



Protecting Vulnerable Refugees An empirical examination of the implementation practices of aid workers and state actors in Uganda

*Sophie Nakueira |
Max Planck Institute for Social Anthropology*

VULNER Research Report 1

About this Publication

Document History

Version	Date	Description
1.1	19 November 2020	Issued for consortium review
	17 Decemer 2020	Consortium review
1.2	28 January 2020	Revised version issued for formatting
1.3	29 January 2021	Formatted version submitted to the EU for external review
	08 June 2021	External review
1.4	05 July 2021	Revised version issued for formatting
1.5	28 July	Formatted version submitted to the EU


Acknowledgement

This report is part of the VULNER project, which has received funding from the European Union's Horizon 2020 research and innovation programme under grant agreement No 870845 (www.vulner.eu).

Photo Credits

The photo for the cover image was taken by Sophie Nakueira (2017). The picture depicts a form of normalcy or innocence in a ,state of exception' or ,space of exception' in a refugee settlement.

Copyright

The copyright remains with the author. The report is available at www.vulner.eu. This work is licensed under CC BY 4.0. 

Disclaimer

This report reflects only the authors' views and the European Union is not liable for any use that may be made of the information contained therein.

Author

Sophie Nakueira, Senior Research Fellow, Department of Law and Anthropology, Max Planck Institute for Social Anthropology

Suggested Citation

S. Nakueira. *Protecting Vulnerable Refugees: An empirical examination of the implementation practices of aid workers and state actors in Uganda*. 2021. Vulner **Research Report 1**. [doi: 10.5281/zenodo.5518521](https://doi.org/10.5281/zenodo.5518521)



Project: VULNER - Vulnerability Under the Global Protection Regime: How Does the Law Assess, Address, Shape and Produce the Vulnerabilities of the Protection Seekers?
GA: 870845
Horizon 2020: H2020-SC6-MIGRATION-2019
Funding Scheme: Research and Innovation Action
Dissemination Level: PU

Protecting Vulnerable Refugees in Uganda: An empirical study of the implementation practices of state and global aid agencies

Work Package 8 | Deliverable 8.1

Lead beneficiary:
Author:

Max Planck Institute for Social Anthropology | nakueira@eth.mpg.de
Sophie Nakueira

Executive Summary

This research report has been published as part of the EU Horizon 2020 VULNER research project (www.vulner.eu). The VULNER research project is an international research initiative, which objective is to reach a more profound understanding of the experiences of vulnerabilities of migrants applying for asylum and other humanitarian protection statuses, and how they could best be addressed. It therefore makes use of a twofold analysis, which confronts the study of existing protection mechanisms towards vulnerable migrants (such as minors and victims of human trafficking), with the one of their own experiences on the ground.

This research report presents some of the **intermediate research results of the VULNER project**, based on the first phase of the project, which consisted of mapping out the vulnerability assessment mechanisms developed in Uganda by the office of the United Nations and High Commissioner for Refugees (UNHCR) and international aid agencies, including how they are implemented on the ground through the practices of the public servants and aid workers in charge.

The following research questions are addressed: What do the relevant domestic legislation, policy documents, and administrative guidelines reveal about how “vulnerabilities” are being assessed and addressed in the countries under study? Do the relevant state and/or aid agencies have a legal duty to assess migrants’ vulnerabilities, and if yes, using which procedures, when and how? Following which legal and bureaucratic criteria? How do decision-makers (street-level bureaucrats) understand and perceive the ‘vulnerabilities’ of the migrants they meet on a daily basis? How do they address these ‘vulnerabilities’ through their everyday practices? What is their stance on existing legal requirements towards ‘vulnerable’ migrants? Which loopholes do they identify?

To that end, **a large number of Uganda legal sources and administrative guidelines were analysed**.¹ Additionally, diverse regional and international Conventions were assessed.² Some reports and policies (e.g. National Development Plan II and III, reports on the progress of the Comprehensive Refugee Response Framework) do not feature prominently in the report but were nevertheless informative in understanding the nature of protection accorded to refugees and asylum seekers.

Interviews were conducted with 26 key interlocutors involved in the humanitarian operations. These included high profile key decision makers at headquarter level and street level bureaucrats at operational level) and comprised both public servants and international aid workers. Participants were from UNHCR, Office of the Prime Minister, Refugee Desk Kampala, Alight, Medical Teams International, Tutapona, Refugee Welfare Councils, War Child Canada and Windle International Uganda, among others. These agencies offer key protection services to asylum seekers and refugees in Uganda and have programs that prioritise special groups/persons based on specific vulnerability criteria. **Observations** were also conducted in limited spaces in Kampala at the Urban refugee desk and at OPM premises, where I was allowed to attend the training of Refugee Status Interviewing Officers.

1 The Refugees Act and Refugee Regulations, The Children Act, the Uganda Citizenship and Immigration Control Act, the Constitution of Uganda, the Penal Code, the Persons with Disabilities Act, the Mental Health Act as well as national policies and diverse international aid agency assessment forms and guidelines.

2 The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa), African Charter on the Rights and Welfare of the Child, CEDAW, the Geneva Convention.

The findings reveal that the formally prescribed architecture of protection (particularly, the identification, assessment and referral of the most vulnerable protection seekers) is hybrid and collaborative. It follows a whole-of-society approach and comprises both state and non-state aid workers at the local and international level who execute distinct aid programmes that are meant to complement those of other aid agencies. This **whole-of-society approach aims to address the needs of the most vulnerable in the most holistic way possible**, as well as generally, and in line with the Comprehensive Refugee Response Framework. Uganda's policies and its collaborative architecture of refugee protection are Uganda's strongest points and can be seen as an **example that could be reproduced and tailored to other contexts**.

Additionally, where gaps clearly exist, some national aid workers confessed to going above the call to intervene in cases where they felt that they could not simply look on and wait for bureaucratic procedure. Such discretionary practices that determined when and how aid workers or civil servants intervened beyond agency guidelines were driven by emotions (frustration or empathy). This suggests that **emotions play a key role in aid workers practices and decisions in their assessments of vulnerable refugees**.

Nevertheless, the findings revealed that factors such as constraints relating to funding, limited human capacity, and contextual challenges unique to specific settlements make it difficult to attain the desired protection goals in reality. **The number of protection seekers that fits within the universal categories prescribed in the UNHCR guidelines as well as those unique to diverse agencies protection mandates and who are therefore eligible for intervention programmes – exceeds what most agencies can accommodate**. The current pandemic has further exacerbated some of these problems (due to further cuts to funding and aid staff).

The findings suggest that even though some of the vulnerabilities experienced by protection seekers are within the law itself (such as the three-months timeline prescribed for granting and renewing temporary registration cards or the interpretation of a 'permanent place of abode' by judges in refusals to grant bail to refugees), **many of the challenges are procedural and material**. For example, **spatiotemporal factors** play a big role in exacerbating the vulnerabilities experienced by certain groups, such as those who have fled for political reasons and are in geographic proximity to countries they have fled, or elderly people who are at risk of having their food grabbed from them as they head from food distribution points.

ABBREVIATIONS

AEP	Accelerated Education Program
CRRF	Comprehensive Refugee Response Framework
CFS	Child Friendly Space
DRC	Democratic Republic of Congo
ECD	Early Child Development
FRRM	Referral & Resolution Mechanism
GBV	Gender Based Violence
GCR	Global Compact on Refugees
GDT	Global Distribution tool
IDP	Internally displaced persons
IOM	International Organization for Migration
IP	Implementing Partner
MoH	Ministry of Health
NGO	Non-Governmental Organisation
OPM	Office of the Prime Minister
RAB	Refugee Appeals Board
REC	Refugee Eligibility Committee
ReHope	Refugee and Host Community Empowerment
RLP	Refugee Law Project
RWC	Refugee Welfare Councils
SGBV	Sexual and Gender Based Violence
UNICEF	United Nations Children’s Fund
UNCHR	United Nations High Commissioner for Refugees

Table of Contents

ABOUT THIS PUBLICATION	2
EXECUTIVE SUMMARY	4
ABBREVIATIONS	6
I INTRODUCTION.....	9
II METHODOLOGY	11
2.1 Limitations of the study.....	12
2.2 The choice of vulnerability categories	13
III UGANDA’S LAW AND REFUGEE POLICY: A PERFECT HAVEN?	14
3.1 The Legal Framework	14
3.2 Uganda’s refugee policies.....	15
3.3 Soft Laws: Application of UNHCR Guidelines	16
IV ADDRESSING VULNERABILITIES OF PROTECTION SEEKERS: PRACTICAL CHALLENGES....	19
4.1. Assessing Vulnerabilities: Focal Points for Identifying Protection Seekers with Specific Needs	19
4.1.1 Refugee Desk Office Old Kampala	20
4.1.2 Refugee Status Interviewing Officers (RSIOs).....	22
4.1.3 Refugee Welfare Councils (RWCs).....	23
4.1.4 Food is Life	25
4.1.5 Child Lives Matter	26
4.1.6 Windle International Uganda	27
4.1.7 War Child Canada.....	28
4.1.8 Tutapona.....	29
4.1.9 Legal Aid International	30
4.2 Addressing Vulnerabilities: A Focus on Minors and Victims of SGBV	31
4.2.1 Minors.....	31
4.2.1.1 Defilement and Child marriages	32
4.2.1.3 Protection of Children in Practice	34
4.2.2 Survivors of SGBV	36
4.2.3.1 Justice system fails victims of SGBVs	37
4.2.3 LGBTQI+	38
4.3. Contextual Vulnerabilities: The Role of Space, Distance and Documents in Enhancing Vulnerabilities.....	39
4.3.1 Protection of Women in the Context of Health	40
4.3.2 Vulnerability due to Geographic Proximity to Country of Origin.....	41
4.3.3 Role of Space in Preventing or Responding to SGBV.....	42
4.3.4 ‘Spatial’ Protection of Persons in Particular Categories.....	43
4.3.5 Documentary Practices: Losing Documents and Replacing Documents.....	43
V WAYS OF THINKING ABOUT “VULNERABILITY”: MENTALITIES OF AID AGENCIES	46
5.1 Multiple Centres and Collaborative Architecture of Identifying Vulnerable Persons	48
5.2 Exercise of Discretion to Alleviate Vulnerability	48
5.3 Documenting Vulnerability.....	50
5.4 Exercising Agency or Gaming the System? Protection seekers’ Strategies from the View of Implementers	52
5.5 The Role of Cultural Differences in Shaping or Exacerbating Vulnerabilities	54

5.6 Executing tasks in an Environment of Stress	55
5.7 Vulnerabilities Caused by Temporal Dimensions of Refugeeness.....	56
VI FINANCIAL CONSTRAINTS.....	58
6.1 Resource Limitations at Operational Level.....	58
6.2 Vulnerabilities Caused by the Global North (?)	60
VII CONCLUSION	61
7.1 Moving Beyond Universal Vulnerability Categories	61
7.2 On Intersecting Vulnerabilities.....	63
BIBLIOGRAPHY	64
Legislation	65
Policy Framework.....	66
Interviews	66
APPENDIX	68

I INTRODUCTION

Surrounded by many countries in conflict and coupled with its open-door policy to asylum seekers, Uganda hosts the largest population of refugees in Africa and ranks third in the world after Turkey and Pakistan. According to the statistics on the website of War Child Holland, Uganda currently hosts 1.28 million refugees, 60 percent of whom are children.¹ Most of the refugees are from countries that have been in recurring states of conflict, which in turn has led to many living in protracted refugee situation. Refugees in Uganda mainly come from the Democratic Republic of Congo, South Sudan, Somalia, Burundi, Ethiopia, and Eritrea.

Implementing humanitarian interventions in contexts of protracted nature of humanitarian crises involving large numbers of forced immigrants is very complex. The complexity lies in the contestations of the overall objective of improving humanitarian responses, the goal to ‘reduce vulnerabilities in migration’ as stipulated in objective 7 of the Global Compact and the actual realities faced by aid workers. This report aims to explore these tensions through an examination of the legal and empirical data in the context of Uganda.

This study starts with an assessment of the national and legal framework of Uganda to analyse how vulnerability is defined and how very vulnerable protection seekers are categorised. The European Migration Network’s website defines a protection seeker as ‘a person who seeks protection from persecution or serious harm in a country other than their own and awaits a decision on the application for refugee status under relevant international and national instruments’. For the purposes and scope of this report this definition includes persons that have also been granted refugee status in Uganda². Taking an interest in the legal and policy framework for protecting refugees and asylum seekers, this study aims to understand how specific categories, such as Women at Risk, Persons with Disability, Elderly Persons, Children at Risk, LGBTQ+ and ethnic or religious minorities (among other marginalized groups), are provided adequate protection in the law. These categories have special relevance in this report as the UNHCR guidelines and the data from interviews with various aid workers have successively revealed that people in these categories typically receive prioritized humanitarian intervention under the assumption that they are the most vulnerable of protection seekers. This study commences its investigations with a desktop review of the legal and policy framework that protects refugees and asylum seekers with a view to understand how international, regional and national laws and policies define vulnerability and cater to very vulnerable protection seekers. This study goes on to also show the practical challenges encountered by those who implement refugee laws and policies and provide services in such protracted post-conflict contexts. It shows how outside law and policies, various other factors, such as donor interests, limited resources and emotions, can affect how aid workers have or choose to implement policies.

This report proceeds as follows: section 2 provides the methodology that was used to collect and analyse the implementation practices of high-profile decision makers and aid practitioners in Uganda’s humanitarian aid operation. This is followed by section 3, which describes the legal and policy framework on the protection of asylum seekers and refugees; section 4 of the report provides a descriptive analysis of

1 <https://www.warchildholland.org/uganda/> [28 November, 2020]

2 While acknowledging that different categories of people experience vulnerability in different forms (such as migrants or internally displaced people), the scope of study is limited to forced migrants that fall under the Geneva Convention—those forced migrants seeking protection in another country. The reason for this limitation is that the VULNER project ‘focuses on migrants seeking protection in Europe (Belgium, Germany, Italy, Norway), North America (Canada), the Middle East (Lebanon), and Africa (Uganda and South Africa). (See <https://www.vulner.eu/3169/about>).

implementing practices of aid workers and public servants involved in Uganda's humanitarian operation. Before the conclusion, section 5 of the report describes the main factors influencing the implementing practices (including financial constraints and emotion).

II METHODOLOGY

This report draws its analysis from field research carried out in 2020 and occasionally on empirical data collected during previous fieldwork between 2018 and 2019. Using qualitative research methods, the study relies on observations, informal conversations, and formal and informal interviews with key informants working in diverse aid agencies as well as on information gathered at conferences. The participants that took part in this study are key actors and practitioners in various settlements in western and northern Uganda. Others are high-profile decision-makers stationed at the headquarters in Kampala.

Data was collected using open-ended as well as unstructured and semi-structured interviews with aid practitioners, civil servants and high-profile decision-makers (such as directors of aid agencies or coordinators of protection services in different aid agencies). A total of 26 interviews were conducted with key actors in government and local practitioners in international and national aid agencies, many in person on the premises of the participants or other social spaces (such as cafes) in Kampala. Most of the interviews with practitioners outside Kampala transpired over phone or skype due to the Covid-19 pandemic-related government restrictions that prohibited travel to refugee settlements. The choice of whom to interview in key agencies was broad and varied, so as to capture diverse perspectives on vulnerability. As will be shown below (in section 4), diverse international and national agencies that provide different services to protection seekers within their respective mandates have their own criteria for whom to prioritize at food distribution points, for who qualifies for scholarships, for psychosocial support, health services, legal protection, legal aid, foster care, and so forth. Therefore, it was necessary to inquire how the different aid agencies define vulnerability and who qualifies for special or extra protection as a result. A table with the list of actors that were interviewed is available (see Appendix 1). Where permission was granted by participants, I use the real names of the aid agencies or state departments, and in other cases where identities were requested to be withheld, pseudonyms have been used in place of names of aid agencies or names of participants.

The primary data for this report is mainly based on the narratives of aid workers and public servants responsible for implementing refugee programmes and policies. In effect, I conducted interviews with 'frontline workers' (Mosse 2011: 1) or 'street-level bureaucrats' (Lipsky 1980) who provide services on the ground – in the settlements or at the head offices of aid agencies and government departments in Kampala. I also interviewed key decision-makers (such as heads of aid programmes, protection coordinators and directors of diverse government and aid organisations) in Uganda's humanitarian operation, such as OPM and UNHCR, people in high-profile positions, such as country directors or programme heads. To that extent, I drew inspiration from Mosse's work, in which he argues that not much attention has been given to the 'knowledge practices at the top' from an anthropological perspective (Mosse 2011:2). The empirical focus in this work centres mainly on actors at the top – who according to Greene (2011) – have largely been left out in anthropological scholarship, which has been mainly occupied with subjects of social ordering from actors at the top rung of decision-making.

Nodal governance was used as an empirical tool and conceptual lens (Burris et. al: 2005) through which to understand how different actors (state and non-state aid workers) and nodes (state and non-state aid agencies) define vulnerability. A nodal governance approach enabled the mapping of the 'plurality of actors' (state and non-state) and the 'plurality of mechanisms' (formal and informal) (see Burris et.al, 2005:3) that are involved in the provision of aid and protection services in Uganda's humanitarian operation.

Since this approach does not give conceptual priority to any actor or node, using a nodal governance framework allows one to capture the complexity on the ground. Important for this study is how state and non-state aid agencies (conceptualised as nodes) think about vulnerability (i.e., mentalities), what methods they use to protect those they define as being most vulnerable (technologies); the resources they use and the institutions that enable aid workers and aid agencies to achieve desired ends i.e., protection goals (particularly the protection of the most vulnerable refugees and asylum seekers).

