builds upon the Government of Uganda’s legal obligations under international agreements. In Uganda, refugees live in settlements, not camps, and 1,000 square miles (640,000 acres) of land is allotted for their settlements. In the settlements each refugee gets a piece of land to cultivate and build a home, which supports self-sufficiency through agriculture. The Refugee Act guarantees refugees the right to own and dispose of movable property, to lease or sublease immovable property, to engage in agriculture, business and practice their profession. Refugees are also entitled to access health services, education and fair treatment, free movement within the country and special protection of minors and unaccompanied refugee children from exploitation, among other things. At the settlement social structures such as the Community Services Desk, Water Groups, Sexual Gender Based Violence groups and others are in place aimed at ensuring safety, access to health, water, sanitation and hygiene (WASH) services, food rations, psychosocial support to vulnerable refugees, protection from gender-based violence and sensitization on the importance of respecting Ugandan laws. The government promotes voluntary refugee repatriation and partnerships with development partners, civil society, and humanitarian Non-governmental Organisations (NGOs) in upholding the protection of refugees.

The paper also reviews Uganda’s anti human trafficking efforts, which are based on the Prevention of Trafficking in Persons Act 2009 that stipulates the prohibition of trafficking in persons, creation of offences, prosecution and punishment of offenders and protection of victims of trafficking in persons. This legislation aims to protect everybody, including refugees living in Uganda, from being trafficked. Raising awareness of the Act is critical and undertaken in the settlements as a preventive measure.

Despite progressive refugee protection, a human rights-based approach to refugees and anti-trafficking policies, Uganda faces challenges and limitations in financial and administrative capacities to properly fund and implement the Refugee Response Plan 2017 due to the high influx of refugees.
It has only funded US$ 323 million out of the US$ 960.17 million needed. There are gaps in registration of newborn refugees, there is limited access to health services – especially for refugee women and children, to education for refugee children and to clean water for those living in the settlements. Besides, more than two thirds of refugee women in settlements and in urban areas are experiencing sexual gender-based violence.

The conclusion that can be drawn from this paper is that the higher the refugee protection, the lower the vulnerabilities to human trafficking and exploitation. This can be explained by the fact that a human rights-based approach to refugees upholds the rights of refugees and empowers them to demand their rights.

To reduce the gap between policies and reality in refugee protection with the aim to decrease the vulnerability of refugees to human trafficking and exploitation, recommendations for Uganda and refugee hosting/sending countries both in Africa and Europe can be drawn from this paper:

- Uganda should ratify the Convention on the Reduction of Statelessness of 1961 to provide an opportunity for refugees not willing to return to their countries or for those who have renounced their nationalities; Uganda should offer them and those born on the territory citizenship. Similarly, Uganda should ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography and the Optional Protocol to the Convention on the Right of the Child on the Involvement of Children in Armed Conflict and the Palermo Protocol on Human Trafficking.
- The Government of Uganda and the Organisation of African Unity (OAU) should install a monitoring body for compliance with the OAU Convention Governing Specific Aspects of Refugee Problems in Africa 1969 to oversee Uganda’s compliance as a member country.
- Uganda should conduct pro-active mass sensitization of refugees to human trafficking as a preventive measure.
- Uganda should conduct research to better understand the situation of human trafficking among refugees with the aim to better inform programming and policy making.

The international community and refugee receiving countries should:

- Mitigate unresolved political conflicts by applying a root cause approach and by stopping arms proliferation; engage in conflict prevention through adequate strategies.
- Establish a human rights-based refugee settlement system that supports self-sufficiency, the ability to seek employment and/or develop a livelihood independently based on Uganda’s example.
- Develop and implement long-term sustainability plans for refugees in order to provide a protective and supportive environment for refugees.
- Provide funding for refugee hosting countries that face financial and administrative limitations due to the high influx of refugees in order to improve refugee protection against human trafficking and exploitation.
- Ease and expedite residence and citizenship processes for refugees who want to become citizens.
- Abolish restrictive migration policies that have a negative impact on human rights and the protection of refugees.
I. Historical and Factual Background of Refugees in Uganda

Uganda’s refugee experience dates back to the Second World War, when it hosted a significant number of Europeans displaced by the war.¹ They included a total of 7,000 prisoners mainly from Poland, Germany, Romania and Austria who were settled at Nyabyeya, in the present day Masindi district and Kojja in the Mukono district.²

Later on, from 1956 to 1972, the newly independent states in Sub-Saharan Africa were faced with the challenge of settling disputed colonial boundaries which were major sources of conflict, for example in North and South Sudan and in the ongoing Ethiopian and Eritrean border crisis. The post-colonial states also inherited the divide and rule legacies that promoted ethnically linked economic and political inequalities which fuelled continuing cycles of rebellion and suppression.

In the 1950s, Kenyans staged an armed rebellion against the British Colonial Government which ruthlessly suppressed the armed Mau Mau anti colonial movement. A number of Kenyans fled to Uganda as refugees. Kenya again generated refugees who fled to Uganda in 2007/2008 due to the post election violence after former President Mwai Kibaki was declared the winner of the disputed 2007 presidential election, which led to a political, economic and humanitarian crisis.

The political turmoil in Rwanda forced Rwandan Tutsi to flee their country in 1959 and early 1960s. They fled into neighbouring countries such as Uganda, Tanzania, Congo and Burundi. In Uganda, they were allocated pastoral land and settled in Nakivale, Oruchinga in the Mbarara district (now the Isingiro district), Rwamwanja, Kyaka and Kamwengye in the Kyenjojo and Kabarole districts. Although the majority of Rwandan refugees repatriated in 1994 after the genocide and after the Rwandan Patriotic Army took over the Rwandan Government, many still have relatives and property in Uganda.³

The peak of Rwandan refugees in Uganda was in 1994 during the genocide. According to the United Nations High Commissioner for Refugees (UNHCR), by February 2016, there were 17,176 Rwandan refugees in Uganda and they are settled in Nakivale, Oruchinga, Kyaka II and Kyangwali refugee settlements in Uganda. Other Rwandan refugees are secondary movers – those that came from neighbouring countries such as Tanzania and DRC following the forced repatriations of 1996/1997, and those who faced persecution while in their second host countries which made them flee to Uganda for refuge.⁴ Rwandan asylum seekers (both Hutu and Tutsi) continue to come to Uganda claiming persecution, human rights violations and dictatorship in Rwanda.⁵

