



OFFICE OF THE LEADER OF OPPOSITION

**REPORT ON OVERSIGHT VISITS TO KYANGWALI, KYAKA II,
RWAMWANJA AND NAKIVALE REFUGEE SETTLEMENT
CENTRES**

JULY 2019

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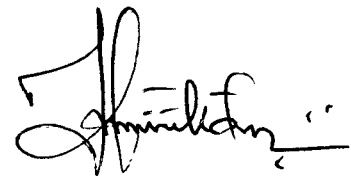
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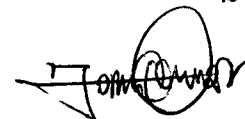
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EXECUTIVE SUMMARY

During the period 1 – 5 July 2019, the Leader of the Opposition led a delegation that undertook oversight visits to refugee settlement centres in Kyangwali in Kikuube district, Kyaka II in Kyegegwa district, Rwamwanja in Kamwenge district and Nakivale in Insingiro district.

The visits were in line with Section 6E (1) of the Administration of Parliament (Amendment) Act, 2006 that empowers the Leader of the Opposition to undertake oversight and keep the government in check.

During the visit the delegation interacted with Officials of the Office of the Prime Minister, UNHCR, implementation partners, local governments, host communities and refugees. The interactions enabled the delegation appreciate the work being done in settlement centres and note areas of concern that require urgent attention.

Areas of Concern

a) Access Rights to Refugee Registration System

Following queries regarding refugee ghosts and fraudulent accountability, Government of Uganda in 2018 in collaboration with UNHCR embarked on countrywide refugee verification exercise. This culminated to changing registration systems from Refugee Information Management System developed by government of Uganda to a ProGres system developed by UNHCR.

The delegation noted that the main contribution played by OPM in the management of the system was biometric registration. The general management of the ProGres system is exclusively handled by UNHCR although the Government of Uganda was granted limited access rights. Substantially UNHCR maintains and keeps the register of refugees while the Government of Uganda updates the register with new refugee entries. This contradicts Regulation 45 of the Refugee Regulations that stipulates that the register of refugees shall be kept, maintained and updated by the Commissioner for Refugees.

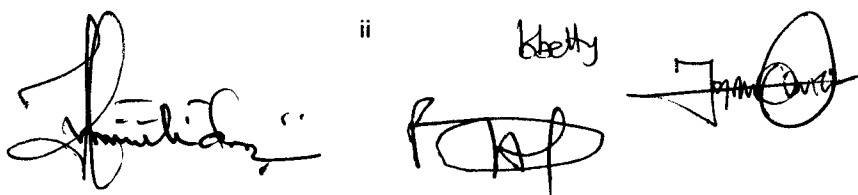
Recommendation

Unless amended, the Commissioner for Refugees should have powers to keep, maintain and update the ProGres System as provided in the Refugee Regulations.

b) Failure in Deportation of Rejected Cases

Although Section 20, 21 and 42 of the Refugee Act provides for rejection of refugee application and deportation upon loss of appeal, rejected cases are rarely deported. This is attributed to porous borders, inadequate enforcement

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and inadequate funding of Ministry of Internal Affairs that is charged with the responsibility of deportation. As a consequence, the rejected cases continue to leave in Uganda without a status of either refugee or asylum seeker. This is illegal and incoherent with the existing legal frameworks.

Recommendation

The Ministry of Internal Affairs should present to Parliament by the end of July 2019 a status report regarding deportation of persons who have been denied refugee status.

c) Inadequate Funding, Accountability and Transparency

The Office of the Prime Minister was concerned that budgetary constraints are hampering effective planning and management of refugees and their needs. Nonetheless for funds realised through development partners for instance through the Solidarity Summit, the delegation noted that accountability and transparency of realized funds amounting to USD 539 million was a little concealed. This was envisaged in failure to disclose audited performance of the realized funds. This raises a risk of re-emergence of accountability issues that prompted auditing of key refugee stakeholders i.e. Government of Uganda and UNHCR. Unfortunately these reports have not been disclosed for close to 2 years.