Through participant observation and interviews, I mapped the processes, mechanisms and practices of actors involved in implementing humanitarian aid programmes. Thus, the focus on vulnerability in this study is purely for understanding its utility as a bureaucratic category and not as an analytical concept. I questioned the ‘why, the how and to what ends’ decision-makers and practitioners focus on certain categories and not others. The intention was to examine if and how implementation practices— aimed at assessing and addressing vulnerabilities— achieve the desired protection goals or in what ways they exacerbate or produce new forms of suffering to the targeted groups or to those who are excluded.

The mentalities or ‘ways of thinking’ (Burriss et al: 2005: 12) about vulnerability of key state and non-state aid agencies are captured within and outside aid organisations’ documents (see also Riles, 2001) as well as in the grammar of communication in everyday institutional practices. Therefore, I also made note of the important role that language plays in ‘render[ing]’ certain people ‘legible’ (Laszczkowski and Reeves, 2018:8) to the affective sensibilities of the humanitarian operation required to trigger mechanisms for providing extra protection to specific groups.

2.1 Limitations of the study

I was not able to observe the implementation practices of all aid agencies mentioned in this report due to the restrictions that were put in place to curb the pandemic as well as the geographic restriction of the research site to agencies in Kampala. As a result, observations were made in limited spaces such as the premises of the Office of the Prime Minister, Refugee Desk Office Kampala police station and one Refugee Status Determination training session conducted by UNHCR). Even though many aid agencies’ head offices are situated in Kampala, they execute their programs in refugee settlements in rural areas, thus observations of the implementation practices would have necessitated travelling to respective refugee settlements. I relied on interviews conducted with key decision-makers in these agencies and analysis of these agencies’ respective vulnerability assessment forms in lieu of observations. Moreover, where blanket access had been granted to make observations (as was the case of the nature of permission granted by OPM) due to the sensitivity of some cases, I was not allowed to attend the review process of asylum applications that had been forwarded to the Refugee Appeals Board. Nonetheless, these limitations do not affect the general findings of the study, as it captures the perspectives of the dominant role of specific agencies (nodes) in protecting refugees generally and the most vulnerable protection seekers in particular.

2.2 The choice of vulnerability categories

Understanding how state and non-state aid agencies define vulnerability in part entailed examining institutional documents and the guidelines they establish on how to identify, assess and address the specific needs of vulnerable protection seekers. Based on my analysis of bureaucratic documents of various international and local aid agencies as well as observations and interviews with key actors in these organisations, I illustrate how aid agencies define themselves around the provision of services geared to persons that fall within specific categories. The vulnerability categories referred to in this report were selected based on the assessment forms of aid agencies for not only determining eligibility for agency programmes but also how aid workers defined their own mandate in the broad protection goal of the humanitarian operation and various UNHCR guidelines on vulnerability on which they relied to assess the eligibility of protection seekers.

UNHCR requires aid agencies to use several guidelines and Standard Operating Procedures (SOPs) on vulnerability categories in the implementation of aid programmes. I not only show how each aid agency defines the most vulnerable protection seekers but also show how essential the collaborative and complementary humanitarian protection architecture connecting international aid agencies, local non-governmental organisations, and various government departments is to the intervention programmes targeting those identified as ‘most vulnerable’.

The empirical research questions that guided this investigation were manifold: How do the different aid agencies define or decide who fits into vulnerability categories in practice? What is the impact of such definition on resulting interventions or responses of aid agencies and on those subject to such categorisation within the humanitarian protection system in Uganda? How are universal categories of vulnerability mobilised by and deployed by protection seekers and what are the effects on those who are excluded from interventions triggered by such categories?

III UGANDA'S LAW AND REFUGEE POLICY: A PERFECT HAVEN?

This section describes Uganda's legal framework and refugee policies and why Uganda is lauded as a model country for refugee protection. It provides a broad overview of the laws, policies and international guidelines that are instrumental in granting refugee rights and the manner in which they prescribe how refugees and asylum seekers as well as specific groups ought to be protected. The section does not delve into empirical details of how these laws are applied in practice, as this is a task for the latter part of the report, which describes the implementation practices of aid workers and public servants.

3.1 The Legal Framework

The laws governing the status of protection seekers are consolidated in the Refugee Act of 2006 and The Refugee Regulations 2010. These two statutes are premised on the 1951 Geneva Convention Relating to the Status of Refugees, and its 1969 protocol, and also the Organisation of African Unity Convention. Collectively, the Refugee Act offers international standards of protection enshrined in international legal conventions.

Although the laws do not specifically define vulnerability or categorise certain groups as 'vulnerable', they do single out how specific groups should be treated. This could be interpreted as an implicit acknowledgment of a priori classification of people in these groups as requiring special protection or safeguards. To this end, Uganda is a party to various regional and international treaties that protect women and children, among other groups. It has also ratified many of these conventions into its national laws. Uganda's national legislation reflects many provisions of the international law, such as the International Convention on the Rights of the Child, the Children Amended Act of 2016 and the Organisation of the African Charter on the Rights and Welfare of the Child, all of which define a child as 'every human being below the age of 18 years. This definition is important in the Ugandan context, because these provisions effectively prohibit such traditional practices as early marriages, genital mutilation, and child labour that would ordinarily be imposed on children in various cultures. The Children's Act was amended to strengthen 'the guardianship of children'; 'prohibit corporal punishment' and 'inter-country adoption', among other protective measures. In addition to the rights set out in the Children's Act, 2006, s.4 (l) states that 'all rights set out in United Nations Convention on the rights of the child and the Organisation of the African Charter on the Rights and Welfare of the Child', but not mentioned in the national law, should be complied with.

Section 19 of the Refugees Act spells out the rights of asylum seekers and their families. It allows them to stay in the country until all legal remedies have been exhausted. Nevertheless, some practical limitations arise from the administrative formalities required by the Refugees Act. According to s. 24 (1) (a) of the Refugees Act, which provides for entitlements of refugees after application submission, applicants must 'be issued with a temporary document valid for a period of ninety days from the date it is issued and thereafter, the document is renewable every two months until all legal remedies with respect to the refugee application have been exhausted. The empirical section on the practices of aid workers maps the challenges of granting the large numbers of applicants a temporary card within this timeframe. Since a large number of people seek refuge in Uganda, the requirement to renew the temporary card every two months potentially exposes asylum seekers to a form of unintended bureaucratic or 'structural violence' (Farmer, 2003) that arises from prolonged waiting periods and travelling long distances for this purpose.

This frequent requirement to interface with the aid bureaucracy also has practical implications for public servants with whom protection seekers interface.

The Constitution of Uganda provides for the Rights of Women, Rights of Children, Rights of Persons with Disabilities and Protection of Minorities set out in Articles 33, 34, 35 and 36, respectively. Implicit in the specific mentioning of these groups in the constitution is a recognition of their marginalised position in society. These rights are then echoed in the Refugees Act of 2006. While the empirical reality is that members of these groups are sometimes less vulnerable when they have community support (such as persons with disabilities) members of these groups are generally marginalised due to the cultural stigma attached to disability and paternalistic attitudes based on gender and age.

Various legal provisions in the Refugee Act and Refugee Regulations provide for protection of all asylum seekers and refugees and in specific sections call for the protection of children and women (sections 32 and 33 of the Refugee Act). These sections provide that all national, regional and international law are applicable to refugee children and refugee women.

3.2 Uganda's refugee policies

Uganda's refugee policies in particular have been hailed as being some of the best policies for refugees globally (Kende-Robb, 2017, also see Rwakaringi, 2017). In an interview with a UNHCR aid worker who was describing Uganda's policy, the interviewee stated that: 'The CRRF strategy has been implemented by Uganda even before it was officially rolled out' (UNHCR interview Oct 19, 2020). By CRRF, the interviewee is referring to the Comprehensive Refugee Response Framework which includes refugees in national development plans. The CRRF framework aims to provide comprehensive solutions by including refugees in national development plans, creating livelihood opportunities so that refugees become self-reliant and less dependent on aid and promotes local integration (through naturalisation).

Uganda developed a generous scheme to foster refugee integration and self-reliance. The Self-Reliance Strategy (SRS) was developed in 1999 in efforts to lessen the burden of refugee reliance on humanitarian aid and the host country and asserted that every refugee is entitled to a small plot of land for subsistence farming (Bagenda et. al, 2003:3). This strategy, alongside a 'progressive' Act in 2006, which gave refugees the freedom of movement and the right to work as well as live freely within communities, was hailed as a 'model for Africa' (Akello, 2009).

One way in which the country has complied with legal provisions that prescribe how to protect large numbers of people fleeing conflict is through its blanket application of prima facie status. Uganda has been extending a warm welcome to asylum seekers from neighbouring countries in conflict where there is evidence of mass exodus by granting them prima facie refugee status. Provided for in s.25 of the Refugee Act, prima facie status can be granted in various instances of mass influx as temporary protection to people from countries that are in protracted conflict such as South Sudan, Somalia and, previously and most recently, Burundi.

A recent example of Uganda's commitment to accepting masses fleeing conflict was evidenced during the Covid-19 pandemic. While all countries had closed their borders, Uganda was the only country that temporarily opened its borders to refugees that were fleeing ethnic conflict from DRC and were stuck in

no-man's land (Protection Officer, OPM, September 2020).

3.3 Soft Laws: Application of UNHCR Guidelines

It is the policy documents and guidelines— particularly the UNHCR policies— that specifically outline how to protect different categories of people considered to be very vulnerable or 'at-risk' groups. An example of such policies (which are multifold) is UNHCR's Age Gender and Diversity (AGD) policy. According to UNHCR's Policy on Age, Gender and Diversity, '[a]ge influences, and can diminish, people's capacity to exercise their rights, and must be considered in all protection assistance and solutions programmes' (UNHCR, 2018: 18). UNHCR also has several policies such as the Policy Framework for the Protection of Children (UNHCR, 2012: 6). This framework provides for the protection of children who are 'asylum-seekers, refugees, internally displaced, returnees and children who are stateless or at risk of statelessness' (See UNHCR, 2012: 6). A 'child protection systems approach' spells out how children should be protected at various stages from the family level to the international level, in order to alleviate potential risks. Such an approach enables diverse actors to contribute to child protection in a holistic manner (UNHCR, 2012: 7). As mentioned above, this is just one of the many policies that are used by implementors of aid programmes in refugee settlements.

Many guidelines are used to assess vulnerabilities of protection seekers that fall within universal categories. One such assessment tool, is the Heightened Risk Tool (HRIT). An examination of the Heightened Risk Tool (HRIT) reveals that it not only has specific guiding questions on how to identify protection seekers that fall into categories of vulnerable groups but also offers a risk-rating scheme to help identify what type of intervention is necessary. The focus of the HRIT is on the following categories: 'Older People, Children and Adolescents, Women and Girls at Risk Legal and Physical Protection, Health and Disability' (The Heightened Risk Tool, 2010).

While aid workers did not specifically mention in the interviews that they used the HRIT (or any specific UNHCR guideline for that matter) to identify vulnerable people, when responding to questions about who they considered most vulnerable, they mentioned those that fell in the categories listed in the HRIT. When asked whether they followed special guidelines to identify vulnerable protection seekers in practice, respondents stated that they identified them (by looking at their physical characteristics), either on site or 'when they come to us' (HFU, August 2020, OPM, month 2020), while others stated that 'it was obvious' to see who was vulnerable by just looking at them (OPM, 28 Aug, 2020). This suggests that decisions about who fits certain vulnerability categories may be highly subjective or that these categories have become so entrenched in the daily practices of decision-makers that in implementing their tasks, practitioners deploy them automatically. An example of the automated implementation or internalisation of vulnerability categories is in the treatment of persons with disabilities queueing up for interviews by RSIOs or of Extremely Vulnerable Individuals (EVIs) at Food distribution points. Interlocutors explained that the elderly, pregnant people, or persons with disabilities are always given first priority.

Implementing partners (as aid agencies that receive funding from UNHCR are called) translate standardised approaches in everyday practice to achieve the programme objectives of protecting those categorised as most vulnerable without necessarily citing the source of these frameworks. According to Goldman, 'Toolkits, frameworks and the standardised approaches they promote enable...knowledge to be locally operationalised across different contexts (Goldman 2005 cited in Green 2011)'. One way in

which standardised approaches are localised is through the definition of 'child'. Even though the Constitution of Uganda and the African Charter define a child as someone below the age of 18, in implementing certain programmes, there is a fluidity in how diverse agencies target age-groups (for instance, War Child Canada targets 10-19-year olds, Medical Teams International targets 0-5-year-olds, and Food is Life targets those between the ages of 6 - 20 years). These different agencies defined people in these age groups as extremely vulnerable for the purposes of their interventions, which was often dictated by their respective guidelines. Clarifying, when asked about the age-groups his agency targets for special programs, a Food Distribution Officer stated: 'In practice, we look at those from 0-20 years as vulnerable people.'

In spite of various commitments to protect vulnerable persons, such as women, elderly, children, people with disabilities, as exemplified in various national and international laws (and as will be shown in the empirical section below), one group is excluded— people in the LGBTQ+ category. Homosexuality is criminalised in s.145 of Uganda's Penal Code Act as an 'unnatural offence' and s.146 of the same statute provides that anyone who attempts to commit an unnatural offence is liable to imprisonment for seven years. The sentence is harsher if convicted for committing an 'unnatural offence'. Section 145(c) states that any person who 'permits a male person to have carnal knowledge of him or her against the order of nature, commits an offence and is liable to imprisonment for life'. The Rights of the Family is defined in Uganda's 1995 Constitution in Article 31. According to Art. 31 (1) the right to found a family is granted to men and women above 18 years and Art. 31 (3) provides that marriage should be entered into by two consenting adults of the opposite sex. Essentially this precludes people of the same sex from marrying and founding a family.

After this brief overview of the overall legal framework for protecting refugees and asylum seekers, with a focus on the provisions benefitting vulnerable persons, the next section offers an empirical description of how this takes place in practice from the first point of application. The section highlights the voices of the practitioners to illustrate in their own words how they identify, assess and address the needs of those they categorise as most vulnerable based on their respective mandates. It describes the practices of aid workers and public servants in everyday provision of (aid) services to protection seekers. The section analyses how categories of vulnerability are constructed through diverse imaginaries of suffering and the resulting interventions that are legitimised through this collective form of humanitarian imaginary. Providing empirical evidence from key (international and governmental) agencies involved in aid-service provision, I show how refugee policies and laws at the national and international level are mobilised and translated by aid workers on the ground to keep the focus on the vulnerability of particular categories of people, as well as on the mechanisms and institutions through which these categories are sustained and refined.

Refugee Status Determination Process

Step 1: Asylum Seeker goes to Refugee Desk at Old Kampala Police Station

A person seeking asylum fills a registration form and submits passport photos of all members of his/her family. A profiling officer conducts a security interview and sends a copy of the registration form to OPM. The profiling officer gives the asylum seeker an Asylum Registration Card.

Step 2: The asylum seeker is contacted by the OPM for an Asylum Seeker Registration Interview, and his or her biometrics and that of each family member is taken. The asylum seeker is given an attestation card.

Step 3: A Refugee Status Interviewing Officer (RSIO) interviews the asylum seeker and writes a report which details the reasons for seeking asylum. The report is submitted to the Refugee Eligibility Committee.

Step 4: Refugee Eligibility Committee (REC) determines whether or not to grant refugee status.

Step 5: If the application is accepted, refugee status is granted and the applicant is issued a Refugee Identity Card.

The above table (adapted from a study conducted by Norwegian Refugee Council, 2018:8) and reconstructions from interviews with Refugee Desk Office, and Refugee Status Interviewing Officers and Protection Officer in OPM) shows the general process that asylum seekers particularly those who plan on staying in Kampala or other urban areas should comply with. However, it should be noted that the asylum application process depends on the point of entry or whether the asylum seeker is in a reception centre in the settlements. In case of the latter, REC and RSIO travel to the various settlements to conduct the refugee status interviews. Protection seekers who register at the refugee desk office in Kampala may be sent to refugee settlements and allocated a plot of land or they can choose to stay in the city (RSIO2, OPM, August 2020).

Appeal Process where refugee status is denied

Step 1: Where REC rejects the asylum seeker's application, the applicant can ask for a review of the rejection.

Step 2: The Refugee Status Interviewing Officer conducts the interview again to get additional details that were left out in the initial interview, which the applicant deems could be helpful and the application is sent to REC for review.

Step 3: If the application is rejected again, the applicant can appeal to the Refugee Appeals Board (RAB) to review the application.

Step 4: The Appeals Board reviews the application and makes recommendations to REC based on its findings. If REC rejects the application, the applicant can file a case to the Appeals Court for judicial review.

Step 5: The Appeals Court reviews the case and makes recommendations to REC.

Step 6: REC makes a final decision on the case and decides whether to grant or reject the application. If it rejects the application, the asylum seeker has to leave the country.

IV ADDRESSING VULNERABILITIES OF PROTECTION SEEKERS: PRACTICAL CHALLENGES

This section describes the practical challenges encountered by aid workers and public servants in identifying, assessing and addressing the protection needs of the most vulnerable protection seekers. The section is divided into three subsections: The first subsection analyses the focal points where the specific needs of some protection seekers who are deemed more vulnerable than others can be met (4.1.), whereas the second addresses the specific mechanisms that have been put into place to address some vulnerable profiles (4.2.). The third and last subsection shows that aid workers are also aware of additional factors of vulnerabilities, other than those for which an official structure and contact point has been created (as shown in subsection 2) (4.3.).

