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# Has the CRRF helped host countries to adequately address the needs of refugees? A case study on Uganda and Kenya

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# Has the CRRF helped host countries to adequately address the needs of refugees? A case study on Uganda and Kenya

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In partial fulfilment of the requirements for obtaining the degree of Master of Arts in International Relations

Under the supervision of: Dr Natalie Zahringer

# DECLARATION

I declare that this research report is my own, unaided work. It is being submitted for the Degree of Master of Arts in International Relations at the University of the Witwatersrand, Johannesburg.

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Signed: 

Date: 22 February 2024

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List of Abbreviations

| | |
|---|---|
| ABLI-G | Area Based Livelihoods Initiative-Garissa |
| CRRF | Comprehensive Refugee Response Framework |
| DV | Dependent Variable |
| ECD | Early Childhood Development |
| ECDE | Early Childhood Development Education |
| ERP | Education Response Plan |
| FCA | Finn Church Aid |
| FPE | Free Primary Education |
| GCR | Global Compact on Refugees |
| GIZ | Gesellschaft fur Internationale Zusammenarbeit |
| GOK | Government of Kenya |
| GOU | Government of Uganda |
| IGAD | Intergovernmental Authority on Development |
| ILO | International Labour Organisation |
| IV | Independent Variable |
| KISEDP | Kalobeyi Intergrated Socio-Economic Development Plan |
| KNQA | Kenya National Qualifications Authority |
| LDCs | Least Developed Countries |
| LWF | Lutheran World Federation |
| MoES | Ministry of Education and Sports |
| NDP | National Development Plan |
| NESSP | National Education Sector Strategic Plan |
| NTP | National Teacher Policy |
| RSD | Refugee Status Development |
| SDG | Sustainable Development Goal |
| SNE | Special Needs Education |
| SRP | Student Refugee Programme |
| SRS | Self-reliance strategy |
| UNHCR | United Nations High Commissioner for Refugees |
| UPE | Ugandan National Programme |
| WFP | World Food Programme |
| WIU | Windle International Uganda |

# ABSTRACT

The prevalence of war, famine and political instability on the African continent has resulted in large scale migration into neighbouring countries. The long-lasting effects of these conditions have resulted in protracted refugee situations and host countries have reached the stage of being overburdened by hosting refugees. The New York Declaration on Refugees and Migrants (2016) seeks to address this challenge by encouraging host states to integrate refugees into their national development goals through the Comprehensive Refugee Response Framework (CRRF). By so doing, host countries stand to conjointly address the needs of refugees while also addressing the needs of the host community. This is made possible through co-joined efforts of the international community in supporting host countries with funding. Additionally, through this process, the vision of the CRRF is that refugees will eventually become self-reliant through the opportunities provided by the host countries. This paper investigates whether the CRRF has managed to assist host countries to adequately address the needs of refugees. Having used Uganda and Kenya as the main case studies, the results suggest that the CRRF has partially addressed the needs of refugees. The identified shortfall being that there is inadequate funding, as such, the impact of the CRRF is seen only in a select few situations. The main purpose of this study is to encourage policy development. Future research should consider looking into the reasons behind the lack of international commitment. This will be helpful towards finding means to address the root causes for policy developers.

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# CHAPTER 1: INTRODUCTION

This paper investigates the effectiveness of the Comprehensive Refugee Response Framework that was implemented in Kenya and Uganda in 2018, in response to the large inflow of refugees into these countries over the last few years. The challenge faced by these host countries goes beyond the current influx of refugees. Ongoing instability and violence in neighbouring African countries has meant that host countries have had to host refugees for longer than intended. As such, caring effectively for a large number of long-term refugees has overburdened host countries who themselves struggle with national service delivery for their own citizens.

The CRRF was introduced through the Global Compact for Refugees (GCR) in 2016 with an intention to ease the pressure of hosting refugees. Both Uganda and Kenya have rolled out in-country programmes that are designed to increase refugees' self-reliance through greater economic opportunities and participation. Additionally, the CRRF programme aims to increase access to education, shelter, and documentation/registration for refugees in Uganda and Kenya.

This paper assesses if the Comprehensive Refugee Response Framework adequately empowers host countries to address the human insecurity issues faced by refugees. The study undertakes a cross country comparison before and after the implementation of the CRRF. The purpose of this is to identify challenges in implementation and suggest areas for policy revision to ensure the CRRF aides host countries in addressing the needs of refugees.

## 1.1 Background

Conflict, violence, climate change and political instability have greatly contributed to refugee outflows in African countries. Globally, the total number of people who fled their homes due to conflict and instability are 89.3 million as of 2022 (UNHCR 2022). It is notable that most refugee-hosting countries in Africa are developing countries. As such, they cannot adequately address the needs of refugees. In East Africa, the Intergovernmental Authority on Development (IGAD) has noted large inflows of refugees from East Africa and from other regions as well (IGAD 2021). Regardless of this, member states of the IGAD continue to maintain an open-door policy towards refugees with Uganda and Kenya as some of the countries with the greatest number of refugees in Africa (IGAD 2021).

Even though the member states of the IGAD adopt a generous approach towards refugees, the condition of the settlements and camps suggests that these countries are not well-equipped to handle large numbers of refugees. The inability of these developing countries to address the

basic needs of refugees has drawn the attention of the international community such that in 2016, United Nations member states adopted the Global Compact on Refugees (GCR) and the UNCHR under the Global Compact on Refugees established the Comprehensive Refugee Response Framework (CRRF) in 2017, focused on assisting host countries meet the needs of refugees. The CRRF was adopted by several states worldwide, including Uganda and Kenya (UNHCR n.d).

The main tenet of the GCR is a 'whole of society' approach in dealing with Refugees and Migrants (UNHCR n.d). Under this approach, governments, international organizations, and other stakeholders are encouraged to assist refugees with opportunities to live productively in host countries. This paper will utilize Kenya and Uganda as the main case studies to test whether the CRRF has assisted host governments to meet the needs of refugees.

## 1.2 Literature Review

This section explores existing debates in refugee studies and provides insight into how studies on refugees and displaced persons have evolved over time. This will be achieved through conducting an exploration of literature centred around the conceptualisation of the term 'refugee'. Followed by a review of literature that has contributed towards policy development.

### Existing debates

Refugee studies began to gain traction in response to the displacement that occurred owing to the second world war (Rodrigo & Priorelli 2023). One of the biggest and recurring debates centres around the conceptualisation of the term 'refugee' across different disciplines. The debates emanate from the initial definition of refugees provided in the 1951 Geneva Convention which states that a refugee refers to someone who is forced outside of their country of origin due to fears of persecution on the grounds of race, religion, nationality, social affiliation, or political opinion (ibid.). This definition has been widely criticised by scholars of refugee studies who have found this definition to be narrow. Following this, the literature that emerged was aimed at conceptualising the term "refugees".

The common consensus among academics is that this narrow definition of refugeehood has the potential to contribute to reluctance from the international community towards assisting people who face dire challenges but do not fit the legal definition of a refugee provided by the UNHCR (Shacknove 1985, Lister 2012). Instead, political theorists have argued that when determining who qualifies for refugee status, consideration should be given to persons whose government fails to provide their basic needs and they can only receive such needs from international

restitution (Shacknove 1985, Rodrigo & Priorelli 2023). However, this definition has also received criticism on the basis that the term 'basic needs' is also unspecified which makes this definition in adequate in terms of providing a comprehensive definition of a refugee (Rodrigo & Priorelli 2023).

The inadequate conceptualization of the term refugees has also been felt in regional organisations such as the Organisation of African Unity such that they provided their own extended definition of refugees. The definition states that "a refugee shall also apply to every person who owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of nationality" (Shacknove 1985).

There is still no consensus among academic scholars and states on what constitutes a refugee. While this is so, people continue to face difficult circumstances that are not recognised as necessary and sufficient conditions for one to be considered a refugee. Moberg (2008) brings an interesting outlook to refugee studies by arguing that the international legal definition of refugees leaves environment refugees without protection from the international community. This contribution by Moberg highlights the inadequacies of international law in protecting refugees in the sense that it only considers relations between a state and its nationals (Moberg 2008, 1114). Overlooking individuals affected by natural disasters and the changing climate means that the victims of these circumstances, could potentially be left without help if their state is unable to accommodate them.

**Refugee Studies evolution**

Although there has not been an established consensus on what constitutes a refugee, over the years, academic research on refugees and forced displacement has grown. This is evidenced by the number of research centres that have been established that focus solely on refugee studies. Examples of these include the Refugee Studies Programme at the University of Oxford founded in 1983, Centre for Refugee studies Moi University (Kenya) (1992) and Palestine Diaspora and Refugee Centre (1995) (Black 2001, 60) and the African Centre for Migration Studies (ACMS) at Wits University.

The growth of refugee studies is not limited to one discipline. Political theorists, sociologists, psychologists offered their own contributions towards the conceptualisation of the term refugees (Rodrigo and Priorelli 2023). A lot of the literature that existed initially on refugees

existed to contribute to the debate about the inadequacy of the legal definition of the term refugees provided as seen above. Additionally, the evolution of refugee studies reveals the lack of representation in the initial definition as such, more inclusive studies have emerged that focus on economic refugees, child refugees, disabled refugees, and gender dynamics (Rodrigo and Priorelli 2023).

However, Dionigi and Tabasso (2020) argue that the extensive growth in academic research on refugees has been largely unequal. This is because, research has been highly concentrated in high-income countries. Dionigi & Tabasso see this as a potential problem because knowledge regarding refugees needs to be universal and inclusive (Dionigi & Tabaso 2020).

Although this is so, there has been an increase in post-colonial migration and refugee studies that have brought in different perspectives from those of scholars in the Global North (Samaddar 2020). The shift that has been introduced argues for the consideration of refugees as a vulnerable group more that mere subjects of research (ibid.). This has also contributed to the need for collaboration between institutions from the Global North and those in the Global South to participate in joint research in tackling the refugee problem and policy implementation(ibid.). Such a shift will eradicate the imbalance in which scholars in the Global North dominate research on refugee studies leaving the Global South with less input.

**Refugee Studies – Policy development**

In the initial stages, refugee studies had no impact on policies (Black 2001). For instance, studies found that the asylum determination process in Western Europe was inadequate, yet this did not have a positive impact on European states' policies (ibid.). Additionally, academic arguments that suggested the need for a reformulation of refugee law were overlooked (ibid.).

However, in recent years, refugee studies scholarship has become dominated by policy driven research (Bloch 2020). The Global Compact on Refugees (GCR) and studies recognises that academics play a huge role when it comes to forced displacement issues as identifiers of root causes and influencers of policy development (Dionigi and Tabasso 2020). Scholars have since moved from the mere conceptualisation of the term refugees to producing literature that tackles important topics such as the applicability of the GCR in Africa and on the refugee, crisis exacerbated by protracted refugee situations.

For instance, Mlauzi and Small present a paper whose research objective is to prove that the Global Compact for Refugees (GCR) does not fit African countries. Using Tanzania and South

Africa as their case studies, they identify two problems in the application of GCR. Firstly, despite the fact that South Africa is a signatory of the non-binding GCR, there have been limited commitments made by the host government to encourage self-reliance among refugees (Mlauzi & Small 2019, 24).

In the case of Tanzania, they argue that there were efforts made by the Tanzanian government to implement GCR principles such as access to education, water, and healthcare but because this is a financial burden, the Tanzanian government struggled to implement these requirements (Ibid. 28). The case of Tanzania makes one wonder why the international community did not offer financial assistance considering that the CRR Framework advocates for a whole society approach.

Mans Fellesson (2019) also brings an interesting analysis on the failure of the implementation of the CFFR initiative in Tanzania. He notes that, improper planning in the allocation of funds for the CRRF frustrated the government's effort to implement the initiative (Fellesson 2019, 2715). Similar to the argument presented above by Mlauzi and Small (2019) it is evident that the CRRF initiative lacked proper planning and proper implementation which resulted in the failure of the initiative in Tanzania.

Although Mlauzi & Small (2019) and Fellesson (2019) present compelling arguments on the failure of the CRRF initiative, the fact that these analyses are based on just three African countries is not enough reason to dismiss the CRRF initiative as inapplicable in African countries. Uganda is noted as one of the countries that has implemented the initiative along with Kenya. This study intends to find out if the initiative has aided these host countries in dealing with refugees.