Besides it was observed that international partners and non-governmental organisations directly receive and deliver humanitarian refugee services. However, the delegation noted that they account to funders and less to the beneficiaries and general public. Hence there is limited transparency and scrutiny.

Following interaction with the Department of Refugees in the Office of the Prime Minister it was established that although memorandum of understanding were entered with 160 implementation and operation partners, they were only able to determine the proposed annual budgets and funds spent in all settlement centres in Uganda but not how much was actually mobilised.

Recommendations

As resolved by Parliament, all off budget support should be reflected in the national budget particularly in ministerial policy statements so as to facilitate effective budget monitoring and transparency.

Urge Office of the Prime Minister, implementation and operational partners to be accountable and transparent to the public through the provision of both audited physical and financial performance.

The findings of audit exercises into the operations of both Government of Uganda and UNHCR should be made public.

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d) Integration of Refugees Matters into Development Plans

Regulation 61 of the Regulations provides for integration of refugee matters into the development plan and local government development plans. As a result of the integration, in FY2018/19, host districts benefited from Development Response to Displacement Impact Project (DRDIP) and Uganda Support to Municipal Infrastructure Development – Additional Funding (USMID-AF) for infrastructural and livelihood development. However local leaders raised a concern regarding absence of a criteria that determines beneficiaries of the funding within the host districts. It was asserted that beneficiaries were being selected based on political grounds rather than needs assessment.

The delegation was also informed that funds for social services are allocated to local governments based on population numbers of citizens in districts determined during the census. The population of refugees are not considered in the allocation formula yet they access services at local facilities. This has compromised service delivery.

Recommendations

The Office of the Prime Minister in consultation with local governments should develop a criteria for selection of beneficiaries of DRDIP and USMID-AF.

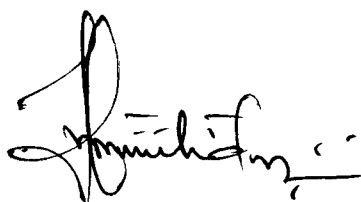
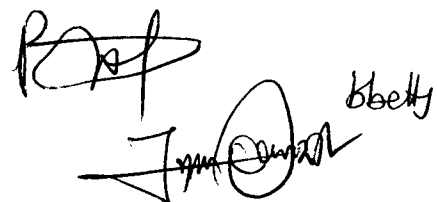
The allocation formulae of funds for social services to host districts should in addition to census statistics incorporate average number of refugees. The average number is preferred based on the fact that refugee populations vary on a daily basis.

e) Failure to define Host Communities

The delegation observes that Regulation 60 of the Refugee Regulations stipulates that refugees shall be integrated into host communities. This involves sensitization of populations surrounding the refugee settlement centres and sharing of social services i.e. health, education, public roads and water among others. However, both the Refugee Act and Regulations do not define the criteria for determining host communities. It is not clear whether host communities are villages bordering the settlement centre or sub counties or districts.

Recommendation

The Refugee Act and Regulations should be amended to define a criteria for determining host communities.

f) Inadequate Police Deployment

The delegation noted that despite the thousands of persons in each settlement centres, there was inadequate deployment of police officers. All the settlement centres were non-compliant to the recommended international ratio of 1:500 as indicated in table below. This compromises security and case management in the centres.

Recommendation

The Ministry of Internal Affairs and Uganda Police Force should progressively increase deployment in settlement centres to acceptable international standard.

g) Environmental Degradation

The management of settlement centres highlighted that there is heightened environmental degradation arising from construction of shelter and sourcing of fuel wood. At the national level, OPM asserted that refugees 58% of the vegetation cover in the areas where they are settled in a period of only 2 years.

The delegation was informed that implementation partners allocate extremely meagre resources towards environmental protection and restoration.

Recommendations

Implementation and operational partners are urged to allocate funds towards a deliberate afforestation programme in a designated area in settlement centres where initiative is undertaken to plant and maintain at least 5 trees per new refugee.

