

THE LEGAL AND INSTITUTIONAL FRAMEWORK IN THE PROTECTION OF REFUGEES IN UGANDA: A FOCUS ON STATE RESPONSIBILITY AND INTERNATIONAL COOPERATION

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ABSTRACT

Uganda hosts over 1.5 million refugees, making it one of the largest refugee-hosting countries globally. This study examines the legal and institutional framework for refugee protection in Uganda, focusing on state responsibility and international cooperation. It assesses how Uganda's domestic laws align with international refugee law and evaluates the effectiveness of mechanisms in ensuring protection. While Uganda is noted for its progressive policies, challenges remain in safeguarding the safety and dignity of refugees. Key legal frameworks analysed include the Refugee Act Cap 312, the Refugee Regulations of 2010, and the National Refugee Policy. The research also highlights the roles of international partners like the UNHCR in supporting Uganda's efforts. Through qualitative analysis and doctrinal research, the study identifies gaps and inconsistencies in the refugee protection system and suggests that implementation is often hampered by limited resources and institutional capacity. The study concludes with recommendations for enhancing institutional coordination, increasing resource allocation, and strengthening international partnerships to create a comprehensive approach to refugee welfare. The findings aim to inform more effective refugee protection policies and practices in Uganda and beyond.

Keywords: Refugee Protection, State Responsibility, International Cooperation, Uganda

1. Introduction

Despite being one of the least wealthy nations globally, as assessed by Gross Domestic Product (GDP) per capita, Uganda stands out as a leading refuge for those fleeing conflict, hosting over 1.5 million refugees, primarily from South Sudan (approximately 894,000) and the Democratic Republic of the Congo (DRC; about 498,000)¹. This influx has earned Uganda international acclaim for its progressive stance on refugee protection and its robust legislative framework that emphasizes humanitarian aid and rights. As a key player in global initiatives like the Comprehensive Refugee Response Framework (CRRF) and the Global Compact on Refugees (GCR), Uganda strives to promote the economic and social inclusion of refugees within host communities, facilitating their self-reliance². The national strategy aligns with frameworks established by the United Nations High Commissioner for Refugees (UNHCR) and sets

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¹ Ahimbisibwe F, 'The 2006 Refugees Act at 15 in Uganda: An Appraisal' (2018–2019) 18 ISIL YB Int'l Humanitarian and Refugee L 1.

² European Civil Protection and Humanitarian Aid Operations, 'A Welcoming Haven for Those Fleeing Strife and Insecurity: Uganda's Unique Refugee Policy' (European Commission, 2023) https://civil-protection-humanitarian-aid.ec.europa.eu/news-stories/stories/welcoming-haven-those-fleeing-strife-and-insecurity-ugandas-unique-refugee-policy_en accessed 25 April 2025.

ambitious goals for humanitarian admission, securing fundamental needs, and pursuing durable solutions³.

The refugee crisis remains an urgent global challenge, driven by conflict and persecution. Uganda's open-door policy showcases its commitment to humanitarianism, yet the substantial refugee influx has placed considerable strain on the country's limited resources and infrastructure⁴. Despite these challenges, Uganda has established a solid legal and institutional framework for refugee protection through the Refugee Act and Refugee Regulations, supported by organizations like the Office of the Prime Minister (OPM) and the UNHCR. Nonetheless, gaps in state responsibility and international cooperation persist. This study aims to critically assess these frameworks, focusing on their effectiveness and identifying areas for improvement⁵.

