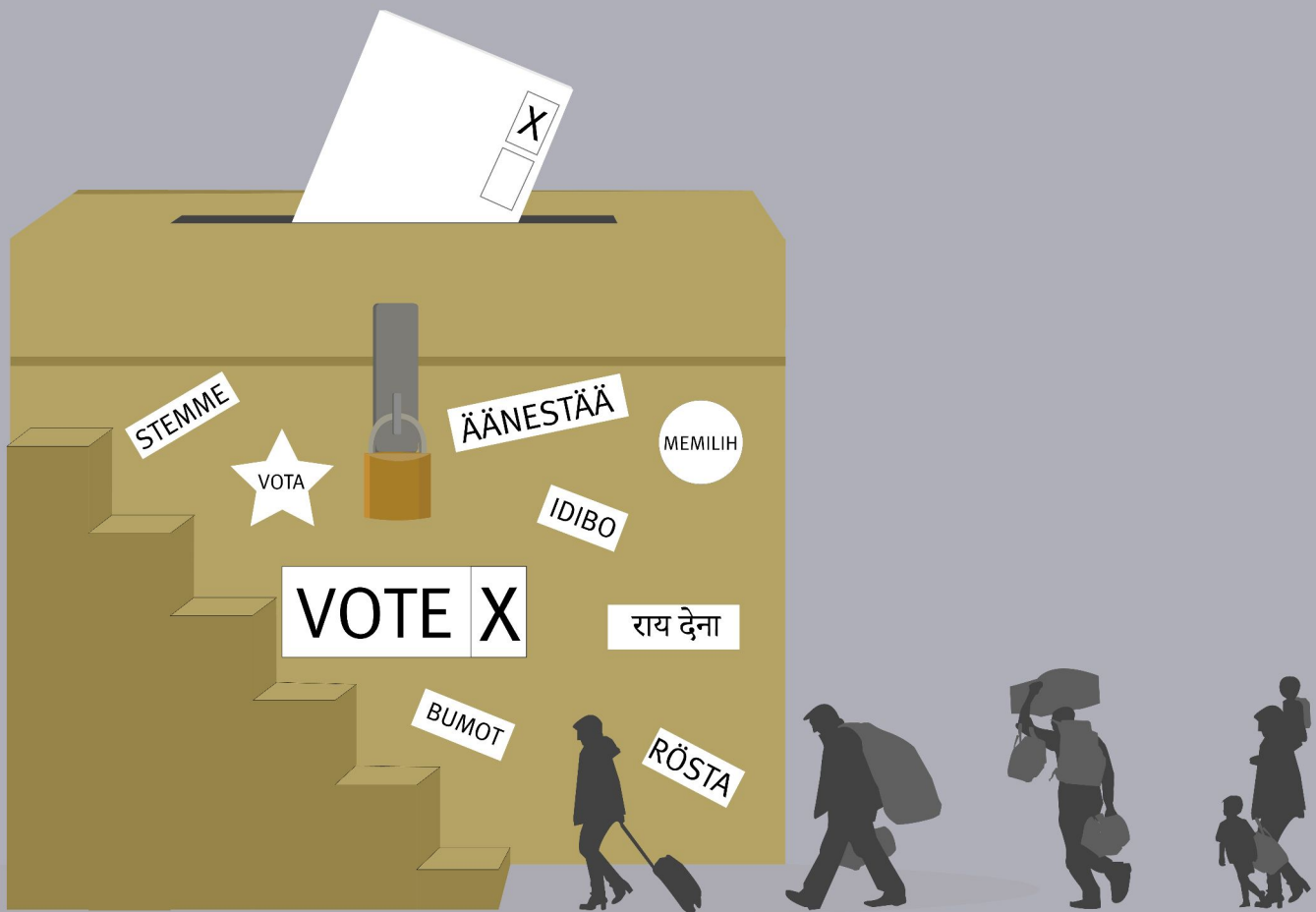


# Political Participation of Refugees

The Case of South Sudanese and Congolese Refugees in Uganda





# Political Participation of Refugees

The Case of South Sudanese and Congolese Refugees in Uganda

Tigranna Zakaryan  
Lina Antara (series editor)



As part of the Refugees, Asylum Seekers and Democracy project, this case study was made possible by funding from the Robert Bosch Stiftung.

© 2018 International Institute for Democracy and Electoral Assistance

International IDEA publications are independent of specific national or political interests. Views expressed in this publication do not necessarily represent the views of International IDEA, its Board or its Council members.



The electronic version of this publication is available under a Creative Commons Attribution-NonCommercialShareAlike 3.0 (CC BY-NC-SA 3.0) licence. You are free to copy, distribute and transmit the publication as well as to remix and adapt it, provided it is only for non-commercial purposes, that you appropriately attribute the publication, and that you distribute it under an identical licence. For more information on this licence visit the Creative Commons website: <http://creativecommons.org/licenses/by-nc-sa/3.0/>.

International IDEA  
Strömsborg  
SE-103 34 Stockholm  
Sweden  
Telephone: +46 8 698 37 00  
Email: [info@idea.int](mailto:info@idea.int)  
Website: <http://www.idea.int>

Cover illustration: Joshua Sowah  
Design and layout: International IDEA

ISBN: 978-91-7671-152-1

Created with Booktype: <https://www.booktype.pro>

# Contents

---



Abbreviations .....	5
Acknowledgments .....	6
1. Introduction .....	7
2. Host-country context: Uganda .....	9
3. Refugees' and asylum seekers' political participation in the host country .....	13
4. Country-of-origin context .....	19
5. Refugee diasporans' political participation in their country of origin .....	21
6. Conclusion and recommendations .....	25
References .....	27
Annex. Glossary of terms .....	31
About the authors .....	33
About the Refugees, Asylum Seekers and Democracy project .....	34
About International IDEA .....	35

## Abbreviations

---



CENCO	Conférence Episcopale Nationale du Congo (National Conference of Catholic Bishops, Congo)
CPA	Comprehensive Peace Agreement
INGO	International non-governmental organization
NDP II	National Development Plan II (Uganda)
NGO	Non-governmental organization
OCV	Out-of-country voting
OPM	Office of the Prime Minister
RAB	Refugee Appeals Board
REC	Refugee Eligibility Committee
ReHoPE	Refugee and Host Population Empowerment
RWC	Refugee Welfare Committees
SPLM	Sudan People's Liberation Movement
SPLM-IO	Sudan People's Liberation Movement-in-Opposition
UCC	Ugandan Constitutional Court
UCICA	Citizenship and Immigration Control Act (Uganda)
UNHCR	United Nations High Commissioner for Refugees

## Acknowledgments

---



Our thanks go to the Lead Researcher, Tigranna Zakaryan, for her rigorous research and analysis and for producing a thought-provoking, insightful and engaging collection of inputs from the field. Special acknowledgement goes to Dr. Lucy Hovil and Andie Lambe, Executive Director at the International Refugee Rights Initiative, for peer reviewing the case study and providing valuable inputs during its development.

We are particularly indebted to our colleagues Armend Bekaj, Rosinah Ismail-Clarke, Helena Schwertheim, Thomas Smith and Nathalie Ebead for their support and assistance during various stages of the content development of this case study.

As part of the Refugees, Asylum Seekers and Democracy project, this case study was made possible by funding from the Robert Bosch Stiftung. Additional thanks go to Ana Bojadjievska for her remarkable dedication and support throughout the implementation of the project.

We would also like to thank our International IDEA colleagues Lisa Hagman and David Prater who have generously given their time, ideas and support during the editing and production process.

Finally, we would like to thank Andrew Mash for his professional input in providing timely editing of the case study.

# 1. Introduction

---



This case study focuses on refugees and asylum seekers living in Uganda who have fled either the Democratic Republic of the Congo (DRC) or South Sudan, and was written as part of a larger research project on the political participation of refugees (Bekaj and Antara 2018). It explores the opportunities for political and civic participation in Uganda and the challenges they face, as well as the ability they have to affect the democratic processes of their countries of origin.

Uganda's asylum policy has earned a positive international reputation for its hospitable nature and the support provided to asylum seekers on entry. However, the space allowed for refugees and asylum seekers to participate in political decision-making on issues that affect them and to campaign for stability in their home countries using political platforms is heavily curtailed. The primary data gathered for this case study presents the formal and non-formal avenues available for refugees' political participation in Uganda, and their perspectives as members of the diaspora on democracy building in their countries of origin.