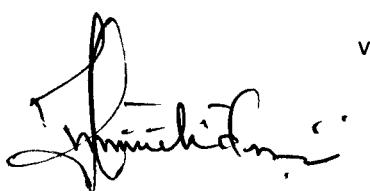
Alternative sources of cooking energy should be considered such as Liquefied Petroleum Gas as is the practice in refugee centres in Turkey and Pakistan.

h) Overstretched Health Facilities

The delegation noted that in all health centres in the settlement centres and immediate host communities were overcrowded. They were operating at a status higher than their current rating. Hence, they were operating beyond expected capacity. This is mainly attributed to escalating population of refugees.

Recommendation

The Ministry of Health is urged to reassess performance of health centres in settlement centres and host districts with the intention of upgrading them to




appropriate levels. Parliament should be informed of the assessment results within 3 months.

i) Inadequate Educational Structures

The delegation noted in all the settlement centres that primary schools were overcrowded. Furthermore apart from Nakivale that could access 2 secondary schools, the rest of the settlement centres had only 1 secondary school shared by both nationals and refugees. It was reported that in the absence of UNHCR scholarship, majority of the children had dropped out at primary level. Most schools in the settlement centres were not coded by the Ministry of Education and Sports. This adversely affects effective performance of schools particularly sitting of national examinations.

Recommendation

The Ministry of Education and Sports is urged to inspect all the schools in settlement centres with the intention of coding them and allocating them additional infrastructural support. This would be in line with the Education Response Plan for Refugees and Host Communities in Uganda of 2018.

j) Inadequate Sewerage Disposal

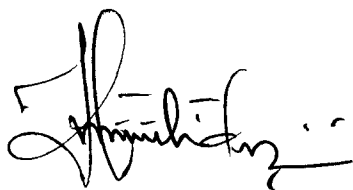
The delegation noted that despite rising number of refugees in settlement centres, there were inadequate sewage facilities. All settlement centres lacked sewage lagoons. This has made it costly to disposal off faecal matter (generated in communal facilities) in distant sewage lagoons.

Recommendation

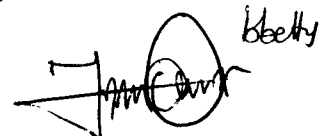
The Office of the Prime Minister is urged to develop a sewage policy for settlement centres and ensure that all of them possess sewage lagoons.

k) Titling of Settlement Centres

The delegation was concerned that in all the settlement centres visited, the settlement commandants did not have copies of land titles for the area occupied. The delegation was not convinced by the assertion that copies of the titles can only be assessed at the Office of the Prime Minister. On further probing the delegation was informed that there were land conflicts between nationals and the settlement centres of Rwamwanja, Nakivale, and Kyaka settlement centres.



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Recommendation

The Committee on Presidential Affairs should take interest in ascertaining whether the land occupied by settlement centres of Rwamwanja, Nakivale, and Kyaka is titled and has no encumbrances.

I) Albinos

Of all the settlement centres in Uganda, it was noted that it was only Rwamwanja that designated an area for albino refugees. The albino community informed the delegation that sun creams are costly and some of them have faced discriminations in schools and health facilities.

Recommendations

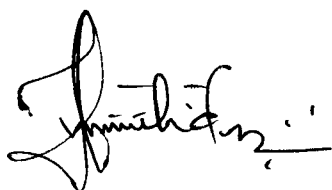
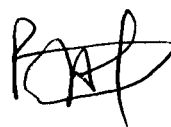
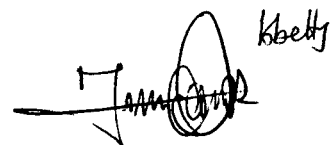
Urge Uganda Revenue Authority to ascertain whether the exemptions on creams used by Albinos in treatment of their skin as provided in Excise Duty Act has had effect on the pricing of sun creams.

A special educational facility should be established for albino refugee community in Rwamwanja settlement centre.