A considerable number of Congolese escaped to Uganda during the turmoil following Lumumba’s assassination in the 1950s and 1960s. The majority was settled in Kyaka II, in the present day

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5. Rwandan asylum seekers include government officials, genocide survivors, journalists, students and ordinary people.
Kyenjojo district. In the year 2000 UNHCR and the Ugandan Government implemented a repatriation programme for Congolese refugees. However, many more Congolese refugees have fled to Uganda due to the conflicts in the Eastern part of the country involving the Kinshasa Government and various Congolese rebel factions. By the end of 2015, Uganda was home to around 201,800 Congolese refugees.\footnote{UNHCR (2015) Global Trends: Forced Displacement in 2015, Geneva. \texttt{http://www.unhcr.org/576408cd7}}

The next wave came in 1955 from the then Anglo-Egyptian joint control of the territory of the Sudan, which led to the Anyanya movement that involved South Sudanese fighting for self-determination. This led to 80,000 South Sudanese crossing into Uganda in search of refuge.\footnote{Pirouet, L. (1998) Refugees in and from Uganda in the Post Colonial Period, in: Twaddle, H. & Hansen H. B. (eds.) (1998) Uganda now: between decay and development, Heinemann Publishers, Nairobi.} They were settled in the West Nile region in North Western Uganda. To date, the failure of the Sudan Liberation Army/Movement (SPLA/M) in the government led by Salvar Kiir and Sudan People's Liberation Army in the opposition (SPLA-IO) led by Riek Machar to solve their internal differences turned into armed conflict that has displaced the highest number of refugees so far to Uganda. According to UNHCR, by August 2017, almost 1,000,000 South Sudanese had sought safety in Uganda as refugees and over 85% of them were women and children.


Uganda is surrounded by countries that have been subjected to a number of armed conflicts which stem from political and tribal differences. Due to its open door policy on refugees, Uganda has always provided refuge to such refugees and it now ranks as Africa’s leading refugee hosting country and 3rd in the world after Turkey and Pakistan. According to UNHCR, Uganda is hosting 1,326,750 refugees and asylum seekers\footnote{To be recognized as a refugee in Uganda, one has to submit a written application to the Refugee Eligibility Committee established under Section 11 of Uganda’s Refugee Act 2006. If it approves your application, you are granted refugee status. This application should be done within 30 days after entering Uganda. The application is submitted to the Commissioner for Refugees through an authorized officer or through the UNHCR representative. Then the commissioner presents it before the Refugee Eligibility Committee which has 90 days to approve or dismiss it. During the application process the person is determined as asylum seeker.} as of 1 August 2017, of which 994,643 are from South Sudan, 223,924 from DRC, 37,188 from Burundi, 35,732 from Somalia, 14,956 from Rwanda and 20,308 from other countries.\footnote{UNHCR (2017) Uganda: refugees and asylum seekers, Kampala.}
It is important to highlight that 61% (827,000) of all refugees living in Uganda are children under 18 years of age. While the total percentage of women and children refugees is 82%, male adults amount to only 18%. A total of 40,000 refugee children were able to benefit from the Early Childhood Development (ECD) services in all the refugee settlements in Uganda, while in the Bidi Bidi settlement in the Yumbe district, only 6,000 refugee children of 15,000 are reached with ECD services. Due to limited funding, an estimated 28,000 ECD-aged children are still out of school in the Bidi Bidi settlement. Furthermore, as stressed by the United Nations Children’s Fund (UNICEF), it proved challenging to get gender-disaggregated data for refugees living in cities. This is also related to the fact that some refugees do not inform the settlement administration when moving to urban areas in the search for better opportunities.

Refugees in Uganda are spread among different settlements, with those neighbouring South Sudan hosting the highest number of refugees. Yumbe hosts 21% of refugees, Adjumani 17%, Arua 16.6%, Moyo 13%, Nakivale 8%, Kampala 8%, Rwamwanja 5%, Kiryandongo 4%, Kyangwali 4%, Kyakka II 2%, Lamwo 2% and Oruchinga 0.4%.

Source: UNHCR (2017)

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The influx of refugees from South Sudan to Uganda in the past year has been alarming. It is reportedly triggered by a number of factors, among them: hunger brought on by a poor harvest, a significant fall in the value of the South Sudanese pound, which has led to the high cost of living for the already vulnerable, war-torn population, the unexplained disappearance of relatives and next of kin, the presence of several splinter rebel groups terrorizing civilians and by the general fear brought on by the uncertainty of the peace process.
According to UNHCR, 40,218 is the average number of new arrivals from South Sudan per month since July 2016 with a peak of 85,395 in September 2016 and a low average of 39,513 in January 2017. The average number of new arrivals from South Sudan per day since July 2016 is 2,000.

II. Factual Background of Trafficking in Human Beings in Uganda

According to the Trafficking in Persons (TIP) Report (2016) published by the U.S. State Department, Uganda serves as a source, transit and destination country for men, women and children subjected to trafficking for the purpose of labour and sexual exploitation. The report further highlights that Ugandan children are exploited in forced labour in agriculture, fishing, forestry, cattle herding, mining, stone quarrying, brick making, car washing, scrap metal collection, street vending, bars, restaurants and domestic service. Women and children from the Karamoja region are sold into domestic servitude, commercial sexual exploitation, forced begging and cattle grazing. Concerning cross-border trafficking, children are trafficked from Uganda to nearby East African countries to engage in forced labour while adults have been trafficked into forced labour, prostitution and domestic work in the United Arab Emirates, Saudi Arabia, Qatar, Kuwait and Jordan, by both licensed and unlicensed recruitment agencies.