A refugee, as defined by the 1951 Refugee Convention, is someone who cannot return home due to a well-founded fear of persecution based on various grounds. Uganda's favorable reception policy has led to a significant influx while striving for social and economic coexistence in communities such as Nakivale and Kyaka. However, the path to citizenship for refugees is often complex⁶. This article examines Uganda's refugee policies, guided by questions about the effectiveness of legal frameworks, state responsibility, and international cooperation⁷. Uganda's history of hosting refugees is rooted in its enduring commitment, expressed through the Refugee Act Cap 312 and its adherence to critical international agreements like the 1951 UN Refugee Convention and the 1969 OAU Convention⁸. While Uganda has established robust legal and institutional frameworks for refugee protection, the implementation of these frameworks is fraught with challenges. These include resource constraints, bureaucratic inefficiencies, and limited international support. As a result, the country's ability to fulfill its state responsibility and foster effective international cooperation is compromised. This paper seeks to address these issues by critically examining the gaps between policy and practice in Uganda's refugee protection system⁹.

This article is organized into four sections addressing refugee protection in Uganda. Section 1 explores the conceptual issues that shape perceptions and treatment of refugees. Section 2 outlines the legal and institutional frameworks in place, detailing relevant laws and provisions designed to protect refugee rights. Section 3 discusses the challenges in implementing these protective measures, including social, economic, and political obstacles. Finally, Section 4

³ Ivan Otim, 'Uganda's Refugee Management within EAC Policy Framework' (2018) Academia.edu https://www.academia.edu/38360115/Ugandas_Refugee_Management_within_EAC_Policy_Framework_pdf accessed 25 April 2025.

⁴ Immaculate Nalubega, 'Assessing the Effectiveness of International Organizations in Protection of Refugee Rights in Uganda: A Case of United Nations High Commission for Refugees in Central Division, Kampala District' (2022) Nkumba University Repository <https://pub.nkumbauniversity.ac.ug/handle/123456789/1160> accessed 25 April 2025.

⁵ Kepha Natolooka, 'A Review of the Legal Framework of Refugees in Uganda' (2010) Kampala International University <https://ir.kiu.ac.ug/items/ced9e162-bca2-4caa-bd92-5460e5ec1a1d> accessed 25 April 2025.

⁶ Refugee Law Project, Critique of the Refugees Act 2006 (Refugee Law Project, 2006) https://www.refugeelawproject.org/files/legal_resources/RefugeesActRLPCritique.pdf accessed 25 April 2025.

⁷ UNHCR, Uganda: Refugee Policy Review Framework Update as at 30 June 2024 (UNHCR, 2024) <https://www.refworld.org/reference/countryrep/unhcr/2024/en/147859> accessed 25 April 2025.

⁸ Vivian Nasaka John-Langba, 'Implications and Opportunities of the International Refugee Protection Regime for National Human Rights Institutions in Africa' (2022) 22(1) African Human Rights Law Journal 51–75. DOI: 10.17159/1996-2096/2022/v22n1a3.

⁹ UNHCR, Uganda: The Refugee Act 2006 (Refworld, 2006) <https://www.refworld.org/legal/legislation/natlegbod/2006/en/102125> accessed 25 April 2025.

provides recommendations for improving refugee protection and concludes with key insights from the article. Together, these sections offer a concise overview of the state of refugee protection in Uganda and potential ways forward¹⁰.

2. Conceptual Issues of Refugee Protection in Uganda

Addressing these conceptual issues regarding Refugee Protection in Uganda requires a nuanced understanding of the complex relationships between refugees, host communities, and the state. As earlier statistically stated, Uganda hosts over 1.5 million refugees, primarily from the Democratic Republic of Congo, South Sudan, and Burundi. Despite its progressive refugee policies, several conceptual issues arise: Who qualifies as a refugee? In attempting to draw a definition and identification of who is eligible to be a refugee, Uganda's open-door policy raises concerns about the distinction between refugees, asylum seekers, and economic migrants¹¹. The 1951 Convention Relating to the Status of Refugees defines a refugee as:

"A person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country."