Conclusion

While Uganda is globally commended for its refugee policy, it ought to be an interest for every nation and development partner to curb the drivers of refugee influx. This requires concerted effort of actors particularly within the East African Community to strengthen governance structures, democracy and ensure equitable distribution of resources.

As a legislature, it is essential that Members take interest in refugee affairs through its Committees and forums so as to drive policy discourse and development.

1.0 INTRODUCTION

The Office of the Leader of the Opposition constituted a delegation (Annex 1) to undertake oversight visits to Kyangwali, Kyaka II, Rwamwanja and Nakivale refugee settlement centres. The visits were undertaken during the period 1 – 5 July 2019.

The visits were in line with Section 6E (1) of the Administration of Parliament (Amendment) Act, 2006 that empowers the Leader of the Opposition to undertake oversight and keep the government in check.

1.1 Objectives of the Oversight Visits

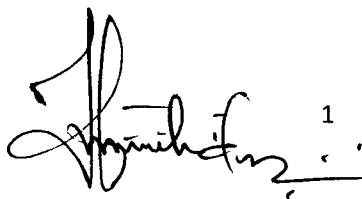
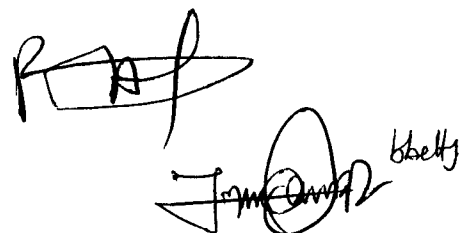
The objectives of the oversights were the following:

- a) To establish the existing population of Kyangwali, Kyaka II, Rwamwanja and Nakivale refugee settlement centres;
- b) To assess the overall management of Kyangwali, Kyaka II, Rwamwanja and Nakivale refugee settlement centres;
- c) To establish challenges faced by refugees in Kyangwali, Kyaka II, Rwamwanja and Nakivale refugee settlement centres; and
- d) To assess the relationship between refugees and host communities in Kikuube, Kyegegwa, Kamwenge and Isingiro districts.

1.2 Methodology

The following methodology was undertaken:

- a) Joint inspections of the settlement centres by Members of Parliament, Office of the Prime Minister, Chief Administrative Officers, Local Leaders and international partners were undertaken;
- b) Holding of base camp meetings between Office of the Prime Minister and International Partners in settlement areas;
- c) Holding of meetings with leaders of refugees and host communities; and
- d) Holding of boardroom meeting with the Office of the Prime Minister.

2.0 BACKGROUND

Uganda has been applauded globally for its refugee policy that focuses on non-camp settlement arrangements that provide refugees with land for shelter and agricultural production, freedom of movement, right to work and access to social services such as health and education. This is supported by Section 3 of Refugee Act 2006 that grants the Government of Uganda sovereign right to grant or deny asylum or refugee status to any person. This is premised on biometric registration at reception centres and subsequent application for asylum or refugee status.

Section 11 and 12 of the Refugee Act also establishes Refugee Eligibility Committee that vets all applications for refugee and asylum status in Uganda. Any person that seeks to remain in Uganda as a refugee or asylum seeker ought to apply to the Committee within the 30 days after date of entry. Those that have been awarded refugee or asylum status are bound to comply with all laws of Uganda and assigned to a transit or settlement centre. These are then integrated into the communities commonly referred to as host communities within the areas where the transit or settlement areas have been established. It is against this background that settlement centres such as Kyangwali in Kikuube district, Kyaka II in Kyegegwa district, Rwamwanja in Kamwenge district and Nakivale in Insingiro district were established.

As a consequence, Regulation 61 of the Refugee Regulations (2010), the host districts are obliged to integrate refugee matters within their development plans. It is on this premise that Parliament appropriates funds for refugees' administration in Uganda and extra humanitarian resources mobilized by government from development partners as was envisaged during the Solidarity Summit on Refugees held in June 2017.

In the event a refugee wishes to stay in a place other than transit or settlement centre, he or she applies to the Commissioner in charge of refugees for permission to reside in any other part of Uganda.