In 2017, Uganda was placed in tier 2 by the U.S. Office to Monitor and Combat Trafficking in Persons, which means that the Government of Uganda does not fully meet the minimum standards set to eliminate trafficking. However, it is making significant efforts to comply with those standards. The government has a strong anti-trafficking law and is progressing in the fields of prosecution, conviction and punishment of human trafficking related offenses as compared to the previous years. For example, there was a consistent increase in the number of cases investigated between 2014 and 2016. In 2016, 114 TIP cases were investigated, 32 perpetrators were prosecuted, 16 traffickers were convicted as compared to 2015 when 108 investigations were made, but only 15 prosecutions and 3 convictions were made. To compare, in 2014 the government investigated 293 cases in which only 23 prosecutions and 3 convictions were made. The increase in these efforts can be attributed to the government’s efforts to elevate Uganda’s Coordination Office to Combat Trafficking in Persons (COCTIP) to an official department with a small permanent budget allocation, which enabled the office to improve its anti-trafficking efforts in awareness raising and collaborating with NGOs, such as the Platform for Labour Action and the Samaritan’s Purse, to train investigators, prosecutors, law enforcement officers and local leaders. These trainings allowed them to better understand trafficking in persons and become more vigilant in reporting and handling TIP cases, sensitizing Ugandans about travelling abroad for domestic work, including trafficking in bilateral labour agreements with Saudi Arabia and Jordan, etc. The Ministry of Gender, Labour and Social

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Development also mandated labour recruitment companies to register and undergo a thorough vetting process before being allowed to help Ugandans connect with employment opportunities abroad.

Table 1: Registered Victims of Trafficking Per Category in Uganda

<table>
<thead>
<tr>
<th>Category of persons</th>
<th>Internal Trafficking in Persons</th>
<th>Transnational Trafficking in Persons</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Male Adult</td>
<td>Female Adult</td>
</tr>
<tr>
<td>Registered Victims</td>
<td>8</td>
<td>nil</td>
</tr>
</tbody>
</table>

Source: Uganda’s Coordination Office to Combat Trafficking in Persons (COCTIP)

II.1. Means of Recruitment of Victims of Trafficking

The majority of the victims were trafficked using deception, fraud and debt bondage for jobs abroad. Some children from poor families were trafficked by abusing vulnerability while others were trafficked through kidnap and abductions.

Victims of internal trafficking in Uganda in 2016 were subjected to child labour (34), child sexual exploitation (6), adult labour exploitation (8), and human sacrifice (9), while for the victims of transnational trafficking the majority of adults were victims of labour exploitation (198), followed by adult sexual exploitation (98), use of children in armed conflict (8), illicit child adoptions (3) and fraudulent removal of body organs for transplant (1).

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17 Child sexual exploitation refers to child marriages and prostitution.
Although the reports from 2013 to 2016 from the COCTIP in Uganda are silent on the trends of trafficking of refugees and do not provide figures on refugees trafficked and intercepted during trafficking, this does not mean that it does not occur.

The U.S. Office to Monitor and Combat Human Trafficking in 2016 report highlights that South Sudanese children in refugee settlements in Northern Uganda are vulnerable to trafficking, and refugee children from DRC, Rwanda, Burundi and Kenya are subjected to forced agricultural labour and prostitution in Uganda. Children in Rwanda-based refugee camps are trafficked to Uganda at the hands of other refugees or Rwandan and Ugandan ‘sugar daddies’ and forced to work in the sex industry.

There have been cases where the South Sudan rebels (Sudan People's Liberation Army in the opposition - SPLA-IO) recruit ‘fresh’ fighters from among refugees in different refugee settlements in Northern Uganda. They target mainly youths in new settlement zones. Later these refugees are taken back to South Sudan and recruited as soldiers with the promise of better pay and lives. The exact number of youth that has been trafficked into rebel activities is not yet known. At the moment, the Ugandan army is monitoring the situation in the refugee settlements in order to avoid the recruitment of refugees into rebel activities.

In Uganda, we also have a group of refugees living in urban areas. Those who opt to stay in the urban areas rather than in the settlements are not supported by the government or UNHCR. They are expected to be self-reliant. They therefore are confronted with issues similar to what the local urban poor citizens encounter, such as poor housing and difficulty finding labour, among other things. They also face additional challenges, like adapting to a new culture, learning the language and overcoming stereotypes. Some refugees leave their homes in search of better livelihoods in urban areas even

Source: Uganda’s Coordination Office to Combat Trafficking in Persons (COCTIP)

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Figure 3: Forms of Exploitation of Internal and Transnational Victims in Uganda

<table>
<thead>
<tr>
<th>Forms of exploitation of internal victims of TIP</th>
<th>Forms of exploitation of transnational victims of TIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>[Pie chart showing categories: child labour exploitation, Human sacrifice, Adult labour exploitation, child sexual exploitation]</td>
<td>[Pie chart showing categories: Adult labour exploitation, Adult sexual exploitation]</td>
</tr>
</tbody>
</table>

Source: Uganda’s Coordination Office to Combat Trafficking in Persons (COCTIP)

after being settled in the settlements and then later go back to the settlements when they have failed to support themselves, or when seeking educational opportunities for their children. Although there is a lack of statistics, there is evidence that refugees become very susceptible to being trafficked internally into domestic work, casual labour, especially in farms, as well as into prostitution. Among them, the unregistered and unsupported refugees living in cities are the most vulnerable.

Although 96,000 refugees are formally registered as urban refugees, it is difficult to ascertain how many refugees live in the city or urban areas. Most of those that migrate to cities do not inform the settlement administration, since they have the right to move to any part of the country. This generates a dearth of information on the total number of refugees living in urban areas and what kind of work they are engaged in.

III. Uganda’s Policy Framework and Approach to Refugees

III.1. The Development of a Human Rights-Based Approach to Refugees

At the international level, Uganda is guided by the 1951 UN Refugee Convention that came into force on 22 April 1954 to which it is a state party. The Government of Uganda acceded to this Convention on 27 September 1976. The convention is the key legal framework that forms the basis of Uganda’s refugee work. It defines the term ‘refugee’ and outlines the rights of the displaced as well as the legal obligations of state parties to protect them. The Convention is grounded in Article 14 of the Universal Declaration of Human Rights of 1948, which recognizes the right of persons to seek asylum from persecution. This Convention is supplemented by the 1967 Protocol, which focuses on removing geographical limits, thus giving the convention universal coverage. In Article 1 of the Convention, a refugee is defined as someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or due to their political opinion. The emphasis of this definition is on the protection of persons from political or other forms of persecution.

The Convention is also a rights-based instrument that is founded on a number of principles that uphold the rights of refugees, such as non-discrimination, non-penalization (refugees should not be penalized for their illegal entry or stay in a given country) and non-refoulement (this means that no one shall expel or return a refugee against his/her will in any manner whatsoever to a territory where he/she fears threats to life or freedom.