Conversely, Carciotto & Ferraro (2020) present a brief analysis of the implementation of the CRRF in Africa. Chad launched its CRRF initiative in 2018. Having education as one of their means to ensure refugee protection, the ministry of education declared that 108 schools located in the refugee camps have officially become Chadian schools (Carciotto & Ferraro 2020, 88). This shows a positive step into integrating the refugees into the Chadian community while encouraging self-reliance through education and job creation for teachers in the refugee community (ibid.). Rwanda embarked on a similar move by enrolling urban refugee students into boarding school while working on providing national documentation to refugees in 2020 (Carciotto & Ferraro 2020, 90). This perspective presented by Carciotto and Ferraro shows that the roll-out of CRRF has not been a complete failure in African countries.

Based on the present-day refugee crisis worldwide, the future of refugee studies will most likely be directed towards questioning the credibility of international institutions such as the UNHCR and the reluctance of countries in the West to participate in burden sharing (Stone 2018). Jeff Crisp (2018) brought to light the fact that the UNHCR as an institution responsible to provide protection for refugees has become overstretched (Crisp 2018). The rising number and needs of refugees do not align with the funds available to help alleviate this crisis. In April of 2018, the UNHCR received $2.8 billion out of the $8.2 billion that it required to execute its annual program. The institution has since then faced more financial challenges and having to appeal to donors for assistance in carrying out its operations (UNHCR 2023).

Additionally, the problem of protracted refugee situations in Africa means that the refugee problem will linger on for a while (Crisp 2002). Which calls for a need to determine whether the UNHCR is able to implement measures in place that will assist hosting countries to deal with the pressure of hosting refugees. The notion of self-reliance seems to be the UNHCR's means to alleviate donor pressure as it grants refugees a level of financial independence. Studies such as this research report are essential in identifying whether the plan proposed by the UNHCR to integrate refugees into the host governments will assist host countries in hosting refugees.

Having noted the literature above, this report aims to investigate whether the CRR Framework adequately addresses the needs of refugees. Bearing in mind that Africa is overwhelmed by protracted refugee situations, it is important that the CRRF helps in alleviating the pressure off the host governments.

### 1.3 Research Methods

The key research question that this paper aims to answer is reiterated at the beginning of this section. Second, this section provides information on data collection and analysis techniques employed in this paper. Lastly, the section concludes by listing the dependent and independent variables that are determined by the primary research question.

The main question that this paper addresses is *Has the CRRF helped host countries to adequately address the needs of refugees?*

Refugees are people away from their home country. They are a vulnerable group in need of basic services which their home state has failed to provide. This leaves them dependent on their

host country to provide services such as work or entrepreneurial opportunities, access to health care, citizenship/documentation, and access to housing/safe living environments.

Although the international community is obliged to engage in a whole of society approach in alleviating the refugee crisis, reluctance from the Western governments (Stone 2018) has left African countries such as Uganda and Kenya overburdened as refugee host countries. Efforts by the UNHCR to promote self-reliance in these African countries are therefore worth scrutiny in order to determine the efficacy of the CRRF.

### Data Collection

The data used in this paper is based on open source, desktop searches. It is a qualitative study that uses both primary and secondary sources. Primary sources include policies put in place by the Ugandan and Kenyan governments in relation to refugees which were accessed on their respective government websites, as well as UNHCR reports on refugees. The secondary sources used are from books and journals and cover the existing debates pertaining to refugees and policies accessed through the internet.

### Data Analysis

A comparative research method of Uganda and Kenya is applied, this will be executed through comparing both Uganda and Kenya before and after the application of the CRRF. The aim of this comparative study was to determine whether there has been a change in any one of these countries since they adopted the CRRF. A comparative study of these two countries is essential as they are two of the countries with the largest number of refugees in Africa with Ethiopia hosting 1.6 million refugees (Africa News 2024) while Kenya hosts 770, 255 registered refugees and asylum seekers as of April 2024 (Dhala 2024). Comparing two countries offers a more comprehensive analysis as these countries have both taken different approaches in the way in which they host refugees.

Uganda's open-door policy towards refugees differs from Kenya in that Uganda places their refugees in rural settlements (Valassopoulou 2024) whilst Kenya places their refugees in refugee camps (Dhala 2024). In light of this, a comparison of the changes that the CRRF has brought to these two countries aids in determining the efficacy of the CRRF framework in Africa.

It is also noteworthy that to determine the usefulness of the CRRF in each of these countries, the paper conducted a before and after analysis of each of these countries. A before and after

study measures the outcome of an intervention before and after its implementation (Examine n.d). This was achieved through looking at the policies that were present before the CRRF was adopted and if they managed to make any difference in addressing the challenges of the refugees in comparison to the policies adopted after the CRRF and whether they have made any difference. This will aid in conducting in-depth research.

Variables

According to Panke (2018) an Independent Variable (IV) is a phenomenon that brings about changes to the dependent variable while a Dependant Variable (DV) is a phenomenon constituting the effect of interest (Panke 2018, 7). In this question, the independent variable is the Comprehensive Refugee Response Framework (CRRF), understood as a framework that enhances self-reliability of refugees by ensuring that they have access to basic services while assimilating them into host communities. This is built on the premise that self-reliant refugees ease the pressure on host governments (UNHCR 2018, 4).

The CRRF is rooted on 4 main objectives and these are namely (1) to ease pressure on countries hosting refugees, (2) to enhance opportunities for refugees to become self-reliant, (3) to expand access to third-country solutions (resettlement to other countries) and lastly, (4) to address the issues at the home country so that refugees can return to a safe environment (Comprehensive Refugee Framework, n.d).

This paper particularly focuses on the second objective of the CRRF which involves creating more opportunities for refuges to be self-reliant. Noting that there have been hinderances in achieving this in both Uganda and Kenya, this paper investigates whether the CRRF has influenced policy or created opportunities for refugees to become self-reliant. The dependent variable (DV) is defined above as the phenomenon constituting the effect of interest are the challenges faced by refugees. Bearing in mind that challenges faced by refugees is a broad statement, this report will measure these challenges through looking at the following variables: (1) access to education, (2) access to employment (3) access to safe living environments (4) access to documentation.

Considering that the UNCHR came up with the CRRF to ease the burden of refugee hosting on the host governments by empowering refugees, this paper seeks to determine if the CRRF has indeed enabled host countries to meet the needs of refugees.

Operationalisation of Variables

*Access to Education*

Education is a valuable component. This emerges from the understanding that access to education enhances an individual's ability to achieve other goals in life for instance, being able to get a better job and to earn an income that is enough to cover one's needs. To measure access to education for refugees, the paper drew data on school enrolments for refugees and by focusing on the number of schools that are situated in refugee camps.

*Access to Housing*

To measure housing, this research focused on the refugee settlements and their level of comfortability for refugees. The number of refugees in a refugee camp over the number of refugees that a refugee camp can accommodate was also considered. Additionally, sanitation and security in acquired land or housing was also considered to determine how safe these living environments are for refugees.

*Access to Employment*

To measure employment, access to employment opportunities for refugees was explored. This was also done through considering the ability of refugees to access opportunities in the formal sector, trade with locals and to contribute to the host country's economy.

*Access to Documentation*

Access to documentation was measured through considering the process of application, the requirements from refugees and whether these became hinderances. Other factors include the waiting time for accessing Refugee Status Determination and Refugee Identification.

These variables were opted for because education is essential in aiding an individual to improve their quality of life as it plays a role into the form of employment that one ends up getting into. Employment is also essential in improving one's quality of life as through gaining an income, one can have the life their desires and provide for their needs. Access to documentation plays a crucial role in enabling refugees to have access to basic services and these include education, employment, and health care, therefore it is important to consider the policies put in place for refugees in relation to attaining documentation. Lastly, access to housing/land is one of the important factors when considering the quality of life for refugees. This report investigates the level of comfortability, security, and sanitation that refugees enjoy in settlements/camps.

## 1.5 Contribution to knowledge

International Relations scholars have greatly contributed to refugee studies. IR scholars have produced literature pertaining to the role of statehood in the creation of refugees (Rodrigo and Priorelli 2023). While other IR studies have ventured into the role of refugees as an instrument for conflict through the destabilisation of international security, this study contributes to IR research that has explored the role of international cooperation in handling the refugee crisis through burden sharing (ibid).

At the core of the CRRF is an emphasis of a whole of society approach. This essay aims to investigate whether opting for international cooperation in dealing with the crisis of refugee provides a tangible solution.

### 1.6 Case Selection

In this section, a justification of choosing Kenya and Uganda as case studies is provided. Uganda's policy towards refugees includes placing refugees in rural settlements which has had an impact in influencing rural urban development. Considering that Uganda provides land to refugees some of whom come from an agrarian background (Zhu et al. 2023), this has helped to improve the income and production in these rural areas as the refugees get involved in farming projects on the land. Therefore, it is apparent that Uganda's self-reliance policy towards refugees has made the country a more preferred choice for refugees.

As of 2023, Uganda has the highest number of refugees in Africa, ranging at 1.5 million refugees and asylum seekers. The country hosts refugees from South Sudan, the Democratic Republic of Congo, Somalia, and Burundi (UNHCR 2023). Uganda created a positive environment for refugees as they are in refugee settlements in rural areas, which affords them an opportunity to establish community-based initiatives and to also practise entrepreneurship (Betts et al. 2015). Considering that most of these refugee-hosting settlements are in rural areas, there has been a notable challenge as the presence of refugees is said to exacerbate the poor conditions in those areas (UNHCR 2023). Uganda adopted the Comprehensive Refugee Response Framework in 2017 with an aim to take up a holistic and sustainable approach to refugees (UNHCR 2017). Through adopting the CRRF Uganda had an intention to improve their refugee hosting ability, assist refugees in becoming self-reliant while receiving assistance from the international community (UNHCR 2017). In light of this, this report seeks to establish whether the CRRF has enabled host countries to adequately manage refugee inflows and their growing needs.

Similarly, Kenya hosts a great number of refugees, approximately 520 000 from Ethiopia, the Democratic Republic of Congo, and South Sudan (Acaps 2022). Furthermore, the country is said to be home to two of the largest camp sites in the world, Dadaab and Kakuma (Cawford et. Al 2019). Kenya has its own economic challenges such as a low employment rate for young people and income inequality (Crawford et al. 2019, 3). As a result, in 2016 Kenya adopted the CRRF as a means to gain assistance in hosting large numbers of refugees from the international community (ibid.). Kenya's approach towards refugees, unlike Uganda, was founded on a strict encampment policy. Consequently, Kenyan refugee camps are located in remote areas to keep refugees in line with the encampment policy. For instance, the Dadaab refugee camp in Northeastern Kenya, Garissa District is in close proximity to the Kenya-Somali border. This settlement comprises of three camps, Ifo, Dagahaley and Hagadera and these camps were originally designed to accommodate 90,000 people in 1991 (Wright & Plasterer 2010). However, as of 2023 there were about 245,000 refugees residing in the Dadaab refugee camps (Makori 2023) as a result of an influx of refugees fleeing conflict and draught. The second largest refugee camp in Kenya is the Kakuma refugee camp which was established in 1992 in response to the inflow of refugees from Sudan (UNHCR 2023). As of 2023, the camp had approximately 201,000 residents residing there. Like Dadaab, this refugee camp also experiences overcrowding which has a dire effect on access to resources (ibid.). Considering this, this report investigated the CRRF and its ability to assist Kenya in handling the burden of handling the influx of refugees.

Uganda and Kenya are home to a large number of refugees which has overwhelmed the governments of these two countries. As such, investigating the capability of the CRRF in enabling Uganda and Kenya helps in identifying gaps in the policy development.

## 1.7 Limitations

One significant limitation of this study is that the CRRF was only rolled out in 2018 in Uganda and Kenya. Considering this, the 2020 Covid-19 pandemic which caused many projects to halt, affected the effectiveness of this framework. However, considering that the aim of this research is to survey the effectiveness of the policy since it has been implemented in Uganda and Kenya, the paper will look into the policies of both these countries before the implementation of the CRRF in order to ascertain whether there have been any improvements or change since the implementation of the framework. Looking at the policies of these countries before the adoption of the framework allows for an analysis of whether the CRRF has managed to bring about change through the integration of refugees into the host country.