The groups included in this case study comprise the two largest refugee communities in Uganda. Qualitative interviews were conducted with 73 Congolese refugees and asylum seekers (27 women and 46 men) and 107 South Sudanese refugees, of whom 51 were women and 56 men (see Table 1). Primary data was collected through focus group discussions and one-to-one interviews. Residents of both urban areas and rural settlements were included in both groups. Seven research locations were included in the case study: Uganda's capital, Kampala; Nakivale Refugee Settlement in south-west Uganda's Isingiro District; Adjumani town in the West Nile region, north-west Uganda; Bidi Bidi Refugee Settlement in Yumbe District, north-west Uganda; and three refugee settlements in Adjumani District: Alere, Boroli and Nyumanzi. The interviews in the settlements engaged with existing refugee leadership structures, in order to introduce the thematic nature of the research and gauge their perspectives on their ability to advocate on behalf of the communities they represent, as well as their limitations. Refugee leaders also provided support with identifying research participants from diverse ethnic backgrounds and home regions. Interviewees were also identified based on their current or past work as human rights activists, representatives of peacebuilding committees and youth leaders, or those who formerly held leadership positions in DRC or South Sudan.

Table 1. Case study respondents' profiles and locations

Research site	Congolese (DRC)			South Sudanese			Key Informants
	Male	Female	Total	Male	Female	Total	
Adjumani	0	0	0	0	11	11	2
Alere	0	0	0	9	3	12	0
Bidi Bidi	0	0	0	4	2	6	1
Boroli	0	0	0	8	9	17	0
Kampala	13	6	19	7	1	8	2
Nakivale	33	21	54	0	0	0	0
Nyumanzi	0	0	0	28	25	53	0
	TOTAL		73	TOTAL		107	5

In Nakivale, Congolese participants were selected from North Kivu and South Kivu, the Kasai Provinces and the capital city, Kinshasa. Adjumani District hosts newly arrived and long-term South Sudanese refugees, in both Adjumani town and its 21 refugee settlements. In order to include diverse demographics, self-settled refugees were interviewed in Adjumani town, as well as refugees from three different settlements: Nyumanzi, which predominantly hosts the Dinka ethnic group; Boroli, which is currently host to 43 different ethnic groups; and Alere, which was sampled to engage the perspectives of the Nuer community. Dinka, Murle and Kakwa from among the settlement refugees were also included. In addition, newly arrived refugees in Bidi Bidi were interviewed to examine how refugees are beginning to assume leadership roles and organize themselves, in light of the settlement's transition from an emergency humanitarian response to a more stable operation. Further interviews were conducted with both Congolese and South Sudanese refugees in Kampala, given their residence among broader Ugandan host communities. The majority of the research participants in both groups identified as Christian.

The perspectives of five refugee-led organizations and diaspora associations were pursued in both the urban areas and the settlements. Representatives of four international non-governmental organizations (INGOs) were interviewed about various projects they are undertaking to promote refugee civic engagement. In addition, Uganda's Commissioner for Refugees, David Apollo Kazungu, was consulted on policy-related issues. The Office of the Prime Minister (OPM) approved access to the respective refugee settlements where the research was conducted.



## 2. Host-country context: Uganda

---



Uganda currently hosts refugees from more than 10 countries, but South Sudanese and Congolese refugees make up the two largest groups. According to the United Nations High Commissioner for Refugees (UNHCR), as of August 2017 there were 1,355,764 formally registered refugees and asylum seekers in Uganda, of whom 1,196,874 were refugees and 38,891 asylum seekers (UNHCR 2017c). Of this number, over 900,000 are South Sudanese refugees who have fled the violence in South Sudan and are primarily hosted in northern Uganda under *prima facie* status.

Among humanitarian and development partners, the steady increase in the number of Congolese seeking Refugee Status Determination is referred to as a ‘silent emergency’ (OPM/UNHCR 2017). As of January 2017, there were 200,020 registered Congolese refugees in Uganda (UNHCR 2017a), and by August 2017 this number had grown to 223,956. The UNHCR had planned for an operational total of 60,000 with a worst-case contingency plan of 200,000 for 2017 (OPM/UNHCR 2017). Given the ongoing instability in DRC, it is possible that this number will increase. Kampala is officially host to 98,759 registered urban refugees and asylum seekers, of whom 40,112 are Congolese and 11,710 South Sudanese (UNHCR 2017c). These figures do not account for those who are not registered with the OPM, and who therefore do not benefit from humanitarian support or qualify for UNHCR protection.

### Overview of Uganda’s refugee and asylum policy

The Refugees Act of 2006 and the Refugees Regulations of 2010, enacted under the auspices of the OPM’s Department of Disaster Preparedness, Management and Refugees, are the legal provisions that guide the management of all refugee-related activities. The OPM is responsible for overseeing all refugee-related matters administered by any government agency, intergovernmental entity or non-governmental organization (NGO), and serves as the liaison with the UNHCR. Uganda’s legal framework on refugee rights and asylum policy is reflective of the 1951 Geneva Convention Relating to the Status of Refugees and its 1969 protocol, as well as the 1969 Organization of African Unity Convention.

Asylum policy is implemented either through the *prima facie* status granted during emergency mass influxes, whereby the need for internationally mandated protection is obvious, or through an individual Refugee Status Determination. A body known as the Refugee Eligibility Committee (REC) is tasked with determining eligibility for refugee status on an individual basis, a method that is currently employed for all asylum seekers apart from

those of South Sudanese nationality, given the continuing mass influx into Uganda (Refugees Act 2006, article 11).

Unsuccessful asylum seekers have the right to appeal the REC's decision to the Refugee Appeals Board (RAB), an entity that is, in theory, independent of the REC. The RAB receives appeals, and either makes recommendations for further consideration or upholds the REC's decision (Refugees Act 2006, article 16). Asylum seekers do not receive humanitarian assistance or access to documentation unless refugee status is granted. Those who choose to appeal to the RAB therefore face challenges securing a livelihood while waiting for their appeal to be heard. This often means resorting to community-based support from fellow refugees, who are often also struggling for resources.

Refugees are legally allowed to pursue employment opportunities in the national job market, enjoy relative freedom of movement and have access to basic social services such as health care and primary school education. According to article 30(2) of the Refugee Act 2006, freedom of movement of recognized refugees in Uganda is determined by 'reasonable restrictions specified in the laws of Uganda, or directions issued by the Commissioner' and further defines the stated restrictions as pertaining to 'national security, public order, public health, public morals or the protection of the rights and freedoms of others'. The common perception of this law is that it allows for absolute freedom of movement, but its interpretation and implementation remain disputed for settlement-based refugees, as some Camp Commandants require them to request permits to leave settlements, while others do not enforce this procedure. Moreover, in the case where a refugee considers relocating from a resettlement, they must first seek permission as stated in article 47(2) of the Refugee Regulations 2010: 'Every refugee who intends to relocate from one refugee settlement to another shall prior to the relocation, seek permission from the Commissioner'.

While the Ugandan Government distinguishes between settlements and camps, this distinction is the subject of debate. The former are generally portrayed as more progressive, long-term structures that offer a degree of self-sufficiency based primarily on the misapprehension that *all* refugees are given land to cultivate. However, the reality is that as of March 2017 only 55.1 per cent of all settlement-based refugees had access to arable land for household food production. In Adjumani the figure was 52.5 per cent, in Nakivale 39.9 per cent and in Bidi Bidi just 0.2 per cent (OPM/UNHCR 2017). Furthermore, the distinction between settlements and camps is somewhat moot because settlements still confine refugees to an isolated territory, which limits their ability to pursue both livelihoods and social interaction among Ugandan nationals. In addition, Uganda allows refugees to choose whether to live in an urban area or a rural settlement but if refugees opt to reside in an urban community, they are not entitled to services such as monthly food rations or given access to land, even if it is available. In theory, policies governing the freedom to associate culturally and economically provide an avenue for local integration with nationals. This provides an opportunity for a degree of integration based on the assumption that people have the means to forgo assistance and live in an urban area.

The Government has integrated refugees into its Second National Development Plan (NDP II 2015) and has adopted a holistic policy approach to community-led development and sustainable refugee protection in its Refugee and Host Population Empowerment (ReHoPE) strategy. Led by the UNHCR on behalf of the UN country team, ReHoPE aims to utilize the presence of refugees as a source of socio-economic development in the districts that host a sizeable refugee community, and to support self-reliance and resilience among refugees and their host communities. The premise of ReHoPE is to strengthen host community–refugee relations by presenting refugees as agents for development (Ugandan Government 2017; URRP 2017). The strategy, however, runs the risk of generalizing the needs of the diverse refugee hosting districts, which are found in northern, central and western Uganda, and builds on the assumption that the government's willingness to host



refugees is mirrored in its local governing structures. Land ownership in Uganda varies between the refugee-hosting districts: in the north, land rights are based on customary ownership and require consultation with host communities, whereas land in the west is gazetted by government and does not require consultation. Development and employment opportunities are largely the factors that motivate host communities' agreement to their home areas serving as refugee-asylum spaces, but expectations are difficult to satisfy given the large scale of demand.