At the regional level, Uganda’s refugee work is guided by the OAU Convention Governing Specific Aspects of Refugee Problems in Africa 1969. It came into force in 1974 after large numbers of Africans fled conflicts arising from colonialism. It was enacted to set standards for the treatment of refugees in the receiving countries. It is the only legally binding regional refugee treaty and a cornerstone of Africa’s asylum policy going beyond the confines of the 1951 Convention and its Protocol, reflecting the hospitality of African Governments towards the continent’s refugees.21 More

interesting is that the 1969 OAU Convention not only broadens but also reformulates the definition of a refugee in Article 1 (2) and recognizes the legitimacy of flight in situations of generalized danger not limited to individual persecution. Although this convention and its protocol are legally binding, there is no monitoring body to oversee compliance of Uganda as a member country – a critical gap that needs to be addressed.

At the national level, Uganda enacted the Refugee Act of 2006, which together with the UN Refugee Convention and the OAU Convention build the foundation of Uganda’s human rights-based approach to refugee protection.

III.2. Uganda’s Human Rights-Based Approach to Refugees
The 2006 Refugee Act provides for key refugee protection principles and freedoms, including: (1) the right to own and dispose of movable property and to lease or sublease immoveable property; (2) the right to engage in agriculture, industry, and business; practice one’s profession; and access formal and informal employment opportunities; (3) the right to economic, social, and cultural benefits, including access to education both at elementary and secondary level, protection of intellectual property rights; (4) entitlement to receive fair and just treatment, without discrimination by others. Uganda opens its door to all asylum seekers irrespective of their nationality, ethnic affiliation or religion and grants refugees’ freedom of movement. Refugees enjoy legal, physical and social protection. As a result, during the New York Declaration on Refugees and Migrants at the UN General Assembly in 2016, Uganda was chosen as a role model for pioneering a comprehensive approach to refugee protection that complements humanitarian responses with targeted development action, benefiting both refugees and the communities hosting them, which is now also being rolled out in other displacement crises. For instance, Ethiopia announced that it would grant employment rights to refugees soon and in Kalobeyei in Northwest Kenya, the local government is considering giving refugees small plots of land and allowing them to sell their produce.22

To operationalize the Refugee Act 2006, Uganda developed and passed the Refugee Regulations of 2010, which provide for the procedures that ought to be followed by everyone seeking asylum in Uganda and the institutions responsible for granting refugee status. The government is investing significant resources in the protection and management of refugees, including through: registration, documentation, security, primary and secondary schooling, public health facilities to enable the refugees to enjoy their rights as stipulated in the domestic law and in regional and international conventions.

Further pillars of Uganda’s human rights-based approach to refugee protection include:

a. **No Financial Costs for Obtaining Refugee Status**

Obtaining refugee status in Uganda is entirely free. This is because the government recognizes the vulnerability that refugees face and their right to protection is inalienable. No refugee is asked to pay money at any point during the refugee status process.

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b. The Right to Food

One of the key aspects to refugee protection in Uganda is provision of food. The Office of the Prime Minister (OPM) in Uganda maintains food stores and works closely with development partners such as UNHCR, Danish Refugee Council and World Vision among others to ensure that no refugee in the settlement areas dies of starvation or lacks food.

c. Settlements Instead of Camps

What distinguishes Uganda from other refugee receiving countries is that registered refugees, who have completed the verification process, are allocated a plot of land for cultivation in settlements. Thereby refugees are encouraged to become self-reliant and/or run their own businesses. The Government of Uganda set aside approximately 1,000 square miles of land for refugees to settle and cultivate. About 1.3 million refugees have been given a portion of land to use for their interests as opposed to just staying in camps with limited rights to movement and work as in neighbouring Kenya. Ugandan settlements for refugees are mostly situated in areas with rich soil and grasslands for grazing livestock. As such, the most common livelihood strategies among refugees in settlements are agriculture and animal husbandry. Plot farming (referred to as ‘digging’ by most refugees) is also promoted as a self-reliance strategy. Within five years of efficient use of their land, refugees are expected to sustain themselves with crops grown on individually allotted plots.

d. Progressive National Planning for Refugees

Uganda included refugees in its National Development Plan II (2015/2016-2019/2020), one of the policy actions highlighted in the UN New York Declaration on Refugees and Migrants (2016). In addition, Uganda has a refugee-specific strategy known as the Settlement Transformative Agenda (STA). It aims at fostering sustainable livelihoods for refugees by creating for them a supportive environment to live in safety, dignity and harmony with the host communities, which is implemented by the OPM. These policies and strategies distinguish Uganda from other refugee hosting countries. At the core of the STA is the need to ensure that settlement-based interventions are in tandem with national policies and standards and aligned with the District Development Plans. The Government of Uganda is trying to further mobilize resources to implement the STA by requesting a soft loan of US$ 50 million from the World Bank.24

In general, Uganda is working on creative solutions for the naturalization of long staying refugees unwilling or unable to return. However, applicants must fulfil a number of criteria including 20 years of residence in Uganda, adequate knowledge of English or a prescribed vernacular language, and have no criminal record.

e. Relative Freedom of Movement

According to Article 30 (1) of the Refugee Act 2006, refugees are guaranteed freedom of movement in Uganda. This right can only be restricted on the grounds of national security, public order, public health, public morals or the protection of the rights and freedoms of others, which applies to nationals. If a refugee staying in Uganda wishes to travel outside Uganda, he/she is entitled to a

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24 Ibid.
travel document. This document is valid worldwide except the refugee’s country of origin and those countries in which Uganda has restrictions, such as some countries in the Middle East like Oman and Kuwait with whom Uganda has not signed bi-lateral labour agreements and may restrict a refugee from seeking employment to do domestic work. If a refugee has a valid passport issued by the country of origin, he/she has to submit that passport to the issuing officer before acquiring a travel document to move outside Uganda as a measure of Uganda’s accountability on the whereabouts of this refugee and assurance that he/she will be safe and return.

In 2009, Uganda passed the Urban Refugee Policy, which considers urban areas to be legitimate places for refugees to enjoy their rights. This made it possible for refugees to enter the labour markets in cities or start their own business.


Uganda’s progressive policy on refugees provides a legal framework that stipulates their legal, physical and social protection. They have a right to free access to courts of law, including legal assistance under applicable laws of Uganda. Article 21 (2) of Uganda’s Refugee Act accords the same protection to refugees as is accorded to nationals of Uganda with respect to the protection of intellectual property rights, including industrial inventions, patents, designs, trade names, copyrights and other artistic and scientific works. Furthermore, it stipulates the right to practice their profession, open up a business, access the labour market and engage in gainful employment. These rights should protect them from vulnerabilities that may lead to exploitation and human trafficking.

g. Social Protection Structures

1. Community Services Desk

Every refugee settlement in Uganda has a Community Services Desk that is responsible for the protection and general welfare of the refugees. Its responsibility is to document refugees, ensure they have the same access to social services as the host population, support refugees to access education and work, enjoy freedom of movement, start businesses, resettle and access land to cultivate.