As a system of protection and set of practices for assessing vulnerability of protection seekers, the architecture of the humanitarian governance in Uganda is designed to identify the most vulnerable protection seekers at various focal points (UNHCR, October 2020). By focal points in this context, UNHCR is referring to the different aid agencies tasked with identifying and referring protection seekers that fall within its universal vulnerability categories (such as elderly persons, pregnant women, unaccompanied minors, persons with disabilities, and the like). The term ‘focal points’ is used here to refer not only to the actors (aid workers, civil servants and others who assess protection seekers for eligibility for protection interventions) and the respective aid agencies/spaces where identification of vulnerable persons takes place, all of which is described below in greater detail. Each of the agencies in the humanitarian system provides services that are intended to mitigate or address the needs of people they categorise as being ‘most vulnerable’ in different but complementary ways (Food Distribution Officer, Food is Life, August 2020).

Aid agencies involved in humanitarian aid service provision aim to provide interventions that promote their respective goals funded by donor interests within the broad mandate of refugee protection. In the case of Uganda, this is achieved through the provision of specialised protection services, within their respective mandates. More specifically, the identification of the most vulnerable persons is conducted at various focal points, such as registration, food distribution places, among other focal points, as will be shown below.

4.1. Assessing Vulnerabilities: Focal Points for Identifying Protection Seekers with Specific Needs

The humanitarian operation in Uganda comprises international aid agencies and governmental departments or institutions that fall within two categories: implementing partners and operational partners. In the context of implementing aid programmes, aid agencies that receive funding from UNHCR are known as Implementing Partners, while Operational Partners secure funding from outside donors and fill the operational gap that cannot be covered by implementation partners. Collectively, however, all aid agencies working within refugee settlements must follow UNHCR’s vulnerability guidelines to implement programmes in refugee settlements. It is these state and non-state aid agencies that make up the various centres — focal points where asylum seekers and refugees are assessed for their eligibility for specific interventions based on their protection needs. As will be shown below, identification of the most vulnerable protection seekers is conducted by various aid workers or public servants and starts from the first

point of registration at reception centres.

Various reception centres in settlements and at border points were set up around the country, to register asylum seekers depending on the point of entry or the reception centre closest to them. Below I focus solely on the Refugee Desk Office in Kampala as administrative constraints prohibited me from conducting empirical research at reception centres in settlements outside Kampala. However, it should be noted that protection seekers who register at the refugee desk in Kampala and are unable to afford life as 'urban refugees' are sent to various settlements around the country by the Office of the Prime Minister.

4.1.1 Refugee Desk Office Old Kampala

The Refugee Desk Office in Old Kampala is the first point of registration for urban asylum seekers or those who choose it as their closest point of entry before they are allocated a settlement by the Office of the Prime Minister. Urban asylum seekers are those seeking protection in Uganda and wish to live outside the designated refugee settlements, which are often located in rural areas.

In the excerpt below, the profiling officer explains how he identifies the most vulnerable people in his day-to-day tasks:

Me: *Do you have guidelines on how you ought to handle vulnerable people?*

Profiling Officer: *For our office we have. We do not have international guidelines. We have a timetable. I have told you before that each nationality has its day. Monday is the day of Somali, Tuesday- Sudanese, like that. If they are not there then when they come its 'first come, first Served' on that day. Even though its first come first served we consider the vulnerables... we consider the elders, minors, sickly.' (Profiling Officer, Refugee desk Officer August 2020)*

When asked if the Reception Centre has any specific services catering to particular categories of refugees e.g. children, minors, disabled, and so forth, the interviewee stated:

'When we receive them, we then contact the concerned agencies. At first, we used to contact InterAid but I think their contract ended and now it is NRC—that is the Norwegian Refugee Council. There is also IRC ...Its International, international... [checks paper and says] International Rescue Committee.'

In responding to my follow-up question on whether the agencies come to pick up the vulnerable people that have been identified, the profiling officer expressed his frustration about the delayed response of other agencies to pick up those that have been identified:

'Yeah, they come and help them but because of the bureaucracy of some organisations, someone can stay here for days! Those are the challenges now. This is an office without a budget. You, as you can see, we have limited space. You see they come here and sometimes they come here you help them. You volunteer your little money. Sometimes people are stranded, and they have no food. There was a woman with young children here and the children were crying. You call the agencies. They tell you call this number when you get this number, they tell you they don't have transport—that our vehicles are in the field. In fact, one day I was very, very, annoyed. I used my

10,000 in airtime. But the refugees they don't know this. They are deceived that that office has money.' You see a disabled person stays here and they tell you let them come to our office. You ask how can they get to their office? We give them 5,000 for a boda boda [motorcycle taxi] of your own money and you tell them go to OPM and do not come back. We give them money with instructions not to come back! You just want to get the burden off you. These people they are stranded here for days sometimes with no food!' (Profiling Officer, Refugee desk Officer August 2020)

From the above response, it is evident that in practice certain coordination and resource challenges hinder timely interventions for those identified as being very vulnerable. Explaining the process of registering unaccompanied minors, the same interviewee noted:

'In terms of registering unaccompanied minors, it gets complicated. On one side you are not supposed to register them. On the other side the person has already reached Uganda. He is from a foreign country and the country is in war. So, you have to register them but then you can get into trouble. But you register them because they are in your country and they are vulnerable and need documentation. So, there are two sides.'

The registration of unaccompanied minors presents various challenges in practice. One recurring problem, as attested to by the profiling officer above is impersonation:

'In terms of forgery of names. You know that form, when you fill it, there is a part where you put children you have left behind. They will fill different names and when you conduct an interview you find that they are mentioning different ones because they want to process papers to go abroad. You find that the people you registered are not their biological children and sometimes it is very hard to discover.' (Profiling Officer, Refugee Desk Office August 2020).

The same interviewee added that registering unaccompanied minors from Eritrea and Ethiopia is particularly challenging. Flipping through a file, the same Profiling Officer showed me two passport photos, one of an 18-year-old Eritrean female in Uganda with a 12-year-old sibling, in order to elaborate on the problem of registering the 18-year-old Eritrean female:

'You see when we were registering them, she said she has been here for 5 years. But that would mean she left Eritrea at 13 years old! We treat this as possibility of trafficking. Eritreans...Ethiopians majority are 14 and 16 years. A child to move from Eritrea across borders and come here on their own...it is impossible. It can't be. It means someone brought them here.'

He explained that this was conceivable from South Sudan and DRC: 'because they just cross the border. If they are 7 years and 5 years, it means someone brought them. We can't register them without their parents' (Profiling Officer, Refugee Desk Office August 2020).

Giving more examples of possible incidences of human trafficking that were intercepted, he added that:

'There have been many accusations that the refugee system is being used for human trafficking and sometimes the [asylum seeker] says this is my nephew...and we can't know.' (Profiling Officer, Refugee Desk Office August 2020).

4.1.2 Refugee Status Interviewing Officers (RSIOs)

The next step in the asylum application process is the OPM office. After the initial registration by the profiling officer, asylum seekers have to take an interview, which is conducted by a Refugee Status Interviewing Officer (RSIO). The role of an RSIO was explained thus by one interviewee:

'I conduct RSD interviews on a daily [basis]. Identify protection needs of my applicants e.g. rape victims, clients... as you conduct interviews you assess their needs. For example, a lady who is a victim of SGBV, medical cases e.g. HIV people who have gone without their medication for a long time. I assess their needs. It is part of protection – I will forward them to Community Services. Those who need shelter, those who are homeless - someone can tell you that they do not have a place to stay and have been homeless for a month.' (RSIO 1, OPM August, 2020).

Another RSIO stated that, in addition to interviewing those seeking asylum status and reviewing the cases of those whose applications for refugee status have been rejected by the Refugee Eligibility Committee (REC), part of her role as an RSIO is to 'identify Elderly, unaccompanied minors' (RSIO 2, OPM August 2020). She further elaborated on how the reviewing process works for those whose applications have been rejected:

'If a person is rejected again for review, there you have no other chance other than going to Refugee Appeals Board. The Refugee Appeals Board looks at his case. If they look at it and they find that REC was not fair they send it back to REC to review. RAB – That is the Refugee Appeals Board only assesses whether they were fair or not but does not take a decision. They take it back to REC and if REC rejects, they [the applicant] can go to court. But, again, court cannot take a decision. They send it back to REC. So, REC has a lot of powers.' (RSIO 2, OPM, August 2020).

She further explained that once an applicant has exhausted all legal remedies, he or she is given 30 days to leave the country. After that, 'it's the job of immigration to repatriate [the asylum seeker]. But, of course, Uganda does not have that money to take people back.'

One might argue that those who are denied refugee status and stay in the country are, in essence, more vulnerable as a result; but this is not necessarily the case for everyone. Since the state does not actively look for people that have been denied refugee status, some asylum seekers end up staying and working in Uganda. This is not to discount the importance of refugee status, nor is it meant to claim that those lacking the refugee status would not face difficulties accessing the free aid services accorded to refugees, such as food rations and other services (as this is an empirical question). Rather, it is to stress the point that it is possible to integrate in the community as long as one abides by national laws and can fend for themselves independent of the humanitarian aid apparatus. An RSIO I interviewed stated that he had run into some people whose applications had been rejected but were living and working in his home village and that local leaders even vouched for them as being upstanding 'members' in the community (RSIO3,

OPM August 2020).

In assessing vulnerable groups among asylum seekers, RSIOs attend to certain categories such as elderly, pregnant women, women with children, persons with disability first, depending on who is waiting to be interviewed. They then refer those in the respective categories to the relevant department or agency to attend to their protection needs. However, one refugee status interviewing officer who I asked if there were guidelines on how to address the needs of those categorised as vulnerable stated that there were no specific guidelines, although they are trained periodically by UNHCR and OPM. The interviewee added that those who fall within vulnerability categories are 'sorted' based on criteria they set for themselves on what is the most 'humane thing' to do.

Applicants from certain countries, such as DRC Congo, South Sudan and Somalia, are granted prima facie refugee status because, as RSIO2 explained to me, it is globally known that these countries are at war. However, both RSIO1 and RSIO2 explained, in responding to my question on whether Uganda's laws adequately protect refugees, that Uganda's legal framework offers adequate protection because the government does not violate the principle of non-refoulement, unlike other countries, like Tanzania, which was sending Burundian refugees back when it was common knowledge that Burundi is not safe.

4.1.3 Refugee Welfare Councils (RWCs)

The Refugee Welfare Council structure is similar to the national grass root level leadership called Local Council (LC). Local council leaders preside over villages, parishes, sub-counties, counties and districts. LC1 is the lowest administrative level, while LCV is the highest administrative unit of local leadership, with LC1 presiding over villages and LCV providing local leadership at the district level. Unlike the national LC system, which goes up to the district level of administration, the Refugee Welfare Council leaders, commonly referred to as RWCs, starts from the village level of administration and goes up to the sub-county level only.

Therefore, refugee settlements have three leadership levels, RWC1, 2 and 3 - with level 3 being the highest administrative level of local leadership in the refugee settlement. RWCs are local leaders elected by refugees within their communities. Their task in refugee protection, among other roles, is considered very crucial because being refugees themselves who live in settlements, they are able to identify and refer extremely vulnerable refugees to respective agencies within their constituencies. Explaining the role of RWCs in identifying Extremely Vulnerable People at food distribution points, an aid worker for Food is Life noted:

'...We involve them for partnership and inclusion. Many times, we ask them to pick out people with these issues. These leaders have tribalism - they might not pick those who are not from their tribes. So, there is the issue of nepotism and nationalism. People have got their traditional thinking. For example, if it is a Somali elderly person, the Burundian leader is not even thinking of the Somali but thinks about the Burundian or Rwandese. We try to make sure that people are treated equally and get them on board (Distribution Officer, Food is Life, September 2020).'

This was corroborated in an interview with a Refugee Welfare Councillor of a village in one of the refugee settlements in South Western Uganda, who explained that he had many roles, one of them was to ensure that he was aware of all the projects being carried out in his village and to oversee the general welfare of

the refugees in his village. When asked how he accomplishes the latter, he responded as follows:

'The welfare the way I maintain it – in collaboration with other partners, I refer people who need protection or certain needs to the partners. [As an RWC], you are the liaison person between refugees and the partners.'

Elaborating on how the referral process works in practice, he stated as follows:

'Normally, we have implementing partners like Windle international, Alight...they have their support staff. What they do is that they send them into the different villages. They call me and we share their needs and then we refer.'

Among the many challenges that RWCs face, the most crucial one (also noted in a 2019 UNHCR report on Uganda) is the lack of incentives to motivate them. Explaining the voluntary nature of the work and the need for incentives to motivate those who engage in refugee welfare leadership, the RWC1 stated:

'The other challenges we normally face, the times when people come for their conflict resolution, you know we are not normally paid, when people come every day at the end of the month nothing is put inside their pockets – If there can be a little bit of a token to motivate so that people can have trust and understand what leadership really means. Like village health teams have always been motivated with bicycles, uniforms and at the end of the month they get motivated with something so they can feel like his absence is felt.'

Additionally, he mentioned that '[w]hen we refer cases to other levels - feedback takes a lot of time so people lose trust.' While RWCs refer criminal cases, such as defilement, rape and murder to the police, they also receive many complaints from refugees to which they have no responses. For instance, as noted by the interviewee, he receives complaints about health facilities not having drugs, reductions in food rations (particularly during the pandemic), few water sources catering to a thousand households.

Laughing in response to my question regarding who can be characterised as a vulnerable refugee, the interviewee, himself a refugee and community leader, elucidated that all refugees are vulnerable because they left their countries of origin. Stressing, however, that 'the level of vulnerability differs', he went on to give examples of the various types of people he considers more vulnerable than others: 'Someone who is a handicapped, orphans, widows, widowers, and old age like those in 70s in 80s or those that are PSNs [Persons with Special Needs]' (RWC1, September 2020). In listing these categories, one notices that they fall within UNHCR's categories of vulnerability that were referred to by other interviewees, hence suggesting a uniform understanding of vulnerability within the protection architecture of humanitarian aid.

4.1.4 Food is Life

Food is Life, is an implementing partner that distributes food to protection seekers in the settlement. Like many others I questioned about the definition of vulnerability in respect to their agency's mandate, the officer in charge of overseeing the food distribution reiterated the status of all refugees as vulnerable populations by virtue of being outside their countries of origin. He further elaborated:

'However, we categorise them depending on their condition. Some are more vulnerable than others. Because there are persons of concern. For example: pregnant mothers in the settlement, Minors who don't have parents, adolescents from 6-20 years - these children are very vulnerable. Disabled people are also more vulnerable especially if they are alone.'

He explained that 'elderly are considered to be extremely vulnerable individuals and that the people that fall into the above categories are prioritized at every service point.' (Distribution Officer, Food is Life, September 2020).

He added that his agency also runs a parallel programme that offers cash to refugees to buy their own food. During the pandemic when borders were closed, World Food Programme found it difficult to transport food into the country. He explained that the agency switched to cash-based transfers because:

'As per the Covid impact, WFP realised that borders were closing and access to food would be difficult from outside the country and instead of giving them food they decided to give them money - cash for food.'

As to whether special programmes had been put in place to cater to vulnerable categories, the Food Distribution Officer responded that categories and food rations were already programmed in the Global Distribution Tool (GDT). The GDT is a software programme that uses as UNHCR's biometric data base to determines 'who gets what'. He then added:

'When it comes to vulnerable persons, we have specific groups. We have got a section on nutrition and livelihood where we basically prioritise extremely vulnerable people to be beneficiaries. For example, we give vegetables to pregnant mothers, young children who are minors, child-headed families to ensure that they improve their health, and we go ahead to teach them how they can grow their food so that away from our services they know how to maintain their health.'

He explained that child-headed families are usually run by 14-year-olds, but 'as per the refugee standard, there are people who are assigned to take care of them. We call these people alternates.' He elucidated the process of selecting alternates for child-headed families as follows:

'We give priority to leaders who can identify these people who can take care of them. They identify good people in the community who check on them. So, for every service they come with them.'

The reasoning behind alternates escorting children to food distribution points and other services points is to ensure that ‘they accompany them to get food or other services or else they can be removed from them or taken by thieves, you know.’

Moreover, in distributing food to vulnerable persons, the same interviewee explained that they have Standard Operating Procedures, which allow them to prioritise extremely vulnerable persons:

‘When they come to FDC (Food Distribution Centres) we categorise them according to their capabilities and vulnerabilities...Able-bodied stand in line (and now in Covid times there is social distancing). There are EVI points: Only EVIs will be there. There are lines of pregnant mothers so that it gives us a chance to help them first. Our SOPs allow us to pull out that person [vulnerable person] first.’

4.1.5 Child Lives Matter

Child Lives Matter is an international organization that caters to the well-being of children in the settlement. An interview with an aid officer of this renowned organization, who spoke on the strict condition of anonymity revealed that she relies on data collected by community-based volunteers, which she enters into a database system. Based on the collected data she determines which cases fall within the mandate of Child Lives Matter and which need to be given high priority, and which cases should be referred to relevant partners depending on the child’s needs. This can range from partners providing health services, education, foster care and so forth. To evaluate the vulnerability of the child, the agency uses various assessment tools. According to the aid officer, there are specific steps to be followed to identify vulnerable children. Without specifying whether these steps were set out in UNHCR vulnerability guidelines, or its own guidelines, the interviewee elucidated:

‘You do not take up a child because you found a dirty child in the settlement. All children are vulnerable because they are not in their country. All children will present with issues and what we do is we assess the child to see what specific concerns we have to address. What others do is general protection. - What our partners do is general protection.’

When asked the difference between the type of protection offered by Child Lives Matter and by other aid workers, the aid officer explained that Child Lives Matter identifies and offers interventions to children that meet their criteria. Listing examples of unaccompanied minors, separated children, children with elderly caregivers or those with guardians but no livelihood, the aid officer explained how they are identified, assessed and what interventions are triggered once they have been identified by volunteers:

‘...[T]hese volunteers they go to the field and then identify children who meet our criteria. Should I call them vulnerable children? OK let’s say those children who we are interested in, those are the ones we prioritise. We have the DRC response: We identify Un Accompanied Minors. These are children who have come to the country with no biological caregiver, then there are those children who have come with a relative (separated children). There are also other children at risk for example those staying with an elderly care giver or a care giver with no means. Case workers register them, and they bring them to my desk, and I see if they fit into our system. We prioritise cases – For high-risk cases we respond to them immediately. For example, if it’s a case of an Un Accompanied Minor under the age of 7 years so we respond immediately. Those staying with the

elderly we respond immediately' (Child Protection Officer, October 2020).