To qualify as a refugee, an individual must have a genuine fear of persecution based on one of the five protected grounds (race, religion, nationality, membership of a particular social group, or political opinion), be outside their country of nationality or, if stateless, outside their country of habitual residence, unable or unwilling to return to their country of nationality due to a well-founded fear of persecution as well as be excluded from refugee status under Article 1F of the 1951 Convention, which excludes individuals who have committed war crimes, crimes against humanity, or serious non-political crimes.¹² It is on this background that we can ably say that Refugees are Individuals who meet the eligibility criteria above while Asylum seekers are Individuals who have applied for refugee status but whose claims have not yet been determined and lastly Economic migrants are considered as Individuals who migrate for economic reasons, such as seeking better job opportunities or improved living standards¹³.

What rights and services should refugees receive? Uganda's Refugee Act (2006) and the Refugee Regulations (2010) provide a framework, but implementation challenges persist. The 1951 Convention Relating to the Status of Refugees and the 1967 Protocol establish the fundamental rights and entitlements of refugees, to include; the right to life and security: Protection from violence, harassment, and exploitation, right to non-discrimination: Equal treatment and access to services, regardless of race, ethnicity, religion, or gender, right to freedom of movement: Freedom to move within the host country, subject to reasonable restrictions, right to employment and self-employment: Access to employment and self-employment opportunities, right to education: Access to education, including primary,

¹⁰ World Bank, An Assessment of Uganda's Progressive Approach to Refugee Management (World Bank, 2020) <https://openknowledge.worldbank.org/entities/publication/c855c9d1-557a-5fc7-b06f-46ead1486395> accessed 25 April 2025.

¹¹ Office of the Prime Minister, The Uganda Refugee Policy (OPM Uganda, 2025) <https://urms.opm.go.ug/policy.html> accessed 25 April 2025.

¹² UNHCR, Uganda: Refugees Act, 2006 (Commencement) Instrument (Refworld, 2007) <https://www.refworld.org/legal/natleginstr/natlegbod/2007/en/149458> accessed 25 April 2025.

¹³ UNHCR, Uganda: Refugee Policy Review Framework Update (UNHCR Operational Data Portal, 2024) <https://www.refworld.org/reference/countryrep/unhcr/2024/en/147859> accessed 25 April 2025.

secondary, and tertiary education, right to healthcare: Access to healthcare services, including emergency medical care, as well as the right to social assistance: Access to social assistance, including food, shelter, and clothing¹⁴.

Uganda's Refugee Act (2006) and the Refugee Regulations (2010) provides a national framework for the protection and assistance of refugees in Uganda, involve registration and documentation including issuance of refugee identification cards that Refugees are entitled to, residence and settlement in designated areas, including refugee settlements, access to employment and self-employment opportunities, education and healthcare services and access to social assistance which includes; food, shelter, and clothing.

The Uganda Settlement Transformative Agenda (STA) has been actively engaged in facilitating the integration and localization of refugees within local communities. This initiative aims to foster self-reliance among refugees, providing them with opportunities to build productive lives. However, the STA faces significant challenges in striking a balance between the diverse needs of both the refugee population and the host communities, ensuring that both groups can thrive together in a harmonious environment¹⁵. The future for refugees in Uganda hinges on three potential pathways: voluntary repatriation, local integration, or resettlement. Uganda's refugee policy strongly promotes voluntary repatriation as a preferred solution; however, many refugees are left grappling with uncertainty regarding their long-term prospects. This uncertainty looms over individuals and families as they navigate the complexities of finding a sustainable and secure place in their lives¹⁶. The challenges they face in establishing a durable solution often complicate their hopes and aspirations for a stable future.

Security and Protection: What comprehensive strategies can Uganda implement to ensure the safety and well-being of refugees, particularly as they navigate the increasing dangers associated with terrorism and the implications of ongoing cross-border conflicts? This includes enhancing border security measures, fostering collaboration with international organizations, and providing targeted support services to mitigate the risks that vulnerable populations face in these volatile contexts¹⁷. **Environmental and Social Impact:** What are the environmental and social implications of accommodating large populations of refugees? In Uganda, the presence of extensive refugee settlements frequently places significant pressure on local resources, such as water and land, leading to challenges in sustainability¹⁸. The influx of refugees can overwhelm infrastructure, straining medical services, schools, and transportation systems, while also affecting the livelihoods of host communities. This complex dynamic can create tensions between refugees and local populations, ultimately necessitating careful management to ensure both groups can coexist harmoniously and sustainably.