The influx of refugees into Uganda is largely attributed to deteriorating and unstable security situations in neighboring countries in the Democratic Republic of Congo, South Sudan, Burundi and Rwanda. This has been compounded by insecurity in non-neighboring countries particularly Somalia, Eritrea and Ethiopia. Coupled with favourable refugee policy in Uganda, the population of refugees has grown from 433,595 people in 2015 to 1,293,582 people as of 1 July 2019.

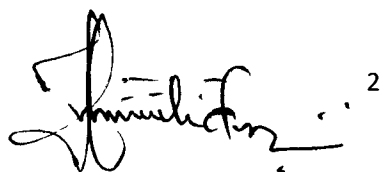
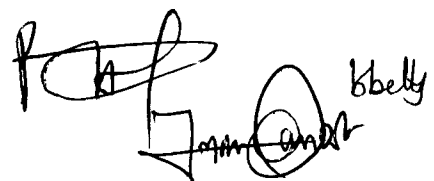



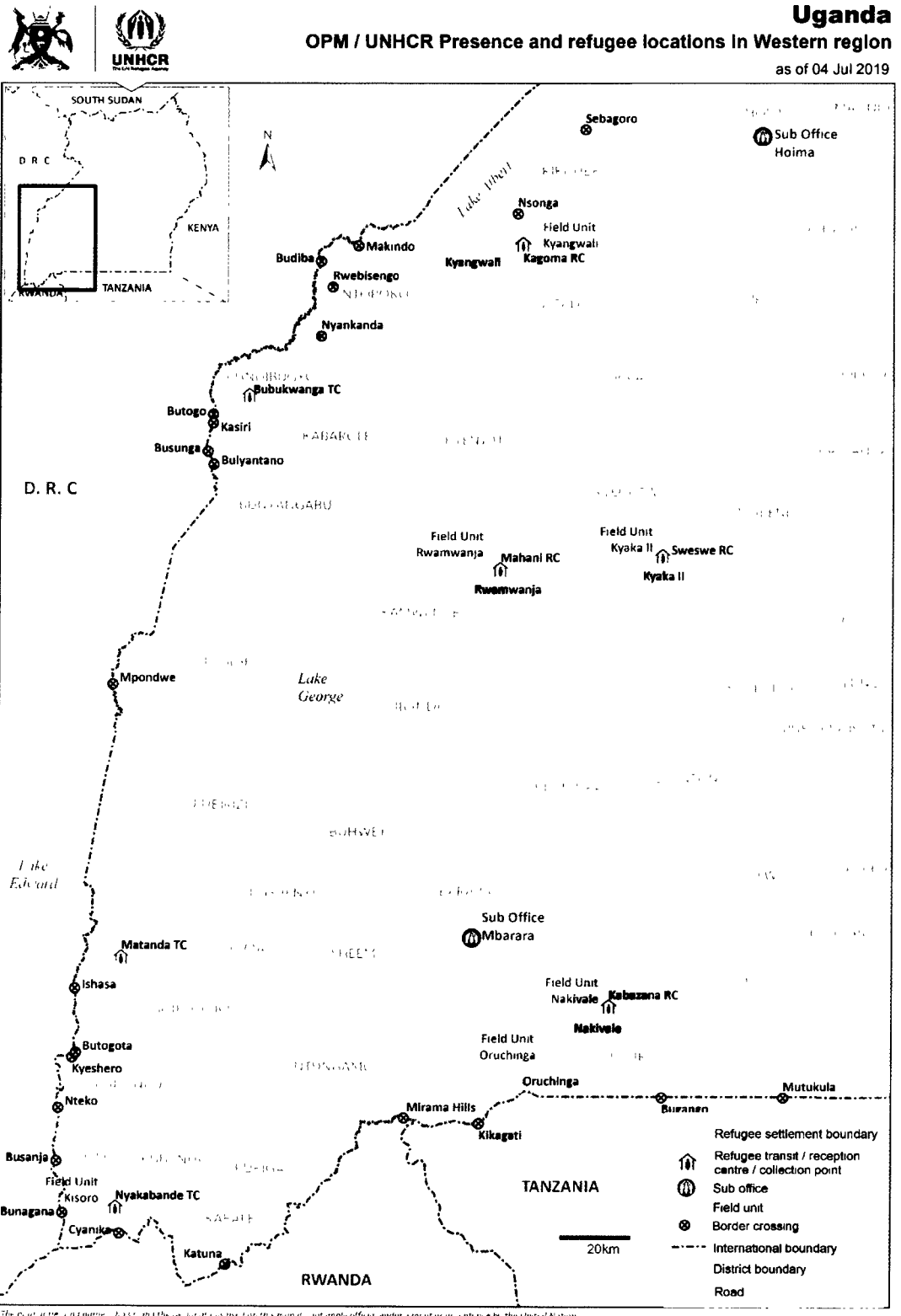
Table 1: Refugees categorization by Country of Origin and Sex as of 1st July 2019