## 1.8. Chapters

This chapter has provided the background and introduction into the study. The main points in this section are that the identified independent variable is the CRRF while the identified dependent variable refers to the needs of the refugees. The chapter also offered justification on the Uganda and Kenya case selection.

The Ugandan case study is discussed in chapter 2, looking at before and after the application of the CRRF objectives. Chapter 3 focuses on Kenya before and after the application of the CRRF. Chapter 4 of this study is a comparative case discussion. The last chapter of this study, Chapter 5, provides a conclusion to this study in which a stance on the main question of this research is clearly provided. Additionally, the conclusion consists of a summary of the main findings followed by a recommendation for future research.

# CHAPTER 2: UGANDA BEFORE AND AFTER THE CRRF

This section of the research report compares Uganda's policies before and after the implementation of the CRRF to determine whether the CRRF has played a significant role in enabling refugees to be self-reliant.

## 2.1 Access to education before the CRRF

Uganda's education policy towards refugees has been inclusive prior to the implementation of the CRRF. Having established a Self-Reliance Strategy (SRS) in 1999, Uganda has been known for offering opportunities for refugees to be self-sufficient through allowing them the ability to get an education, to work and to contribute to the economy through agriculture (Betts et al. 2019).

More so, the implementation of the Universal Primary Education programme (UPE) is one of the ways in which the Ugandan government took steps towards making education accessible to all (Muregwa-Sekawabe 2021). As Uganda's policy towards refugees was founded upon the need to encourage self-reliance, the Ugandan government committed to integrating refugees into the Ugandan national programme UPE (ibid.). This programme meant that refugee children whose parents could not afford school fees would benefit from the joint effort by the United Nations High Commissioner for Refugees (UNHCR) and the government fund provided through (UPE) (Dryhen 2003).

However, although Uganda put in place a policy that allows refugees to have access to educational services, there are a number of challenges that have hindered the ability of school aged children from enrolling in schools and continuing at schools without dropping out. For instance, some of the challenges experienced by students in Kashojwa, a primary school in Nakivale settlement, were that refugee settlements are located in rural areas which meant that there were fewer educational facilities to accommodate all children (Murengwa-Sekawabe 2021). In rural settlements such as Kyaka II, Rwamanja, Oruchinga and Nakivale in Southwest Uganda, approximately 80% of the population in those settlements were under 18 by the year 2014 (UNHCR 2014). This suggests that accommodating all children who enrol for education would be very challenging as it would require Uganda to ensure that there are enough classroom facilities, sufficiently trained teachers, and affordable school fees. This amount of pressure on the Ugandan government meant that it would be difficult to ensure education for all as Uganda's education system for Ugandans was already under strain, hence the need for the UPE to assist parents in educating their children without having to pay huge sums of money.

Additionally, although there were schools available in these rural settlements, students were still faced with challenges that involved having to walk long distances to school. For instance, Nakivale settlements is as big as 185km which means that students had to walk a long distance to school from their different areas of residence (UNHCR 2014). While children in the Rhino refugee settlements would take approximately two to three hours of travelling by foot to school (Tulibaleka 2022). Such challenges can be attributed as one of the reasons that students would drop out of school, as they lacked transportation while facing food insecurity.

Furthermore, children living with disabilities were not adequately considered in terms of the school infrastructures which meant that accessibility to education for disabled children was under compromise (Mugerwa-Sekawabe 2021).

Quality of education

Despite the efforts by the Ugandan government to ensure that refugees have access to education. It is imperative to be mindful of the fact that access to education does not always equal access to 'Quality Education'. Although the quality of education is difficult to quantify, here are a number of indicators used in this research that can be helpful towards determining whether refugees have access to quality education or not. These indicators include, but are not limited to, the availability of trained teachers, language barriers, as well as teacher to pupil ratios.

One of the biggest factors affecting access to quality education for refugees includes the high teacher to pupil ratios which range at approximately 1:150 in most refugee schools (Mugerwa-Sekawabe 2021). When considering quality education, pedagogy is one of the essential elements to it (Dryhen 2003), meaning that each student requires attention from their teacher with certain concepts that they may not understand in order for them to improve academically. However, if there is a large number of students enrolled and only a few teachers, it is almost impossible for every pupil to receive the required attention they need from a teacher, and it also means that teachers are usually overwhelmed by the great number of students which in turn affects their ability to function productively (ibid.). In contrast, the lower pupil to teacher ratio in Bujubuli Primary School (a school in Mpara, Western Uganda) meant that teachers were able to interact with their students and mark books on time (ibid.). In light of this, it is clear that a high teacher to pupil ratio results in a compromise in terms of the quality of the education received by pupils.

Furthermore, issues such as the lack of training for teachers in terms of handling refugee pupils also contributed greatly to the poor quality of education that the pupils receive. Bearing in mind that refugees come from different backgrounds with different languages, means that all these groups need to be accommodated in a consistent way that does not affect the quality of education they receive (Kupfer 2016). Some students who come from areas such as the Democratic Republic of Congo (DRC) faced challenges in terms of their integration into schools as they do not come from countries that utilize English as their language of instruction (ibid.). Additionally, children who struggled to grasp information in English faced the risk of being placed in lower grades in a bid to create an opportunity for them to learn English. This suggests that the difficulty caused by a language barrier became a big hindrance to pupils attaining the quality education desired.

Affordability

Although education was made accessible to both the refugees and the nationals through the Universal Primary Programme (UPE), that does not change the fact that affordability has affected the ability for some refugee pupils to attend school. For pupils in rural settlements such as Nkaivale and Kyaka II, parents have hardly been required to pay fees since the implementation of the UPE as the UNHCR has assisted with fee payment for refugees (Dryhen 2003). However, parents have been required to provide their children with lunch, scholastic materials, and uniforms and this has proven to be a challenge for some parents as they struggle to provide these materials for their children, as such, opting for their kids to drop out of school seemed like the most preferred solution (Kupfer 2016). Therefore, this means that the affordability is one of the reasons affecting the opportunity for refugees to receive education.

More so, for refugees in the urban areas of Uganda such as Kampala, affordability is a much bigger challenge. This is because, parents are still required to pay additional charges for costs such as electricity, water and to also contribute to the increased teacher's wages, although there is UPE (Dryhen 2003). As a result, parents who are not able to afford additional costs find themselves facing a challenge of having to let their children skip school as there are consequences faced by students who cannot pay fees in full in urban settings such as being chased from school (ibid.). As such, the inability to afford to pay fees for students was a contributing factor to children's failure to attend school.

## 2.2 Access to Education After the implementation of the CRRF

This section of the study investigates the changes that were rolled out in Uganda after the implementation of the CRRF, the section focuses on progress made between the year 2018 to 2023. The aim of this section is to determine whether there were efforts adopted by the Government of Uganda (GoU) because of the CRRF that helped to improve access to education. In line with decision to commit to the CRRF initiatives, the government of Uganda launched an initiative to ensure that refugees receive quality education known as the Education Response Plan (ERP) (Ministry of Education and Sports 2018).

The ERP is divided into two categories, the first one, ERP I was rolled out for 3.5 years, 2018 to 2021 while the second ERP initiative was implemented in January 2022, and it is designed to be in action until 2025 (Ministry of Education and Sports n.d). The achievements of the ERP II will not be assessed in this investigation as at the moment of writing, no progress report on this project has been released. Under ERP I, between the year 2020 and 2021, the number of government schools in the refugee-hosting districts rose from 51 primary schools to 68, owing to the government grant (ibid.). Additionally, ten primary schools, three secondary schools and eight Early Childhood Development (ECD) centres were established to help alleviate the long distance that students must travel to school. Furthermore, 1,028 classrooms were established at schools which resulted in a reduction of a teacher to pupil ratio of 154:1 to 135:1 for primary schools while for secondary schools the ratio was reduced from 143:1 to 87:1 (ibid).

On the other hand, effective delivery remains a challenge in the implementation of the ERP mainly because of inadequate funding. The project's estimated cost was $389 million, 9.38% of that ($11.83 million) was contributed by Uganda while 31% of that ($38.69) was contributed by the international community (Oxfam 2021). By June 2020, there was a shortage of 61% of the required funds which meant that some initiatives under the ERP were not implemented because of the lack of funds.

The evidence above suggests that, under the ERP I, the GoU made progress towards addressing challenges that were being faced by refugees and the host community in accessing education. Building more schools helped to reduce the overcrowding classes which then creates room for teacher-student engagement that is more effective compared to when classrooms are overcrowded. Additionally, this also helped to address some of the issues faced by students whereby they had to walk long distances to school, now that classes are built closer to settlement districts, students are more likely to go to school without distance being a

hinderance. Furthermore, the evidence reveals the lack of funding from donors affected the ability to execute all plans that were under the ERP.

As established in the findings above, one of the hinderances towards receiving quality education for refugees in Uganda has been the shortage of teachers. A high teacher to pupil ratio affects the teachers' ability to effectively engage with all students which makes it challenging to identify students who may be facing challenges in understanding concepts taught to them (Mugerwa-Sekawabe 2021).

In relation to the goal to improve the quality of education received by refugees, the Ministry of Education and Sports (MoES) in Uganda has shown to improve the quality of education received by refugees and host students alike (Bengtsson et al. 2023). Before 2019, teachers could use their Grade III certificates to operate as teachers in Uganda (ibid.). However, the National Teacher Policy (NTP) stipulates that all teachers should hold a degree. Although this decision seemingly reduces the number of teachers in schools, it also means that students get to be taught by highly trained teachers (ibid.). More so, humanitarian partners have made efforts to ensure that those who do not meet the requirements of the NTP go through certification programmes so that they are able to assist the teachers who have degrees. This works mostly in favour of the refugee teachers who do not hold qualifications that are recognised in Uganda to improve their skills (ibid.).

This evidence suggests that there are efforts that are being put in place to improve the quality of education received by teachers through ensuring that teachers are highly trained and that for those who are not, they go through certification programmes (Bengtsson et al. 2023). This suggest that there are commendable steps that the Government of Uganda, along with humanitarian partners, have put in place in order to improve the quality of education received by refugees and local students alike.

Furthermore, teachers have received training to improve teacher pedagogy through courses that enlighten them on psychological support, gender mainstreaming and special needs education (ibid.). In addition, teachers also receive training on how to teach students of different languages and children from different grades. This suggests that teachers are being prepared to be able to engage with students while understanding things that affect them which creates a much more accommodating environment (Bengtsson et al. 2023). On the other hand, there remains certain areas of improvement that still need attention. For instance, teachers expressed

to not have enough training on refugee teaching which has proven to be quite essential as teaching a vulnerable group requires an understanding of their experiences and traumas (ibid.).

Taking into account that one of the difficulties in attaining an education in Uganda is the issue of students coming from different countries which speak different languages, plans have been put into place to improve this problem (Bengtsson et al. 2023). The placing of refugee teaching assistants in schools who speak languages as similar to those of the refugee students helps to bridge that gap that exists in relaying information to students. However, research done by (Bengtsson et al. 2023) suggests that in some schools only one assistant teacher can speak a wide range of languages which proves to be less efficient in addressing the problem of language barriers.

Plans have been put into place by Windle International Uganda (an international non-governmental organisation registered in Uganda that provides access to education for refugees), in partnership with the UNHCR to help refugee students through the 'bridging the gap' programme (WIU 2023). Given that refugees move from one educational system to another it means that they require assistance in adapting to the new curriculum. The programme includes addressing challenges such as the language barrier, disrupted education, and trauma (ibid.). However, there is not enough data to show how much of an impact this has had in Uganda, yet which suggests that this is still an area of improvement for refugees.

Further improvement that is worth noting in Uganda is the steps taken towards ensuring that there is infrastructure development in schools to address the issue of lack of classrooms for refugee students. With the assistance from humanitarian partners such as the Finn Church Aid (FCA), a school was built in Bidibidi refugee settlement (FCA n.d). The new facilities handed over to the district of Yumbe included one administration block, a library block, two staff administration blocks, three classroom blocks and sanitation facilities. In addition, the FCA also took up projects in Yoyo Secondary School, Kado Secondary School, Highland and Nipata secondary Schools (ibid).