¹⁴ UNHCR, Uganda - UNHCR Global Focus (UNHCR, 2025)

<https://reporting.unhcr.org/operational/operations/uganda> accessed 25 April 2025.

¹⁵ UNHCR, Summary of Study - Uganda's Contribution to Refugee Protection and Management (UNHCR, 2017) <https://data.unhcr.org/fr/documents/download/64687> accessed 25 April 2025.

¹⁶ UNHCR, Uganda: Refugee Act 2006 - Refworld (Refworld, 2006)

<https://www.refworld.org/legal/legislation/natlegbod/2006/en/102125> accessed 25 April 2025.

¹⁷ UNHCR, Uganda - UNHCR Global Focus (UNHCR, 2025)

<https://reporting.unhcr.org/operational/operations/uganda> accessed 25 April 2025.

¹⁸ World Bank, An Assessment of Uganda's Progressive Approach to Refugee Management (World Bank, 2020) <https://openknowledge.worldbank.org/entities/publication/c855c9d1-557a-5fc7-b06f-46ead1486395> accessed 25 April 2025.

Participation and Empowerment: What strategies can be implemented to empower refugees in actively participate in the decision-making processes that significantly impact their lives? Uganda's progressive refugee policy highlights the importance of community-led initiatives, yet there remains a pressing need to enhance opportunities for refugee participation. By fostering inclusive platforms where refugees can voice their concerns and contribute to discussions, we can create a more equitable environment that values their insights and experiences. Strengthening these participatory avenues is crucial for ensuring that refugees not only have a seat at the table but also play an integral role in shaping their futures.

3. The Legal and Institutional Framework Addressing Refugee Protection in Uganda

Uganda's legal framework for refugee protection is anchored in the Refugee Act Cap 312 (as Revised) and Refugee Regulations 2010. These laws provide for the establishment of the Office of the Prime Minister (OPM) as the lead agency responsible for refugee affairs¹⁹. By this Act, the Department of Refugees was established under the office of the Prime Minister. This office is specifically responsible for all administrative matters concerning refugees in Uganda, and to coordinate inter-ministerial and non-governmental activities and or programs relating to refugees in the existing thirteen refugee settlements across the country. This office works hand in hand with the Ministry of Disaster Preparedness and Refugees. The ministry is also responsible for the coordination of all refugee matters in the country. The Act guarantees refugees the right to asylum, non-refoulement, and access to basic services such as healthcare and education. Additionally, refugees are granted the right to work and freedom of movement, which are critical for their integration into local communities²⁰.

The legal and institutional framework for refugee protection in Uganda is intricately woven together through a robust tapestry of international treaties, regional agreements, and national legislation²¹. This comprehensive system is complemented by a range of institutional mechanisms that work in unison to uphold the rights and welfare of refugees. Through this multifaceted approach, Uganda demonstrates its commitment to safeguarding individuals fleeing persecution and conflict, ensuring that they receive the support and protection they need.

4. International Framework for Refugees in Uganda

1951 Refugee Convention: Uganda formally ratified the 1951 Refugee Convention in 1976, a landmark international treaty that establishes a comprehensive legal framework for the protection of refugees. The Convention provides a clear definition of who qualifies as a refugee, outlining specific rights and obligations that must be upheld by both host nations and refugees themselves. According to Article 1A of the Convention, a refugee is someone who has a well-founded fear of persecution due to factors such as race, religion, nationality, membership in a particular social group, or political opinion. This foundational document is critical in ensuring that refugees are granted the protection they need, safeguarding their fundamental human rights.

¹⁹Judiciary, "THE REFUGEES ACT," Cap 312, Laws of Uganda.