The ReHoPE Strategic Framework seeks to mutually strengthen public service delivery and economic empowerment for host communities and refugees. Development initiatives such as this, however, do not address the challenges currently rooted in the consultation, or lack of it, with leaders at the sub-national level in refugee hosting districts by the OPM. As a member of parliament (MP) from Yumbe district noted, 'Our problem is with the Office of the Prime Minister. The OPM thinks it is government in itself and that it can run these activities with refugees alone'. The MP went on to highlight the need to amend Uganda's refugee law to incorporate local government as stakeholders in the management of refugees: '[w]e need to redefine what constitutes a host community in our new policy to encompass contiguous communities because they are also affected' (Ugandan Parliament n.d.). This suggests that although the government has maintained a positive spin on its refugee policies, the local constituencies that serve as the first responders to mass refugee influxes and take on the day-to-day challenges of sharing resources with growing numbers of refugees do not always receive the required level of support from governmental, humanitarian aid and development partners.

## Requirements for refugees' political participation and naturalization

The conventional means of political inclusion, through formal participation in national and local elections, access to political parties or the right to assembly, are not extended to refugees in Uganda. Refugees are allowed to engage in social associations and civil society organizations as long as they are not politically motivated. Article 29(g) of the Refugees Act of 2006 states that refugees 'have the right of association as regards to non-political and non-profit making associations and trade unions', but political activity at either the local or the national level is prohibited. Restrictions on political engagement in Uganda are further noted in article 35(d), according to which a recognized refugee 'shall not engage in any political activities within Uganda, whether at local or national level'. Refugees have the right to organize themselves in social, cultural and religious platforms and, to an extent, contribute to the governance processes of humanitarian service delivery. Furthermore, article 35(e) requires that a refugee must not 'undertake any political activities within Uganda against any country, including his or her country of origin'. The restrictions on refugees engaging in Ugandan politics or the political affairs of their country of origin are generally justified by the need to disengage from the 'bad politics' that caused their exile (Senior Protection Coordinator and INGO representative 3, Adjumani, Elegu Reception Centre, 2017). Many refugees interviewed for this case study immediately recalled being informed by the OPM that they were not permitted to engage in politics but could participate in community-based associations specific to the challenges and development and economic initiatives of their immediate surroundings.

The inclusion or exclusion of refugees in or from the political fabric of Uganda is further determined by their ability to access citizenship. Although many refugees have resided in Uganda for over 20 years, which is the residency period required to apply for citizenship through naturalization, they have not been able to acquire Ugandan citizenship. The challenges around citizenship for refugees are rooted in the interpretation and practice of the 1995 Ugandan Constitution, as amended in 2005, and the 1999 Uganda Citizenship and

Immigration Control Act (UCICA), as amended in 2009. These legal frameworks, along with the Refugees Act of 2006, define the eligibility for citizenship through registration and naturalization. Article 12(2)(c) of the Constitution and article 14(2)(c) of the UCICA address eligibility for citizenship through registration if someone ‘has lived in Uganda for at least 20 years’. However, they contradict articles 12(a)(2) of the Constitution and article 14(a)(2) of the UCICA by directly excluding refugees, stating that someone born in Uganda is only eligible for citizenship by registration, if ‘neither of his or her parents and none of his or her grandparents was a refugee in Uganda’. Moreover, the process of citizenship through naturalization is presented in article 13 of the Constitution as: ‘Parliament shall by law provide for the acquisition and loss of citizenship by naturalization’. The UCICA further defines this in article 16, stating that the legal requirements for naturalization are to have resided in Uganda for 20 years, adequate knowledge of a prescribed vernacular language or English, being of good character and the intention, if naturalized, of permanently residing in Uganda.

In 2010, these conflicts in the legislation led civil society organizations to seek clarification from the Ugandan Constitutional Court (UCC), in order to understand whether refugees can acquire citizenship by registration and/or naturalization. In October 2015, the UCC announced that although refugees cannot access citizenship through registration, because they have not ‘voluntarily migrated’ to Uganda as stated in article (2)(b) of the Constitution and article 14(2)(b) of the UCICA, they are eligible for naturalization. Since this ruling, however, there have been no successful cases of naturalization. This was confirmed by the Commissioner for Refugees, who took a proactive stance while conveying the barriers to citizenship:

OPM has submitted a list of people [to Ministry of Internal Affairs] we believe to be eligible for naturalization but championing this issue can be misconstrued and we need to be strategic with the timing. . . . Elections and the economic dynamics of society play a role but we need to be active or we will end up with stateless populations.

—Commissioner for Refugees, Kampala, 2017

This demonstrates that beyond its welcoming asylum policy, the inability of the government to offer a positive legal path to citizenship exacerbates the isolation long-term refugees feel in their host country (Hovil 2016). Thus, refugees are largely deprived of voting rights and the ability to obtain a degree of political representation in Uganda.

### 3. Refugees' and asylum seekers' political participation in the host country

---



#### Access to citizenship

During the interviews, Congolese and South Sudanese refugees commonly expressed their gratitude towards the government for offering physical security and safety, while conveying frustration at their inability to further determine their future beyond the reality of being a refugee. The lack of self-determination they experience is generally related to their lack of citizenship and inability to access the same opportunities as Ugandan citizens. Both refugees and asylum seekers discussed not feeling 'safe' with refugee status and expressed a desire to pursue Ugandan citizenship, primarily for the purpose of economic and employment opportunities as opposed to national allegiance or a desire to get involved in Ugandan politics.

Under article 29(e)(vi) of the Uganda Refugee Act, refugees have the right to access employment opportunities within the Ugandan job market in the same way as any other 'alien' but without the associated cost implications. However, as many interviewees shared, this right is not actualized among employers when prioritizing opportunities between nationals and refugees or is sometimes not known by both refugees and potential employees. A Congolese asylum seeker discussed his perspectives on political participation and his ability to obtain employment in Uganda as follows:

I do not want Ugandan nationality because I do not identify with the country... [but] if I had Ugandan citizenship, I could do the same work as a Ugandan I would make a living. . . . If someone sees my potential, I can help the country [Uganda] through development. . . . Politically or civically this is not my country.

—Congolese asylum seeker 1, Nakivale, 2017

Moreover, despite Uganda's proactive approach to hosting large numbers of refugees and asylum seekers, neither policy nor practice provides long-term solutions for refugees. Three conventional durable solutions for refugees are promoted by the UNHCR: voluntary repatriation to their country of origin, local integration in their country of asylum, or

resettlement to a third country. Voluntary repatriation, while pursued by some, is not a realistic short-term option or a promising solution given the ongoing instability in the DRC and South Sudan, and resettlement only benefits a significant minority. As of June 2017, 868 refugees from Uganda had been settled overseas (of which 821 were DRC refugees). This is likely to result in a significant drop for the whole of 2017 versus 2016, when 6,299 resettlement departures were reported for the entire year (UNHCR 2017c).

The Ugandan Government has not sought to explore alternatives to refugee settlements, or strategic alternatives to both settlement-based and urban refugee service delivery, in a manner that would provide better prospects for integration as a long-term solution to displacement (Hovil 2007). The challenges facing refugee communities in exercising their freedom of choice within the confines of management policies, however, should not depict refugees as passive in their pursuit of opportunities in their host country. As described by a Congolese respondent:

Repatriation cannot happen because people cannot return to places they no longer belong. . . . I understand that most refugees are not receiving resettlement. . . . I spent two years searching for Ugandan citizenship opportunities. . . . No one was able to provide an answer and I kept being referred to Kampala. . . . I met face to face with the Commissioner for Refugees, Kazungu Apollo, in an attempt to understand Ugandan refugee law and citizenship, just to learn there were no possibilities.

—Congolese refugee 1, Nakivale, 2017

The UCICA criterion that refugees must have lived in Uganda for over 20 years before they can become naturalized prevents many refugees from rebuilding their lives and establishing a sense of normality following their flight. Further challenges of refugee naturalization are rooted in administrative processes for obtaining application forms and the lack of concise information on the naturalization process. For instance, discussing her search for a promising future in Uganda, one Congolese woman stated, '[w]hen refugees ask Ugandan officials if we can naturalize, we are told it is a long and difficult process which we have to go to court for, but they don't explain how . . . we are just told "nationality is harder than resettlement"' (Congolese refugee 2, Nakivale, 2017).

Refugees have reported approaching the National Citizenship and Immigration Board but being denied applications or told that they do not qualify (International Refugee Rights Initiative 2016). Although these instances are difficult to document given their individual nature, they shed light on the internal knowledge gap in the governing institutions mandated to support refugees, despite the announcement by the UCC granting naturalization opportunities to refugees (Ugandan Constitutional Court 2010).