She further explained that Child Lives Matter notifies relevant partners to ensure that the identified children are in school, have proper nutrition or are in foster care in case they are unaccompanied minors.

4.1.6 Windle International Uganda

Windle International is a non-governmental agency tasked with implementing the educational needs of refugees. The Program Manager Education, elucidated that education falls within the ambit of refugee protection. The Program Manager of Education elaborated on this point as follows:

'At Windle we consider that education is protection in itself. It liberates them. We make education accessible to them free of charge. For us that is protection because after that we have refugees who are self-employed or employing others.' (Program Manager Education, September 2020).

When asked which groups are targeted as beneficiaries for the educational programs, the interviewee responded that Windle International targets youth from the ages of 3 to 36 years as beneficiaries and within this group, they focused on those they considered more vulnerable. In the case of Windle International, the focus with respect to vulnerability is on people with mental and physical disabilities — a category they refer to as Persons with Special Needs (PSN). As explained by the Program Manager below:

'Within the refugees there are those we consider more vulnerable such as those with special needs. We currently operate in 11 settlements. Within those 11 settlements we identify children with special needs –some of these could have been caused by the past experiences in war or they were born like that.'

'[Children that receive] special needs education, these are learners who cannot go to our conventional schools, because of mental or physical problems (PSNs) - persons with special needs - they are children with difficulties. For example the child is lame or has mental illness where the condition puts the child in a state that they can't study in these normal schools. They can't sit in class. We take them to special schools.'

The Program Manager further explained that they collaborate with other partners in refugee settlements in identifying those with special needs. These partners work on protection related matters and they identify and refer refugees that fall within the vulnerability category of Persons with Special Needs (PSNs) to Windle International. The interviewee explained how this works in practice:

'Any of the persons who works in the settlement can refer them to Windle International. Every year there's assessment with PSNs and what kind of vulnerability. UNHCR leads that assessment. Then they refer to the different AGD – Age Gender Diversity – looks into refugee priorities - what do they need. They hold focus group discussions. When they identify them, they forward them. That's how we come to identify them. When we get them, we also take them to a health partner. We admit them on the recommendation of the health partner.'

Some challenges were inevitable in executing the mandate, as he explained, for the number of people who fall within the People with Special Needs vulnerability category that are eligible for support is too high for everyone to receive support: 'You struggle to see who do you take and who do you leave. There's also when you have brought them in and they can't progress beyond a certain level.' He added that beyond the logistical level, there is also a stigma attached to mental and physical disability. This social stigma prevents many parents and caretakers from asserting claims and in those cases where they do, they do it to relieve themselves of the burden of taking responsibility for that child:

'Some parents or care takers hide their children. They don't want them to be known. Even when they agree they see the resources to be put in the child as a wastage. When they give you that child, they see it as a relief of a burden. They are reluctant to support them with small things as scholastic materials.'

4.1.7 War Child Canada

This is one of the many organisations dealing with children's affairs, but its focus is mainly restricted to their education. It targets children from the ages of 10–19 years who have spent more than a year out of school, to ensure that they stay in school. Like other agencies offering services within settlements, it caters to a ratio of 70% refugee population and 30% host community.

In an interview with the education officer, I learned that this agency does not focus on categories like unaccompanied minors or separated children. Rather, its programmes target 'anyone who has dropped out of school' with the purpose of helping 'learners to transition back to join back to the normal system' (Education Officer, War Child Canada, August 2020). Among the specific vulnerabilities children who drop out of school are exposed to, the interviewee highlighted the predominance of early marriages, child labour and potentially criminal activities and explained that one of the main challenges the agency faces is the high enrolment of learners. Ordinarily, high enrolment for educational programs could arguably be considered a positive thing given the risks that school drop outs are exposed in such settings. However, in the interviewee's words: 'Learners exceed the target. You find what you had planned doesn't match with the numbers'. This is exacerbated by child-mothers, who do not want to leave the Accelerated Learning Centres because their children are well taken care of at Early Childhood Development centres while they attend class. This option does not exist at conventional schools outside refugee settlements. The interviewee stated that:

'As I told you our role is supporting learners who have dropped out to get back to the normal school system. But they want to stay in the centers through-out because here they don't pay anything, they don't put on uniforms. In the host schools they want them to put on uniforms and some of them are child mothers. We have ECDs - Early childhood development centres – supported by UNICEF and Right to Play... as a mother is in class the baby is at the ECD so that the mother can concentrate so that they are not worried. So people do not want to leave the centres. They want to stay here throughout.' (Education Officer, War Child Canada August 2020)

4.1.8 Tutapona

Tutapona is a non-governmental agency that helps refugees with mental health issues arising from traumatic events. Tutapona means ‘we will be healed’ and offers programmes to this effect. It has several programmes that are geared towards Mental health and Psycho Social Support (MHPSS). According to an interview with the Head of Programs of Tutapona, refugees who need psychosocial support are identified through group programmes or are referred by external partners. For instance, the police had been very helpful in referring suicidal people to Tutapona. Additionally, aid workers at this agency conduct community outreach programmes where people can come voluntarily, and are assessed to identify who requires psychosocial support. Giving an example of one of the settlements, she stated:

‘In Nakivale, groups are staff-mobilised. Our staff goes into different communities to see who is interested and those who have needs. We have pre-assessment and post-assessment for group programmes. In pre-assessment we measure PTSD symptoms. In the post - assessment stage - we measure progress to see if there are gains from the interventions. We have a follow-up programme. We follow up 3 months later to see if the gains were sustained or not. There are certain scores: If someone scores above X % they are at high risk of PTSD [Post Traumatic Stress Disorder]. We tell them to look out for certain symptoms.’

In responding to my question about how Tutapona identifies the most vulnerable persons who will benefit from their assistance, the interviewee stated that they are assessed by staff in the field using assessment tools to assign specific scores based on the responses. These scores are then used to rate the level of distress and based on the percentage scored the agency determines who requires immediate intervention. The interviewee thus explained that a vulnerable person is identified based on the percentage scored on the agency’s assessment forms:

‘I would define a vulnerable person as anyone who is distressed but someone who has scored above a certain percentage is at a higher risk and would be considered potentially more vulnerable.’

Although Tutapona does not cater to specific groups since vulnerability assessment is based on specific scores, the interviewee noted that they get more women due to the demography of the refugee population. However, she stated that they were compelled to set up a children’s programme because of an incident at one of the sessions:

‘At Tutapona we noticed a gap. We have a Heroes training programme for children. We noticed this gap when a child dressed up in adult clothes—to look like an adult to access the adult services. When we heard that we had to do something! We decided to set up a children’s programme.’

When asked about what challenges the agency faces in its role of protecting the most vulnerable refugees, the head of programmes responded with a chuckle:

‘Funding. It’s the general problem for everyone. It’s really difficult. Sometimes you want to continue certain programmes but you can’t and you have to close. We did last year in Rwamwanja. We closed our office in Rwamwanja. We had to open again this year. It can be so damaging. Not just to the refugees but to the staff also because of job cuts.’

While acknowledging that the current Mental Health Act is more progressive than the previous one because it no longer uses derogatory terms, the interviewee stated that bureaucracy was a problem for asylum seekers in Nakivale refugee settlement's Base Camp. In response to my follow-up question inquiring whether Uganda's laws offer adequate protection to protection seekers, the interviewee gave an example of how the bureaucratic process effectively contains asylum seekers who could spend years waiting for refugee status and how this affects their access to aid services and potentially creates more trauma. Giving a practical example of one of the settlements in south western Uganda, the interviewee said:

'At the point of entry, the bureaucracy bit. You gave an example of the requirement for applying for asylum in writing. For people who are vulnerable that adds to it. There are people who get stuck for months or for years within the camp. Because they are stuck within the settlement at Base Camp they can't access certain services. You are creating more trauma in that sense.' (Head of Programs, Tutapona September 2020).

4.1.9 Legal Aid International

Legal Aid International is a non-governmental agency that caters to the legal needs of asylum seekers and refugees. I conducted an interview with a legal aid officer of one of the settlements in which Legal Aid International operates. My goal was to understand how the organisation identifies vulnerable refugees and whether the agency has specific guidelines it uses to categorise those it deems very vulnerable. The interviewee responded as follows:

'Uhhmm that's a tricky one. Our interest groups are asylum seekers, deportees, refugees, internally displaced people, children. Presently we have not been working with them. We have also expanded and are working with children. We are also working with vulnerable host communities. When we get on ground, we see who among these is a vulnerable person in the host community.'

When asked to elaborate on how their agency defines and identifies vulnerable persons for the purposes of determining who is eligible for their programmes, the interviewee maintained:

'In my opinion it goes back to people who have special needs- children, the widows, under children – these may be orphans, persons with disabilities.'

However, prior interviews conducted with different aid workers from Legal Aid International (paralegals and psychosocial support counsellors) affirmed that there are different points within the agency for identifying those of 'interest' to the agency. Outreach programmes for refugees acquaint them with programmes offered by the agency, and thus encourage them to visit the aid offices. Victims of GBV and SGBV are at times identified externally by aid partners or other state actors, such as the police, so that when victims report cases or when refugees have committed criminal offences, the police notify the agency who are in a position to offer the necessary legal representation. Additionally, paralegal and psychosocial support counsellors (some of whom are themselves refugees) use specific forms to identify and diagnose problems and refer vulnerable refugees internally or externally to the relevant aid staff or agencies depending on the specific needs that warrants addressing.

The legal aid officer explained what her role entailed and the exact mandate of Legal Aid International within the broad protection architecture of Uganda’s humanitarian aid structure in the settlements where they operate:

‘[T]he broader task is provision of comprehensive legal aid. Under that I do direct legal representation for both refugees and vulnerable host communities, I offer legal advice, I conduct mediations –which is basically ADR - that is solving disputes within refugees and host communities using alternative dispute resolution as opposed to formal justice systems.’

However, as already mentioned above, there are different aid staff within Legal Aid International who carry out different tasks, such as offering psychosocial support, or paralegals who carry out prisons visits to identify which refugees need legal aid, and not least English language teachers who teach refugees how to voice their rights or demand justice. These tasks involve identifying vulnerable people in the context of needing legal representation in whatever form.

4.2 Addressing Vulnerabilities: A Focus on Minors and Victims of SGBV

From the previous section, it is evident that there is a high degree of cooperation between the different agencies through referral mechanisms. Moreover, as the Refugee Welfare Council structure illustrates through its allocation of tasks, cooperation between refugee community leaders and different state agencies and NGOs is crucial for identifying and addressing the needs of the most vulnerable populations within refugee settlements. Therefore, there are internal and external referral pathways between and within the respective agencies that work in the humanitarian refugee operation.

Below, I offer a few specific examples of the ways in which aid workers from different agencies have identified vulnerable people and how they have addressed their protection needs.

4.2.1 Minors

A psychosocial support counsellor working for Legal Aid International explained how the humanitarian refugee operation functions and his role within the system: ‘You know we are working as a family. If I find that someone needs medical services, I refer them to MTI [Medical Teams International]. Someone who needs protection I refer him or her to Alight- Uganda.’

He explained that he is able to ‘look at someone and know’ that they are vulnerable:

‘If an elderly person comes to me, I know that this one is vulnerable, a child, and also the disabled. Also, what I saw in our form. Let me get it. Single mothers, child below 18, unaccompanied minors, survivors of torture, SGBV survivors, survival sexual workers, single mothers and single fathers, child headed parents.’

The form the interviewee is referring to is the counselling form which has to be filled out after a diagnosis has been made. The interviewee gave an example of a case he had handled recently involving children who had come to Legal Aid International, seeking information on how to join the school system:

'So far I have worked on two children who needed someone to take care of them and I took them to Alight and so they got one person to take care of them after Alight intervened. One was 10 and the other was 8. The mom died and left them with someone. That person may have changed their mind. When they came to me, they were looking for education, but I saw that they were insecure. I took them to Windle Trust and then also to Alight.' (Psycho-social counsellor, Legal Aid International, August 2020).

Another interviewee corroborated the point made by the counsellor about 'working as a family'. In her explanation about the conditions under which Child Lives Matter partners with diverse agencies, the interviewee stated that this depends on the specific issue at hand. She explained:

'There are cases that we work with partners, we don't offer all the services. For example, if its medical we refer to the medical partners, if its psycho social we first administer and then we refer, those children with mental health issues we refer, those who are not registered and need registration, we refer them to OPM.' (Child Protection Officer, Child Lives Matter, October 2020).

In an interview with RSIO1, a refugee status interviewing officer with OPM, I asked whether in the course of his work he had received applications from unaccompanied minors seeking asylum and whether they ever get reunited with their parents. He responded:

'Oh yes. When we register them and you are a child, we enter that data into a system. In the process through our teams a mother can say I am looking for my child who fled on this day. You look in the system and they are maybe in a different settlement and the mother requests that she wants to be with her child – there is family reunification.' (RSIO 1, OPM, August 2020)

Ordinarily the task of tracing and reuniting children with their families is the role of ReUnite Global Inc, an international agency. However, from the above example, we see that OPM's database (which stores the biodata of refugees and asylum seekers) is crucial for enabling family reunification. One interviewee, who spoke on condition of anonymity, explained how his agency goes about protecting UAMs. Giving an example of a child who may have separated from his parents in Congo during war, ReUnite will collect details about the place where the child got separated and will commence a tracing request back in the country of origin. However, they also assess the general well-being of the child by asking whether the child is in school, whether the child is living alone or with foster parents and how the child is being treated by the foster parents. (Operations Officer, ReUnite Global Inc., September 2020).

Each of the above examples showed how their referral pathways enables them to refer those children who have been identified as being very vulnerable and in need of additional and specific protection to the respective agencies, which are best placed to address the specific protection needs that have been identified.

4.2.1.1 Defilement and Child marriages

The legal aid officer mentioned above explained that in Northern Uganda, where she works, the main legal issues involve land matters between refugees and host communities. She also noted that there were several cases of simple and aggravated defilement. Explaining the difference between the two offences she said:

'Simple is when the victims are between the ages of 14 and 18. In the penal code Act, that is S.129 and aggravated defilement, this is the situation where the victim is below 14 years of age, the second circumstance that makes it aggravated is the perpetrator is infected with HIV, the 3rd circumstance, the person has authority over the victim - e.g a teacher defiling a student, parent or guardian defiling their children, the other aspect is if the person is a victim of disability.' (Legal Aid Officer, Legal Aid International September 2020).

She also addressed the issue of child marriages, particularly among the South Sudanese communities. Our interaction below reveals the prevalence of child marriage as well as the challenges of protecting underage children from such marriages:

'The South Sudanese law is like in Uganda. The age of majority is 18 years like Uganda, but from their cultural practices, when the child reaches puberty, they find a partner for her. According to their culture when a girl is tall they get many cows. The South Sudanese can pay up to 100 cows for a tall girl. As long as she has clocked puberty, if they see breasts, they feel that the girl is ready for marriage. They know in Uganda a girl below 18 cannot marry so they sneak back to South Sudan and marry this girl off and then they return.'

Me: *'Really? They will go to this extent?'*

Legal Aid Officer: *'Yes. In fact, I was once dealing with a case and I was with the police and this one woman told us: 'you mean a girl who is 16 cannot get married? I have already arranged for her a cultural wedding in South Sudan and I will take her to get married and bring her back!''*

There is also another child who was 16 years and living with her uncle. She ran away from her uncle because he had arranged marriage and she did not want to get married. The biggest challenge we have is the concealment of these cases in the community. They know what the law says. What the parents do in case they have not married her off and she gets pregnant, they go to the parents of the boy. They call it commonly Kasulube. They ask the family of the boy to pay something. If the family pays, they will never report to the police.'

The interviewee went on to explain that although the number of refugees in the settlement in which these offences occur is in the thousands, it has only three police officers. She explained that because the ratio of police officers to the community is very small, unless cases of child marriages are reported by the community to the police, the latter would never find out (Legal Aid Officer, Legal Aid International, September 2020).

Many of the above challenges were corroborated by a GBV aid worker of Alight-Uganda, a leading child-protection agency. The interviewee responded to my inquiry about the challenges her agency faces in protecting children as follows:

[Laughs] 'Of course I am going to say funds. They keep dwindling every time. We have many things we want to implement but because of funds we can't ...or we do trainers of trainers, and sometimes its not enough; Cultural norms, like child marriage and people keeping silent about it. 15 or 16-year-old Congolese — they speak Kigerere. Not all [meaning not every Congolese engage in the practice of child marriage]. Most of the challenges remain around funding, funding,

funding! (GBV Officer, Alight-Uganda October 2020).

Responding to whether the law and policies adequately protect refugees, the legal aid officer with Legal Aid International acknowledged:

'Like you rightly pointed out, our laws are really good and exhaustive and capture so many rights but when it comes to the implementation, I will specifically talk about right to access employment opportunities. Ideally, they should enjoy it but when it comes to the practical bit of it, but how many NGOs employ refugees?'

Moreover, when asked about the challenges of addressing refugee protection needs in practice from her point of view as a legal officer, she responded as follows:

'Some of the issues are in the law itself — I will give an example of bail. When I go to court and request for bail, the requirement for bail is an accused having a fixed place of abode within the jurisdiction of the court. To some of the judicial officers, refugee settlements do not fit the definition of 'fixed abode' they say that this refugee will be here one day and then get up one day and leave. That is one of the challenges.'