<http://www.judiciary.go.ug/files/downloads/Act%20No.%2021of%202006%20Refugees%20Act2006.pdf>.

²⁰UNHCR, "Uganda: The Refugees Regulations, 2010," 2010, <https://www.refworld.org/legal/decrees/natlegbod/2010/en/102127>.

²¹ UNHCR, Uganda: Refugees Act, 2006 (Commencement) Instrument (Refworld, 2007) <https://www.refworld.org/legal/natleginstr/natlegbod/2007/en/149458> accessed 25 April 2025.

1967 Protocol Relating to the Status of Refugees: In the same year, 1976, Uganda also ratified the 1967 Protocol Relating to the Status of Refugees. This Protocol serves to broaden the scope of the 1951 Convention by removing geographic and temporal limitations on refugee status. Specifically, Article I of the Protocol expands the definition of a refugee beyond the confines established in 1951, ensuring that individuals fleeing across borders due to conflicts, violence, or other forms of oppression can also seek sanctuary and protection. The Protocol represents a significant commitment by Uganda to uphold the rights of refugees, reinforcing its dedication to international humanitarian principles and the importance of protecting vulnerable populations in the face of adversity.

Together, these two key instruments form the foundation of Uganda's commitment to refugee protection, ensuring that the rights of those seeking asylum are recognized and respected within its borders.

5. Regional Framework for Refugees in Uganda

African Charter on Human and Peoples' Rights: Uganda demonstrated its commitment to human rights by ratifying the African Charter in 1986. This vital document lays the foundation for safeguarding human rights across the continent, with specific provisions aimed at protecting the rights and dignity of refugees. Notably, Article 12 of the Charter emphasizes the importance of upholding these rights within all member states. *Organization of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa:* In 1984, Uganda took a significant step towards addressing the plight of displaced individuals by ratifying the OAU Convention. This crucial instrument outlines the responsibilities of member states in protecting refugees and actively seeks to promote sustainable solutions to their challenges. Article II of the Convention highlights the need for solidarity among African nations in addressing and resolving refugee issues.

6. National Framework for Refugees in Uganda

The Refugees Act, 2006: This landmark legislation serves as the cornerstone of Uganda's refugee management system, articulating a strong commitment to protecting the rights and dignity of individuals fleeing persecution and violence. The Act delineates a clear framework for defining who qualifies as a refugee, ensuring a comprehensive understanding of their entitlements while residing within Ugandan borders. Notable highlights include: Affirmation of the right to non-discrimination, guaranteeing that refugees are treated with respect, and ensuring protection against forced repatriation to territories where they may face imminent danger or persecution (Section 3). Access to essential services, such as education, healthcare, and employment opportunities, enables refugees to rebuild their lives and contribute meaningfully to society, albeit under certain regulatory conditions specific to their status. Clear obligations for refugees, which include a commitment to uphold local laws and regulations and to engage positively with the cultural norms of their host communities, fostering mutual respect and understanding.

The Refugees Regulations, 2010: These regulations are instrumental in bringing the provisions of the Refugees Act to life, detailing the practical steps necessary for implementing its principles in everyday scenarios. They outline systematic procedures that address critical aspects of refugee management, including:

- *Refugee Status Determination (RSD)*: Establishing a transparent and just process for individuals claiming refugee status, these regulations provide detailed protocols for applicants, outlining the multi-stage assessment process that ensures each claim is thoroughly examined (Regulation 4). This includes interviews and the consideration of individual circumstances that substantiate the need for protection.

Management of Refugee Settlements: Comprehensive guidelines are laid out for the establishment and governance of refugee settlements, focusing on equitable land allocation, sustainable resource management, and the provision of essential social services. These provisions are designed to create supportive environments where refugees can thrive, while also addressing challenges related to local resource sharing and community integration. Mechanisms for conflict resolution and community engagement are emphasized, fostering collaborative relationships between refugees and host populations. This facilitates a harmonious coexistence and encourages the sharing of cultural values and practices, enriching the social fabric of host communities. Together, the Refugees Act and Regulations exemplify Uganda's progressive approach to refugee welfare, underscoring a commitment to human rights and social justice. By balancing legal protections with practical support measures, this framework not only safeguards the well-being of refugees but also promotes their active participation in Ugandan society, reflecting a broader ethos of compassion and solidarity.