## Formal political participation

Despite the limited prospects for political inclusion through citizenship, refugees would welcome the right to vote in their host country should that become possible. A second-generation South Sudanese refugee who was born in Uganda acknowledged the value of refugees voting in local elections, while expressing her reluctance given her status in Uganda, 'I would want the right to vote [in Uganda] but fear contradicting myself as a registered refugee. I want to be honest and appreciate my nationality. . . . I would only want citizenship for employment purposes, not because I want to change my nationality'. She further qualified her desire to participate in local elections: 'If the policies allowed us to vote it would be good. The MP in Adjumani works in an area with many refugees, but could do things we



do not like and we have no voice. If refugees could participate, that would change our experience' (South Sudanese female refugee 1, Adjumani Town, 2017).

Uganda has a decentralized system of governance. Elected officials represent constituencies that range from districts to counties, sub-counties, parishes and villages. Within each structure there is a local council headed by a chairman and executive committee. Refugees are not able to stand for election or vote in any governmental structure, ranging from local government to village administrative bodies, as this right is reserved for Ugandan citizens.

However, an alternative system of governance is implemented in refugee settlements. Formally referred to as Refugee Welfare Committees (RWC), refugees elect leaders to serve as liaisons between the OPM, service delivery partners and refugee communities. RWC structures are a non-political mirror of the local council system, and are positioned to complement the work of the OPM. These are not established by law, however, and confine refugees to settlement-specific issues, such as ensuring that food rations are distributed properly, and mediating household or community-based conflicts as they arise. Although this system has proved an effective way for settlement authorities to maintain communication with refugees, it is not a method of governance that is initiated or driven by refugees themselves. Among the five refugee settlements sampled for this research, refugee leaders raised the restrictive nature of their role and the inability to participate as stakeholders in the decision-making processes relevant to them:

The first thing we were told when we arrived here was no involvement in politics in either Congo or Uganda. . . . [The] RWC system is effective but RWCs cannot make a decision OPM doesn't want. [RWC] candidates must be approved by the OPM, sometimes [elections] are transparent, but sometimes not.

—Congoese RWC refugee leader 1, Nakivale, 2017

It was also noted that refugee leaders are not able to be fully autonomous in their roles and can be easily influenced by the settlement authorities, given the poverty and internal corruption that characterizes refugee settlements (Congoese student association 4, Kampala 2017). Throughout the course of this research, Congoese and South Sudanese leaders commonly described their roles as symbolic rather than operational. According to RWC leaders in Nyumanzi, 'Advocating for refugee issues is not easy . . . we receive no feedback yet leaders are called the "voice of the community"—it is useless . . . no one consults refugees on service delivery and food reduction' (South Sudanese RWC leaders' focus group 2, Nyumanzi, 2017).

Despite the limitations of the RWCs, they have led to positive developments in expanding leadership roles for men and women. For instance, the Nyumanzi Refugee Settlement hosts South Sudanese refugees who arrived in Uganda in 2013. In 2017 women began serving in RWC leadership positions largely as a result of lobbying by OPM officials. One female refugee leader reflected on the cultural aspects that initially limited her involvement and on her current opportunities as a leader:

I was a leader in my village [in South Sudan] only because women were many and men were few. According to Dinka culture, women cannot be elected to village level leadership and they cannot speak in the presence of men. Now we, as refugee leaders, are the link between the issues on the ground and the OPM and UNHCR, but we do not have further political participation.

—South Sudanese refugee leader 1, Nyumanzi, 2017

This statement is reflective of the common narrative that South Sudanese and Congolese women share in the factors that determine their participation in political and civil activities. Their engagement is generally limited to supporting their household needs, which rarely allows for involvement in matters beyond their immediate concern. As a South Sudanese woman leader further explained,

In South Sudan we have gardens and eat whenever; here we have six kilograms of maize. We need to teach people how to manage this. It is causing many problems. . . we are not receiving proper feedback [from UNHCR/humanitarian organizations] and we need services for women. Most people here are women. . . . Women are traumatized and need to be trained on gender-based violence (GBV) so they can take their knowledge back to South Sudan.

—South Sudanese refugee leader 2, Bidi Bidi, 2017

Urban refugee communities do not have RWC structures and are instead incorporated into Ugandan local councils. However, they cannot vote or assume leadership roles because this is reserved only for Ugandan citizens: ‘A person shall not be a member of a local government council unless that person is a citizen of Uganda’ (Local Government Act, article 9(2)). In light of their inability to participate in local council structures, urban Congolese refugees expressed a general lack of interest in engaging in Ugandan politics. They did, however, express the need for a platform to address the causes and consequences of their displacement, but did not feel safe to do so given their inability to discuss the political causes of instability in their countries of origin, and their flight as a result. Among the points many Congolese refugees raised during the interviews and focus group discussions were the need to vocalize the geopolitical dynamics that are causing instability in the DRC, and their being hosted in Uganda in light of its military involvement in their country of origin. As one refugee in Kampala stated, ‘We, as Congolese, are well informed about our displacement but have to use diplomatic language and be “thankful” [to Uganda for hosting us]. We cannot raise these points because it will put our life in danger’ (Congolese refugee focus group 2, Kampala, 2017). This point was further contextualized through the desire to focus on Ugandan politics relevant to their flight, and the ongoing factors preventing their return as a result.

Overall, the prospects for political and civic engagement face greater limitations than opportunities. As a representative of a UNHCR implementing partner noted: ‘Refugees are people with political aspirations who have crossed an international border and should not be stigmatized for organizing politically’. However, this view was qualified by the suggestion that the current political dynamics in Uganda would not be conducive to refugees openly engaging in politics because ‘nationals believe refugees are pro-government. [It is] better for refugees to remain neutral or they will have to advocate for their own presence in Uganda’ (Senior Protection Coordinator and INGO representative 2, Adjumani, Elegu Reception Centre, 2017). This position was endorsed by both Congolese and South Sudanese refugees, who also expressed the need to remain politically neutral in Uganda in order to avoid being portrayed as politically biased and supportive of the current Ugandan Government.

South Sudanese refugees in Kampala described refugee communities as a point of contention among the Ugandan opposition during the 2016 presidential elections: ‘Even if we could engage politically in Uganda, Ugandan politics do not favour the citizens and would pose challenges for refugees who are seen as collaborators with the current ruling political party in Uganda’ (South Sudanese student association focus group 1, Kampala, 2017). Furthermore, Congolese refugees in Nakivale reflected on the prospects of their





political participation and the perceived fear of their long-term status in Uganda: 'Refugees are hosted on someone else's land . . . there are things you cannot say or do . . . civic and political participation is not possible because that would suggest [to nationals] that we are here to stay' (Congolese refugee focus group 1, Nakivale, 2017).

### Non-formal political participation

Given the restrictions on formal political participation, refugees' desire to participate politically in Uganda is commonly expressed through the lens of advocacy for refugee-related issues as opposed to direct involvement in Ugandan politics. The existing platforms for allowing refugees to engage at the civil and social levels focus on important but surface-level themes such as refugee–host community relations and 'do no harm sensitization'. Refugee women tend to engage in advocacy-related issues linked to coping with their daily challenges in Uganda.

However, existing platforms do not allow refugees to discuss the reasons why they fled their countries, their political aspirations or their perspectives on the ongoing instability in their countries of origin. Most of the humanitarian and development organizations that support social and civic programmes gear their work towards supporting refugees and host communities to create by-laws that guide their co-existence or help refugees to understand the Ugandan legal system in relation to the national and international laws mandating their protection. The political interests of refugees are conceptualized through the lens of non-engagement, as an INGO Senior Legal Protection Officer described: 'Refugees are reminded that they fled their countries of origin because of safety issues and politics. They can put themselves together through church, dance and culture, and peaceful gatherings, but not through politics and demonstrations' (Senior Legal Protection Officer and INGO representative 1, Bidi Bidi, 2017).

Although mechanisms for non-formal political participation do exist in Uganda for Congolese and South Sudanese refugees, this research found that their participation is generally motivated by a broader vision of benefiting their country of origin. Refugee-led initiatives arise from the gaps refugees experience in service delivery and while initially responding to the need to improve their conditions in exile, they have evolved to address the prospects of repatriation.

For example, one refugee-led organization that has the joint aims of promoting the interests of Uganda-based refugee communities and implementing programmes in DRC was formed in Uganda's Kyangwali Refugee Settlement in the south-west of the country in 2005. Its dual objective is to respond to the lack of educational opportunities for DRC refugee youth in Uganda while also positioning those same youth to contribute positively to the development of DRC on their return. An organization representative discussed the programmes that have been developed and utilized in Uganda and are now also being implemented in DRC:

We are organizing training on entrepreneurship so our youth can end their dependency on aid, sustain themselves and manage resources in a good way . . . [and] leadership training so they can serve their communities and not personal interests . . . [Young people are] encouraged to develop both as a community and as individuals.