2. Administrative Structure in the Settlements

The refugees living in settlements have social structures like any other society and elect their leaders and representatives. The settlements are divided into smaller units for ease of administration. Each unit has its own administration office so that its inhabitants have easier access to administration services. The constituent units in refugee settlements are headed by village chairpersons referred to as Refugee Welfare Committees (RWC).

3. Community Based Structures

Other community-based structures include Community Protection Committees (CPCs), Community Water Groups, Sexual Gender-based Violence (SGBV) Groups whose role is to raise awareness about SGBV in the community and where to get legal support. They also work with UNHCR and other organizations to set up protection houses for survivors of abuse. Therefore, if a refugee is a victim of human trafficking or of gender/sexual-based violence, they are admitted to organizations that offer psychosocial support and further assistance.

4. **Protection of Minors and Unaccompanied Children**

Unaccompanied children/minors are those refugee children who come to the settlement with someone they are not related to. These children are very vulnerable to human trafficking. As a result, they are given the first priority at the resettlement centre. To ensure that they are well protected and safe and have the possibility to grow up in a supportive environment, they are placed with foster families within the settlement. The foster parents need to prove that they are reliable people; they have the ability to protect the children from any harm. They have to be of the same tribe, religion, and ethnicity as the refugee children/child. This is particularly crucial for refugee children from South Sudan where an ethnic conflict between two tribes – Dinka and Nuers – prevails.

h. **Promoting Peaceful Co-Existence**

In addition, measures of peace building and peaceful co-existence are undertaken. This is in recognition of the fact that refugees from different warring communities may have grievances against each other which may need to be sorted out to promote peaceful living. Examples of these measures are community awareness raising sessions and sports activities. Celebration of peace days have been organized in which both warring factions of refugees were brought together and even prayed together to promote reconciliation and peaceful co-existence.

To mitigate civil conflicts among refugees in settlements, especially in Northern Uganda among the warring South Sudanese tribes, refugees from these tribes are settled in different locations in order to ensure their security.

i. **Vocational Training**

Uganda’s human rights-based approach to protecting refugees treats the individual as a responsible actor. Refugees are receiving vocational training to be self-reliant and/or even create jobs. They are being trained in carpentry and joinery, motor vehicle mechanics, tailoring, among other things. This approach significantly improves the quality of life for refugees and some might be able to send money to their families/relatives back home or even to return home.

j. **Promotion of Voluntary Refugee Repatriation**

The OPM promotes repatriation of refugees on their own free will. Furthermore, for refugees who may not be safe in the country, 26 measures are put in place to repatriate the refugee in another country in order to ensure safety for vulnerable refugees.

UNHCR also facilitates voluntary repatriation when conditions in the country of origin have improved, and exceptionally, resettlement, whereby a refugee family is resettled in another country.

k. **Refugee Entitlements Accompanied by Obligations and Duties**

This is also true for nationals/citizens who have an obligation to perform certain duties in order to enjoy rights and freedoms. The Refugees Act 2006 in Section 35 (a-f) imposes the following obligations on refugees:

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26For instance there are strong critiques from neighboring countries with regard to LGBTIQ refugees who are not considered safe in Uganda and as a consequence sent to a third country where they are better protected.
1. Be bound by and conform to all laws and regulations currently in force in Uganda;
2. Conform to measures taken for the maintenance of public order;
3. Not engage in activities which may endanger state security, harm public interests or disrupt public order;
4. Not engage in any political activities within Uganda, whether at a local or national level;
5. Not engage in any activity contrary to the principles of the United Nations Charter and the statute of the African Union and in particular shall not undertake any political activities within Uganda against any country, including his/her country of origin;
6. If engaged in gainful employment or fully integrated and has a source of income, pay taxes in accordance with the applicable taxes of Uganda.

However, the law also gives power to the minister in charge of refugees to order the expulsion of any recognized refugee from Uganda if the minister considers the expulsion to be necessary or desirable in the interest of national security or public order. For example, in a situation where refugees are engaging in violent demonstrations and rebel activities, the host state has the duty and right to ensure law and order, peace and security, and defend its territorial integrity. This may also necessitate the arrest or imprisonment of refugees. Although no refugee has been expelled from Uganda for being a rebel or for engaging in violent and non-violent demonstrations, it is nonetheless a clear indicator that the political rights of refugees in Uganda are curtailed. It is difficult for them to organise themselves and fight for the freedom of their country, because if they do, they risk violating Ugandan law and being expelled.

I. Partnerships for a Human Rights-Based Approach

Uganda has allowed humanitarian NGOs to assume a greater role in providing services for refugees, which implies increased responsibility for upholding the human rights of those populations. Therefore, NGOs are implementing programmes ranging from WASH programmes, livelihood, and education to peaceful co-existence. Of course they cannot fill the gaps left by the public sector, but by applying a human rights-based approach to their own work, and by forming partnerships, an environment is created for refugees with a stronger focus on respecting human rights.

III.3. The Higher the Protection of Refugees, the Lower their Vulnerability to Human Trafficking

Taking the above-mentioned policies and strategies of Uganda’s human rights-based approach to refugee protection into account, it can be argued that the higher the refugee protection, the easier it becomes to protect refugees from human trafficking and exploitation. The following arguments were drawn from this analysis:

a. When there are specific laws in place to protect the rights of refugees, such as the Refugee Act 2006, the Urban Refugee Policy 2009 and the Transformative Settlement 2016 and the enforcement of this legislation and these policies is guaranteed, refugees are empowered and able to demand their rights.