4.2.1.2 Handling of Children at Police Stations

Additionally, another challenge is the handling of children by police officers. The legal aid officer identified a 'knowledge gap' with respect to how children should be treated:

'...I have seen this knowledge gap among key stakeholders such as the police and prisons. Let me explain that. I will give an example of the Child and Family Protection Unit. They are mandated to handle matters of children. I have seen that they don't follow diversion guidelines. Diversion guidelines state that incarceration of children should be a last resort. There are alternative dispute resolutions that should be used. Remanding children should be last resort. But many officers have never heard of this. I visit police posts to see if there are people who have been held beyond 48 hours and you find that they are holding children. They will tell you these children are stubborn, meanwhile Adjumani does not have a remand home. They are taken to Arua - you have to cross river Nile in a ferry!'

4.2.1.3 Protection of Children in Practice

According to a 2019 report published by UNHCR and OPM in 2019, 60 percent of the 1.25 million refugees in Uganda are children (UNHCR & Office of the Prime Minister, 2019a).³ This may explain why a significant number of empirical examples from the interviews are focused on children. Although every agency I interviewed took AGD into consideration in assessing vulnerability when it came to matters involving children, various agencies applied the principle of the Best interests of the Child – an international law principle enshrined in various conventions on Rights of Children that aims to ensure that in all matters concerning decisions about the child, the child's well-being and interests are prioritised. Aid workers in various agencies explained how the child's interests are assessed in reality. They explained that in-

³ Also see Save the Children website. <https://uganda.savethechildren.net/what-we-do/child-protection> [Accessed 03.10.2020].

ter-agency committees (forums made of aid workers from different state and non-state aid agencies) assess the protection needs of children to ensure that they get the right assistance, and that vulnerability is addressed from diverse angles. This reiterates the broad protection approach of the humanitarian aid system, which allows different aid agencies to assess and address the protection needs from various perspectives. They all have a specific protection mandate that they exercise, that in practice is aimed at assessing and addressing the protection needs of children. Consider the following response to my question to one of the interviewees regarding the education of children:

Me: *Who is in charge of children's education?*

Answer: *'War child Canada, NRC – that is Norwegian Refugee Council, War Child Holland, Windle International Uganda. Although OPM plays the same role, the other 4 organisations are the leading organisations in that.'* (Food Distribution Officer, August 2020)

Thus, vulnerability of children is addressed through education by different agencies and in different ways. In the interview with an aid officer with War Child Canada explained that there are Early Childhood Development centres (ECDs) where people look after children between the ages of three to six years, some of whom are born to teenage mothers. This childcare allows their mothers to concentrate in school at the Accelerated Education Programs (AEPS) while their children are being looked after. This could arguably be interpreted as a vernacularisation of international law as it conforms to Article 10 (f) of Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Article 10 of CEDAW provides for how women and girls should be treated. Article 10 provides that:

'States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(f): The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely'

War Child Canada implements this in practice - the only challenge, as revealed in the interview, is that the numbers of refugee children that show up are way more than the available resources. She explained that the number often exceeds what the agency had planned for.

While no respondent stated that they were following specific guidelines provided by UNHCR, their entrenched practices suggest that they follow the UNHCR Framework for Protection of Children. This framework provides in s.3.3 for referral pathways and that these should be known by 'all staff who come in contact with children, and allow for prompt referral of children at risk' (UNHCR, 2012: 22). The suggested Prevention and Response Actions in the aforementioned framework calls for prioritisation of 'vulnerable children especially those without parental care, in protections procedures (including asylum and statelessness determination) and assistance' (UNHCR, 2012: 22).

4.2.2 Survivors of SGBV

There are several focal points for identifying survivors of Sexual and Gender-Based Violence such as Legal Aid International, Tutapona, Alight, and the police. However, other aid agencies can identify as well in the course of assessing for protection needs that fall within their mandate. Due to the large number of protection seekers that report sexual assault and who as a result need psychosocial counselling to address the resulting trauma or distress, this raises issues around the quality of counselling they get, given the shortage of aid staff reported by various agencies vis-à-vis aid agencies' respective targets. The psychosocial counsellor I interviewed responded to my question on how many clients he is required to attend to per month as follows:

'In a day they can be three or four. In a month we are supposed to look at five because in counselling they need sessions until a person gets healed, but we go beyond because of the big numbers. Most of them are sexual survivors because they come looking for SGBV support. Currently [the clients we get] are men because this project is especially looking at men. But before they were women. For example, in a week I can see four men and may be one woman.'

At the time of my fieldwork (2017-2019), most of the programmes or services targeted women and child-survivors of SGBV, who are considered as being particularly vulnerable and having specific protection needs. However, Legal Aid International had early on recognised a gap in programming and sought to support a group of male survivors of sexual violence called Men of Peace. It is worth noting that donor interests or donor funding is a great determinant of which persons are targeted or categorised as 'vulnerable'. In this particular context, funding from donors enabled the targeting of male survivors of SGBV – hence the reference made by the interviewee to the agency's current focus on male survivors.

Several conversations with members and the president of Men of Peace revealed the stigma of being a male survivor of sexual violence, the hardships of trying to access psychosocial support from mostly young female psychosocial support counsellors and the difficulty of fulfilling conjugal rights due to past trauma. The general conception of society is that a man is too strong to be raped, as the leader of Men of Peace told me (informal conversation February 2020). He also expressed his frustration that the group was being 'used' by different agencies to talk about their problems and yet no real help was being offered to them. He said that some members of the group asked what the point of 'exposing themselves' to public shame was when it yielded no real benefit—something that caused many of them to leave the group. Explaining the prevalence of sexual violence against men during war and the associated shame that comes with it, he said while many men from different countries had experienced it, they were too embarrassed to join the group.

The leader of Men of Peace mentioned that the numbers had exponentially increased when they approached UNHCR to advocate for help. This is because when they got audience with UNHCR, people thought that they would get the help they had sought (specifically resettlement). He added that through speaking out, many men felt that they were not alone and saw that others had gone through similar trauma. On 27 November 2020, the leader of the group messaged me saying that he was 'trying to come up with a new system' for managing the group, because many male survivors wanted to join the group (personal communication, WhatsApp message November 27, 2020). Over the course of our conversations, the leader explained that most of the male survivors need to undergo reconstructive operations owing to the sexual assault they have suffered. This was corroborated in the interview I conducted with the psycho-

social support counsellor of Legal Aid International. According to the interviewee, most male clients were seeking medical intervention. Upon inquiring what type of medical support his clients are looking for:

[Interviewee hesitates, lowers voice and responds] *'If they are men, they need operation... they come to us and say they have [inaudible] inside their body. My anus is hurting. I have so much pain. My back hurts. If it's a woman, its usually internal bleeding. It's usually medical issues... the most serious issues are hemorrhoids, bleeding. You find that the man is putting on a pamper but all those come as a result of rape.'* (Psychosocial support counsellor, Legal Aid International, August 2020).

4.2.3.1 Justice system fails victims of SGBVs

The legal aid officer explained that there was a high demand for legal services, yet Legal Aid International operates in only a few settlements out of a total of 18 settlements. The result is that refugees from other settlements in the region bring cases to one particular town as 'there is one magistrate's court catering to 18 settlements in Adjumani town.' She elaborated that the distance to the court from the settlement created another challenge for the successful prosecution of cases because of the poor transport system.

Additionally, the interviewee said '... the greatest challenge has been the lack of manpower but also [the police] lack basic supplies' such as police forms. She offered an insight into this problem particularly for those who are reporting sexual assault offences committed against them:

'Every time I go, they rely on Legal Aid International [to provide forms] And these are police forms for sexual assault! Without those police forms, the case on sexual assault is incomplete. The police entirely depend on [Legal Aid International] to supply them with forms and we supply them because we don't want this to be the reason that a case was not recorded.'

Furthermore, she discussed that the police lacked adequate manpower to cater to thousands of refugees. There was also rampant exploitation of vulnerability and ignorance of refugees by the police. Elaborating on such exploitation she said:

'We have had complaints of police asking for bribes before a refugee is released on police bond. Police officers taking advantage of the vulnerability and ignorance of the refugees. For example, there was a woman who paid 300,000 shs. They told her if you want to be released you must pay this money. She told me she paid it because she thought 'I have young children at home, if I go to jail, who will look after them?'. She had to sell her food ratio so she could be able to pay' (Legal Aid Officer, Legal Aid International, September 2020).

The legal officer spoke at length about their community outreach programmes and how Legal Aid International sensitises people about their rights.

4.2.3 LGBTQI+

Uganda has an ambivalent attitude towards homosexuality. As mentioned, homosexuality is criminalised in section 145 of the Penal Code and if convicted, a person is liable to life imprisonment. However, as will be shown below, the practices on the ground regarding the protection of people in this category are more nuanced. A recent inquiry by the EU delegation about whether Uganda would consider decriminalising homosexuality was met with a negative response. On 9 September 2020, NTV Uganda, a local television channel showed the following headline on its nine o'clock evening news, 'Uganda will not bow to EU delegation', and proceeded to report that the Deputy Secretary of the ruling party 'told off' the EU delegation and assured them that Uganda could never legalise gay rights and that the EU had to respect Uganda's position. In practice, however, some practitioners within the humanitarian aid operation and government departments expressed a willingness to learn more about how to protect members of the LGBTQI+ community. They acknowledged a clear knowledge gap on how to *identify* members of the LGBTQI+ and handle them in the respective institutions (such as congested prisons), which were not designed to cater to this community. This willingness to learn was expressed by judges and the head of Uganda Prisons at a regional conference I attended in November that was hosted by Refugee Law Project. Away from the conference many of the practitioners I asked about the protection of LGBTQI+'s rights, were uncomfortable to respond to this question, citing that it was 'unnatural', 'against African values' and 'against Christian beliefs'. In one instance, the interviewee was so uncomfortable with the question that I was asked to 'move on from this question.'

However, I was able to garner some responses in the interviews I conducted with Alight-Uganda and UNHCR. In regard to the targets of its programmes, the GBV officer for Alight stated that:

'We target the whole settlement depending on the needs. [Laughs] what I would call vulnerable groups. It depends persons with disabilities, children at risk, albinos, people with HIV+, LGBTQ we have a criteria provided by the UNHCR - 'Women at Risk': a woman staying alone with more than 4 children; Elderly above 60 years. Because of our work all vulnerabilities are attended to by us.'

Responding to my question on how she identifies LGBTQI+ persons, the interviewee responded as follows:

'We are trained to work with people without discrimination. We have focal points – not everyone goes everywhere. With time you get to know the circle. We understand that the law does not accept but we consider human rights. Most of them are bisexual because of the social pressure. If they expose themselves, they will be marginalized... by literally everyone from the community and by aid staff themselves. It is because of doctrine, our cultures, etc. Some aid workers do not want to work on them. For now, in the camp, they are not easily facing these challenges because they are in a cocoon.'

The above response illustrates three points. First, it shows the innovativeness of some aid agencies that strategically bypass national laws criminalising homosexuality by telling aid workers to apply human rights law in the implementation of programmes. Second, it shows the extent of homophobia. One's exposure as an LGBTQI+ person could lead to their stigmatization by both refugees and aid workers. Stigmatisation by aid workers could have disastrous consequences for access to crucial services, particularly because some aid workers do not want to attend to those who identify as LGBTQI+. The last point

suggests that those who fall in this category are best protected as long as they do not 'come out' and that there is no procedure in place to allow people to come out and identify their specific needs. At a recent conference, one of the speakers expressed the dangers of this. The speaker who is also an LGBTQ+ legal activist and played a crucial role in fighting against the bill proposing to introduce the death penalty for those convicted for the offence of same sex acts stated:

'If the LGBTQ are hiding and are HIV positive then you are potentially putting the whole population in danger. Most LGBTQ people are married because they have to get married. That's why the level of HIV is rising. We don't defend LGBTQ because we care so much, but because we are selfish because if the key people are not treated, then we are all in danger.' (Panelist at Regional Forced Migration Conference November 2020 organised by Refugee Law Project)

In practice, however, some aid workers confessed that when they get cases of people from the LGBTQI+ category, they refer them to UNHCR. They did not, however, illustrate how the cases are handled after they have been referred to UNHCR. In an interview with UNHCR, the interviewee explained, without going into much detail, that local staff are usually hesitant to handle LGBTQI+ cases. She explained that if an LGBTQI+ person is from an area of conflict; the person is usually advised to ask for asylum based on a ground other than his or her sexual orientation.

4.3. Contextual Vulnerabilities: The Role of Space, Distance and Documents in Enhancing Vulnerabilities

The vulnerability categories (such as persons with disabilities, women and girls at risk, elderly persons, unaccompanied minors and so forth) mentioned by various interviewees, according to one key interviewee who spoke on condition of strict anonymity, '... are universal but based on the context there could be unique vulnerabilities in specific operations'. This was corroborated by another interviewee, who when asked how UNHCR defined 'the most vulnerable person' elucidated that '...it is difficult to say who is the most vulnerable because it depends on various circumstances. There are different elements... it is also contextualized' (UNHCR officer, October 19, 2020).

The contextual element was further highlighted as an important factor in determining vulnerability. When asked to elaborate on the unique vulnerabilities in the Uganda operation, one interviewee explained:

'Every settlement is different, so it depends on the settlement. For Nakivale, if you look at the way the office was situated –the space - our offices were right in the middle of the settlement! You have been there you have seen.' (Interviewee, October 10, 2020).

The interviewee elaborated that the spatial design of the refugee settlement was worrying because of the potential effects that could arise from the interaction between protection seekers and aid workers in recreational spaces. The power asymmetry between aid workers and protection seekers could potentially expose the latter to transactional sex or sexual exploitation. The potential for transactional sex and sexual exploitation was corroborated by an interviewee from UNHCR. When asked 'what are refugees most vulnerable to in their settings and are these common to every settlement?'; the interviewee responded as follows:

‘There are some differences. Vulnerable groups face – protection risks, challenges to access to services, female households- SGBV, more risks of being exploited by other humans, sexual exploitation and abuse in exchange for services, at risk of being excluded from the community, access to school and health services, or being exploited’ (UNHCR, Oct 19, 2020).

While this response did not specifically address the spatial design of Nakivale refugee settlement when viewed in light of vulnerable groups, it suggests that the potential for sexual exploitation can be particularly exacerbated in settings where the interaction between vulnerable populations with unscrupulous people in powerful positions is conducive.

As vulnerability depends on ‘various circumstances’, involves ‘different elements’ and ‘is also contextualized’ (UNHCR, 19 October 2020), vulnerability categories are analogous to ‘living documents’ and can therefore be described as ‘living categories’ (Green, 2011: 33). I borrow Green’s concept of ‘living categories’ to describe the malleability and fluidity of the deployment of vulnerability in the implementation practices of aid workers as they assess and identify who is vulnerable in their daily operations. Like living documents, people categorized as vulnerable become targets of various interventions by multiple agencies who refer them internally or externally to other partners in the protection network. Even after they have been referred, aid workers stated that in order to ensure that their needs are addressed or their problems mitigated, they keep following up on those identified as being very vulnerable even after they have been referred.

4.3.1 Protection of Women in the Context of Health

MTI’s intervention programmes target pregnant women, lactating mothers, and children under five years of age, among others (such as those with HIV). Whilst acknowledging the constraint of resources and also the minimum standards that further constrain the agency from providing good quality healthcare in practice, the approach attempts to conform to Article 12 of CEDAW. The country director did not expressly state that conforming to this specific treaty is what it aims to do, but he mentioned that they are supposed to adhere to global standards. Article 12, states as follows:

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.
2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

Although Medical Teams International (MTI) is an NGO, it partners with the state’s Ministry of Health to provide access to healthcare:

‘We follow Ministry of Health guidelines. What happens is that WHO releases protocols...They are country specific. In Uganda, the Ministry of Health has strong protocols/guidelines. The good thing is that Uganda is strong on integrating refugees within the national health care system. We meet the global standards because we follow the Ministry of Health guidelines. The WHO sets

for example, how many clinicians we have per so many people...The standard is higher in some countries.’ (Country Director, Medical Teams International, July 2020).

The country director responded to my question on how MTI identifies the most vulnerable among the people it caters to: ‘If someone is coming to the health centre, they are vulnerable. We do not differentiate. We focus on the most urgent or emergency cases. In general, it is about saving lives.’ However, on the question of the focus on women and children, as shown on the MTI website, he explained why these groups were targeted for specific interventions:

‘Yes, we focus a lot on women and children because children under 5 are most susceptible to dying from malaria. Mothers as well - through nutrition feeding programme that focuses on Women and Children. We give women and children blanket support for 3 months. We do food demonstrations. We show them what type of food they should eat or grow.’ (Country Director, Medical Teams International, July 2020).

4.3.2 Vulnerability due to Geographic Proximity to Country of Origin

Geographic proximity of countries where asylum seekers are fleeing from to countries of asylum plays a big role in their protection and their feeling of safety particularly if they are fleeing persecution for political reasons. Asylum seekers and refugees do not necessarily feel safe in the country of asylum just because they fled conflict or countries where they might face political persecution. The latter is particularly the case for protection seekers who have fled to Uganda from neighbouring countries. The risk of being kidnapped and refouled to their country of origin is ever present. Remarking on this omnipresent fear, one interviewee explained that protection seekers from countries with a known record of surveilling dissidents extraterritorially do not feel comfortable lodging asylum applications on days designated for asylum seekers for people from the same country.