Institutional Framework for Refugees in Uganda

Office of the Prime Minister (OPM): The OPM plays a pivotal role in Uganda's refugee management system, overseeing and coordinating an array of initiatives and policies aimed at ensuring the effective integration and support of refugees within the country. Its comprehensive approach encompasses collaboration with various stakeholders to streamline processes and enhance the welfare of displaced individuals. *United Nations High Commissioner for Refugees (UNHCR)*: The UNHCR is instrumental in bolstering Uganda's efforts in refugee management by providing essential technical guidance and financial resources. Through its partnership with the Ugandan government, the UNHCR aims to improve living conditions for refugees and facilitate durable solutions for their long-term settlement and integration.

Refugee Law Project (RLP): As a prominent non-governmental organization, the RLP is dedicated to advocating for the rights of refugees in Uganda. It offers critical legal assistance, ensuring that refugees are aware of their rights and have access to justice. Additionally, the RLP engages in advocacy initiatives, raising awareness about refugee issues and working to influence policy reform to better support displaced populations. The legal and institutional framework of refugee protection in Uganda is established through a combination of international, regional, and national laws, as well as institutional mechanisms. The framework provides for the protection of refugees and the promotion of durable solutions.

7. Challenges of Protecting Refugees in Uganda

While the challenges and emerging issues are presented and discussed at different points in this article for easy analysis, it is important to emphasize that in real life they are complexly intertwined and usually go hand in hand. Therefore, any kind of solution must be comprehensive and holistic so as to have any kind of effect. In Uganda, the Office of the Prime Minister (OPM) and UNHCR require refugees to be screened and registered at their entry points to protect them from arbitrary arrests and to prevent system abuse. Initial registration also includes health screenings to manage communicable diseases, as refugees are vulnerable

to epidemics due to crowded living conditions. For example, during the cholera outbreak in 2016 linked to South Sudan, outbreaks occurred in several refugee reception facilities. While Uganda has an effective system for receiving and settling refugees, the 2016 influx of over a million South Sudanese refugees exposed challenges, such as inadequate facilities and staffing at border reception centres. This led to multiple registrations and missed registrations, complicating management efforts. Unregistered refugees, including many vulnerable individuals, struggle to access essential services and resources, relying on registered refugees for support, which is particularly challenging given the limited resources available to all.

Uganda faces significant challenges in managing its refugee population due to insufficient financial, human, technological, and equipment capacity. This issue stems from three decades of neo-liberal policies that reduced the state's role in service provision, promoting NGOs as primary humanitarian providers. As a result, the management of refugees is largely delegated to various stakeholders, including the Department for Refugees within the Office of the Prime Minister (OPM), the United Nations High Commissioner for Refugees (UNHCR), and over 40 NGOs. While it seems beneficial to have numerous NGOs involved, there is considerable duplication of efforts that strains limited resources. The OPM struggles to supervise these NGOs effectively due to its own resource limitations, often relying on self-reported data from the NGOs. This lack of oversight can lead to serious issues, such as cases of sexual exploitation among refugees, as seen in past scandals involving major organizations like Oxfam. Furthermore, many NGOs operate independently of the OPM and are primarily accountable to their funders, which may have differing interests. Although there was initial donor enthusiasm for supporting Uganda's refugee crisis, recent frustrations have emerged regarding unfulfilled funding commitments and corruption concerns within the government.