Such efforts that recognise the challenges faced in schools because of lack of classrooms have lessened the burden on the government of Uganda. At the core of the FCA's assistance is aligning with the SDG goal of providing quality education for students and by building secondary schools, an opportunity is created for refugees to further their education (FCA n.d). Although the efforts by the FCA do not entirely eradicate the problem of the shortage of classrooms, the fact that classrooms were built together with sanitation facilities is worth

acknowledging. This shows that humanitarian partners understand that the process of removing the burden of hosting in Uganda is to assist in putting in place durable solutions such as infrastructure building which will gradually help students to becoming more self-reliant.

Additionally, since the implementation of the CRRF, efforts to improve levels of education attained by both females and males have ensued. For example, the UNHCR together with the University of Kisubi and Windle International Uganda (an organisation that focuses on empowerment through literacy) partnered together to create a scholarship plan that benefitted 19 girls who are refugees and afforded them an opportunity to study at the University of Kisubi (Waninda 2023). This shows that there are efforts being put in place to ensure that refugees receive education even at tertiary level. It is also noteworthy that these girls received scholarships to study a bachelor's degree in education which further creates opportunities for refugees to teach while also keeping in alignment with the new policy that emphasizes that teachers should all hold a degree in education for the purposes of maintaining quality education (ibid.). Evidently, steps are being taken towards the improvement of education in Uganda, through encouraging the pursuit of tertiary education.

In the same way, the implementation of the Student Refugee Programme (SRP) in August 2019 in Uganda (WIU 2021) showed that tertiary education for refugees is being prioritised unlike in the period before the CRRF in which emphasis was more on primary education as seen in the findings above. The SRP is a programme that enables refugees to access post-secondary education. Managed by the World University Service of Canada, the programme sponsors refugees to pursue their tertiary studies in Canada (UNHCR 2020). Since August 2019, 117 students have been resettled to Canada through the SRP (WIU 2021). What is even more beneficial about this opportunity is that students who get this sponsorship do not only get access to third country resettlement, but they also get to study in Canada as permanent residents. This means the students can work while studying in the country.

Such improvements towards tertiary education prove that the efforts by the Global Compact on Refugees to encourage a whole of society approach to handling the burden of hosting refugees in Uganda are being met with commitments from humanitarian partners. From this evidence above, students do not only receive sponsorship to study overseas, but they also receive documentation in their new country of resettlement, which is something that proves to be a challenge to obtain in Uganda for some refugees. Based on this, one can argue that there

are notable strides taken towards the improvement of education for refugees in Uganda, although there is room for improvement.

### 2.3 Access to Employment Opportunities

Uganda's policy towards refugees is a unique one that is acknowledged world-wide for being accommodative. This is because in 2006, Uganda adopted new refugee legislation that is known as the 'Refugees Act' (Omata 2012). This legislation is premised upon the international standards of refugee protection which enforce the refugee's right to work, move without hinderance and to be integrated into the host communities instead of being confined in camps (Omata 2012). The reasoning behind this stance is that refugees should not solely rely on humanitarian assistance, instead they should be able to self-support. Therefore, having established Uganda's stance in relation to the employability of refugees, it is essential to determine whether prior to the implementation of the CRRF, Uganda had a reliable plan on how to create jobs for employees or whether there was a gap that needed to be fulfilled through external assistance from the international community as proposed in the CRRF.

When considering the 'Refugees Act' that was adopted by Uganda, it is essential to note that refugees were given a right to not only work but to have gainful employment (Muhangi et al. 2022). This suggests that in whatever means of livelihood that refugees are involved in, they should be able to receive gainful income, as refugees rely mostly on their ability to sustain themselves in Uganda. Based on the principle of self-reliance, Ugandan refugees over the years were granted a plot land for the purposes of agriculture and for the purposes of reducing over-reliance on the World Food Programme (WFP) and the UNHCR. Primary data gathered by Muhangi et al. (2022), in the Nakivale refugee settlement, which during the time of their research had about 150, 000 refugees, offers some insight into how agricultural production aided refugees to make a living.

The data presented suggests that 42.5% of refugees were involved in crop production, 28.8% in poultry farming, 21.2% in livestock rearing, 5% in produce shops, 2.5% were involved in agricultural input shops (ibid.). Therefore, the data gathered above highlights that refugee in Nakivale relied solely on agricultural production as their means of survival. Additionally, refugees involved in farming would receive seeds and fertilizers from the UNHCR to offer support in the production process for both consumption and for commercial purposes (ibid.).

As such, the evidence above suggests that refugees in Nakivale were afforded a means of income through agriculture. The question is whether, is this a gainful form of income? This

Refugees in farming have faced numerous challenges that compromised their output such as harsh climate conditions which affected their agricultural output and livestock rearing (Muhangi et al. 2022). Considering that this was the only source of income for about 21.2% of Nakivale refugees, the effects of harsh climate would leave more refugees without any other means of income (ibid.). Additionally, as Uganda continues to implement the open-door policy to refugees around the region, more refugees have since come to the country, such that there has been a growing shortage of arable land for refugees (ibid). Which suggests that relying on agriculture as the only means of generating income for refugee livelihoods is becoming more and more of a challenge.

While refugees in Kampala have no access to farmland to grow their own food, they have resorted to other forms of attaining income in order to make money to take care of their families. The different sources of income that refugees have gravitated towards include petty trading, selling of fruits and vegetables, plaiting hair on the streets, tailoring, housekeeping chores among many other activities (Omata 2012)

Additionally, given the opportunity to engage in business activities in Uganda, Somali refugees in Kisenyi are proof that Uganda's self-reliance framework allows refugees an opportunity to thrive within the host community. Somali refugees, who are known for being good traders, own a number of refugee enterprises in Kisenyi (ibid.). These shops include a wide range of supplies such that consumers who shop there only need to make one stop to buy a variety of things (Balyejjusa 2019). These Somali shop owners are said to receive their capital and stock from their families in diaspora which then contributes to their ability to invest in big enterprises from which they make enough money to survive with their families (Omata 2012). The ability for refugees to thrive in the host communities in Uganda is commendable, it shows how refugees do indeed have the right to work and not to be overly reliant on humanitarian assistance.

Regardless of the fact that there are refugees who make a living out of their own enterprises, the majority of the refugees in Uganda face the challenge of job insecurity and insufficiency when it comes to the wages they obtain from informal sectors. As of 2021, the International Labour Organization (ILO) found that the unemployment rate among refugees was about 72% while for those refugees who earn wages, they earn between 30% and 40% lower than the host community (ILO 2021).

Notable reasons behind this can be attributed to the discrimination of refugees by nationals or the lack of understanding of the rights of refugees by Ugandan firms. Based on the primary

data gathered by Loiacono & Vargas (2019), Ugandan nationals who work in local firms lack understanding in relation to the refugee's right to work and move freely within Uganda. Instead, some locals are under the impression that refugees already receive aid which means that they do not need to get jobs (ibid.). Based on this evidence, it is clear that refugees face discrimination during the hiring process based on the assumption that they receive aid which means that they are not really in need of money. This evidence suggests that there is a gap in sharing valuable information on the status of refugees with the locals. If the government puts in place policies for refugees to work without any cooperation from firms within the country, then there will be no change implemented. This accounts for some of the reasons why refugees find themselves unemployed.

Additionally, boundaries put in place by professional bodies limit the ability of refugees who have obtained degrees from their country of origin to participate in the employment sector. For instance, according to Section 17 of the Medical and Dental Practitioners 1998, medical practice eligibility was reserved for a degree in medicine or surgery that is granted by a university established in Uganda by law (NRC 2022). Which meant that for those individuals who were displaced, they could not practice medicine upon arrival in Uganda. As a result, regardless of having a qualification to practise medicine, refugees faced hinderances into attaining jobs as medical practitioners.

Furthermore, for refugees who rely on their businesses or entrepreneurship as a source of income, they face difficultly in accessing financial services. Although refugees may receive livelihoods training preparing them to be self-reliant, a challenge that they continually face is their inability to access credit for the purposes of developing and safeguarding their businesses (Rohwerder 2016). In addition, refugees also face discrimination when it comes to obtaining loans as there is a fear that they may not be able to repay that money (ibid.). As a result, refugee entrepreneurs find themselves having a difficult time in receiving loans to improve their businesses.

### 2.4 Access to Employment opportunities after the CRRF

One of the objectives of the CRRF in Uganda under 'Pillar 3' is founded upon the need to increase refugee self-reliance (OPM n.d). To compliment this, Uganda enhanced its existing policies that allow for refugees to improve their livelihoods. These policies include, freedom of movement, allocation of land and the right to own businesses (ibid.). All these policies in place offer refugees an opportunity to become self-reliant through either starting their own

businesses or accessing gainful employment. The purpose of this section was to determine whether there has been any change in refugees' ability to access gainful employment in Uganda.

Efforts have been made by humanitarian organisations to enable the Ugandan government to fulfil the needs of refugees by assisting local governments with more efficient service delivery strategies. This is evidenced by a RISE project, established in 2018, facilitated by Action Against Hunger, CARE and GIZ that aimed at equipping refugees with agricultural skills to ensure that they benefit from crop production (European Commission *n.d*). Through the RISE project, refugees received training in climate smart agriculture, and they were also linked with markets in crop value chains such as sunflower, sesame and vegetable (ibid). The purpose of this project is to equip refugees with self-reliance skills in line with the CRRF objectives. It is noteworthy that based on this demand driven training project, 1044 beneficiaries were able to secure employment (ibid).

Therefore, the presence of humanitarian organisations that aim to assist the government of Uganda shows that there is a level of commitment to assisting Uganda to handle the burden of hosting refugees. Although not many refugees get access to gainful employment through agriculture, it is commendable that this training project was demand focused enabling refugees to be able to meet the needs of the market.

However, there is still a lot of work that needs to be done in terms of labour market integration for refugees in Uganda. Labour market integration provides an opportunity for refugees to show how their various skillset matches together with the needs of business owners in their host country (Vargas and Loiacono 2019). The exclusion of refugees from Uganda's labour market is perpetuated by lack of prior experience in working with refugees, differences in cultures which results in negative attitudes towards refugees. Studies have shown that upon working with refugees through experimental research, business owners are most likely to hire refugees (ibid.). This means that there is still a need for an encouragement of nationals to consider the value that refugees bring and there needs to be efforts to ensure that refugees are skilled enough to be integrated into the Ugandan economy. Additionally, the government of Uganda has the responsibility to ensure awareness to the national community about refugee's right to freely move and to work in the country.

Furthermore, access to gainful employment for refugees is still a challenge in Uganda even after the CRRF has been rolled out. This is a challenge affecting both local and host

communities. Although Uganda has worked towards encouraging agriculture as a source of gainful income, money incurred from agriculture has not been enough to sustain refugee families while at the same time, the shortage of fertile land continues to plague refugees (Rohwerder 2016).

Furthermore, as of April 2023, about 66% of refugees in Kampala reported that they rely on remittances and family support as their form of income (Reach 2023). Which means that there is a great lack of employment opportunities that allow for refugees to maintain their livelihoods. There remains a need for the creation of sustainable solutions as the challenge of protracted refugee situations continues to plague Uganda.

### 2.5 Access to housing/land

Taking into consideration that the Ugandan policy towards refugees allows for refugees to be integrated through placing them in settlements instead of camps, it is worth investigating the kind of rights that refugees had when it comes to acquiring land and shelter before the CRRF. To determine the availability of housing/land, issues to considered below include habitability, accessibility, and affordability.

Land allocation for refugees by the government of Uganda resulted in great dispute among refugees and nationals. The conflict erupts from the argument made by locals that land that was allocated to refugees in Nakivale was land that they own, and they had obtained rights of usage for the land (Bagenda et al. 2003). This conflict goes as far back as 1994, where the Bahima pastoralists, who are Ugandan nationals, moved to Nakivale in search of land. They found land in Nakivale that had been previously resided by the Rwandan Tutsis (ibid). Eventually, the Bahima felt entitled to the land such that when the government brought in more refugees who were to sustain themselves through agriculture, the Bahima pastoralists became disgruntled, and this resulted in hostility among the refugees and the locals (ibid).