—Congolese male refugee and NGO representative 1, Kampala, 2017

A vision to support the development of his country of origin was also demonstrated by a South Sudanese refugee who has resided in Uganda for 17 years. He described how when he

was a student in Arua District, he supported a local MP. Given his refugee status, he was not able to vote for the candidate or publicly express support, so he organized fellow Ugandan youths to attend the candidate's rallies and cast votes. He was motivated by the candidate's profession as an engineer who had promised to build a dam that would generate power for both Uganda and South Sudan (South Sudanese refugee 1, Kampala, 2017).

## 4. Country-of-origin context

---



### Democratic Republic of the Congo

In the immediate aftermath of the 1994 Rwandan genocide, an estimated 1.5 million Hutu refugees and *génocidaires* fled from the incoming Rwandan Patriotic Front army into DRC. The failure of the international community to effectively disarm those who had fled allowed a number of actors to operate with impunity across the DRC border. Their presence served as an excuse for Rwanda to invade DRC, alongside its regional allies, to fight the First Congo War in 1996, ending the 32-year dictatorship of Mobutu Sese Seko. While Congolese across the country rallied around the end of the Mobutu era, this was short-lived in eastern DRC, where pre-existing ethnic tensions further divided Congolese ethnic communities. Then, in 1997, rebel leader Laurent Désiré Kabila came to power with the support of Rwandan and Ugandan forces, cementing his reputation as a foreign agent among the Congolese populace.

Soon after taking power, in light of the increasingly negative sentiments towards Rwandan political and military expansion in the mineral-rich Kivu region, Kabila ordered Rwandan and Ugandan forces to leave eastern DRC. This sparked the Second Congo War in 1998, which resulted in the assassination of Laurent Kabila and the rise of his son, Joseph Kabila, as his successor in 2001. Joseph Kabila negotiated an end to the war in 2003 through a peace deal that promised a transitional constitution and an interim government sharing power among the various rebel groups. Subsequently, Kabila was re-elected in 2006 and 2011, while various rebel groups continued to operate in eastern DRC under the pretext that there was no centralized state. The failure of the DRC Government to organize elections when Kabila's term expired on 19 December 2016 led to new waves of violence and protest among opposition parties, threatening to further destabilize the country. Negotiations on the establishment of a transitional government, elections by the end of 2017 and reform of the Electoral Commission were initiated by the DRC's National Conference of Catholic Bishops (Conférence Episcopale Nationale du Congo, CENCO). The implementation of this process has stalled, however, largely due to disagreements over control of the transitional government (Congo Research Group 2017). The death of the veteran opposition leader Etienne Tshisekedi on 1 February 2017 led to further division among the leadership of the opposition coalition. CENCO ended its mediation on 27 March 2017, after the main opposition party (*Rassemblement*) and Kabila's political alliances failed to sign an agreement paving the way for presidential elections. In November 2017, officials of the Independent Electoral Commission (CENI) announced that presidential elections would be held on 23 December 2018.

An underlying and continuing driver of conflict leading to civilian displacement in DRC's North and South Kivu provinces is the politicized role of Congolese nationality and how this determines local forms of belonging. The cross-border ethnic communities of neighbouring Rwanda and Uganda, which are made up of both Kinyarwanda and non-Kinyarwanda speakers, have fallen victim of the exclusionary political sentiments that dominate competing notions of indigeneity—and thus the ability to claim Congolese nationality (Hovil 2016). Identity politics and nationality claims in DRC are seen through the lens of proving ancestral lineage in relation to local belonging, a debate which has dominated Congolese politics historically and continues to do so in the current context.

In addition to the general instability in the country, eastern DRC remains prone to conflict driven by geopolitical tensions, politicized land disputes, access to natural resources and 'ethnicization'. Congolese refugees in Uganda encompass diverse communities from North and South Kivu provinces and include both Kinyarwanda and non-Kinyarwanda speakers. Most Congolese refugees are hosted in settlements in the south-west of Uganda or live in urban areas.

## South Sudan

The conflict in South Sudan is highly complex. The key driver has been the failure to resolve past grievances and to create mechanisms for inclusive governance that would ensure effective state building in the newly independent South Sudan (International Refugee Rights Initiative 2015). In a country that is home for 64 ethnic groups, the fundamental issues of power-sharing among diverse stakeholder communities and peaceful transitions of power through democratic processes have not been addressed. The 2011 referendum generated a 99 per cent approval rate for independence and was met with great optimism among the electorate for creating a new state for all South Sudanese. Uganda was one of the eight countries to support out-of-country voting (OCV) for South Sudanese refugees, many of whom were repatriated following independence in 2011 but have since returned to Uganda.

The current phase of the war in South Sudan began on 15 December 2013. The roots of the conflict are historic and relate to the implementation of the 2005 Comprehensive Peace Agreement (CPA), which negotiated the 2011 referendum and ultimately led to South Sudan's independence. The ongoing violence began in 2013 as a result of the failure of the ruling Sudan People's Liberation Movement (SPLM) to resolve internal power struggles (International Refugee Rights Initiative 2014). A general election was due to be held in 2015, in which the then vice president, Riek Machar, allegedly expressed an interest in running for the presidency. This was interpreted as a coup d'état by the current president, Salva Kiir Mayardit, who dismissed Machar and the entire cabinet in July 2013. Divisions within the SPLM grew deeper as Machar created the Sudan People's Liberation Movement in Opposition (SPLM-IO). Fighting among the parties soon escalated beyond the capital, Juba, to the towns of Bor, Malakal and Bentiu. Since then, South Sudan in its entirety has been affected by the civil war causing massive internal and external displacement. As of August 2017, there were 1.82 million refugees from South Sudan hosted in neighbouring countries, of which 51 per cent were in Uganda, and the population of internally displaced persons stood at 2 million (UNHCR 2017a, 2017b). The violence has resulted in a war-induced famine in various parts of South Sudan and increased food insecurity for an estimated 5.5 million people, or 47 per cent of the population (UNHCR 2017a, 2017b, 2017c).

## 5. Refugee diasporans' political participation in their country of origin

---



There were a variety of responses from both South Sudanese and Congolese refugees regarding their ability to engage with or have an impact on the political life of their home countries. The perspectives ranged from disengagement to a strong willingness to engage. The similarities and differences in how this was expressed among the two groups were largely based on the causes of their flight and their previous experiences of engaging in the political processes of their home countries.

### Formal political participation

Prior to the most recent outbreak of violence in 2013, many of the South Sudanese refugees currently hosted in Uganda had sought refuge in neighbouring countries. They had been repatriated after the 2005 CPA or in the years following the 2011 referendum, in which 96.1 per cent of the 12,300 South Sudanese refugees in Uganda voted for secession (Southern Sudan Referendum Commission 2011). When describing his motivation for voting in the referendum, a South Sudanese man summarized the feeling of many South Sudanese refugees: 'When I voted for separation, I voted for unity and stability. . . . We as South Sudanese love our country, we miss our home, and we need to go back' (South Sudanese refugee 2, Alere Refugee Settlement, 2017).

The feeling of urgency to return home and build their country was commonly expressed by both urban and settlement-based South Sudanese refugees. It was related to the struggle they faced in the fight for independence, and their current sense of disbelief at being displaced having attained their country's independence (Hovil 2010). The aspiration to engage in the current peacebuilding process and establish a democratic transition of power in South Sudan aroused both desire and frustration:

This is my third time running to Uganda . . . the diaspora were the ones who struggled for independence, we struggled for this referendum so it could be a safe country. All of the women struggled so there can be peace yet we are the ones to suffer while men can run to the bush and become rebels. . . . It is useless for us to participate now. If there is a new person, not Kiir or Machar, we might struggle and cast votes, otherwise any voting would be meaningless.

—South Sudanese refugee 3, Bidi Bidi, 2017

Many of the Congolese refugee community interviewed discussed their participation in the 2006 and 2011 presidential elections. During a focus group with Congolese refugees from diverse ethnic backgrounds originating from North and South Kivu provinces, all the participants said that they voted in the 2006 and 2011 elections. With reference to the DRC's first multiparty general election in 2006, a Congolese woman stated: 'We were happy to start the democratic process but were let down when organizers were killed and people who were not voted in wanted to lead. . . . Congolese hope for democracy, even today if the democratic process develops everyone would be happy' (Congolese refugee 2, Nakivale, 2017).

However, despite their previous engagement in DRC electoral processes, interviewees from DRC also discussed the challenges of political and civil engagement given their lack of access to a national identity card since leaving DRC. This would be an impediment to their participation in local and national elections in their home country. Even those who have the necessary documentation to enable them to vote would be impeded by the fact that DRC does not currently have OCV provisions in place for refugee and diaspora communities.