The OPM, UN agencies, NGOs, and development partners have invested significant resources to support refugees in Uganda, ensuring access to basic services. Unlike developed countries, Uganda, as a low-income nation, struggles to provide for its citizens and the large influx of refugees, particularly in areas like Yumbe, Arua, Moyo, and Adjumani. The healthcare system is overwhelmed, with few understaffed centers facing a shortage of drugs and equipment, making treatment for diseases and emergencies challenging. Education in refugee settlements is inadequate, with a shortage of schools and resources, leading to difficulties for students, especially those who lack documentation from their previous schooling. Many refugees dropped out due to these obstacles and the trauma of violent displacement. The cost of feeding refugees is high, with logistical challenges in sourcing and transporting food. Although land has been provided for cultivation, the small plots allocated to households are insufficient. As a result, many refugees rely on limited monthly food rations, which do not meet their dietary needs. Issues with food distribution and measurement have led to frustrations and some resorting to fraudulent registration for additional aid.

In response to these challenges, OPM and UNHCR initiated a verification exercise to manage registrations better. However, many refugees, facing continued hardship, have chosen to return to South Sudan rather than starve in Uganda. Instances of aid worker misconduct have also been reported, highlighting ongoing issues in the management of refugee support. The initial excitement of graduates working with organizations like UNCHR, Oxfam, and World Vision often fades as they confront the harsh realities of conditions in refugee settlements. This leads to high turnover, low morale, and poor service. Meanwhile, unemployed refugees face job discrimination, with many idling in the settlements as even basic jobs, such as digging latrines or caring for children, are often reserved for Ugandans. This lack of employment forces refugees into dependency, which can be humiliating and contributes to issues like prostitution and suicide among some. The blame largely falls on NGOs for not hiring refugees.

Additionally, most NGO projects focus on People with Special Needs (PSNs), neglecting the majority youth and adult males who could support these groups if empowered. High unemployment in refugee populations drives many into unregulated work sectors with minimal protections, exacerbating their challenges.

Corruption has been a systemic issue in Uganda for over twenty years, significantly affecting government institutions like the Office of the Prime Minister (OPM), which manages refugee responses (UDN, 2013; Human Rights Watch, 2013; Tangri and Mwenda, 2013; Badru and Muhumuza, 2017). Both primary and secondary data highlight that corruption poses serious challenges to refugee management.

High-ranking officials in the OPM have been implicated in severe corruption cases. In February 2018, it was reported that they colluded with staff from the UNHCR and the World Food Programme (WFP) to embezzle millions in aid. These officials were accused of stealing relief items, misappropriating land for refugees, trafficking refugee women, and interfering with community leader elections (Okiror, 2018; Onyulo, 2018; Sserunjogi, 2018). A Commission of Inquiry in March 2018 revealed that officials forcibly evicted residents to acquire land, falsely claiming it was for refugees. An example includes Principal Settlement Officer Charles Bafaki, who was involved in the violent eviction of former Tooro Prime Minister Stephen Irumba from land claimed for the Kyaka I Refugee Settlement. Bafaki's team failed to provide evidence regarding the camp's boundaries or establishment (Kasozi and Namyalo, 2018).

Other forms of corruption also occur at the bureaucratic level, harming service delivery. Some refugees reported being able to register and increase family sizes in exchange for bribes. Moreover, non-refugees have accessed refugee food through corruption, impacting resource distribution. Beyond settlements, some senior Ugandan police officers have faced prosecution for working to repatriate refugees, endangering their lives (URN, 2018). Instances of foreigners fraudulently acquiring refugee status for resettlement benefits in countries like Canada and the USA have also been reported. Studies indicate that protracted refugee-hosting experiences often lead to competition over scarce resources such as water, food, housing, and medical services. This competition has caused serious conflicts and animosity between refugees and host communities, particularly in the West Nile region of Uganda. In this area, firewood constitutes over 90% of cooking energy for the rural population. While many locals collect firewood from distant places, refugees also seek access, but face hostility from host communities. Interviews reveal that the urgency for firewood has forced some refugees to consider returning to South Sudan due to threats and violence from locals.