This evidence suggests that although refugees had access to land, the fact that there was a shortage of land made locals perceive refugees as more privileged than them. As a result, the local pastoralists resorted to fencing their pieces of land some which included land in which refugees were supposed to be allocated (Bagenda et al. 2003). In addition, unfenced refugee pieces of land which had crops and vegetation became vulnerable to livestock that belonged to the local pastoralists (ibid.). In view of this, one may conclude that although the refugee policy in Uganda was accommodative towards refugees, the fact that there were issues such as land

shortages and dispute over land points to the fact that the Ugandan governments' efforts were not adequately addressing the needs of refugees.

The second notable challenge that refugees faced is in relation to their shelter and that is the rapid dilapidation of their homes. Problems reported by refugees in settlements such as Adjumani, Isingiro and Arua included leaking roofs that were easily damaged by floods and damaged walls (Reach 2019). This was largely contributed to the fact that the poles and plastic sheeting that was provided to refugees were not sustainable enough and they were also prone to be destroyed by termites and rats (ibid.). This evidence points to the fact that although refugees had shelter before the implementation of the CRRF, the living conditions were unbearable for refugees.

Additionally, refugees also faced the challenge of the inability to afford repairs such that they had to sell their food packages received from the World Food Programme in a bid to fix their living conditions (Reach 2019). Furthermore, regardless of efforts by the refugees to burn bricks to repair their dilapidated shelters, the UNCHR and the Office of the Prime Minister did not allow refugees to do this. As a result, they would opt to collect bamboo, grass, and wood for the purposes of fixing their shelters (ibid.). However, this also did not happen without dispute as it created a disagreement among the host community and the refugee community. This is because the former were disgruntled over the fact that they are not able to gather enough resources as they are competing with refugees for resources.

Further disgruntlement among refugees and locals was exacerbated by the claim that a group of refugees received national identity cards (IDs) while at the same time they were registered as refugees (Bronwen 2023). This meant that they were able to be allocated plots of land as refugees and then proceed to buy land as Ugandan nationals. This created more resentment between refugees and the host community (ibid.).

Affordability of housing has also proven to be a huge challenge for refugees. Given that some areas in which refugees were placed had infertile land, refugees were faced with the responsibility to relocate to areas that were more convenient, that is, a location that is close to the road and an area that is close to fertile land (Bronwen 2023). However, this was costly as it meant that they had to use half of their income towards paying rent. Compared to male-headed households, female-headed households found it challenging to afford rent (ibid).

Refugees in the city of Kampala were also faced with the difficulty of being unable to pay rent (ibid.) which suggests that, although the Ugandan government allows refugees to be integrated

into the community, there are challenges that require money which most refugees did not have as they did not have adequate paying jobs. In light of this, the implementation of the CRRF will have to aim to cover the gap that the policies put in place by Uganda cannot adequately address.

### 2.6 Access to housing/land after the implementation of the CRRF

The policies that have been put in place by the GoU since the adoption of the CRRF emphasize the involvement of refugees under the National Development Plan (NDP). Efforts towards assimilating refugees into the national development plans in Uganda include the process of transforming temporary and semi-permanent infrastructure (UNHCR n.d). For this process, refugees are provided with material, technical and financial support to upgrade their homes. Additionally, to ensure efficiency, the UNHCR uses a project management approach which allows for transparency and responsible use of resources.

However, challenges remain in the allocation of land and building shelters for refugees. This is mostly caused by the continued inflow of refugees into Uganda which in turn puts pressure on the limited reception facilities for newly arrived refugees. Additionally, those who are moved from temporary settlements end up moving to land that is not suitable for agriculture because of how hasty the moving process has become, which in turn exacerbates the challenges faced by refugees.

An example of this is the living conditions in Rubondo, one of the administrative zones in Nakivale, have become unbearable for refugees. Instead of a maximum of 40, 000 people as of June 2023, the settlement had up to 75 000 people. Regardless of the inpour of refugees, there has been no provision of extra resources or provision of infrastructure. Additionally, there is little water supply, which is limited to 5 litres per person, per day. As a result, people have resort to dirty water from swamps which leaves them at a risk of getting sick.

As such, the notable challenge that perpetuates the plight of refugees in Uganda is the lack of adequate funding to execute the plans in place. Although the government of Uganda committed to assimilating refugees into the NDP, the funds remain unable to fulfil the desired outcome. For instance, in 2021, the required sum of money to improve infrastructure and shelter was USD344,8 million and only 17% was received (UNHCR, n.d). Which means that the execution of plans would be slowed down in search for more funding.

### 2.7 Access to documentation before the CRRF

Access to documentation is one of the most crucial rights that all individuals possess. For individuals to be regarded as refugees in accordance with international standards, there needs to be documentation that confirms a refugee's status (UNHCR 1984). In accordance with article 27 of the UNHCR, a name, date of birth, place of birth and current address are enough details to include in an identity document (ibid.). As such, host countries face the responsibility to issue refugees with some form of identification even if it is not a formal ID document. The issuance of ID documents is very crucial as IDs are essential for one to be able to access services such as education, healthcare and remittances.

In relation to Uganda, the 1995 constitution was less inclusive for refugees. Nationality could only be acquired by resident foreigners who moved to the country legally and voluntarily, which meant that refugees were not included in this criterion (Bronwen 2023). However, in 2009, naturalisation was granted to adults who have been residing in Uganda; this was inclusive of refugees. Although this was so, the biggest disadvantage was that children born by parents who naturalised were not automatically given nationality which put them at the risk of being stateless (ibid). This suggests that there is a huge area of improvement in terms of the documentation status of children born in Uganda.

On the other hand, the Ugandan policy towards the documentation of refugees has improved over the years although it is not entirely efficient as intended to be. For instance, prima facie refugees, that is refugees who are from South Sudan, are immediately granted refugee status upon arrival at the border (Alison 2018). The process includes asylum registration, a short interview with the Office of the Prime Minister followed by an issuance of a refugee attestation documents which is usually offered for families. Ideally, this process should be followed by the issuance of an ID to enable the refugees to have access to work, education and to travel within the country (ibid.).

However, the process has proven to not be as quick and efficient as it is intended as at times the issuance of an ID could take months or as long as two years. This means that although the Ugandan policies towards refugees have improved, the efficiency of these policies is still greatly challenged (Alison 2018). The delay in issuing identity documents hinders freedom of movement as refugees issues a family attestation certificate at the border should always be in the same vicinity should the authorities demand proof of identification (ibid). Therefore, it is evident that the process of documentation for refugees has a need for improvement.

In addition, discrimination towards Rwandan refugees has also hindered their ability to attain documentation in Uganda. Based on the perception that Rwanda is no longer facing internal violence over the Hutu and the Tutsi conflict, Ugandan officials and locals believed that Rwandans have nothing to flee from back home (Ahimbisibwe 2021). Instead, the belief that exists among Ugandans is that Rwandans are just after the free land in Uganda hence some of them end up being denied refugee status determination and scholarships (ibid.). At the root of this problem is the argument that Rwandan refugees should return home as they do not have genuine reasons to leave home while the refugees in question express that forced repatriation is illegal (ibid.). In light of this, Uganda faces difficulty in navigating the constant influx of refugees while Rwandan refugees face discrimination in a country where they are seeking refuge. The CRRF should be in a position to enable Uganda to deal with this problem and to ensure safe repatriation for refugees such as those from Uganda.

### 2.8 Access to documentation after the CRRF

The implementation of the CRRF is guided by pillars which set out an objective and strategy on how to effectively bring about change for refugees in Uganda. The first pillar of the CRRF is founded upon the need for a detailed process of admitting refugees into Uganda and their rights (OPM n.d). Given that the Government of Uganda is committed towards improving the livelihoods of refugees by building self-reliance, it is worth considering whether refugees have proper documentation to function in Uganda.

The Ugandan constitution stipulates that the state should register every birth, death and marriage that takes place in Uganda (Alison 2023). In line with this, the National Identification and Registration Authority of Uganda (NIRA) has made efforts to ensure that the process of registration for a birth certificate is free for refugees (ibid.). Which means that refugee children do not end up stateless if they are born in Uganda. Additionally, even if the parents of the said child do not have refugee identification yet, a family attestation certificate received upon arrival at the Ugandan border is enough to help get a newborn child a birth certificate (ibid.). Therefore, the Ugandan government is working towards improving its service provision for refugees by reducing statelessness among children which could leave a child unable to attend school because of lack of documentation.

Although Uganda has committed to ensuring a more effective admission process through the CRRF, there are remaining difficulties experienced by refugees that hinder their ability to receive documentation. This is evidenced by the fact that the process of receiving new identity

documents, or the replacement of old ones takes longer than expected with documents for newborn babies often issued with incorrect information (Bronwen 2023). Additionally, refugees also face the challenge of preferential treatment with Rwandans expressing that they are often discriminated against such that it takes longer for them to receive their documentation (ibid.). This suggests that the system to registering refugees still needs a lot of improvement. The delay in the issuance of documentation further hinders the ability to move around the country freely and to access any form of services, therefore, the CRRF does not seem to have done much in terms of helping the Government of Uganda to improve its registration process.

In addition, challenges in attaining documentation have contributed to the inability for refugees to access financial services, this has been a lingering issue that has not been resolved since the implementation of the CRRF. This suggests that Uganda is faced with a huge burden of creating employment opportunities for both locals and refugees. In this case, the international community is required to take steps towards assisting Uganda with access to third country solutions through resettlements for employment purposes.

## Conclusion

The evidence gathered from Uganda's case study on the improvement of refugee livelihood since the implementation of the CRRF suggests need for commitment from the international community in assisting Uganda to handle the burden of hosting refugees. The world continues to grapple with conflict which means that displacement of civilians continues to be an issue. Without assistance from the international community, the government of Uganda continues to struggle to handle the pressure that comes with hosting refugees.

# CHAPTER 3: KENYA BEFORE AND AFTER THE CRRF

This section of the research paper investigates the changes that have been made in Kenya in relation to the improvement of the lives of refugees. This was done through investigating the conditions that existed before the implementation of the CRRF and the conditions that existed after the implementation of the CRRF.

## 3.1 Access to Education before the CRRF

Kenya's education policies and laws in relation to access to education have been inclusive to all children residing in Kenya. According to the 2010 Kenyan constitution, all children born and residing in Kenya have a right to education (Mendenhall et al). Additionally, in 2003, the Government of Kenya (GoK) introduced the Free Primary Education Policy (FPE) to create more opportunities for children to gain access to education (UNHCR and DRC 2012). Likewise, refugee children also qualify as beneficiaries of the FPE (UNHCR 2016), meaning that lack of finances for fees would not hinder a refugee child from attaining primary education in Kenya. However, allowing refugees access to education does not always mean that they do not face hinderances or challenges in getting an education aside from lack of finances. In this section, the report explores the challenges and hinderances that refugee children encountered in Kenya before the implementation of the CRRF.

To begin with Eastleigh North in Nairobi is one of the areas that has a great number of refugees residing there. Access to education in Eastleigh North is free for refugees in accordance with the FPE policy established in 2003 by the GoK. However, regardless of the efforts by the GoK to make education accessible for all refugees there are more challenges that have hindered the refugee children to access education (UNHCR & DRC 2012). For instance, the FPE created an opportunity for more students to enrol in schools which in turn began to overwhelm teachers as the teacher-student ratio became unbalanced (ibid.). Additionally, a shortage of resources also created challenges for refugees to have an opportunity to learn as they also encountered a shortage of desks, water, and sanitation facilities (ibid.). Consequently, some parents would opt to enrol their children in more expensive schools while some parents who could not afford to do so let their children stay at home. Another notable challenge for refugees in Eastleigh is that school administrators lacked understanding concerning the rights of refugee children to access public education which in turn resulted in teachers turning away the children or refugees even being charged illegal admittance fees (ibid.). In light of this, it is evident that before the CRRF, the GoK adopted the FPE that also allows refugees to access education but because this policy

was not accompanied by infrastructure and resource improvement, refugees still faced challenges in accessing education.