Responding to my question regarding how he defines or understands vulnerability in exercising his day-to-day task, another interviewee explained that in the context of protection seekers who have fled for political reasons:

‘We deal with a variety of people. A refugee comes here, he looks healthy and has his money. But they are vulnerable, and this is the reality.’ (August 2020)

The interviewee went on to elaborate that if an asylum seeker mentions that he is a dissident from a country where the applicant is at risk of being refouled, then he is categorised as very vulnerable depending on his or her political profile. This suggests that even within specific vulnerability categories, refugee status determination officers also take the country of origin into account in their assessment of protection seekers’ vulnerability and degree of political involvement. Depending on the level of vulnerability or threat of refoulement, protection solutions may entail providing a safe house for the asylum seeker in the country of asylum or resettlement. Interviews with various decision makers revealed that in cases where the protection seeker is high-profile and has fled for political reasons, the person receiving the case immediately notifies OPM, Protection Officer who – in conjunction with UNHCR – finds ways of addressing the person’s protection needs either in a safe house in the country or resettlement in a third country very fast. In the words of an interviewee elaborating on how OPM protects high-profile political refugees, the interlocutor stated:

'OPM acts as a coordinating agency. When the person is not safe in Uganda, UNHCR can be requested to transfer the person to a much safer country...and they will throw him in a country like Sweden where no one can think to find him there.' (RSIO1, OPM August 2020)

The above examples exemplify how refugees from various parts of the region continue to be haunted by the real but invisible transnational reach of states from which they have fled (on this point, also see Bozinni 2018 on his account of Eritrean refugees' fear of Eritrean state spies in Switzerland).

4.3.3 Role of Space in Preventing or Responding to SGBV

The UNHCR Framework for the protection of children stresses the

'importance of providing safe environments, including through camp planning and the strategic location of schools, clinics and sanitation facilities as an important measure in reducing exposure of children to the risk of SGBV' (UNHCR, 2012:10).

To prevent women and girls from potential risks, the above framework also calls for the sourcing of domestic fuel and natural resources in a safe way to prevent the risks that come with fetching firewood (UNHCR, 2012:10). However, important as these real risks are, as noted in an interview with an environmental officer, there are other potential risks that arise from the spatial design of settlements that could potentially exacerbate the vulnerability of certain groups.

An interviewee who declined to be named explained how one of the designs of a particular camp potentially put refugees at risk for sexual exploitation by aid workers. Agency Offices were in the middle of the settlement, as was the popular bar, which was in the compound of OPM. The bar was frequented by both refugees and aid workers, potentially putting refugees at risk because of the asymmetrical power relations. (Anonymous October 2020).

The previous sections have shown the role that space plays in exacerbating the vulnerability of protection seekers who are from countries they have fled for fear of political persecution, particularly due to geographic proximity and the importance of space in the planning of refugee camps. The section below addresses how threats to people in specific categories such as Legal and/or Physical Protection Needs (e.g. people that are at risk of being refouled or political persecution) and SGBV are protected from further harm.

4.3.4 'Spatial' Protection of Persons in Particular Categories

A food distribution officer explained that certain people are under stringent protection measures and are offered special housing. Among the vulnerability categories he mentioned were victims of domestic violence (usually women) and refugees fleeing for political reasons (referred to here as "political refugees"). Political refugees fall within the category of those in need of Legal and/or Physical Protection because, as mentioned in the previous section, they are at risk of being refouled. The interviewee explained that a victim of domestic violence whose marriage is irretrievably broken may be moved from her settlement to a safe house in another settlement. OPM offers protection houses to those who have fled for political reasons if they are deemed unsafe. They are accompanied to collect food and their vulnerability takes pri-

ority over those within the standard Extremely Vulnerable Individuals (EVI) categories. He explained that people who fall into the political refugee category are not allowed to stay long at the food distribution points and have to remain in their vehicles as their food is collected for them.

For people within the EVI categories (such as people with disabilities, pregnant women or the elderly), the interviewee cited the long distances as a challenge to collecting food. This problem was further exacerbated during the lockdown brought about by the Covid-19 pandemic because a ban on public transportation hindered people, particularly in these categories, from reaching food distribution points. Moreover, distance is a challenge for women in other contexts outside food collection. In an interview with an environmental officer who used to work for Legal Aid International, the interviewee explained that women continue to be more prone to sexual assault when they go to collect firewood because of the long distance and the locations where they collect the firewood. Not only are these places far away from their homes they are often in bushy areas and out of sight of passers-by (Environmental Officer, Inter-Generational Agenda on Climate Change, October 2020). These dangers were already noted in a UNHCR report that ‘advocates for safe access to domestic fuel and natural resources given the protection risks associated with the collection of firewood for women and girls.’ UNHCR, 2012:10).

Having looked at the role that space plays in exacerbating vulnerability of certain groups and how these threats are mitigated in practice, the next section proceeds to describe the important role that documents play in refugee settlements and how losing documents may further cause more suffering to those without the right documents such as attestation cards.

4.3.5 Documentary Practices: Losing Documents and Replacing Documents

This section focuses on the importance of documents in accessing food rations at food distribution points. The section provides empirical examples of how losing documents and processing documents potentially renders refugees at risk of going without food rations - thus essentially making protection seekers more vulnerable. It also describes which categories are prioritised at food distribution centres and the rationale behind such prioritisation.

As mentioned prior, when asked how his agency defines ‘vulnerable protection seekers’, the interviewee, a food distribution officer, stressed that the Food is Life agency regards every refugee as being vulnerable, but priority is given to EVIs at the food distribution points. However, because many refugees tend to lose their documents, the agency has protection teams that direct them to where they can get temporary documents, for without these documents and guidance from protection teams regarding what they can do, refugees would be unable to receive food – which would exacerbate their suffering.

Offering an example of an elderly woman who had requested a young boy to help her carry her monthly food ration from the food distribution point, the interviewee explained that people in this category are at risk of having their food being taken away from them. The elderly woman, who had entrusted the young boy with this task, ended up with the food being stolen by that boy. She had reported the incident to the interviewee, who oversees food distribution at Food Is Life. Detailing how such incidents can exacerbate the vulnerability of elderly persons, such as that of the old woman who had reported the theft of her food ration to him, the interviewee said that:

‘The woman was crying. Sometimes they come when they are not accompanied. You see an old

woman in tears you feel so sorry and the challenge is that even if it has been taken away, we cannot give a double ration for 1 month. The system does not allow us to give food twice to a refugee in one month.'

The system the interviewee was talking about is the Global Distribution Tool. Complicating matters of the loss of documents is the replacement of documents. As the interviewee explained, in order to collect food or Cash Based Transfer (CBT), one has to present both an attestation card and a ration card. Without proper identification documents, refugees have to wait for the next month once food has been distributed. He stated that OPM - the agency responsible for replacing lost documents - takes a long time to replace them. Until the lost documents are replaced, Food Is Life has to negotiate with World Food Program and UNHCR, and only if they agree will they be able to give out food. However, the interlocutor added that his agency had been

'collaborating with UNHCR to get what they call 'supplementary manifest.' - This 'supplementary manifest' is a type of manual data that allows the agency to track the refugee so that he or she can be provided with food (Food Distribution Officer, Food Is Life, August 2020).

However, he also noted that refugees sometimes secure loans using their attestation card and their ration card. When asked to show these documents at food distribution points, they then claim that their documents are lost. This strategy was discovered when they realized that many refugees were reporting the loss of documents during a particular period.

Within the context of food, he cautioned that the current amounts of food rations and cash-based transfers are inadequate, which is 'very dangerous', because it 'puts people at higher risk'. Due to the Covid-19 pandemic and the dwindling donor support, the amounts were reduced to 20,000 Ugandan shillings (5 dollars a month). Rhetorically, the interviewee questioned how someone is expected to survive on that amount per month.

As noted by Lipsky, '...bureaucracies are simply often required to differentiate among recipients (Lipsky 1980: 105)'. Although he was writing in the context of social workers in public service, this is also applicable to aid workers in the humanitarian bureaucratic system. In the interviews, it was emphasised by almost all aid practitioners that their respective agencies regard all refugees and asylum seekers as vulnerable. However, each practitioner acknowledged that certain groups of people were more vulnerable than others and gave specific groups that they were mandated to prioritise. In fact, the very process of detailing who should be prioritised for certain protection interventions is what according to Lipsky makes one a client (Lipsky 1980: 105). In the context of humanitarian aid, the classification of protection seekers in Uganda operates in the following manner: aid agencies depend on universal categories (such as Elderly, Persons with Disability, Unaccompanied Minors, Women at Risk etc.) in respect to which protection seekers are assessed and their eligibility for certain interventions is determined. This is best illustrated by the example of one practitioner, who said her agency assesses to see what 'specific concerns' should be addressed in the case management of a vulnerable child. In her words: 'You do not take up a child because you found a dirty child in the settlement. All children are vulnerable because they are not in their country (Child Protection Officer, Children's Lives Matter, October 2020).'

The data above show, the vulnerability categories used in the identification and assessment of the most vulnerable persons are specific to each aid agency based on their mandates and funding priorities. Not-

withstanding this, as demonstrated by the responses of various interlocutors, some categories are used as *a priori* criteria of vulnerability, such as the Elderly, People with Disabilities, Unaccompanied Minors, Women at Risk, Survivors of SGBV, and so forth. The fact that each aid agency has its own vulnerability criteria does not preclude aid workers from identifying and referring protection seekers that fall within these universal vulnerability categories to those most suited to address their needs within their own agencies, or externally to other aid agencies whose mandate it is to do so. As already mentioned, in order to attend to the protection needs of the most vulnerable, all agencies are required to serve 70% of the refugee population and 30% of the host community under the Refugee and Host Population Empowerment (ReHope) strategy. ReHope seeks to close the divide between humanitarian and development interventions (ReHope strategic Framework June 2017). Therefore, it is considered a crucial steppingstone in the realisation of the Comprehensive Refugee Response Framework (CRRF).

V WAYS OF THINKING ABOUT “VULNERABILITY”: MENTALITIES OF AID AGENCIES

In this section and the part that follows, I address the factors behind the protection mandate of different aid agencies and argue that aid agencies have their own ways of defining who is vulnerable and therefore eligible for their respective programmes. As will be argued below, vulnerability categories are influenced by a multitude of factors and are thus fluid and may depend on donor interests, political discourses or entrenched assumptions about certain groups (such as *a priori* assumptions about vulnerability of people with disabilities for instance). The section that follows the mentalities of aid agencies articulates how the architecture of protection encompasses ‘multiple centres’ where each aid agency is an integral part of identifying and referring the most vulnerable of protection seekers.

Apthorpe argues that ‘the ‘crises’ and ‘needs’ that a governmental or nongovernmental agency chooses to ‘first utter, and then to manage, are determined superordinately, if not entirely by its own interests, values, mandates, discretions, resources and opportunities, certainly not those of the poor or the victims’ (Apthorpe 2011: 210). Apthorpe’s view can be extended to our analysis of aid-worker’s implementation practices to a small extent, the point of departure being that donor interests and to an extent those of the targeted groups are factored in, if only marginally, depending on how the latter’s needs are defined.

In the interviews I conducted with aid workers from diverse agencies, it was clear that asylum seekers and refugees who fall within various vulnerability categories (such as Elderly persons, Children at risk, Women at Risk, Persons with Disability and so forth) are differentiated from other protection seekers. This was also manifest in the assessment documents of the various agencies. Depending on the service the aid agencies provide, people within vulnerability categories are prioritised or given extra services to mitigate their suffering or address their needs. This was a result of aid workers’ ‘ways of thinking’ (Burris et al, 2005) about protection seekers in these categories as very deserving of special assistance on account of their characteristics or physical capacity. Important to note here is that the focus on vulnerability categories was fluid and interviewees’ definitions of vulnerable groups oscillated depending on the mandate, donor interests, and resources of the agency to which the person interviewed belonged.

An interviewee from the OPM elucidated that on the days she has to deal with long queues of asylum seekers waiting for refugee status interviews, an elderly man or a single woman with several children would be given first priority over other applicants in the queue (RSDO2, August 2020). Another interviewee stated that persons with disabilities queueing for food and late to pick it up would be served first because of their physical incapacity to travel to the distribution point – unlike other able-bodied refugees. The same interviewee also stated that his agency prioritised pregnant women, who owing to their condition, would have difficulty queueing for long periods of time at food distribution points (interview with international food distributor, September 2020). However, in a follow-up interview, the same interviewee explained that ‘political refugees’ trumped all these other groups in terms of the dangers they faced by being at food distribution points. He explained that people in these groups are often escorted by armed guards and are attended to first in order to alleviate their risk of being assassinated (interview with international food distributor, September 2020; more on this category below).

Protections categorised in various universal vulnerability categories, but particularly elderly people (EVIs), people with disabilities, ‘children at risk’ and ‘women at risk’ groups are perceived as being at higher risk of suffering if not given priority or accorded special interventions by different aid agencies involved in

humanitarian service provision.

Moreover, because decision-makers and practitioners are expected to assess protection-seekers according to vulnerability categories, they unconsciously perpetuate the belief that people within these categories are inherently fragile. Many practitioners gave examples that when they tried to give disabled people priority in queues, the latter declined or asked them bluntly why they were being given special treatment (RSIO 2, OPM August 2020). Another practitioner in charge of community services stated that sometimes you can identify someone who is an obvious victim of human trafficking and the person will adamantly deny that:

'There are people you see and can tell that they are clearly victims it is clear they have been trafficked but when you ask them, they lie and you can't report because you do not have any evidence.' (Community Services, OPM, September 2020).

An operations officer with Re-Unite Global Inc - an agency that traces and reunites families - said that it is common for parents to refuse to be reunited with their children or for children to refuse to be taken back home. As he explained, this is mostly the case with South Sudanese refugees in Bidi-Bidi settlement who prefer that their children attend school in Uganda (Operations Officer, ReUnite Global Inc, September 2020). These three examples suggest that linking vulnerability with certain criteria or characteristics *a priori* as a condition for making specific interventions can both entrench stereotypes about the inherent vulnerability of certain groups and undermine the importance of agency as a deciding factor in defining personhood. This is not to say that people within these categories are not deserving of certain interventions but that some people do not view themselves in the same way as these categories define them.

Linking disability with vulnerability has come under criticism by people who argue that 'asylum seekers with disabilities may have specific needs which can render them vulnerable in some contexts, yet they may be unjustly ascribed a label of vulnerability due to lack of awareness of their capabilities' (Straimer, 2010: 8).

In the interviews, while it was apparent that certain categories were universally applied, the categories of vulnerability changed depending on the aid agency and its protection mandate. For instance, in its community outreach programmes, Medical Teams International (MTI) focuses on children under five and breastfeeding mothers, because they are likely to suffer from malnutrition. It also ensures that people living with HIV and AIDS have proper nutrition, as the country director of MTI (Country Director MTI July 2020) explained in the interview. He said MTI partners with Food Is Life to ensure that they educate people on what to eat and provide those within the target groups specific food packages.

How different aid agencies form multiple focal points or 'multiple centres' through which various but complementary protection mandates are executed is described in the next section. The same section also elaborates how the most vulnerable protection seekers are identified. In doing so, it shows the fluidity of vulnerability categories in reality, and how the most vulnerable protection seekers are 'sorted', and the processes and mechanisms through which they are made to fit into overlapping intervention programmes of different agencies' vulnerability categories.

5.1 Multiple Centres and Collaborative Architecture of Identifying Vulnerable Persons

The multiple focal points for identifying the most vulnerable persons – particularly the most vulnerable children – is indicative of the broad and diffused nature of the humanitarian protection system. The system views the protection goals as broad and overlapping and each agency manages diverse protection needs in a specialised way. As one interviewee explained:

'Each organization helps. We work as a team - each one has a component which helps the other organization, we work interchangeably.' (Food Distribution Officer, Food is Life, August 2020).

Describing the type of social relations in international development, Green posits that:

'This ordering is materialised through specialised practices around development planning which constitute projects as manageable 'slices' of social reality (Green 2003).'

The importance of dividing responsibilities of protection programmes into 'manageable slices' is echoed in one of the interviews in which the interlocutor explains how the humanitarian operation functions in practice: *'It's a partnership. You can't manage this one alone. It has to be collective responsibility'* (Food Distribution Officer, Food is Life, August 2020). In practice, as was shown in the empirical section, the success of the protection network and the management of protection needs heavily relies on internal and external referral mechanisms from other aid partners and the effective coordination of material resources that enable a swift response to the needs of the most vulnerable.

Viewed from the perspective of the protection architecture of the humanitarian operation in Uganda and drawing from interviews conducted with decision-makers and observations from previous fieldwork in refugee settlements, one can draw similarities to Green's description mentioned above. As one aid worker from OPM explained to me in 2017, 'everything we do is protection'. Thus, the different agencies who provide diverse but complementary services understand their work as 'managing' protection needs of their clients. In the context of addressing vulnerability then, their work should be understood as offering 'specialised practices' (Green 2011) or services to address the needs of the most vulnerable. Indeed, phrases such as 'case management' were often used to explain respondents' roles in addressing protection seekers who had been identified as being very vulnerable in their communities (Child Protection Officer Children's Lives Matter, October 2020)

5.2 Exercise of Discretion to Alleviate Vulnerability

Notwithstanding the requirement to follow universal categories and agency guidelines in the execution of their tasks, the findings showed that aid agencies do not simply follow vulnerability categories rigidly. Rather, in practice, they actively participate in the construction of vulnerability categories by exercising discretion in certain situations.

Zacka posits that bureaucrats are associated with 'rigidity, narrow mindedness, insensitivity, coldness, lack of initiative, and above all, rule worship' (Zacka 2017:1). Lipsky contests the idea that policy can be implemented 'as is' by street-level bureaucrats without any alteration. He argues that in welfare systems discretion is not just unavoidable. It is required for the proper use of limited resources to achieve goals (Lipsky 1980).