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b. Social protection structures such as the community services desk, administrative structures that enable them to elect their leaders, Community Protection Committees (CPCs), Community Water Groups, Sexual Gender-based Violence (SGBV) Groups are critical structures aimed at providing avenues for refugees to share their grievances, access information and receive assistance as quickly as possible. Because of these structures, marginalised and vulnerable groups of refugees are less susceptible to human trafficking and exploitation.

c. Helping the refugees move to settlements plays a critical role in protecting them from human trafficking. In the settlements, each refugee is allotted a plot of land to construct a shelter and grow crops for their survival. In fact, 46% of Congolese and 54% of South Sudanese refugees respectively earn their livelihoods through farming on the plot of land allotted to them. This helps the refugees sustain themselves with self-cultivated crops and reduces the risk of labour exploitation.

d. Deliberate protection of minors and unaccompanied refugee children against exploitation and placing them in foster families within the settlement enables them to live in a much safer and supportive environment.

e. Empowerment through vocational and entrepreneurial training opportunities enables refugees to acquire skills so they can earn a living or even create jobs and improve their ability to increase their income-generating possibilities. This contributes to sustaining their livelihoods without compromising their lives.

f. Deliberate community awareness raising programmes on the problem of human trafficking, the schemes traffickers use and the effects of trafficking on the victims is perhaps one of the most critical protection measures to inform, sensitize and empower refugees. Knowledge gained from the awareness sessions allows refugees to make informed decisions and reduces their vulnerability to trafficking.

IV. Uganda’s Anti-Trafficking Legal Framework

IV.1. Uganda’s Prevention of Trafficking in Persons Act 2009

Uganda put in place the Prevention of Trafficking in Persons Act to stipulate the prohibition of trafficking in persons, creation of offences, prosecution and punishment of offenders, protection of victims of trafficking, and other related matters. This legislation protects everybody living in Uganda, including refugees. Article 4 (d), (j) of the Act also regulates punishments for offenders who are organizations claiming to protect the vulnerable persons in society and instead end up trafficking them. The maximum punishment for such offenders is life imprisonment. According to the Act, the offence of aggravated trafficking in children carries the highest punishment, which is the death penalty. Article 5 of the Act defines the offence of aggravated trafficking to include using a child in any armed conflict, removing any part, organ or tissue from the body of a child for purposes of human sacrifice, rituals and related practices using a child in committing a crime, abandoning a child

outside the country. Refugees are a vulnerable group of people who need to be protected from any form of exploitation including protection from human trafficking.

Therefore, the Prevention of Trafficking in Persons Act 2009 for Uganda has been integrated in the settlements where refugees live and trafficking in persons is one of the key topics on which awareness-raising work is done with refugees. They are informed of the schemes traffickers’ use, the causes, effects of trafficking in persons and punishments given to perpetrators of human trafficking. This is aimed at ensuring that refugees make informed decisions if they are travelling, but also ensuring that they comply with the laws of the land and are not caught on the wrong side of the law.

The COCTIP set up in the Ministry of Internal Affairs headquarters in accordance with Section 21 of the Prevention of Trafficking in Persons Act 2009 is responsible for monitoring, coordinating and overseeing the implementation of counter measures to human trafficking activities in the country. Other functions of the Coordination Office include formulating a comprehensive and integrated program to prevent and combat trafficking in persons, preparing an annual National Plan of Action (NAP) taking into account activities on prevention, prosecution, and protection, developing measures and policies to protect, assist and support victims of trafficking. The Office carries out the above functions through close operational collaboration with a multi-sectoral National Task Force Committee and several stakeholders, including government and non-governmental agencies.

V. Reality Check

V.1. Challenges and Limitations of Uganda’s Refugee Protection and Anti-Trafficking Policies

a. Financial and Administrative Challenges

Although Uganda has a highly accommodating policy towards refugees, it lacks funding to implement its policy to its highest potential. In 2017 Uganda implemented the Refugee Response Plan, which costs US$ 960.17 million, aimed at meeting the growing needs in emergency response, capacity for food, water, shelter, sanitation, hygiene, health and protection, including gender-based violence. Uganda spends just over US$ 323 million, which is far too little support for the fastest growing refugee crisis in the world. This is affecting the refugees’ ability to enjoy their rights fully as enshrined in Uganda’s Refugee Act 2006. There have been instances where the refugees in the settlement lacked food rations and faced delayed delivery of food rations because the government failed to mobilize resources to procure food. This is a plea for international support, in particular from donors and countries of destination.

Although Uganda is a state party to the UN Convention on Refugees 1954, the convention does not impose any obligation on countries not to persecute or expel their citizens and neither does it impose a requirement for cost sharing between countries of origin and destination. Such obligations would hold countries of origin financially accountable that generate refugee flows through persecution, conflict and discrimination. This is a critical issue that UN state parties should incorporate in their national plans and strategies.

b. Registration at Birth

Regarding refugee children, gaps exist in the registration of newborn children.\textsuperscript{31} Whereas all children born should obtain birth registration certificates, those born outside health centres face challenges in not only having their births registered but also in being included in the parents’ attestation form. As reported by refugees, there have been cases in which authorities refused to include the newborn children on the family’s attestation. This has had negative implications for the food security of refugee families because of less food rations (especially for those living in settlements), recognition as refugees, and access to health care services. This is further exacerbated in situations where children without birth certificates whose age is, therefore, difficult to prove become vulnerable to abuses such as defilement, trafficking and recruitment into the worst forms of child labour. Besides, without proof of age, children can be married off early and perpetrators of abuse cannot be held accountable.

c. Access to Education

In theory, refugee children in Uganda have the right to free pre-primary education, secondary education, vocational training and tertiary learning.\textsuperscript{32} However, in practice almost 50% of refugee children do not attend school: out of 455,812 refugee children of primary school age only 222,617 are enrolled in schools. Concerning secondary education, the enrolment rate is critically low. Out of 110,826 refugee children of secondary school age, only 11,886 (11%) are enrolled. The teacher/pupil ratio is also wanting; for example in the Bidi Bidi settlement the teacher-pupil ratio is as high as 1:179. This implies that teachers are unable to provide quality education and are overwhelmed with an unreasonable workload. Deliberate increment in funding education for refugees is critical to safeguard their right to education. The school environment also plays a critical role in motivating the children to stay in school. Some schools lack infrastructure, including classrooms, pit latrines and reading materials, which is a de-motivator for children to go to school. When children are not enrolled in school or drop out of school, their vulnerability to human trafficking for labour and sexual exploitation skyrockets.

d. Access to Health Services

In Uganda, the doctor-patient ratio is another very critical issue: there is one doctor for every 24,000 citizens. The massive influx of South Sudanese refugees has strained the already overburdened health care system. This affects the kind of services provided to refugees. Although medical care at government health centres is theoretically free, refugees end up paying for the services and drugs in private centres due to the overstretched government health facilities. In particular, women and children in the refugee settlements have limited access to health infrastructure. Refugee settlements are characterized by a large population in relation to the available services and long distance from basic public services. Medical personnel at the refugee settlement health centres are very few. For example in June 2017, the Maaji settlement in West Nile that hosts over 15,000 refugees lacked a