Additionally, host community schools and refugee schools in Nairobi are offered the same amount of resources without any consideration of the greater needs of refugee students. As refugee classes tend to be overcrowded, there were reports that the lack of textbooks caused great hinderance to effectively educate pupils (Muriungi 2014). A teacher in the Kakuma education camp expressed that the lack of textbooks greatly disadvantaged the teaching process. For instance, in Fuji primary, a school located in Kakuma, pupils in class 5 and class 6 had to rotate a textbook among themselves so they could all get a chance to consume the content (Mendenhall et al. 2015). According to the Kenyan department of education the recommended textbook to student ratio is 1:3, however in Kakuma, the pupil-textbook ration ranged between 1:6 and 1:65 (Muriungi 2014). Which means that, students have limited access to essential resources which in turn affects their ability to participate effectively in classes.

In light of this, it is apparent that the issue of the great inflow of refugees in Kenya inadvertently affects the refugees' access to resources as it is proven above with accessing textbooks. Furthermore, teachers also expressed that overcrowding in classes affected the quality of education received by students. Overcrowding in classes meant that teachers were not able to give students the attention that they require which in turn affects the learning ability of these children (Muriungi 2014).

Furthermore, refugee children in Kitengela a refugee settlement area in the South of Nairobi also faced challenges in accessing education (UNHCR 2012). These include the lack of qualified teachers, lack of classrooms and high student to teacher ratios (ibid.). An additional challenge is the inability to consume content being taught as the main languages of instruction are Swahili and English which some students may find difficult to understand as they come from countries that use different languages of instruction (ibid.).

Additionally, the lack of training for teachers in refugee schools is also one of the reasons why students do not receive quality education (Mendenhall 2015). Most teachers in refugee camps expressed that they did not receive any prior training. At Fuji primary 10 out of 25 teachers were found to be untrained which meant that they did not know how to do a lesson plan, manage a classroom and how to effectively engage with students (ibid.). Furthermore, teachers faced challenges in dealing with refugee children who come from different nationalities and the tensions that arose because of that. In view of this, although there were teachers available to

teach students, their lack of training affects their ability to teach effectively. This shows a gap that needs to be addressed in refugee education.

Additional issues that presented challenges to both teachers and students include the Kenyan curriculum that is taught to refugees (Mendenhall 2015). The reason behind this is that some of the content taught in the Kenyan curriculum is not relatable to the refugee pupils and for the teachers who are refugees as well which made the content more challenging to grasp. Examples of such challenges include the Kiswahili language which is a requirement for all students to learn including refugees, the integration of religious studies also exacerbated the marginalisation of minor religious groups (ibid.). For instance, at Angelina Jolie, a public school in Kakuma, Christian Religious Education was taught because the majority of the students were Christian while at Kismayo community-based school, the teachers opted to teach Islamic Religious Education because most of the pupils were Muslim. Considering that religious education is a must in Kenya, opting for only one religious curriculum based on what the majority believes in created religious marginalisation and inevitably, some of the students would struggle to excel in a subject teaching on a belief system different from their own.

### 3.2 Access to Education after the CRRF

In line with Pillar two of the CRRF, the Government of Kenya has committed to responding to the ongoing needs of refugees through improving their service delivery structures. Kenya seeks to achieve this through the improvement of access to education for refugees among many other needs that refugees have (GoK 2020). This section of the paper investigates efforts to improve education for refugees in Kenya.

The first important initiative implemented by the GoK in relation to the improvement of education for refugees is the National Education Sector Strategic Plan (NESSP) which was in effect from 2018-2021 (Minister of Education n.d). Under the NESSP, integrated school infrastructures were expanded to accommodate both refugees and the host community, including latrines with the required hygiene equipment. 2,650 learners were provided with school bags, uniforms, and books (ibid.). Additionally, teachers received training to equip them with necessary skills to educate children. The plan also resulted in an improvement of education facilities and the provision of assistive devices to accommodate children with special needs (ibid.).

Moreso, more development initiatives were rolled out to assist in the development of ECDE. The government of Kenya granted county governments the responsibility to ensure that ECDE

is prioritised (The Senate 2022). As a result, by 2019, county governments had invested in the development of ECDE centres as evidenced by the increase of these centres from 15, 443 to 18, 147 (ibid.). The reason for this increase was to align with the guidelines put in place by the Ministry of Education which stipulates that pre-primary school ought to be within a 2km radius from the camps (ibid.). This means that the government of Kenya put in place policies that guide ECDE centres to align with the goal of improving access to education for both refugees and citizens alike.

Further improvements made by the ECDE county governments to improve the quality of education received in ECD include the requests for teachers to hold a Certificate Qualification to teach ECDE (The Senate 2022). Additionally, the county governments also worked towards recruiting more teachers in a bid to balance the teacher-learner ratio (ibid.). These strides taken by the county governments, led by the guidelines put in place by the Kenyan Government, show Kenya's advances towards meeting the goal of making education accessible for all by ensuring that ECD is compulsory, easily accessible and of the required quality.

Additionally, the Lutheran World Federation (LWF) a lead implementing agency for UNHCR has also made reasonable strides in improving access to education for refugees in Kenya. Having noted that parents who have children with special needs tend to keep them home instead of bringing them to school, the LWF recruited Kenyan Nationals with Special Needs in Education (SNEs) to help in refugee schools where there are children with disabilities (LWF *n.d*). While this is seemingly a short-term goal, the LWF and the Kenya Institute of Special Needs Education, a state body under the Ministry of Education had an agreement that the KISE will equip refugee teachers with the necessary skills to handle children living with disabilities (ibid.).

Additionally, challenges in accessing quality education continue to exist in Kenya as there is still a shortage of qualified teachers and school materials (KCRP 2019). As of 2019, approximately 82 percent of teachers teaching in refugee camps were unqualified teachers (ibid.). Most of these teachers are refugees who excelled in secondary school, and they got considered to fill in the gaps of Kenyan teachers who are not willing to teach in refugee camps, mostly because of the shortage of money and the fact that the refugee camps are located in the arid parts of the county (Walker 2023). Furthermore, the shortage of textbooks also exacerbates this challenge as students are not able to study outside of school hours given that the ratio for textbooks is 6:1 (KCRP 2019).

Another issue that continues to plague refugees in Kenya includes the lack of funding. According to Markham (2022), the funding cuts that occurred in 2022 has exacerbated the problem of having more students than teachers. Without funding, school administrators are not able to pay teachers adequately, as a result, they have had to deal with teacher shortages. In addition, the lack of funding resulted in a shortage of teaching and learning materials (ibid.).

Based on research findings on Dadaab and Kakuma in 2023, 94, 000 children are enrolled in school at Kakuma, while 71,827 children are enrolled in school at Dadaab (Walker 2023). Although there is a high rate of school enrolment in both camps, there are still thousands of children who are out of school (ibid.). The challenge with this is that encouraging enrolment without the improvement of facilities will perpetuate the existing challenges of a higher teacher to student ratio, shortage of school materials and a shortage of teachers. Therefore, it is clear that the international community together with the GoK have a huge responsibility of reconciling the high number of school enrolment with an increase of school resources.

### 3.3 Access to documentation before the CRRF

Under the Refugees Act, 2001, the Commissioner for Refugee Affairs was given the responsibility to offer refugee identity documents in Kenya (Freudenthaler 2012). Access to documentation enables an individual to have access to jobs, school and to all necessary services. In order for one to be declared a refugee, it is necessary for one to go through the process of determining whether they meet all the necessary and sufficient conditions to be considered a refugee. The process of deliberating one's refugee status is formally known as the Refugee Status Determination (RSD) process (ibid.). Each state has the obligation to determine its procedure for the RSD which mean that International Law does not have an input in the regulation of these principles (ibid.). This section explored the GoK's policies towards refugees in relation to the access to documentation.

To start with, the RSD procedure has proven to be a challenge for both the government of Kenya and the UNHCR. The Government of Kenya was responsible for the RSD process pre-1992. At that time, the turn-around time required for one to be receive their refugee status after their interviews was just as long as 3 months (Freudenthaler 2012). However, after experiencing a great influx of refugees from Somalia in the year 1992, the GoK decided to handover the responsibility of status determination to the UNHCR because of the inability of the GoK to handle the pressure of handling an influx of refugees while dealing with the Structural Adjustment Programmes imposed by the World Bank (ibid.).

Under the management of the UNCHR the RSD process no longer was three months, instead the waiting period was stretched to several years (ibid.). During the first thirty days of waiting, refugees were granted a 'Movement Pass' and allowed to go to refugee camps (Turton 2005). As if waiting for years was not enough, refugees also had to deal with RSD rejections, and they had to reapply. The re-application process was difficult as the reasons for rejection were not made clear which made the process of appealing challenging as one would not have insight as to why their application was denied (ibid.).

Based on the data provided above, it is apparent that the process of RSD became more and more challenging as Kenya started to receive an influx of refugees. This suggests that the displaced persons had to wait for a long period of time before they are considered a refugee and thus in need of protection. The longer the waiting process meant the longer the vulnerability of these individuals increases.

Additionally, bearing in mind that the GoK restricts refugee movements, refugees who need to move around outside of the camps were provided with a movement pass. These were provided to individuals who needed to leave the camp for medical treatments, for travel purposes and for school. Should one be found without a movement pass outside the camp, the way out would be bribing police officed or an arrest which required the assistance of the UNHCR for the release of the detainee.

### 3.4 Access to documentation After the CRRF

A notable improvement pertaining to the access of documentation for refugees is that the RSD procedure has since been handed over to the GoK which means that the UNHCR's only mandate in this regard is to conduct registration in collaboration with the government authorities.

In terms of accessing documentation in Kenya, the biggest challenge that refugees have faced is the delay in receiving Refugee Status Determination (RSD). As of March 2021, approximately 60, 000 asylum seekers were waiting for their RSD and the stipulated waited time for the RSD ranges between three months to two years (Rebuild 2022). Such a high number of people suggests that the system through which people were offered the determination was inefficient. Furthermore, this shows that a great number of refugees were put at a disadvantage of not being able to access basic services without RSD (ibid.). An RSD is very crucial in Kenya as in accordance with the 2006 Act on Refugees, identity cards can only be issues upon granting of refugee status (ibid.). What this means is those who were

affected by the back log had a huge challenge in accessing services that required documentation.

In addition, corruption is another one of the issues that refugees have had to deal with. At the root of this issue is the fact that certain individuals received preferential treatment from officials who offer status determination because of bribes (Rebuild 2022). The issue of bribes could also be encouraging the backlog as a way for officials to receive more bribes from people who desperately need documentation (ibid.).

Furthermore, refugees in Kenya still face the challenge of RSD backlog and this continues to be a hinderance in accessing documentation for the said refugees (UNHCR, n.d). Furthermore, there has not been an improvement on the appeals process such that even if an individual is rejected, they cannot appeal as a clear reason is not granted as to why the said refugee was denied RSD (ibid.). As such, there is still room for improvement in terms of the implementation of efficient services by the GoK and the UNHCR.

### 3.5 Access to employment before the CRRF

It is important to ensure that refugees can sustain themselves and to have access to employment. The main source of income for refugees in Kenya comes from the informal sector. In Eastleigh, low-skilled workers make a living through daily casual labour opportunities in the market (Campbell 2005). Unlike in the formal sector, recruiters in the market are less concerned about whether the refugees are legally permitted to work, instead, their main concern is their efficiency in the job that they are given (ibid.). Additionally, there is no preferential treatment in the informal sector, which means that both Kenyan and refugee workers receive the same amount in wages which ranges between 200 KSh and 400 KSh per day (ibid.). Most of these jobs include domestic work and construction.

Furthermore, self-employed refugees also have an opportunity to thrive in Eastleigh's economy using their skills such as, hairdressing and tailoring (UNHCR 2012). Petty trade is also another means of survival, mostly relied on by females and it includes selling food, clothes, and handicrafts (ibid.). Similarly, refugees in Kayole district in Nairobi participate in activities such as selling crafts, eggs, and clothes while those who know French use their skill to teach or tutor students French (ibid). To be able to make enough money to sustain them, refugees need to make sure that they work most days a week.

In Kakuma refugee camp, refugees are employed by humanitarian agencies such as the World Food Programme (WFP) and UNHCR, as well as in commercial sectors (Oka 2011). The roles

include bookkeeping, nursing, construction, and security (ibid.). However, having access to these employment opportunities does not mean that the wages received by refugees are enough to sustain them and their families as most of them are usually paid between $20-40 per month (ibid.). Furthermore, the black market has also been another means of survival for refugees. In collaboration with relief traders, refugees give their food packages to retail traders because the food is not enjoyable to them and hence the food is sold to the black market and then sold in local markets to buy.