Many host communities initially offered land to refugees with promises of government compensation and resource-sharing. However, these promises have largely gone unfulfilled, resulting in frustration and increased tension. Issues are exacerbated by perceptions that refugees access resources and opportunities, such as education and healthcare, unavailable to locals. Additionally, Somali refugees in urban areas face discrimination due to fears stemming from past terrorist attacks, leading to social estrangement. These tensions are also fuelled by concerns over potential espionage and crime, as some perceive that non-friendly elements may disguise themselves as refugees. The Ugandan government, refugee agencies, NGOs, and host communities are working hard to welcome and support refugees, but the process is complicated by challenges, especially during sudden influxes. Some issues stem from resource constraints, while others are linked to corruption in resource management. While recommendations like reducing corruption, increasing land for refugees, and boosting resources from aid agencies are important, the most sustainable solution identified by refugees, officials, and communities is to address the conflicts in the refugees' home countries.

8. Recommendations

Uganda has established robust legal and institutional frameworks for refugee protection, but their implementation is hindered by resource constraints and bureaucratic inefficiencies. The principle of state responsibility is central to Uganda's refugee policy, but its implementation is constrained by limited resources and capacity. International cooperation is critical for addressing the challenges of refugee protection in Uganda, but there is a need for greater burden-sharing and sustainable funding mechanisms. Increase funding for refugee protection: The government of Uganda should allocate more human and financial resources to the Office of Prime Minister and other Refugee protection sister institutions to enhance their capacity to manage refugee affairs and be able to empower available Refugee institutions and enforce Refugee laws right from national level up to grass root or district and local council levels surrounding refugee camps;

Need to start working on enabling laws to ensure that refugees who have stayed in Uganda for a certain period of time are granted citizen status. This will enable them to acquire land like any other Ugandan for self-sustaining goals to be achieved. Additionally, donor countries should provide sustainable and predictable funding to support Uganda's refugee response and practical implementation of the available legal frameworks, like the Refugee Act and enabling Refugee Regulations, plus other Uganda's ratified international instruments. Improve coordination among stakeholders: The government should establish a centralized coordination mechanism to ensure that all stakeholders work together effectively. This could include the creation of a national refugee coordination committee. Promote greater burden-sharing: The international community should adopt a more equitable approach to refugee protection by sharing the responsibility for hosting and supporting refugees. This could include the establishment of a global refugee fund to support countries like Uganda.

Strengthen the legal framework: The government should review and update the Refugee Act, Cap 312 (as Revised), and the 2010 Refugee Regulations to address emerging challenges such as refugee settlements and resource allocation. Enhance local or social integration: The government should promote the integration of refugees into local communities by providing them with access to land, education, and healthcare. This could include the establishment of community-based programs to foster social cohesion.

9. Conclusion

By and large, Uganda's legal and institutional frameworks for refugee protection are commendable, but their effectiveness is undermined by several challenges. These include resource constraints, bureaucratic inefficiencies, and limited international support, among others. To address these challenges, there is a need for reforms to strengthen state responsibility and enhance international cooperation. This includes increasing funding for refugee protection, improving coordination among stakeholders, and promoting greater burden-sharing among countries. The purpose was to base research on existing legal literature that Refugee protection institutions base on to exercise their state responsibility in protecting Refugees. On the international level, Uganda is praised for its favorable refugee policy. The influx of refugees in Uganda is a result of this policy, coupled with a favorable environment. Many scholars have already established the danger of foreign support that is not commensurate with the number of refugees, now over 1.5 million people. The policy of integrating refugees has greatly favored the highly educated who are favorably competitive in the labor market with the local or host community. For instance, other Refugees are now lecturers or professors in different higher

institutions of learning such as colleges, universities, and Hospitals. Semi-educated or illiterate refugees are nowadays employed as casual workers and subject to social or economic exploitation by most host communities and sometimes suffer violence and discrimination due to a language barrier by host communities. It is therefore advised that the above recommendations are upheld as they have been made based on concrete evidence from existing literature.