\textsuperscript{32} Uganda Solidarity Summit on Refugees (2017) Education: the cornerstone of child protection, 22 and 23 June 2017, KAMPALA. http://solidaritysummit.gou.go.ug/content/education-cornerstone-child-protection
doctor and had only eight medical officers and nurses. In addition, doctors and nurses are not well remunerated and the only way they can earn a living is working part time in several private hospitals. The best way to ensure nurses and doctors are on duty in the rural settlement areas is to remunerate them better. It is the responsibility of the Government of Uganda to hire more doctors and health workers in the settlements to enable refugees to enjoy their right to health and access to services.

e. Sexual Gender-Based Violence (SGBV)
Over 78% of refugee women both in the settlements and urban centres continue to experience gender-based violence mostly at the hands of men. Rape, defilement, and forced marriage are the most common forms of violence against refugee women and girls. For many different reasons, SGBV incidents remain seriously under reported. Since January 2016 more than 2,867 females and 227 male SGBV cases have been reported. 20% are children below the age of 18. Key major risks and causes of this problem are intimate partner violence, lack of meaningful engagement of adolescents and teenagers/youth, including limitations in accessing education, inadequate safety in shelters (weak doors and no locks), inadequate lighting at the household level and in communal places, inadequate police capacity, among other things.

f. Employment Opportunities and Challenges
In general, refugees are allowed to work. Different refugee communities are working in different sectors or niches. For instance, Congolese refugees in urban areas, especially in the capital city, concentrate on petty trading of accessories, selling clothing materials, brokering with their country of origin, tailoring and running mini restaurants and bars. Rwandan refugees are involved in retail trading of food commodities and selling second-hand clothes. Eritrean refugees living in the city receive overseas remittances as their main livelihood source, but are also involved in running internet cafes. Somali refugees have established large-scale and often more profitable businesses, including mini-supermarkets, restaurants, transportation services, garage businesses and guesthouses. In the Ethiopian refugee community, vulnerable refugees such as single parents are employed in less lucrative sectors such as domestic work in the homes of wealthier Ethiopian business people. A better-off group of Ethiopian refugees own lodges, Foreign Exchange (Forex) bureaus, restaurants and beauty salons. These richer Ethiopian refugees have better access to livelihood resources and personal connections in Uganda and often went into exile with a clear livelihood plan.
Although the Refugee Act 2006 stipulates the right of refugees to seek employment in Uganda and enjoy the right to work, job prospects are usually rare due to the existing competition in Uganda’s labour market. Most of the refugees are self-employed. In particular, female refugees find it hard to find meaningful employment to provide for their families and themselves. Women without spouses and dependents usually find themselves engaged in risky business such as so-called “survival sex” or in low paid informal labour. Competition for the available job opportunities in Uganda is also evidently based on the fact that Uganda is the youngest population in the world with 77% of its population under 30 years of age and has a youth unemployment rate of 65%. The best opportunity for refugees in the cities is to start up small businesses such as shops and restaurants.

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However, the location matters when establishing a new business. Refugees engaged in selling jewellery or fabric in non-gazetted areas in Kampala city, risk being arrested by Kampala City Council Authority officials. Often they also lack the social and economic support networks necessary to find work or to start a business. Some citizens buy things from refugees at a debt but do not pay. To better assist refugees with regard to their right to work, there is a need for public service providers who can easily be approached by the refugees in case they have labour related challenges – a critical gap that needs to be addressed.

g. Access to Clean Water

Clean water in the refugee settlements is limited. In Northern Uganda, the arrival of thousands of refugees has created a shortage of water resources and put pressure on the water supply. Currently there are over 30 partners working in Uganda to ensure that refugees and local populations in refugee-hosting areas have access to clean drinking water, sanitation and hygiene services of sufficient quality and quantity. The European Union Trust Fund (EUTF) is also appreciated for the initiative to support programmes aimed at improving the water and sanitation infrastructure in refugee settlements. To be able to meet the minimum water needs for refugees and host populations they need approximately 21,997 m³ of water per day (based on the UNHCR minimum standard of 15-20 litres/person/day). Currently, they are provided with 17,970 m³ of water, which translates to approximately 16.3 litres/person/day, which is a minimum at the lower end of the scale. Women and children have to endure long queues often under the scorching sun to get water at collection points and those who cannot endure resort to collecting dirty water from ponds or roadside trenches.36 This affects their ability to concentrate on developing their livelihoods as most of the time is spent in travelling to access clean water.

VI. Recommendations to Reduce the Gap Between Policies and Reality

This section summarises policy recommendations for Uganda and other refugee receiving countries to promote a safe environment that protects refugees from human trafficking and exploitation.

VI.1. For Uganda

a. Ratify International Anti-Trafficking and Refugee Legislations

Uganda should ratify the Convention on the Reduction of Statelessness of 1961. The convention complements the 1954 Convention relating to the Status of Stateless Persons and is the leading international instrument that sets rules for the conferral and non-withdrawal of citizenship to prevent cases of statelessness from arising. Ratification of this convention will provide an opportunity for refugees to become citizens who are not willing to return to their countries or those who have renounced their nationalities, and those born in Uganda. Similarly, Uganda should ratify the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol to the Convention on the Right of the


b. **Install a Monitoring Body for Compliance with the OAU Convention 1969**

Although the OAU Convention Governing Specific Aspects of Refugee Problems in Africa 1969 and its protocol are legally binding to state parties, there is no monitoring body to oversee Uganda’s (non) compliance as a member country. This creates a gap in tracking progress. The OAU and the Ugandan Government should put in place a publicly funded monitoring body to help mitigate this gap in order to make Uganda more accountable in complying with the legislation.

c. **Pro-active Mass Sensitization of Refugees on Human Trafficking**

The Government of Uganda in partnership with development partners should undertake proactive mass sensitization about what constitutes human trafficking and exploitation, about recruitment methods, identification and reporting on human trafficking, penalties associated with the practices related to trafficking, civic responsibilities of the general public related to the vice of trafficking, and provide psychosocial support and rehabilitation to the refugees that have been trafficked as a measure of reintegration into society. In addition, there is a request for programmes aimed specifically at raising awareness of the risks of human trafficking among refugees.

d. **Conduct Research to Understand the Situation of Human Trafficking Among Refugees**

Further research is needed on the vulnerabilities of refugees to human trafficking in Uganda as a means of informing policy on feasible strategies to mitigate the vice. It should be conducted in the settlements and urban areas where refugees live and work. With regard to this, the Ugandan Government should also work with development partners and NGOs to generate baseline data on human trafficking of refugees. This would strengthen and mainstream informed programming and policy making to combat trafficking of refugees in Uganda.