On the other hand, Somali refugees found means to thrive in Kenya's economy regardless of the hurdles that are faced by other non-Somalian refugees. They are renowned to be excellent entrepreneurs who have managed to make a living through retail in Kenya (Campbell 2005). As a result of the implementation of trade liberalization in Kenya, Somali traders have thrived in retail as their main sources of income (ibid.). Somali businessmen bought residential blocs and turned them into retail malls such as Garissa Lodge, Amal shopping Plaza, Sunrise Shopping complex, just to mention a few. The merchandise being sold includes fruits and vegetables, hardware goods and electronics. Somali refugees have the advantage of relying on cross border relatives who contribute towards establishing their own businesses. Furthermore, unlike other refugees, Somali refugees did not face challenges in obtaining permits to own a business or to work in Kenya (ibid.). Instead, they would receive assistance from fellow Somalis to organise documentation for them. Therefore, while other refugees struggle to thrive in petty trade and in finding jobs, Somali refugees did not face challenges in relation to their businesses, instead they kept expanding their businesses within Eastleigh and to other parts of Nairobi.

### 3.6 Access to employment after the CRRF

The government of Kenya's commitment to improving employment opportunities in Kenya in line with the CRRF resulted in the establishment of a new refugee settlement in Kalobeyei (UNHCR 2022). The purpose of moving refugees from camps to refugee settlements is to create opportunities for self-reliance (ibid.). The integration of refugees into the local Kalobeyei host community created an opportunity for refugees to be employed by Kenyans specifically in shops and to contribute to the local economy through circulating the money received through cash-based interventions (ibid.).

To enable refugees to earn an income, the International Labour Organisation (ILO) got into a bilateral agreement with the Kenya National Qualifications Authority (KNQA) to assess and

issue government certificates to refugees who arrived with skills from their home countries (UNHCR 2022). The ILO created more opportunities for refugees with skills such as tailoring and dressmaking to participate in the Kenyan economy through this bilateral agreement with KNQA (ibid.).

However, refugee access to employment continues restricted for those in Kalobeyei and for those in camps. This is largely related to the access to work permits. For a refugee to be able to engage in business or a profession, they need to have a Class M work permit (Rebuild 2022). These permits are offered if one has a national passport, a cover letter from an employer, a valid tax compliance certificate, for the purposes of attaining a job in Kenya (ILO 2023). One of the difficulties that comes with these requirements is that, under the regulations of the Kenya Citizenship and Immigration Act 2011/2012, a prospective employer is required to stipulate why they seek to employ a refugee over a Kenyan national (ibid.). This includes justifying what particular skills the refugee in question has that makes them a preferable candidate over a Kenyan national (Vuni and Vuragi 2023). Furthermore, after having received a work permit, the requirement is for the permit to be renewed every two years (Rebuild 2022).

Based on the evidence provided above, it seems that employing a refugee in Kenya becomes too much of a burden for employers. The process of writing a cover letter to justify employment of a refugee does not create any incentives for Kenyan employers to accept refugee employees. More so, having to deal with an employee who must go through their permit renewal which could also be delayed puts employers at a disadvantage because it would mean that an employee must pause work or proceed to work illegally if their permit has not been renewed. As such, although Kenya has adopted the CRRF, it seems the policies put in place are not too accommodating for employees and they do not create any incentives for employers to consider the refugee labour market.

However, non-governmental organizations and humanitarian partners have managed to implement programmes that empower refugees to be self-reliant. The Danish Refugee Council collaborated with the county governor from Garissa, a county for refugees on the Eastern side of Kenya to implement the Area Based Livelihoods Initiative-Garissa (ABLI-G) (Kyalo 2021). Funded by the European Union, the objective of the initiative is to equip refugees and the host community with necessary skills to become self-reliant.

Skills obtained through this programme include tailoring, dressmaking, information communication technology, electrical wiring, plumbing, graphic design and refrigeration

among many others (ibid). These skills prove to be necessary in assisting refugees to have a form of income considering that attaining a job in the formal sector is more difficult because of the requirement of work permits (ibid.). Business permits however are much easier to attain as shown above. Therefore, it is evident that there is progress being made towards taking a whole-of-society approach in response to the need for employment opportunities for refugees in Kenya.

### 3.6 Housing Before the CRRF

The challenge faced in the provision of shelter for refugees emanates from the assumption that the shelter provided for refugees arriving in Kenya was temporal shelter. In light of the protracted refugee situations in Kenya, the shelters in which refugees live in were substandard. The houses were built using branches, grass and plastic tarpaulin. The UNHCR made efforts to improve the housing conditions by building houses through mudbricks and iron roofing.

The only sources of water in Dadaab and Kakuma are boreholes and taps operated by humanitarian organisations LWF and CARE. Water supply averaged 15-18 litres per person on a daily basis (Refugee Consortium Kenya 2015). However, a share of that water is also given to livestock which then reduces the amount of drinking water available for everyone. The provision of water to livestock has also caused conflict with the host community who feel that refugees waste drinking water by giving it to their livestock.

Additionally, the level of insecurity and inhospitable living conditions in refugee camps in Kenya resulted in the urbanisation of refugees. Between the year 2007 and 2008, there was an increase in sexual assaults in the camps among refugees with approximately 103 cases reported in 2007 and 219 in 2008 (Hout 2011). Most of these cases were rape (ibid.). The increase in sexual assaults within the refugee camps meant that those living in camps were vulnerable which is why they began to move to Nairobi.

### 3.7 Housing After the CRRF

Although refugees are intended to last for a short while in their host country, continued violence and famine in their host countries perpetuate their need to stay away from home. As a result, Kenya has received an influx of refugees who have stayed in camps for a period close to 26 years and this is termed protracted refugee situations. With protracted refugee situation becoming the norm in Kenyan refugee camps, the condition of refugee shelters has become an impediment for refugees.

The government of Kenya does not permit refugees to build permanent shelter, and this has not changed despite the adoption of the CRRF (McKenzie and Swails 2015). As a result, refugees end up living in dilapidated and overcrowded temporary shelters. The structure of refugee shelters is not made from bricks, instead some shelters are built from wooden poles and roofed with tin sheets which is not sustainable for events were there are terrible conditions such as floods. For instance, in November 2023, the Dadaab refugee camp was hit by heavy rainfall such that refugees had to abandon their shelters because of the damage that had been done by the rain (Médecins Sans Frontières 2023). The photograph below depicts a typical refugee shelter in Dadaab and shows how insecure these homes are.



Refugees here aren't allowed to build permanent structures. Many live in tents or structures made from old tarps.

Source: CNN Photo by: Wojciech Treszczynski/CNN

The influx of refugees in Dadaab has led to overcrowding such that access to water has been greatly reduced. The average daily water usage for Dadaab refugees is quite small with everyone only having access to 20 litres of water a day. This has led to terrible consequences such as the cholera outbreak that was experienced in Dadaab in 2023 (Makori 2023). Additionally, the reduction in access to clean water has led to a reduction in sanitation in the area which has in turn affected the access to hygienic latrines as a resulted, people opt to defecate outside the toilets which has increased the risks of diseases. (ibid.). Regardless of the efforts to curb the spread of the cholera outbreak, without an improvement in the provision of water, refugees will continue to suffer the consequences of using unsanitary latrines.

Furthermore, the land in which refugees in Dadaab farm and feed their livestock has not been helpful enough in assisting refugees to farm crops and rear cattle. In the recent years and with the floods in 2023, crops were destroyed, and cattle did not have enough grass to survive because of drought.

Similarly, Kakukama refugee camp also experiences overcrowding. Refugees live in small single rooms which are usually overcrowded and lack proper ventilation (Boru 2020). In addition, refugees are usually just provided with material to build their shelters and left with the responsibility to mount their own shelters (ibid.). In some instances, refugees have had to resort to getting some of the building materials for themselves which has at times proven not to be sustainable. For instance, some residents of the camp would make use of 'makuti thatching' for their roofing. They would also use poles and mud to build their walls (ibid.). However, this has proven to be unsustainable as these houses are susceptible to destruction by terrible weather conditions.

More so, Kakukama refugee camp is surrounded by dirt roads which has caused great hinderance in terms of movement in times of emergency (Boru 2020). In the event of floods, the dirt roads become rivers which hinders the transportation of critical supplies around the refugee camps (ibid.). In addition, there is a lack of reliable electricity in these camps such that people have resorted to electric generators and charcoal lamps which have a negative impact on the environment (ibid.).

In addition, the urbanisation of refugees in Kenya continues to be seen even after the implementation of the CRRF. Although the reason behind this is justified by the need for better living conditions, there are more challenges faced by refugees in Kenya. Most refugees and Kenyan nationals pay rent for their homes in Nairobi (Muindi & Mberu 2019). However, the challenge that they encounter is that approximately 64.8 percent of refugees as of 2019 occupied single rooms which means that the rooms were overcrowded as each home has an average of 5 members (ibid). This further affects access to sanitation as most of these households share toilets that are poorly maintained. Simultaneously, refugees also grapple with water shortages because of Nairobi's water rationing programme which has greatly disadvantaged refugees as host communities demand first preference whenever water is provided (ibid).

However, there are programmes that the GoK is committed to initiate for the purposes of addressing issues faced by refugees in accessing shelter. The Kalobeyei Integrated Social and

Economic Development Programme (KISEDP) is one of the new approaches adopted by Kenya aimed at creating a settlement in Turkana West where refugees and the host community would live together (KISEDP 2022). Under the KISEDP project, the GoK has adopted cash-based interventions to help in the construction of permanent housing for refugees. This approach is beneficial to the economy as there is a circulation of cash between refugees and locals with building skills. Although this initiative has been put in place, it is only in effect in the Kalobeyei settlement which means refugees in camps still face the above-mentioned challenges.

## Conclusion

In conclusion, considering the juxtaposition between the conditions that existed before the implementation of the CRRF and the conditions afterwards, there seems to be little improvement. A notable gap is the lack of resources to assist in the implementation of policies that assist the needs of refugees. The government of Kenya continues to be overwhelmed by both the needs of Kenyan nationals and those of the refugees. Although there is assistance from donors, there is a lack of sustainable or durable solutions to the on-going needs of refugees in protracted situations.

# CHAPTER 4: DISCUSSION

This section of the study discusses the findings of the research. To achieve this, the section begins with a summary of the results followed by an analysis of the results presented. The key question that this paper sought to investigate is whether the CRRF has helped host countries to address the needs of refugees. The basic needs of refugees that were considered in this research include access to education, employment, documentation, and housing. Lastly, this section of the paper relates back to the existing literature and relays how the findings in this paper relate to existing literature.

## 4.1 Comparison of findings on Uganda and Kenya

The study above sought to investigate whether the CRRF has assisted host countries to address the needs of refugees. Bearing in mind that one of the main CRRF objectives emphasizes the importance of refugee self-reliance, it is important to investigate how much progress has been made in terms of equipping refugees with necessary skills for self-reliance in both Uganda and Kenya. This section of the study provides a discussion of the results gathered from this study. Additionally, the results gathered for Kenya and Uganda will be juxtaposed to get an understanding of how each country applied the CRRF. Lastly, this section aims to show how the results gathered in this study relate to existing literature.

### Uganda

Based on the findings above, the GOU has taken reasonable strides in improving refugee self-reliance. This is evidenced by the commitment shown by the GOU to improve the quality of education received by both refugees and the host community through the ERP. Through the implementation of the ERP, the government of Uganda shows its commitment to the CRRF by embracing the notion of 'leaving no one behind' as stipulated in the CRRF guideline for member states. Through the ERP, the GOU has managed to increase enrolment as more classes have been built. This has also helped to reduce the problem of overcrowding in classrooms, consequently reducing the pressure felt by teachers who had to teach overcrowded classes. The adoption of the ERP addresses the needs of the refugees as it creates an opportunity for enrolment, it also addresses some of the hinderances that refugees encountered before the adoption of the CRRF. The Ugandan ERP was able to achieve some of its goals as a result of the commitment from the GOU and the funds from the international community.