### Non-formal political participation

Many of the Congolese refugees interviewed for this case study attributed the reason for their flight to the 'insecurity' in DRC arising from the lack of a functioning central government, ethnic discrimination and the presence of armed militias. In addition, individual flight histories determined each person's ability and desire to contribute to the country's political and democratic process while in exile. A Congolese asylum seeker, for example, shared his need to entirely isolate himself from Congolese politics:

When Kabila's term expired, he issued a presidential order to release criminals from jail; those released came after the human rights monitors. We tried to seek protection from the UN but it was not given. I was a member of LUCHA, an organization of young people defending democracy. . . . Kabila's term expired on 19 December 2016 and I fled on 24 December 2016. I cannot repatriate if there is no regime change. . . . As a human rights defender I used to facilitate communication between the CNDP [National Congress for the Defence of the People], the M23 [March 23 movement] and MONUSCO [the United Nations Organization Stabilization Mission in the DRC]. I cannot take a chance on any political activity [in Uganda] in case I meet rebels in the camp.

—Congolese refugee youth focus group 3, Nakivale, 2017

One of the most frequently expressed factors prohibiting refugees and asylum seekers from engaging in diaspora platforms while in Uganda was their inability to seek personal protection beyond the mandated humanitarian services offered to them. The reality of being hosted as refugees in Uganda alongside those who were allegedly, or perceived to be, responsible for their displacement, including former government officials and members of rebel groups, was commonly acknowledged by both Congolese and South Sudanese refugees: 'You cannot seek justice in Uganda for the crimes committed against you [in DRC] . . . . In Uganda there is the rule of law but what made us flee Congo is still present in the camps' (Congolese refugee youth focus group 3, Nakivale, 2017).

Beyond the fact that OCV has not yet been extended to Congolese citizens living abroad, many of the Congolese refugees interviewed for this case study spoke of the challenge they face in justifying their rightful belonging in DRC since they have fled, which further challenges their credibility in exile. Congolese refugees widely echoed the perceived or actual



threat to their personal security if they were to attempt to engage in Congolese politics, given the fact they are hosted in Uganda and are therefore seen as collaborating with a foreign entity that has played both a historical and an ongoing role in the regional dynamics seen as fuelling instability in the DRC. A Congolese man contextualized the limitations the diaspora face in attempting to support democracy building; '[Political participation] is not possible because the diaspora is seen as assisting rebels to fight the government' (Congolese Refugee 1, Nakivale 2017). A group of Congolese farmers reinforced this perception by stating that 'People in Congo believe those in exile are preparing to wage war in Congo; therefore we cannot participate [politically] or go back' (Congolese refugee focus group 1, Nakivale, 2017).

Although South Sudanese and Congolese refugees have found more challenges than opportunities in their ability to affect democracy in their countries of origin, both groups have established refugee-led organizations specific to their needs while in exile. For example, student associations allow refugees to unite under their national identity and deliberate on issues in their home countries. Both Congolese and South Sudanese student associations expressed their desire to create solidarity among refugee youth through education, and to relay the message of national, as opposed to tribal, identities as 'Congolese' or 'South Sudanese', given their shared experiences as refugees in Uganda (Congolese student association focus group 4, Kampala, 2017; South Sudanese student association focus group 2, Kampala, 2017). A key example of this approach was provided by a South Sudanese student: 'Our role is to create a single body with no tribalism and promote that we are all people of the same country'. As a Congolese refugee youth put it regarding his vision to build a more positive political climate in the DRC, 'We are the new generation and the Congo of tomorrow. We need to develop our skills so we can go back and develop our own county' (Congolese refugee focus group 2, Kampala, 2017).

Another South Sudanese student refugee shared his perspective on the opportunities refugee communities face in terms of being part of a broader diaspora network:

We enjoy freedom of expression and have the ability to create a peaceful vision of how South Sudan should be governed. The diaspora has an opportunity to participate in leadership and peacebuilding training in addition to being exposed to people from different backgrounds who come from stable countries and strengthen our perspectives on good governance.

—South Sudanese refugee 1, Kampala, 2017

A South Sudanese refugee who has resided in Uganda for over ten years and founded a refugee-led organization highlighted the importance of diversity and educational opportunities as a means of drawing on the potential of younger generations of refugees. He described the mission of the organization as working for peaceful coexistence between refugees and Ugandan host communities:

Educating youth in order to promote democracy through good governance and nonviolence. . . . [Our] motivation is to seek connections in our diversity. . . . We practice our commitment to peace by starting where we are and building a network across the African continent because refugees might repatriate but the network should persist.

—South Sudanese male refugee and NGO representative 4, Kampala, 2017

This exemplifies the ability of refugees to mobilize themselves through a broader vision of utilizing their experiences to influence peace and democracy in their countries of origin and to encourage peaceful coexistence while in exile. The chance to interact and apply the lessons learned was also noted by South Sudanese RWC leaders: ‘Refugees in Uganda are not proud of what happened at home. We are all people of the same country and we are all refugees now suffering together . . . we need to create one network among refugees from all tribes and use our knowledge from third countries to go home and create peace (South Sudanese refugee leaders focus group 1, Boroli, 2017).

Refugee-led initiatives also arise from the need to support livelihoods and personal needs while in Uganda. It is commonly acknowledged that the conventional services extended to refugees through development and humanitarian partners generalize the needs of all refugee communities, rather than respecting the unique nature of their displacement and supporting their potential on an individual basis. Many refugees describe themselves as ‘idle’ or as losing the opportunity to pursue their ambitions post-flight. The founder of a refugee-led development organization in Nakivale Refugee Settlement highlighted the importance of ‘not losing time and searching for opportunities to continue our lives as refugees’. He proceeded to share his motivation for creating an organization to address gaps in the programmes available within the settlement:

As a victim of torture, I was given a plot of land and tools and told to rebuild my life. I had wounds and I was sick. I had to reformat my brain to keep living. . . . I decided to be a point of contact for people with special needs and newly arriving refugee youth. . . . I wanted to create something that gives people immediate opportunities to rebuild their lives.

—Congolese male refugee and NGO representative 1, Nakivale 2017

The organization implements a three-week programme aimed at understanding individual refugees’ needs in order to support their cultural adjustment to the settlement, and to learn about their skills in order to match their potential with vocational training programmes. Therefore, although limited in their roles in contributing to broader policy-related issues, refugee-led organizations are used by fellow refugees to acquire support beyond basic humanitarian intervention.

Similarly, in the Bidi Bidi Refugee Settlement, newly arrived South Sudanese refugees form associations and assume leadership responsibilities reflective of the demand to strengthen survival mechanisms beyond the limited resources provided for them. Refugees in northern Uganda are not currently automatically allocated land for agricultural purposes. Their inability to cultivate food to supplement their meagre monthly food rations was identified as the central unifying point in their collective advocacy. Refugees described forming associations because ‘[humanitarian/development NGOs] will not support individuals but will support groups’ (South Sudanese refugee 3, Bidi Bidi, 2017). They also felt a need to respond to the community-based problems arising from having been uprooted from conventional livelihood activities in South Sudan. It is therefore understandable that while non-formal modes of political and civic engagement arise from the challenges refugees experience, their immediate livelihood in the host country is prioritized over the broader vision of affecting the democratic process in their countries of origin.



## 6. Conclusion and recommendations

---



Based on the empirical data generated from this research, it can be concluded that the legal frameworks prohibiting refugees from engaging in formal political activities, such as participation in national and local elections, access to political parties or the right to assembly, are effective at discouraging refugees from pursuing political interests in Uganda. The majority of refugees and asylum seekers who participated in this research were not actively seeking opportunities to involve themselves in Ugandan political affairs. However, both South Sudanese and Congolese refugees conveyed a desire to advocate for political development in their countries of origin. Despite the fact that refugees are excluded from participation in formal political institutions in Uganda, RWCs and refugee-led civil society organizations do play a limited but active role as consultative bodies on behalf of their wider communities, and developing positive refugee–host community relations. RWCs also serve as a unifying platform for refugees to advocate for issues most prevalent in their communities.

With respect to refugees' participation in the political institutions and processes of their countries of origin, this case study reveals that there are no avenues for formal political participation, given the current political and security situation in both South Sudan and the DRC, and taking into account the absence of OCV regulations. Nonetheless, there was a common feeling that their residence in Uganda presented some opportunities for refugees to come together through their shared experience of exile and to maximize the opportunities available to them in Uganda in order to build their capacities and skills to promote democracy in their countries of origin.

The following recommendations are presented in the context of existing and planned structures geared to expanding the opportunities for refugees and asylum seekers in settlements and urban areas to fully embrace the political and civic processes in Uganda and their countries of origin.