In the aforementioned example of the practitioner who had exercised discretion to protect an asylum seeker he considered vulnerable due to his undocumented status as a result of the governmental directive not to register asylum seekers during the Covid-19 pandemic, the said asylum seeker had been arrested several times on previous occasions for having no identification. The officer attending this case decided that he was vulnerable and prone to more arrests if not registered and provided him with an asylum-seeker card (observation at Refugee Desk Office, Old Kampala, August 2020).

This dispels the example provided by the New Oxford Dictionary of English in its definition of a bureaucrat: 'one perceived as being concerned with procedural correctness at the expense of people's needs' (for more on this see Zacka 2017: 1). Another example is of an aid worker, who broke his agency's policy so that he could use his personal funds to treat a child whose skin had been burnt as result of a wrong prescription. In response to my question about the challenges he faces in his job, the interlocutor, who spoke under condition of strict anonymity, mentioned the challenge of seeing a child suffer and being unable to help. He said that at one point he could not afford to simply look on because he imagined what he would do if the child was his own. Giving an example of how he ignored his agency's policy restricting personal interventions, the interviewee confessed that he donated part of his salary to pay the medical bills of that child whose skin had been burnt (Operations Officer, September 2020).

In UNHCR's refugee-status interviewing training, one of the trainees explained that if she is interviewing asylum seekers who have been victims of SGBV, she offers them water when they cry while recounting their ordeal, as a way of showing her sympathy.

These examples of affective responses of different aid workers in state and non-state agencies in diverse encounters with protection seekers are important as they have been shown to be critical to how people experience bureaucracies. Zacka posits that '*how*' one is treated is just as crucial as *what* one gets (emphasis in original Zacka 2017: 9). In the context of refugee management, certain emotions (sympathy) or gestures (such as listening) have the potential to alleviate, to whatever degree, the vulnerability or suffering of those who interface with aid workers or those who interface with the bureaucratic aid system. Moreover, they refute some generalisations made about modern bureaucracies, for instance, as being devoid of affect (see also Navaro-Yashin: 2012: 82, arguing to the contrary).

However, exercising discretion does not always end well even when the intention is meant to address the needs of protection seekers. As from the example below, it seems that one has to be discerning about the types of cases and situations in which to exercise discretion. One example is of the refusal of the refugee desk officer to register a minor who had been brought to Uganda by his aunt. In spite of knowing that it would be considered culturally ludicrous to get a letter from the biological parents of the child due to the formality of such a transaction, the refugee desk officer insisted on this letter because it was the formally prescribed process to protect minors.

Customarily, in most African cultures, the offspring of siblings are regarded as biological kin. The officer, who was aware of that because of similar kinship traditions even in Uganda, explained that if it turned out that the child had been trafficked, he could get into a lot of trouble. This shows that public service providers (such as this particular profiling officer) 'navigate a terrain mined by conflicting expectations that cannot be all satisfied at once, while knowing that they are likely to be held personally responsible, by clients and superiors alike for any shortcomings in service provision' (Zack 2017: 11).

Yet there are instances in which discretion is exercised in situations where it is considered that offer minors will be offered more protection. As the protection officer of the OPM explained to me, even though, legally, 16-year-olds are considered minors, in practice, the refugee department offers them identification cards to ensure that they are better protected.

These examples show that the bureaucratic system for aid in Uganda is malleable and flexible, depending on what is at stake and how decision-makers perceive the harm against the protection needs of the person in question. The plasticity or fluidity of vulnerability categories is evident from the fact that an aid officer might be prepared to venture outside the commonly known categories to include those that would otherwise be 'made' vulnerable if excluded by the rigid application of vulnerability categories or implementation of bureaucratic rules.

5.3 Documenting Vulnerability

Working in humanitarian agencies necessitates documenting narratives, interventions and outcomes that decision-makers have captured in relation to their 'clients', as protection seekers are referred to by some aid workers (such as Legal Aid International, August 2020). Documenting clients' experiences or suffering entails the deliberate capturing of specific information (such as age, gender, refugee status, country of origin information and other data that fall within the general vulnerability categories, such as whether the person is elderly, has a disability or is an unaccompanied minor. Using her own experience as an analyst in a UK government department, Green explains that '[t]he daily practice of working in the agency entailed purposive manipulation of text; the specialised reading and writing practices around documents and emails, with view to make documents work, that is to contribute to achieving particular objectives' (Green 2011: 39).

The content of documents and vulnerability categories and narratives captured within them are meant to trigger certain interventions, either internally or externally, through referral mechanisms embedded in them. However, as will be explained later (in the segment on challenges), this was not always the case. In spite of the practical challenges, however, many respondents explained how they documented refugees' problems on the forms, noting sex, gender, status and other biodata. For example, a psycho-social support counsellor and language instructor, who despite their very distinctive roles within the agencies had to fill in forms for assessing their clients. This was also the case for their colleague, a paralegal whose task was to visit imprisoned refugees. All these aid workers are staff of Legal Aid International. However, the task of documenting was not exclusive to this agency alone. When I requested appointments, respondents in other agencies, such as Children's Lives Matter and OPM, explained their busy schedules by listing, among others, reasons such as report-writing or editing of refugees' interviews. One RSIO noted with respect to his role:

'I also draft regular reports concerning interviews: as a way of accounting. Under normal circumstances we were doing 8 [interviewing 8 asylum seekers]. Sometimes the work load is too much' (RSIO1 OPM August 2020).

According to Lipsky: 'an emphasis on housekeeping chores, such as filling out forms or drawing up lesson plans, affects the amount of time available to clients. A social worker who spends 60 percent of his or her time doing paperwork has correspondingly less time for client interactions' (Lipsky 1980: 30-31). Although Lipsky was not writing about aid bureaucrats, this rationale can be extended to the humani-

tarian bureaucratic context. Some RSIOs stated that the overwhelming numbers of applicants they were expected to interview hindered their capacity to get detailed interviews. Coupled with the expectation of filling out paperwork, one can only imagine that this takes much-needed time away from attention that could be devoted to protection seekers - particularly when agencies are understaffed.

Green posits that: 'Much effort in international development practice is directed towards consolidating the credibility of categories or presenting new ones, to making some categories more significant. This is effected through a range of inscriptional practices, the presentation of evidence and findings to define the parameters of a category and the construction of documentation which effects the category by ensuring its strategic position within a policy stream to justify a spend.' (Green 2011: 41).

Although a focus on specific categories potentially enables UNHCR to protect the most vulnerable in light of ever dwindling resources, it does not wholly encapsulate the magnitude of suffering experienced by those who do not fall into these categories. In an interview with UNHCR, the interviewee explained that a recent study (yet to be published) revealed that one of the main problems exacerbating vulnerability of refugees in Uganda were socio-economic issues due to high unemployment rates.

More importantly, vulnerability categories do not capture the chronic economic realities that exacerbate the problems experienced by protection seekers outside these categories in Uganda. The UNHCR interviewee clarified that a disability in itself was not indicative of vulnerability. Giving an example of a person with disability who receives support from his community, the interviewee explained that the former was not as vulnerable as a disabled person might be without community support. This not only highlights the importance of community ties but also reveals the fluidity of experiences of vulnerability even within the same categories.

In the same interview, the UNHCR interviewee explained that resettlement, as a durable solution, had been expanded to include other nationalities like South Sudanese. Previously, a special resettlement programme targeting Congolese refugees who had come in the 1990s had been initiated irrespective of the degree of vulnerability. Yet, as another interviewee who spoke on condition of anonymity explained, she did not view resettlement as a durable solution. She said that some of the people who are resettled returned a few years later or even regretted leaving altogether, especially if they had established successful businesses (Anonymous, October 2020). She explained that among the durable solutions, integration was far better.

5.4 Exercising Agency or Gaming the System? Protection seekers' Strategies from the View of Implementers

Some scholars criticise the dichotomous perception of vulnerability and agency, arguing for a more nuanced interpretation 'where agency and vulnerability co-exist' (see for instance, Coffey and Farrugia 2013 cited in Aycan Celikakoksoy and Eskil Wadensjo 2019). I will show how refugees and asylum seekers who are usually described as 'passive victims' of the humanitarian and migration regimes respond to practical challenges by adopting survival strategies, and in turn how aid workers view these strategies. Fischer-Tahir and Wagenhofer argue that 'the agency of people is often constrained in political and academic discourses as passive victims in migration (2017:11). Thus, in doing so, I bring a nuanced understanding to the interactions between refugees and aid bureaucrats. Below, I show that the vulnerability categories are not merely 'top-down projects' that are imposed on protection seekers. Rather, the deployment of vulnerability categories is also a strategy that some protection seekers actively or consciously draw upon to respond to practical challenges they face.

For instance, at the first point of registration, there are many cases of people giving false names, false dates of birth or false nationalities, exemplified in the excerpt from my interview with the profiling officer as he explained the types of forgery committed by asylum seekers at the Refugee Desk Office:

Profiling Officer: *'We take them that they are asylum seekers but they are here for different things.'*

Me: *'Like what?'*

Profiling Officer: *'They come here as asylum seekers, but their plan is to go abroad. They lie about age, names! You see because we are policemen, we are allowed to check their things. He tells you one name, and when you check his bag you find an ID with a different name. A Congolese will not feel ashamed to deny his ID - an ID with his photo and name! He can sit physically here denying that ID [points to a hypothetical person sitting across the desk from him]. He can say that this is my brother. Then you ask him you are carrying this ID -for what? He will say: For remembrance. To remember my brother, we were very close.'*

[Profiling officer gets up and pulls out a big file and sits next to me to show me the different examples of forgery].

'You see this one? This is a Congolais registering as a refugee, but has a Ugandan national ID. In fact, I have the ID [he shows me the ID] This is the man - a Congolais with a Ugandan national ID!'
(Refugee Profiling Officer, Refugee Desk Office, August 2020)

Upon inquiring how, a refugee would acquire a national ID, the profiling officer explained that: 'There are brokers in the system. You pay something in.' This example shows not only the complexity of migration processes but also the network of actors that participate in these processes. Fischer-Tahir and Wagenhofer describe the complexity of forced migration processes, arguing that these processes 'involve a variety of actors who, in many cases perceived and interpreted as disciplinary projects are simultaneously oppressive and emancipatory' (Fischer-Tahir and Wagen Hofer 2017:11).

Elaborating on the problem of forgery, the interviewee stated while pointing at me:

'You see someone of your age saying that they are 12 years old. This person here is an asylum seeker from Angola, but he has never been to Angola.'

The profiling officer showed me another example of an application form with a passport picture of a male asylum seeker claiming to be 16 but appeared to be 38 or 40. He explained the different strategies used by asylum seekers and refugees:

'[P]eople use different names. Each person has different reason for registering. Some people [shows me an asylum seeker's application form with a false name] – some use these names "Nsegimana". Their files delay because they have a problem. They will come accuse you [of corruption or soliciting bribes], but the good thing they come with their lawyers and you explain to the lawyers. They [asylum seekers] say we are conning them that we want money. Even there are brokers. They con refugee money when we don't know anything about the money. These brokers target newcomers. Then the person will say if you want to do the things very fast you have to pay money otherwise you will stay here for a long time. When [Yet] - registration is free.'

From the above, we witness how protection seekers use different strategies in their attempt to register as asylum seekers. When discovered, this prolongs their registration process. Moreover, asylum seekers' vulnerability is also caused by brokers – who are refugees themselves who are familiar with asylum application system because they came a long time ago. These brokers exploit the despair or naivety of asylum seekers, who want to avoid long queues, by charging them fees to expedite the process. Explaining how exploitation of new asylum seekers by other refugees takes place during registration process, the profiling officer explained as follows:

'We give them forms...those [points to the blank forms he gave me]. I told you first come first serve - If the broker fills in the form very quickly and comes here and the file has no problem he will be registered fast. They will think the money is working. When another colleague comes they will say the file has moved very fast because of money and it was worth it. When you investigate who received the money you find it is a person who is not known. You can even get in trouble because they can say you took money and here there is no time to investigate. They just chase you and bring someone because registering has to go on.' (Refugee Profiling Officer, Refugee Desk Office, August 2020).

Respondents from diverse agencies also gave examples of the different strategies used by refugees to beat the system. For instance, an interviewee told me about a mother who kept bringing the same child to receive benefits. The aid worker said: *'When she saw that I had recognised the child, she shaved the child's hair!'* (Community Services, OPM September 2020).

However, trying to exploit vulnerability categories to gain benefits is just one way in which protection seekers exercise agency. Agency takes different forms, such as complaints, protests and sometimes actual aggression, in efforts to get what they want. One interviewee stated that refugees were not 'simple' people: *'they accuse our bosses of corruption!'* (RSIO1, OPM August 2020, also noted by Refugee Profiling Officer, Refugee Desk Office, August 2020). A protection officer stated matter-of-factly, *'they tell us you are here because of us'* (Protection Officer, OPM, August 2020). On this point of how some asylum seekers

make their voices heard in a system that subjugates them to its own time table and its own imaginaries of suffering, consider the example given by the profiling officer who registers asylum seekers and wants to take a call of nature:

'You sometimes want to go for a short call or lunch break but the Sudanese will stop you and say you are not going anywhere [demonstrates how they do this forcefully]. We deal with refugees from unruly countries. They don't know anything about law' (Refugee Profiling Officer, Refugee Desk Office, August 2020).

He added that refugees not only accuse OPM and UNHCR of being corrupt, they also protest that their human rights are being abused - something that the profiling officer found profoundly indicative of having too many rights and he said that he could not imagine refugees being able to protest in Rwanda (Refugee Profiling Officer, Refugee Desk Office, August 2020).

In the parts that follow, I describe the diverse factors that were cited by several participants in the study as instrumental in hindering the effective execution of their protection mandates. These external factors, though outside the universal categories, further hindered the smooth implementation of diverse agencies' protection mandates. Among the problems mentioned, cultural norms, working in a stressful environment, financial and human resource constraints, were among the factors that were said to impede the effective execution of programmes aimed at protecting or mitigating the risks faced by the most vulnerable protection seekers.

5.5 The Role of Cultural Differences in Shaping or Exacerbating Vulnerabilities

Diverse respondents cited refugees' culture as a challenge, among others. One interviewee said this about the types of people he encounters that make his work challenging:

'This is humanitarian work; it is demanding. It can drain you. Refugees are ill-mannered they abuse you, call you names. One even threatened us. He said "if I had a knife I would kill you." Some need psychosocial support. Some have grown up in violent societies... All they know is violence and it reflects in how they behave... like the Somalis. They have not gone to school. No one has taught them cultural norms. Some of them are hurt. Some women hate men. You ask them a question and all they see is the man who has raped them.' (RSIO1, OPM, August 2020).

In response to such behaviour, the interviewee says that he tries to compose himself so as to not react badly, but when he finds it difficult to continue the status interview when tempers are raised, he reschedules the interview to another time. This would arguably have implications for the applicant in terms of delay caused by the postponement, which says nothing of the potential impact on the quality of the subsequent interview.

Although several participants mentioned refugees' 'culture' as a challenge – because of the different norms or resulting from the traumatic experiences they have gone through – they also mentioned that some cultural practices hindered protection of children. In interviews, a legal aid officer and a GBV officer cited the prevalence of child marriages in the settlements of Bidi Bidi and Kyangwaali refugee settlements amongst South Sudanese and Congolese respectively (GBV officer, Alight Uganda October, 2020). Explaining the prevalence of child marriages in Northern Uganda, the legal aid officer said:

'The children of 16 years age are often married off because they fetch a lot of cows at that age. When we tell them that the Ugandan laws don't permit this they will sneak out and go to South Sudan and marry off the child. One woman even told us in front of the police that she had already arranged for her daughter to marry in South Sudan and that we couldn't stop her.' (Legal aid officer, Legal Aid International, September 2020).

She added:

'These cases are not reported to police because there is a general acceptance of child marriages in the community among South Sudanese. Interestingly their own laws stipulate that an adult is one of 18 years' (Legal aid Officer, RLP interview).

Furthermore, she explained that when there is conflict arising from pregnancy outside wedlock, South Sudanese refugees insist on dispute resolution mechanisms from their own cultures, which may be contrary to Ugandan laws. In such cases, once the culprit has paid damages or married the underage girl, the matter is considered resolved.

5.6 Executing tasks in an Environment of Stress

Lipsky notes that street-level bureaucrats experience pressure due to the type of work they do. This is also invariably experienced by aid workers who interact daily with people who are traumatised, given that they have large caseloads and certain targets to meet. In addition to the stress of the work, many reported secondary trauma which they experienced personally from listening to stories of traumatised people all day long. The legal aid worker explained this feeling:

'...it takes a toll on my mental health in a way - what they call they call it vicarious trauma. You find that they are narrating what they have gone through. Imagine in a case where a girl has been defiled, this girl tells you what they went through and this is just one story but imagine listening to many of those everyday! Listening to them and you can't speed up the justice system.'

She went on to explain the effect: *'You start feeling that you are failing. These people are coming to you and you can't order the judicial officer to come.'* (Legal aid officer, Legal Aid International, September 2020).

Crucial for mitigating vulnerability is Lipsky's question on the conundrum that street-level bureaucrats face. Lipsky posits that 'the fundamental service dilemma of street-level bureaucracies is how to provide individual responses or treatment on a mass basis (Lipsky 1980: 44). He argues that: 'The study of street level bureaucrats may be seen as a study in goal displacement when the norm of individual client orientation becomes subordinate to the needs for mass processing' (Lipsky 1980: 44). In my previous research, I noticed that when overwhelmed with numbers of clients seeking their help, some aid workers tended to resort to routinized practices in the execution of their tasks (Nakueira, 2019). Lipsky elucidates two types of dilemmas which bureaucrats have to deal with. The first is the inherent conflict in 'individual treatment versus routinisation'. The second is how to attend to the needs of specific people whilst meeting the performance targets (ibid, 44-45). He argues meeting one's performance targets 'pre-empts the purposes for which the process was developed' (see also Nakueira 2019 on documentary practices in the context of resettlement).