However, as stated in the findings above, ERP I was partly uncompleted because of the lack of funding. This means, although progress has been made in terms of improving classroom facilities to address overcrowding, there is still a long way to go in ensuring that refugees become self-reliant when it comes to attaining education in Uganda. Being cognitive of the fact that Uganda is a host to scores of refugees requires an understanding that lots of funds need to be invested into encouraging refugee self-reliance. There is still a shortage of scholastic materials experienced by students, scored of refugees remain out of school.

Additionally, the results in this study suggest that access to employment for refugees in Uganda has been particularly challenging. This is because employers in the formal sector lack awareness on how valuable refugee skills are and their employability. Another issue is the delay in the issuance of work permits. As a result, refugees opt to engage in businesses in the informal sector to make a living. The results however suggest that the income earned from some of these activities such as tailoring, dressmaking, selling vegetables is not enough to sustain refugee families. Efforts from the CRRF partners as shown above include educational projects that enable refugees to make use of their agricultural skills to make a living. While this is commendable, one cannot argue that refugees have been fully equipped with gainful employment.

Ensuring that refugees have access to proper housing helps to reduce their need to rely on humanitarian assistance whenever their shelter gets destroyed. As such, the government of Uganda through the NDP committed to improving refugee shelters. The results above suggest that upon acknowledging that Uganda is facing protracted refugee situations, the GOU has resorted to assisting refugees to upgrade their semi-permanent structure to permanent structures. This is a commendable development as the permanent structures are much safer and more sustainable compared to the temporary structures that could easily be swept away by floods.

Lastly, access to documentation is an important aspect for a refugee to survive in the host country. Without documentation, refugees are unable to access basic services such as jobs, health care, education among many others. According to the study above, refugees in Uganda have long struggled with access to documentation, mostly because the issuance of IDs take two long, at times even two years. Based on the findings above, there has not been any tangible international assistance in fast tracking the application process. In 2018, the GOU along with the UNHCR invested in the biometric verification system designed to help in identifying

refugees when distributing food packages. If a similar efficient system is used to register refugees and to provide IDs, refugees would not be facing this kind of constraint.

Considering the results above, the GOU together with its partners who have worked together to implement the process of integrating refugees into the national development plans have taken commendable strides. However, the results also suggests that the efforts so far have only benefitted a select few, leaving out other scores of individuals without access to basic services. In the education sector, there are children who remain out of school, hindering them from empowering themselves through education. Additionally, the limited employment opportunities available for refugees also mean that refugees are unable to sustain their families. The same can be said with regards to shelter, only a select few of refugees have received housing upgrades while others continue to live in dilapidated housing.

Therefore, having taken this into consideration, the CRRF projects in Uganda have partly assisted refugees in achieving their desired goals but a large number of refugees remain in need of an improvement of opportunities provided to them. Although the GOU has adopted policies such as the ERP and the NPD III that are inclusive for refugees as well, the lack of consistent funding makes all these efforts futile. It is important to consider that integrating refugees into an already overwhelmed service delivery system in Uganda means that the burden needs to be shared with the international community. However, if the international community does not provide funds, refugees will continue to rely of humanitarian aid in the years to come.

Kenya

Considering the results above on the efforts made by the GoK towards integrating refugees into the country's development programme, the GoK is committed to seeing the success of the CRRF. Through the implementation of the NESSP, the GoK has helped to address the shortage of scholastic materials, improve, and expand classroom facilities and to also create more opportunities for children living with disabilities to access education in Kenya. This is commendable progress as it addresses some of the challenges that refugees dealt with in accessing education.

However, there are children who remain out of school as there are not enough classroom facilities to accommodate all children. This suggests that although efforts have been made, there are a vast majority of refugee children who are not accommodated. It would be premature to say that the CRRF initiative has failed considering the number of refugees that are in Kenya. A few more years are required to adequately address all challenges. However, the fact that the

NESSP project aimed at addressing access to education for a stipulated time did not receive enough funds suggests that funding will continue to be a challenge in the years to come should there be an improved policy adopted by Kenya.

Similar to Ugandan refugees, refugees in Kenya have limited access to employment in the formal sector. As such, the means of survival for refugees has come from the informal sector. The ILO advocated for skilled refugees to receive certificates that are recognised in Uganda to enable them to function in the country without hinderance. Furthermore, employment opportunities increased for refugees as a result of the KISEP project in Kalobeyei. The project brought together refugees and the host community into one settlement which meant that refugees began to engage in economic activity with the host community. However, the findings show that refugees struggle to access work permits which means that they end up resorting to working illegally.

Based on the results above, the GoK has made efforts to improve the living conditions for refugees in Kenya. The cash-based intervention is used to fund shelter development projects for refugees in Kalobeyei. The reasoning behind this being that the cash used in the building project is given to the host community who offer building skills which as a result improves the economy of Kenya.

However, considering that this initiative has mostly been rolled out in Kalobeyei and not everyone has had a chance to improve their living conditions, one cannot argue that the CRRF initiative has helped to address the needs of refugees.

In relation to access to education for refugees in Kenya, the government has made progress in terms of making education accessible to both refugees and the host community. However, there is still room for improvement. Although the GoK continues to encourage enrolment, the shortage of classrooms has left many out of school. This is a similar experience in Uganda. Which suggests that without adequate funding, regardless of the policies put in place by the government to align with the CRRF, chances of empowering refugees to be self-reliant are quite slim.

Additionally, the study found that refugees have access to employment although the salary gained in most of these informal sectors is not sustainable for refugee families. This is a similar situation in Kenya. Partners to the UNHCR have stepped up and assisted both the GoK and the GoU in this regard with livelihood development projects. Regardless of these efforts, it is apparent that the sources of income for refugees even after the CRRF application remain

unsustainable. Which suggests the need for international support. Considering that both Uganda and Kenya are developing countries, being able to provide scores of refugees and the local community will be challenging. Based on this realisation, the CRRF should also encourage resettlement options by getting developed countries involved in the process of offering third country solutions if repatriation is not a viable solution.

Lastly, when considering the results above, the GoK has not made improvement in terms of the issuance of refugee IDs. This is a huge hinderance for refugees if who should be afforded the freedom to access basic services but are not able to because the delay in the issuance of IDs. If the aim is to encourage self-reliance, the international community has the responsibility to assist the GoK to improve its efficiency in the documentation process. However, if this is not done, achieving self-reliance for refugees will be a long-lasting challenge.

### 4.3 Contribution to existing literature

The Ugandan and Kenyan case studies illustrate that addressing the needs of refugees requires access to funds from the international community, without adequate funding, it is difficult to achieve integration for refugees. These results are similar to the findings by Small and Mlauzi mentioned in the literature review. According to Small & Mlauzi (2019), Tanzania was one of the pilot countries of the CRRF, however, because of the lack of funding, the government of Tanzania decided on leaving the CRRF commitment. The expectation for developing countries to assimilate refugees into their national development plans without adequate funding is unrealistic. Uganda and Kenya are both developing countries that still need to improve their national service delivery abilities. Therefore, this study concurs with the results from Small & Mlauzi that the lack of funding has deterred the success of the CRRF projects thus far.

Additionally, the results from this study resonate with a study done by Bloch (2020) on the shortcomings of the UNHCR's durable solutions. According to Bloch, regardless of the durable solutions proposed by the UNHCR, the lack of solid commitments from the international community towards the success of the GCR continue to affect its effectiveness. The lack of commitment from the international community in this case is shown through the unwillingness of countries to accept resettlement refugees from overburdened countries and the lack of appropriate funding to countries hosting refugees. Essentially, countries hosting refugees face end of handling the pressure of refugees without enough international support.

Additionally, a study by Fellesson (2019) argues that the failure of the CRRF in Tanzania can be attributed to the lack of proper planning and lack of understanding on the allocation of funds

to achieve the goals of the CRRF. The findings in this study above suggest the opposite, both Uganda and Kenya had proper frameworks through which they intended the CRRF to function. However, it is the lack of adequate funding that has derailed the plans that were already in place. Therefore, in the case of Kenya and Uganda, one can argue that there were strategies in place, however, strategies without funding are in vain.

Based on this, it is clear that the adoption of the CRRF has not completely helped host countries to address the needs of refugees. The notable challenge is that without enough funding, national development plans that include refugees are all adopted in vain. Regardless of the fact that the CRRF is still underway, the fact that at the beginning of the implementation of policies such as the ERP and the NESSP, both Uganda and Kenya did not receive adequate funding suggests that there is a lack of commitment from the international community.

When analysing the position of refugees in Uganda and Kenya, one would argue that refugees have not yet received the freedom to empower themselves. Opportunities for self-development in the education system remain slim, access to gainful employment is reserved for a select few. Those who are involved in the informal employment sector still require humanitarian assistance as the income gained is not enough. Refugees' living conditions are still in need of improvement. Lastly and most importantly, the documentation process is lacking, leaving refugees unable to access basic services. Therefore, regardless of the CRRF roll out in both Kenya and Uganda, refugees remain with a poor quality of life and most of them are still denied the freedom to participate in what they find valuable, that is, in education, employment and in acquiring safe living environments while also possessing valid documentation.

# CHAPTER 5: CONCLUSION

The study above sought to investigate whether the CRRF has helped host countries to address the needs of refugees. To answer the main question of this study, two case studies were considered, Uganda and Kenya. The reasoning behind this case selection being that these two countries are among the countries with the highest number of refugees residing in their countries and they are among the pilot countries of the CRRF. The results above indicate that the CRRF has not completely helped host countries to address the needs of refugees. This is mostly because there are still huge gaps that have not been addressed because of the lack of funding and lack of commitment from the international community.

To understand whether the CRRF has been an effective framework in addressing the needs of refugees, this study focused on one of the CRRF's objectives, self-reliance. The whole point of the CRRF's application in both Uganda and Kenya was to empower refugees to be self-reliant. However, upon conducting a study of what has been done in both Kenya and Uganda, refugees have only been partially empowered. While a select few have acquired access to education, employment, documentation and shelter, there are a huge sum of refugees that remain without assistance.

Although one may argue that it is premature to judge whether the CRRF has been effective, the lack of commitment from the international community in offering funds is evident from the onset. Projects such as the ERP and the NESSEP did not receive adequate funding towards their estimated budget from the onset. Showing that although there may be strategies in place, the lack of funding will always delay progress.

However, it is worth acknowledging that the CRRF has had an impact on policy improvement in both Uganda and Kenya. Both countries integrated refugees into their service delivery strategies. Additionally, both countries, with assistance from the UNHCR and partners, committed to the CRRF and managed to improve access to education by building more schools and providing school material. Moreso, international organizations play a huge role of livelihood empowerment projects. Although the wages gained from some of these skills may not be sustainable, refugees are given opportunities to learn and earn a living which they would not have otherwise managed to do while confined in camps.

Moreover, the cash-based interventions are also a commendable move towards improving refugee shelters in Kenya while also benefiting the local economy of Kenya. A huge gap

remains to be addressed in terms of access to documentation. If both Kenya and Uganda are encouraged to include scores of refugees in their service delivery strategies, the international community has the responsibility of ensuring that the refugee registration process is efficient and with a quick turnaround time.

In relation to the literature review on the CRRF, the shared sentiment amongst scholars thus far is that the CRRF project has lacked largely in funding, which this study also found to be true. This study contributes to existing knowledge by providing more insight into how the CRRF objective of self-reliance was implemented in both Uganda and Kenya. By so doing, the study illuminates the shortfalls in the implementation of the framework and that there is great need for the international community to take part in burden-sharing. Failure to include the international community in burden-sharing will overwhelm the GoU and the GoK who are already overwhelmed by protracted refugee situations.

The initial notable limitation in conducting this study was that the Covid-19 pandemic disturbed the roll-out of the CRRF. However, while conducting the research, another notable limitation was that certain government reports were difficult to get a hold of. Regardless of this, the data found was enough to assist in making a judgement on the effectiveness of the CRRF.

The evidence above suggests that the biggest hinderance to achieving the successful integration of refugees into the national delivery strategies is shortage of funds. It would be insightful if future research investigates the reasons behind the reluctancy of the international community. Identifying the root cause of the reluctancy will be helpful in terms of policy development. Additionally, this will be very useful in aiding the process of revising the CRRF strategy which emphasizes the importance of a whole of society approach to the refugee crisis in Africa.

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