### VI.2. For Refugee Receiving/Sending Countries and the International Community

a. **Mitigation of Unresolved Political Conflicts**

The major causes of citizens fleeing their countries in Africa and all over the world are political conflicts. The EU should apply a root cause approach and engage in conflict prevention through adequate strategies and stop arms proliferation, since this is a major factor contributing to the problem. In the case of Uganda, the unresolved political conflict between two politicians – Salva Kiir and Riek Machar – has affected millions of South Sudanese, making them end up as refugees in Uganda. It is vital, therefore, to increase all possible efforts to prevent conflicts and to address the deeply embedded factors that allow conflicts to spread so quickly. Usually political analysts know in advance when a conflict is going to arise. In general, to invest in conflict prevention by all means is the most sustainable way of protecting nations from wars that escalate refugee crises.

b. **Establish a Human Rights-Based Refugee Settlement System that Supports Self-Sufficiency**

The Ugandan Government has established refugee settlements that not only provide a good administrative structure for refugees but also promote their livelihoods. The refugees are granted
'self sufficiency' by providing a plot of land to farm crops and by offering essential services for refugees. The refugee population is encouraged to engage in economic activities in order to be self-reliant and improve on their well being. This is a very good practice that other countries should follow in order to provide social protection for the refugees and reduce their vulnerability to human trafficking. From analysing the refugee economies in Uganda in 2014, findings indicate that 52% of the refugees living in Kampala city were self-employed, 41% are employed by others, while only 7% are unemployed.\textsuperscript{37} In the Nakivale settlement, 52% were self-employed, 47% employed by others, while only 1% were unemployed, and in the Kyangwali settlement 85% were self-employed, 14% employed by others, and only 1% unemployed. These figures prove that the Ugandan settlement and livelihood approach makes the refugees active players within the economy of Uganda. The findings further indicate that when refugees exercise the right to employment, they contribute positively to the economy of the host state exemplified by the significant volume of exchange between refugees and Ugandan nationals, as well as by refugees’ creation of employment opportunities for Ugandan nationals. In fact, 40% of the people employed by refugees are Ugandans, which outnumbers other nationalities by far. In contrast, in the rural settlements, only 14% of people employed by refugees are Ugandan nationals. In general many refugees have good business networks, nationally and transnationally; they are connected with Ugandan traders and are economically diverse.\textsuperscript{38} Helping refugees realise their right to employment not only protects them from vulnerability to human trafficking through providing options for self reliance but also contributes to national development through the provision of employment opportunities to Ugandans and fellow refugees.

c. Development of Long-Term Sustainability Plans for Refugees

Long-term sustainability strategies for refugees should be developed and implemented in each refugee receiving country in order to ensure that refugees and asylum seekers can integrate in a protected environment and contribute to the society and the economy. To give an example, the Ugandan Government has a clear refugee specific strategy known as the STA in its National Development Plan II (NDP II, 2015/2016-2019/2020). Governments all over the world should embrace this model of planning as part of promoting the human rights-based approach for refugee protection that will support inclusive development and mitigate vulnerabilities that refugees might face as a result of poor planning and haphazard programming that makes them susceptible to human trafficking.

d. Provide Funding for Refugee Hosting Countries

Protecting refugees should not be the sole responsibility of individual states. Migration is a global governance issue and therefore the intergovernmental bodies such as the EU, the African Union, the United Nations (UNHCR, UNICEF, IOM) and donor agencies should cooperate and allocate funds to refugee hosting countries. Uganda’s challenge in dealing with the high influx of refugees while being confronted with the lack of capacities and funding will not decrease, given the persisting security threats in the region. Notwithstanding the existence of progressive human rights-based policies and structures for refugee protection, the lack of funds and capacity affects the refugees’ ability to fully enjoy their rights; in Uganda this particularly concerns the right to health services and education.

\textsuperscript{38} Ibid.
In addition, it is important to note that large numbers of refugees in a country like Uganda, which is not performing much better economically than some of the neighbouring refugee sending countries, can disrupt the delivery of essential social services for the whole population. Uganda should be supported with aid (humanitarian assistance and development cooperation) to better address the needs of refugees without compromising the services to be rendered to its citizens. Countries whose citizens are being hosted should make a deliberate effort to contribute funds towards the protection of their refugees. For example, Uganda hosts refugees from Rwanda, South Sudan, Eritrea, Ethiopia, Somalia, and DRC. If these countries would contribute 1% of their GDP towards the protection of refugees, there would be a considerable improvement in their wellbeing and their access to rights. This contribution would be similar as a membership fee paid to the UN and OAU, which they continue to pay, irrespective of their economy and security status.

e. Ease and Expedite Residence and Citizenship Processes for Refugees

According to UNHCR, in 2014, the Tanzanian Government granted citizenship to 162,000 Burundian refugees – a historic step that governments hosting refugees all over the world should adopt. Governments around the world should follow Tanzania’s example and offer citizenship to refugees who have spent their entire lives in their countries, raised their families there and consider these countries their home. They fulfil all the requirements on naturalization under the citizenship and immigration legislation. This enables refugees to easily access employment and become self-reliant, which protects them from human trafficking for the purpose of sexual and from labour exploitation.

f. Abolish Restrictive Migration Policies

EU member states should abolish restrictive migration policies in order to protect refugees from further harm. There is enough evidence that these policies considerably increase the vulnerability of refugees to trafficking and death at sea as well as in the Sahara desert. Migrant deaths in the Mediterranean Sea while trying to reach Europe for refuge have far surpassed the 2,000 mark. The more migration is ‘illegalized’ the more desperate measures refugees will take to enter safe countries. Abolishing restrictive migration policies for refugees that are in conflict with public international law – human rights law and refugee law in particular – and opening up legal channels for refugees are the best measures for reducing their vulnerability, marginalisation and protecting their rights.