Country of Origin	Female	Male	Total
South Sudan	438,555	395,229	833,784
Democratic Republic of Congo	180,756	172,624	353,380
Burundi	19,927	21,395	41,322
Somalia	14,609	16,527	31,136
Rwanda	7,961	7,603	15,564
Eritrea	6,394	5,977	12,371
Sudan	1,107	1,591	2,698
Ethiopia	1,231	1,442	2,673
Pakistan	82	152	234
Kenya	89	130	219
Republic of the Congo	15	24	39
Turkey	13	20	33
Central African Republic	14	16	30
Yemen	12	15	27
Syrian Arab Republic	-	13	13
Senegal	4	6	10
United Republic of Tanzania	7	3	10
Egypt	3	6	9
Chad	2	7	9
Nigeria	3	3	6
Mali	1	3	4
Palestine	-	3	3
Russian Federation	1	1	2
Cameroon	1	-	1
India	-	1	1
Islamic Republic of Iran	-	1	1
Liberia	1	-	1
Zambia	1	-	1
Malawi	-	1	1
Total	670,789	622,793	1,293,582

Source: OPM

All refugee settlement centres offer a series of services that include biometric registration, protection, community services, food, core relief items (blankets, sleeping mats, mosquito nets etc.), shelter and relocation, social services (education and health), livelihood programmes, water, sanitation and hygiene.

2.1 Overview of Visited Settlement Centres



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2.1.1 Kyangwali Refugee Settlement Centre

Kyangwali refugee settlement centre located in Kikuube district was established in the 1960s to accommodate Rwandan refugees. Following voluntary repatriation of Rwandese in 1994 and 1995 following change of government in Rwanda, the settlement now mainly accommodates Congolese refugees.

The settlement covers 142 square kilometres comprising of 29 villages.

The centre had a population of 102,205 persons of whom refugees are 101,616 while asylum seekers are 589. 95% of the refugee population were Congolese.

Table 2: Refugee population distribution by country of origin in Kyangwali Refugee Settlement Centre as of 1st July 2019

Categorisation	Country of Origin	Population
Asylum Seeker	Democratic Republic of Congo	579
	Burundi	8
	South Sudan	2
Refugee	Democratic Republic of Congo	97,969
	South Sudan	3,250
	Rwanda	322
	Burundi	53
	Kenya	10
	Somalia	10
	Ethiopia	1
	Sudan	1
	Total	102,205

Source: OPM



Photo 1: The delegation holds a meeting with staff of OPM and implementation partners at Kyangwali Base camp



Photo 2: Staff of OPM interacts with the delegation during inspection of Kyangwali Settlement Centre in Kikuube district

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2.1.2 Kyaka II Refugee Settlement Centre

Kyaka II settlement was established in 2005 following closure of Kyaka I settlement centre that had been operational for 21 years. It has an area of 81.5 square kilometres located in Kyegegwa district. The settlement has 26 villages.