### Recommendations

#### For the host country

- The Ugandan Government and decision-makers should ensure that refugees are able to access citizenship according to the law and are thus able to enjoy the same basic rights as the communities in which they have sought refuge, including the right to vote and participate in Uganda's political processes once naturalized.

- The Ugandan Government and decision-makers should take steps to legally formalize RWC structures to strengthen their role as the main consultative bodies and advisers on the implementation of all procedures and programmes relevant to settlement-based refugees in Uganda. A clear and legally binding criterion should be established by the Government to determine the length of service of refugee leaders, as well as guidelines for transparent refugee-led elections and protocols geared to enhancing their ability to directly interact with stakeholders and donors working on their behalf.
- Local governments in collaboration with CSOs should work together to establish a more inclusive system so that refugees who are in all other respects integrated locally are able to participate in local political structures, to ensure their full inclusion among broader host communities.
- Refugee-led CSOs should be equipped with skills that enable them to play a positive role in making refugees' voices heard and connecting refugees with their communities.
- The Ugandan Government and camp authorities should logistically facilitate the exercise of OCV for South Sudanese and Congolese refugees, if conditions allow in the future, and enhance the prospects for their safe repatriation.

## For the countries of origin

### South Sudan

- The South Sudanese Government should ensure a framework for general elections on the stabilization of the country and implement electoral guidelines promoting the participation of all South Sudanese in electoral processes, including refugee and diaspora communities.
- South Sudanese CSOs and refugee-led organizations should strengthen their links and continue working together to implement grassroots initiatives focused on effective state-building and leadership training mechanisms that promote democratic principles among South Sudanese citizens.
- South Sudanese refugees should continue to strengthen their platform as the key stakeholders in the cessation of violence and stabilization of South Sudan, to create prospects for repatriation and spearhead community-based reconciliation efforts.

### Democratic Republic of the Congo

- The DRC Government should respond to domestic, regional and international pressure to hold general elections in 2018. The incumbent president should accept the expiration of his constitutional mandate and maintain his commitment to peaceful democratic elections.
- The DRC Government should ensure transparent in-country voter registration in addition to working with the Ugandan Government to facilitate DRC citizens' acquisition of national ID documents to enable registration for OCV in the future. This will build confidence among Congolese citizens, as well as refugees and diaspora networks, to embrace the prospect of a democratic transition of power in DRC.
- Congolese CSOs and refugee-led organizations should continue to strengthen their coalitions and mobilize as stakeholders in the political affairs of DRC, including their right to take part in OCV initiatives.

## References



- Bekaj, A. and Antara, L., *Political Participation of Refugees: Bridging the Gaps* (Stockholm: International IDEA, 2018), <<https://www.idea.int/publications/catalogue/political-participation-refugees-bridging-gaps>>, accessed 7 April 2018
- Congo Research Group, 'Opinion poll: A troubled transition in the DR Congo', April 2017, <<http://congoresearchgroup.org/wp-content/uploads/2017/05/CRGBERCI-poll-Feb-April-2017.pdf>>, accessed 1 March 2018
- Hovil, L., *Hoping for Peace, Afraid of War: the Dilemmas of Repatriation and Belonging on the Borders of Uganda and South Sudan* UNHCR New Issues in Refugee Research Paper No. 96, 2010, <<http://www.unhcr.org/4cf5018b1.html>>, accessed 10 June 2017
- , *Refugees, Conflict, and the Search for Belonging* (London: Palgrave MacMillan, 2016)
- , 'Self-settled Refugees in Uganda: An Alternative Approach to Displacement?', *Journal of Refugee Studies*, 20/4 (2007), pp. 614–19
- International Organization for Migration, *Glossary on Migration*, International Migration Law Series No. 25, 2011, <<https://publications.iom.int/books/international-migration-law-ndeg25-glossary-migration>>, accessed 6 March 2018
- International Refugee Rights Initiative, 'South Sudanese refugees in Adjumani District, Uganda: telling a new story?', July 2015, <<http://refugee-rights.org/south-sudanese-refugees-in-adjumani-district-uganda-telling-a-new-story-2/>>, accessed 1 March 2018
- , 'The eligibility for refugees to acquire Ugandan citizenship', Citizenship Rights in Africa Initiative, 22 March 2016, <<http://citizenshiprightsafrika.org/the-eligibility-for-refugees-to-acquire-ugandan-citizenship/>>, accessed 1 March 2018
- Office of the Prime Minister (Uganda) and United Nations High Commissioner for Refugees (UNHCR), Inter-agency Presentation, Food Security and Nutrition Assessment, Kampala, Uganda, 10 March 2017
- Southern Sudan Referendum Commission, '[2011] Referendum results: OCV', 2011, <<http://southernsudan2011.com/results/state/359/index.html>>, accessed 20 June 2017

- Uganda, Republic of, Constitution of the Republic of Uganda, 1995, <[https://www.constituteproject.org/constitution/Uganda\\_2005?lang=en](https://www.constituteproject.org/constitution/Uganda_2005?lang=en)>, accessed 6 April 2018
- Ugandan Government, *Second National Development Strategy, 2015/16–2019/20* (NDP II), March 2015, <<http://ngoforum.or.ug/wp-content/uploads/downloads/2015/03/NDPII-Draft-3rd-March-2015-1pm.pdf>>, accessed 9 June 2017
- , ‘Refugee and Host Population Empowerment (ReHoPE) Strategic Framework Uganda’, June 2017, <[https://reliefweb.int/sites/reliefweb.int/files/resources/ReHoPE\\_Strategy%20Brochure%202017.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/ReHoPE_Strategy%20Brochure%202017.pdf)>, accessed 1 March 2018
- Ugandan Constitutional Court, Constitutional Petition No. 34 of 2010, <[http://refugeelawproject.org/files/others/constitutional\\_court\\_ruling\\_on\\_refugees\\_eligibility\\_to\\_become\\_Ugandans.pdf](http://refugeelawproject.org/files/others/constitutional_court_ruling_on_refugees_eligibility_to_become_Ugandans.pdf)>, accessed 10 October 2017
- Ugandan Parliament, ‘Parliament to amend refugee law’, n.d., <<http://www.parliament.go.ug/index.php/about-parliament/parliamentary-news/1282-parliament-to-amend-law-relating-to-refugees>>, accessed 19 June 2017
- United Nations Economic and Social Council, Commission on Human Rights, ‘Guiding Principles on Internal Displacement’, E/CN.4/1998/53/Add.2, 11 February 1998
- United Nations General Assembly, Convention Relating to the Status of Refugees [1951 Refugee Convention], entered into force 22 April 1954, <<http://www.unhcr.org/3b66c2aa10.pdf>>, accessed 27 February 2018
- United Nations High Commissioner for Refugees (UNHCR), Uganda Refugee Response Portal, ‘Refugees and asylum seekers in Uganda: statistical summary’, 31 January 2017a, <<https://ugandarefugees.org/wp-content/uploads/Uganda-statistics-package-January-2017.pdf>>, accessed 20 May 2017
- , ‘South Sudan situation, regional overview of population of concern’, 31 May 2017b, <<http://data.unhcr.org/SouthSudan/country.php?id=229>>, accessed 4 July 2017
- , ‘Refugees and asylum seekers in Uganda: statistical summary’, 31 August 2017c, <<https://ugandarefugees.org/wp-content/uploads/August-2017-Statistics-package.pdf>>, accessed 18 September 2017

## Legislation

### Uganda

- Local Governments Act, 1997, <<https://www.molg.go.ug/sites/default/files/LOCAL%20GOVERNMENTS%20ACT.pdf>>, accessed 14 June 2017
- Refugees Regulations, 2010, <<http://www.refworld.org/docid/544e4f154.html>>, accessed 22 May 2017
- Refugees Act, 2006, <<http://www.refworld.org/docid/4b7baba52.html>>, accessed 22 May 2017
- Uganda Citizenship and Immigration Control Act, 1991, <<http://www.refworld.org/cgi-bin/texis/vtx/rwmain/opendocpdf.pdf?reldoc=y&docid=544e4e554>>, accessed 4 July 2017



## Interviews

Commissioner for Refugees, author's interview, Kazungu Apollo David, Kampala, 24 May 2017

Congolese asylum seeker 1, author's interview, Nakivale Refugee Settlement, 1 May 2017

Congolese male refugee and NGO representative 1, author's interview, Nakivale Refugee Settlement, 28 May 2017

Congolese refugee 1, author's interview, Nakivale Refugee Settlement, 28 April 2017

Congolese refugee 2, author's interview, Nakivale Refugee Settlement, 2 May 2017

Congolese refugee and NGO representative 1, author's interview, Nakivale, 15 May 2017