The centre had 96,562 refugees, majority of whom are from the Democratic Republic of the Congo. 95,187 were classified as refugees while 1,375 were classified as asylum seekers.

Table 3: Refugee population distribution by country of origin in Kyaka II Refugee Settlement Centre as of 1st July 2019

Categorisation	Country of Origin	Population
Asylum Seeker	Democratic Republic of Congo	1,081
	Rwanda	195
	Burundi	98
	South Sudan	1
Refugee	Democratic Republic of Congo	90,179
	Burundi	2,938
	Rwanda	1,972
	South Sudan	37
	Kenya	15
	Ethiopia	11
	Sudan	11
	Somalia	8
	Republic of the Congo	6
	Central African Republic	5
	United Republic of Tanzania	3
	Chad	1
	Malawi	1
		Total

Source: OPM

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Photo 3: The Leader of the Opposition and her delegation inspecting Kyaka II settlement centre in Kyegegwa district



Photo 4: The Leader of the Opposition addresses implementation partners at Kyaka II settlement centre

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2.1.3 Rwamwanja Refugee Settlement Centre

The settlement was initially established to host Rwandese refugees in 1964. However, following voluntary repatriation of Rwandese refugees in 1995, it was closed. It was reopened in 2012 following conflicts in the Democratic Republic of Congo which led to influx of Congolese refugees into Uganda.

Located in Kamwenge district, the centre had 45 villages and a total area of 106.19 square kilometres. It accommodated 68,492 refugees majority of whom are from the Democratic Republic of Congo. 68,198 were classified as refugees while 294 were classified as asylum seekers.

The settlement centre is the only one in Uganda that accommodates albino refugees in Uganda. There were 65 albino refugee families in the centre.

Table 4: Refugee population distribution by country of origin in Rwamwanja Refugee Settlement Centre as of 1st July 2019

Categorisation	Country of Origin	Population
Asylum Seeker	Democratic Republic of Congo	286
	Rwanda	7
	South Sudan	1
Refugee	Democratic Republic of Congo	67,980
	South Sudan	102
	Rwanda	60
	Burundi	27
	Republic of the Congo	8
	Somalia	7
	Kenya	6
	Central African Republic	5
	Eritrea	2
	Senegal	1
		Total

Source: OPM

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Photo 5: The Leader of the Opposition addresses children attending classes in a tent at Kyempango Primary School in Kamwenge district



Photo 6: The delegation interacts with albinos at Rwamwanja settlement centre in Kamwenge district

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2.1.4 Nakivale Refugee Settlement Centre

The refugee settlement was created in 1958 and officially recognised in 1960 following influx of Rwandese fleeing Rwanda during conflicts between Tutsi and Hutu. Hence it was set up during colonial era. Political crisis in Democratic Republic of Congo and Burundi are currently the main drivers of refugees at the centre.

The centre has a total area of 182.7 square kilometres that are divided into 79 villages.

It had a population of 113,468 refugees majority of whom are from the Democratic Republic of Congo. 110,386 were classified as refugees while 3,082 were classified as asylum seekers.

Table 5: Refugee population distribution by country of origin in Nakivale Refugee Settlement Centre as of 1st July 2019

Categorisation	Country of Origin	Population
Asylum Seeker	Democratic Republic of Congo	1,635
	Burundi	1,201
	Rwanda	151
	Somalia	52
	Ethiopia	26
	Eritrea	16
	Sudan	1
Refugee	Democratic Republic of Congo	54,602
	Burundi	31,278
	Somalia	13,012
	Rwanda	9,321
	Eritrea	1,094
	Ethiopia	843
	South Sudan	178
	Kenya	26
	Sudan	23
	Senegal	5
	United Republic of Tanzania	2
	Pakistan	1
	Palestine	1
		Total

Source: OPM

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Photo 7: The delegation interacts with refugee leaders at Nakivale settlement centre in Isingiro district



Photo 6: The leader of the Opposition signs a visitor's book at Kabazana reception centre in Nakivale settlement centre

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