Congolese refugee focus group 1, Nakivale Refugee Settlement, 29 April 2017

Congolese refugee focus group 2, Kampala, 20 May 2017

Congolese refugee leader 1, author's interview, Nakivale Refugee Settlement, 2 May 2017

Congolese refugee youth focus group 3, Nakivale Refugee Settlement, 29 April 2017

Congolese student association focus group 4, Kampala, 23 April 2017

Senior Legal Protection Officer and INGO representative 1, author's interview, Bidi Bidi Refugee Settlement, 10 June 2017

Senior Protection Coordinator and INGO representative 2, author's interview, Adjumani, Elegu Reception Centre, 30 May 2017

Senior Protection Coordinator and INGO representative 3, author's interview, Adjumani, Elegu Reception Centre, 30 May 2017

South Sudanese female refugee 1, author's interview, Adjumani town, 3 June 2017

South Sudanese male refugee and NGO Representative 4, author's interview, Kampala, 26 April 2017

South Sudanese refugee 1, author's interview, Kampala, 25 May 2017

South Sudanese refugee 2, author's interview, Alere Refugee Settlement, 6 June 2017

South Sudanese refugee 3, author's interview, Bidi Bidi Refugee Settlement, 8 June 2017

South Sudanese refugee leaders, focus group 1, Boroli Refugee Settlement, 1 June 2017

South Sudanese refugee leader 1, author's interview, Nyumanzi Refugee Settlement, 2 June 2017

South Sudanese refugee leader 2, author's interview, Bidi Bidi Refugee Settlement, 8 June 2017

South Sudanese RWC leaders' focus group 2, Nyumanzi Refugee Settlement, 1 June 2017

South Sudanese student association focus group 1, Kampala, 25 April 2017

South Sudanese student association focus group 2, Kampala, 25 May 2017

## Annex. Glossary of terms

---



### Asylum

A form of protection given by a state on its territory based on internationally or nationally recognized refugee rights. It is granted to a person who is unable to seek protection in her or his country of nationality and/or residence, in particular for fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.

### Asylum seeker

A person who seeks safety from persecution or serious harm in a country other than her or his own and is awaiting a decision on an application for refugee status under relevant international and national instruments.

### Country of origin

A country from which people leave to settle abroad permanently or temporarily (IOM 2011).

### Diaspora

A group of individuals (and members of networks, associations and communities) who have left their country of origin but maintain links with their homeland. This concept covers more settled communities, migrant workers based abroad temporarily, expatriates with the nationality of the host country, dual nationals, and second- and third-generation migrants.

### Formal political participation

For the purposes of this research, formal political participation is understood as participation in decision-making through formal democratic institutions and processes such as national and local elections, referendums, political parties and parliaments.

### Host country

The country where a refugee is settled. In the case of asylum seekers, the country where a person has applied for asylum.

### Internally displaced person

A person who has been forced or obliged to flee or to leave their home or places of habitual residence, in particular because of (or in order to avoid) the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or human-induced

disasters, but who has not crossed an internationally recognized state border (United Nations Economic and Social Council, Commission on Human Rights 1998).

#### Migrant

Any person who is moving or has moved across an international border or within a state away from her/his habitual place of residence, regardless of (a) the person's legal status; (b) whether the movement is voluntary or involuntary; (c) what the causes for the movement are; or (d) what the length of the stay is (IOM 2011).

#### Naturalization

Granting by a state of its nationality to a non-national through a formal act on the application of the individual concerned (IOM 2011).

#### Non-formal political participation

For the purposes of this research, non-formal political participation is understood as participation in political affairs through non-formal means, such as civil society organizations, trade unions, consultative bodies, community organizations, grassroots movements and so on.

#### Refugee

'A person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, 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' (Refugee Convention, article 1A(2), 1951). In addition, article 1(2) of the 1969 Organization of African Unity Convention defines a refugee as any person compelled to leave her or his country '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'. Similarly, the 1984 Cartagena Declaration states that refugees also include persons who flee their country 'because their lives, security or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed public order' (IOM 2011).

#### Resettlement

The transfer of refugees from the country in which they have sought refuge to another state that has agreed to admit them (IOM 2011).

#### Transnationalism

The process whereby people establish and maintain socio-cultural connections across geopolitical borders (IOM 2011).



## About the authors

---



**Tigranna Zakaryan** is a researcher based in Kampala, Uganda. She authored the Uganda case study in collaboration with the International Refugee Rights Initiative, a research and advocacy organization that works to address causes of conflict-related displacement in Africa and to ensure that the rights of those forced to leave their homes are respected by local, regional, and international stakeholders both in policy and in practice. Tigranna's research objectives focus on refugee management, genocide and mass atrocity prevention, community-driven solutions to displacement, and effective state-building mechanisms. She works closely with refugee-led civil society organizations and diaspora networks to bridge the gaps between the daily realities of refugees, and broader forced migration policies and global debates.

**Lina Antara** is a democracy support professional with a keen interest in electoral processes and human rights. She has worked as a Programme Officer at International IDEA since 2015, focusing on projects related to the political inclusion of marginalized groups. Previously, she worked with International IDEA's electoral support project in Myanmar, and with the Electoral Processes Programme conducting research for the Electoral Justice Database and the ACE Electoral Knowledge Network. Prior to this, she worked for the Court of Justice of the European Union and the European Parliament in Luxembourg. She also served as an election observer with the Organization of American States in Panama in 2014 and with the European Union in Liberia in 2017. She holds a master's degree in European law from the University of Luxembourg, a postgraduate degree in international election observation and electoral assistance from the University of the Basque Country, and a bachelor's degree in law from the Aristotle University of Thessaloniki.

## About the Refugees, Asylum Seekers and Democracy project

---



Refugees have the potential to make an impact on the political life of both their host countries and their countries of origin, as they often maintain transnational links with their homelands while at the same time becoming part of their host society. Recognizing the dual role of refugees as political actors, the Refugees, Asylum Seekers and Democracy project aims to explore the challenges and opportunities related to the political participation of refugees in their host countries and countries of origin.

Among the formal mechanisms for political participation, the project explores issues of access to citizenship in host countries, electoral rights in both host countries and countries of origin, and membership or other forms of support to political parties. In addition, acknowledging that political life is not only confined to electoral processes, the project examines non-formal mechanisms for political participation, including refugees' participation in consultative bodies, civil society organizations, protests and grassroots initiatives, and other means of transnational political activism.

In 2018 the project produced a report, *Political Participation of Refugees: Bridging the Gaps*, which draws on eight case studies carried out through interviews and focus group discussions with refugees and key informants in host countries with high numbers of refugees. It offers cross-country insights into the experiences of refugee communities originating from five of the largest source countries.

The Refugees, Asylum Seekers and Democracy project was made possible by funding from the Robert Bosch Stiftung.

Download the case studies and the full report:  
<<https://www.idea.int/our-work/what-we-do/migration-democracy>>

## About International IDEA



---

The International Institute for Democracy and Electoral Assistance (International IDEA) is an intergovernmental organization with the mission to advance democracy worldwide, as a universal human aspiration and enabler of sustainable development. We do this by supporting the building, strengthening and safeguarding of democratic political institutions and processes at all levels. Our vision is a world in which democratic processes, actors and institutions are inclusive and accountable and deliver sustainable development to all.

### What do we do?

In our work we focus on three main impact areas: electoral processes; constitution-building processes; and political participation and representation. The themes of gender and inclusion, conflict sensitivity and sustainable development are mainstreamed across all our areas of work.

International IDEA provides analyses of global and regional democratic trends; produces comparative knowledge on good international democratic practices; offers technical assistance and capacity-building on democratic reform to actors engaged in democratic processes; and convenes dialogue on issues relevant to the public debate on democracy and democracy building.

### Where do we work?

Our headquarters is located in Stockholm, and we have regional and country offices in Africa, the Asia-Pacific, Europe and Latin America and the Caribbean. International IDEA is a Permanent Observer to the United Nations and is accredited to European Union institutions.

<<http://www.idea.int>>

Drawing on individual perspectives of Congolese and South Sudanese refugees based in Uganda, this case study explores the formal and non-formal political participation of refugees and asylum seekers in their host country and the ways in which they are able to participate in peacebuilding and democracy-building in their countries of origin.

Among the formal mechanisms for political participation, the case study explores issues of access to citizenship in the host country, electoral rights in both the host country and countries of origin, and membership or other forms of support to political parties. In addition, it examines non-formal mechanisms for political participation, including refugees' participation in consultative bodies, civil society organizations, protests and grassroots initiatives, and other means of transnational political activism.

This case study is part of the Refugees, Asylum Seekers and Democracy project and has informed the development of a longer report, *Political Participation of Refugees: Bridging the Gaps*, published by International IDEA in 2018.