Scholars have questioned the amount of donor money that actually goes into aid programmes. Questioning UNICEF's expenditure, Apthorpe asks: 'What amount (if any) of the funds raised is spent on results-oriented appraisal to ascertain the value and meaning of its aid to those who for whom it states it is primarily intended?' (Apthorpe: 215).

In an informal conversation, one person mentioned that he knew of a micro-financing firm operating in various refugee settlements, but much of the money meant to support refugees was designed to go back to the architects of the refugee micro financing programme (as operational costs). Pointing out the irony of this, he explained that one of the architects of the programme revealed at the planning stage that only a small percentage was meant to help refugees rebuild their lives. This is not unique to the Ugandan context or to this firm. Scholars and critiques of development and aid programs have noted similar issues elsewhere (see generally, Mosse, 2011).

At a recent conference hosted by Refugee Law Project, a key stake holder in the implementation of the CRRF strategy confessed that the programme was severely lacking funds.

The speaker a government worker explained the rationale behind the CRRF:

'Resources are dwindling and therefore humanitarian operation is under pressure to implement the localisation agenda. This is mainly because resources are dwindling. The Grand Bargain in May 2016 at the Global summit, 18 donors listed 51 commitments. 25% of the money was supposed to go directly to local and national respondents by 2018. What a nice target!'

The speaker went on to caution about interventions created in the Global North by people who are unfamiliar with the local contexts in which such interventions are to be implemented. Cautioning about the dangers of ethnocentrism, he criticised current approaches which could easily be seen as an attack on vulnerability categories. He said that in one agency '56% of the budget was taken up by interventions for GBVs:

'... But when you get to the settlement, GBVs may not be the problem experienced by people there. The best way to go about it would have been to call the elders and ask them. Don't sit in Geneva or Kampala and tell us what the problem of these people are! Don't design interventions from Geneva and tell us...these are the problems we have in an Africa. Don't think your culture is more superior to ours!'

5.7 Vulnerabilities Caused by Temporal Dimensions of Refugeeeness

One interviewee explained the role that time plays in rendering subsequent generations of refugee populations vulnerable. Giving an example of Oruchinga he said that a lot of refugees could be stateless because of the protracted nature of their refugee status. He elaborated that it was possible that four generations of people from Rwanda or DRC Congo currently live in this particular settlement. The interviewee explained that Oruchinga refugee settlement, which, he said, was an older settlement than Nakivale, made him wonder about the following state of affairs:

'If your parents are from Congo and you are born in Uganda but you have no birth certificate, you

have never been to Congo, who are you?'

However, another interviewee refuted that this was a problem. The interviewee stated that the problem would only arise if people decided to cross the border at which point an officer at the receiving side would ask for identification (UNHCR, Sept 2020). While the above examples give opposing interpretations on the matter, they both highlight the importance of documents and the associated problems when refugees lose documents, and their replacement takes a while. Aside from the difficulty in accessing services such as food, documents such as birth certificates are important. In my previous research, refugees expressed their frustration about the time it took to get birth certificates for their children. The importance of documents is also important for accessing entitlements granted under 'refugee status'. As the protection officer explained to me:

'It takes two years to get refugee status because of the large number of applications and the [Refugee] Act only provides rights only to refugees. Those who are asylum seekers do not have the right to access rights' (Protection Officer, OPM).

Showing me the data storage space at the Refugee Desk Office, the profiling officer stated that they stored the registration forms manually:

'Now imagine if someone says that they want the original copy of their form and they registered last year, how would you look for it here? How would you find it? It is here that you would have to look. Remember that there is no budget and no one responsible to look for these documents. My job is to register and store it' (Refugee Desk Office, August 2020).

A number of scholars have argued that states deploy various mechanisms to 'seize asylum seekers time' to put them in precarious situations by delaying decisions on their refugee status (see Anderson 2014 and Biehl 2015 cited in Stock 2019: 70). In the case of Uganda, this does not seem to be a deliberate exercise. Rather, it seems to be a result of human resource deficit within the OPM. As explained by numerous interlocutors, there are only eight Refugee-Status Interviewing Officers in the country. This, when viewed in the context of the thousands of people seeking asylum in Uganda from around the region and beyond, leaves little surprise that 'processing time' is this long. The premises of the different agencies I visited had very few protection seekers as most services had been scaled down due to the pandemic restrictions. However, as the profiling officer explained to me during the interview, the Refugee-Desk Office and the surrounding premises are usually teeming with (urban) asylum seekers trying to register. Thus, precariousness is produced administratively, not through the denial of asylum status, but through the duration of time that one remains an asylum seeker, since the Refugees Act grants rights to refugees only (interview with Protection Seeker, OPM Sept 2020).

VI FINANCIAL CONSTRAINTS

In the last week of fieldwork, the Minister for Disaster-preparedness and Refugees called for accountability of funds received by all aid agencies in Uganda operating within the refugee context. He expressed frustration that many agencies were receiving a lot of money on account of helping refugees in Uganda, yet the government was bearing most of the financial burden. According to Bostroem and Garsten, this call for ‘accountability and transparency signals a distrust of expert knowledge...’ (Bostroem and Garsten 2008a cited in Mosse 2011: 3). Although Bostroem and Garsten were describing the growing distrust in expertise in international development, the same distrust is evident in Uganda’s humanitarian context. Many donors who promised to fund the humanitarian operation during the Global Summit in 2017 have not followed through on this promise. One interviewee described the disappointing response from global donors –which she stated almost bordered on deception– as follows:

‘The money came through their agencies. Let’s say, Denmark gives money, that money was given to Danish Refugee Council, the Americans gave money, that money was donated to American agencies - like that. That’s what happened to the donations. Government got only 150,000 dollars – and it didn’t even come to this department. It went to Ministry of Finance. Let’s say it’s a wedding meeting and someone pledges: ‘I will give you 200,000 shillings and they don’t even give it to you.’ But publicly in the wedding meeting they say they are pledging 200,000. Then they tell you that the 200,000 was given to you a while ago. That’s is what happened.’

In the wedding analogy above, the interviewee closely echoes Apthorpe, who writes that: ‘A Donor Government proudly and compassionately announces some huge amount of “new” post tsunami money “for Indonesia” but, for one thing, typically such “new” largesse comprises a lot of “old”, so precisely what is now “pledged” is unclear’ (Apthorpe 2011: 212). Moreover, it also explains the interviewee’s first response – a denial that the government received any of the pledged money. On the same point, Apthorpe asserts that at any rate it is not wholly clear ‘how much of the either old or new promised will ever materialise’ (Apthorpe 2011: 212).

6.1 Resource Limitations at Operational Level

I draw on Zacka to describe the complexity of implementing policies in the humanitarian operation amidst not just dwindling resources but also emotionally charged contexts and tight targets. Although Zacka describes encounters with state bureaucracy, his description very aptly captures the humanitarian bureaucratic context from which I draw my insights. He writes: ‘These tasks would be difficult to discharge in any contexts, but street-level bureaucrats must perform them in an environment that is particularly challenging - one that forces them to contend with drastic limitations in resources and a chronic shortage of staff but also with incompatible objectives, unrealistic targets...and an endless stream of emotionally trying encounters with clients Zacka 2017:11)’.

Based on the empirical examples above, it is possible to discern that the humanitarian context is not dissimilar to what the aid bureaucrats have described. Resource limitation was a major challenge cited by all aid workers in state and non-state agencies. Lipsky posits that street-level bureaucrats are usually plagued by limited resources, but particularly at the ‘operational level’ (Lipsky 1980: 45).

Complicating matters further is that aid workers are expected to be effective in executing their tasks or meeting targets in spite of not being given the resources to perform those tasks. This was also noted by Lipsky, who elucidates that the two crucial ways in which street-level bureaucrats are given limited resources to achieve their tasks sufficiently are in the ratio of caseloads per worker and the time in which to achieve this (Lipsky 1980:29). In the case of the bureaucrats in Uganda, this is mostly true for all aid workers. Most agencies are riddled with limited human resources – perhaps resulting from dwindling funds. Diverse participants mentioned that they had large cases or high targets to achieve in tight timeframes. For instance, RSIO1 mentioned that they were only eight interviewing officers in the country. Considering that these RSIOs have to interview all asylum seekers before they are forwarded to the Refugee Eligibility Committee for status determination, it is no wonder that the application process takes a long time. Participants interviewed explained that it can take up to two or more years before one is granted refugee status (Protection Officer, OPM September 2020). This was corroborated by Tutapona, who explained that because the processing of asylum seekers takes a long time, this could potentially exacerbate the situation of traumatised asylum seekers.

The limited number of refugee-status determination officers invariably affects the quality of interviews, as one RSIO explained that it was impossible to go into every detail of the refugee's story because they were expected to interview eight asylum seekers per day (RSIO2, OPM August 2020). RSIO1 mentioned that while he can achieve that if interviewing Somali asylum seekers, it was impossible to meet that target if interviewing an applicant from Rwanda: 'It can take up to eight hours for some interviews such as the interviews for Rwandans. For Rwandans, the standard is soooooo high.' (RSIO1, OPM, August 2020). The reason for this discrepancy, as he elaborated, is that theoretically, Rwanda is considered to be a safe country, while Somalia is known to be at war.

Alight - Uganda's SGBV and Protection Coordinator elaborated on the mounting caseload which will require them to get more aid workers:

'... As the needs increase, we also need manpower. Just before I got on phone to talk to you, I was on a call with UNHCR, we were talking about planning for more staff. We need more caseworkers. But where is the money? By standard, every staff has to attend to 25 children per month - that is the international standard, but I want to be honest with you, no agency can handle that. We are supposed to handle 25, but now we have decided to handle 75.'

The above excerpt captures the problem of limited human and financial resources aptly. The problem of human resources is much appreciated when assessed on the basis of real-life costs on asylum seekers during the Covid-19 lockdown. It was reported by NBS Television that 250 refugees had committed suicide during the pandemic due to lack of psychosocial services at different health centres (NBS Television, 26 November 2020). Explaining how Covid-19 has exacerbated the vulnerability of certain groups, the SGBV and Protection Coordinator said:

'One of the challenges, I want to be very honest with you is that because of Covid, the vulnerability level of refugees have shot up. When you go to the settlements some were living better lives than even the nationals, but now businesses are closed, but children are not going to school, there is a lot of exposure of children who are not in school.'

Illustrating the extent of the pandemic's effects on adolescent girls, she added:

'In this Covid, we have 2,000 GBV cases since April! I can provide that information if you need it. There are many adolescent pregnancies and this is not just by refugees but also Ugandans.'

The interviewee admitted that the agency's capacity is stretched. Lipsky posits that numbers are not the issue here, since street-level bureaucrats ordinarily have large caseloads. What is important, he argues, is the fact that they cannot implement their tasks in light of such large numbers (Lipsky 1980: 29). This would potentially have grave effects for agencies like Alight, which has a critical role to play in protecting particularly vulnerable groups such as children and women who have been victims of GBV and SGBV. The SGBV and Protection Coordinator conceded that

'[a]s Alight, we do not have the capacity to handle everything as much as we are Protection. Covid has changed things, we are now overwhelmed.'

6.2 Vulnerabilities Caused by the Global North (?)

Some aid workers in different agencies implied hypocrisy on the part of the Global North. In learning about the project and that it was funded by the EU some bluntly stated that the problems were already known to the EU because of numerous site-visits to settlements or reception centres. Others insinuated that the West was being disingenuous for funding this project on vulnerability when some of the companies profiting from the destabilisation of countries like the Democratic Republic of Congo were from their countries. Apthorpe argues that there is much to appreciate that in contexts where there has been so much destruction of life and means of living, the warranted response is to attend to emergencies. However, the scholar calls for going beyond this so as to investigate: 'what, besides the violence, it was about in the first place and that continues to be important, as well as learning what has survived and perhaps even strengthened since' (Apthorpe 2011: 213). I conclude by pondering on Apthorpe's call. In the context of this project, what might this imply? Going beyond the vulnerability categories that are properly situated in emergency contexts, even if, paradoxically, these emergencies exist in spaces of protracted refugeeness like refugee settlements in Uganda, might necessitate two things: An understanding of the causes of conflict in the first place and addressing these causes or perhaps simultaneously. This is my interpretation of Apthorpe's call. I understand it as one that urges us to think or act beyond the surface and one that advocates for a deeper reflection and sincere acknowledgment of the complexity of what is at stake for sustainable change.

VII CONCLUSION

This report described the implementation practices of those tasked with fulfilling the rights of or providing services to protection seekers within the context of Uganda's humanitarian operation. Specifically, the report has attempted to unpack how state and non-state aid bureaucrats assess, address, or produce vulnerabilities through the execution of tasks or aid implementing aid agencies' mandates. I showed how, in carrying out their respective roles, aid workers act within their organisations' guidelines, or legal and policy framework that govern the humanitarian operation to protect those they categorise as very vulnerable. But often they also act beyond the call of duty to do justice to the complexity of the situation at hand. In capturing these practices, I attempted to show aid workers' frustration about the conditions within which they operate – illustrating an implicit understanding of the shortcomings of the humanitarian operation.

Through a critical analysis of the policies and laws protecting refugees and asylum seekers in Uganda, I have argued that they offer a great amount of protection to asylum seekers and refugees generally. The policy framework, in particular, grants more protection to those identified as vulnerable groups. On paper the refugee policies and laws guarantee a lot of protection generally with the exception to LGBTIQ+ populations. The latter, as I have alluded to in the report, are excluded, because homosexuality is criminalised, and same-sex acts are perceived as 'unnatural'.

Aid workers and other service providers who work in Uganda's humanitarian operation, as I have shown, assess, address and capture how different categories of vulnerable people have been attended to in their reports according to the goals and targets of their mandate. However, as I have shown, they do not do this in an emotionally bankrupt way. In highlighting the implementation practices of decision-makers or frontline workers, I have touched on the affective aspects of their work as being integral to shaping aid workers responses to protection seekers experiences of vulnerabilities.

The nature of the context in which they work provokes certain emotions and gestures, ranging from frustration, sympathy, apathy, kindness and much more. This is inherent in the circumstances that shape interactions with other aid workers within and beyond the humanitarian operation with whom they have to collaborate. Their reactions and implementation practices are also shaped by the interactions with the protection seekers with whom they interface.

7.1 Moving Beyond Universal Vulnerability Categories

Zack argues that the common factor connecting those who criticise bureaucracies – other than their disdain – is the perspective from which they voice discontent, namely that of clients (Zacka 2017: 3). He es that what is often omitted is the flip side of the coin - the angle of the bureaucrats. In this report, I have described the practices of those who implement policies and provide services in the humanitarian aid operation from the vantage point of the aid workers and public servants. In doing so, I have revealed why protection seekers or those who interface with them may experience them as 'slow, unresponsive, demeaning, and arbitrary' (Zacka 2017: 4).

As has been argued, and also empirically substantiated, is the fact that a number of factors hinder the prospects of a satisfactory implementation of laws and policies. Lack of adequate resources, in their variegated nature, be they financial, material or human, came to the fore in all the interviews as a major issue

affecting the realisation of protection goals for those identified as especially vulnerable. This leaves the humanitarian operation in a precarious situation and aid bureaucrats in a conundrum, for they are faced with the duty to operate and achieve various targets aimed at protecting the rights of large numbers of vulnerable populations whilst prioritising especially vulnerable categories of people. To implement policies in ways that realise the rights or achieve the needs of very vulnerable refugees is difficult at best because of the number of refugees that meet the eligibility criteria of the different agencies. This does not address the circumstances of other refugees who do not come under the purview of this study, but who nonetheless were mentioned generally in the various interviews. Implementing standard practices or addressing the needs of very vulnerable populations means that aid bureaucrats have to curtail the quality and quantity of services they provide in the context of real and very pressing issue of disparate but interrelated resource constraints.

Moreover, because of the large sizes of settlements and organisational structure of the refugee operation, aid workers have to work with refugee community leaders who are not given incentives or the requisite means to identify vulnerable populations in their jurisdictions. This means that some 'fall through the cracks' and remain unidentified in spite of the many focal points that are in place to ensure their identification.

One of the key findings of the report is the use of universal vulnerability categories as a precondition for granting special protection to specific groups who are considered vulnerable *a priori*. It is my suggestion that in the Ugandan operation, context-specific factors shape or exacerbate vulnerability (as illustrated by the example of political refugees from neighbouring countries). Moreover, some aid workers said that some individuals within groups that had been singled out to be prioritised (such as those with disabilities) often declined the special treatment, asking why they were being given preferential treatment. Conscious of these particularities, aid bureaucrats or public servants I interviewed or observed in their everyday settings exercised cautious discretion in preventing or mitigating conditions that would produce further vulnerability to protection seekers outside the universal vulnerability categories. This shows the fluidity of vulnerability categories out of which protection seekers 'slip in and out' (Stock 2019: 155).

Additionally, variegated factors, such as economic, social and administrative issues, produce or exacerbate conditions of vulnerability, rendering even those who are outside the universal categories just as vulnerable. The lack of employment opportunities, for instance, or lack of community support (in the case of elderly or people with disability) keep many protection seekers dependent on an increasingly less-funded aid bureaucratic system, severely curtailing the enjoyment of rights granted to them in the policy and legal framework.

Another key finding is the increasingly changing demography of the type of asylum seekers coming to Uganda. The elite group (which include ex-ambassadors, former army generals, ministers and professionals such as doctors and lawyers) of protection seekers entering the country render some of the livelihood policies inadequate or redundant. Self-reliant strategies that were initiated to ensure sustainable livelihood and are premised on granting access to land for subsistence farming are not suitable for this category of protection seekers who are used to urban life and a different way of living. Moreover, employment opportunities outside the agricultural sector are limited given the country's high unemployment rate, which has left most of Uganda's own graduates jobless.

7.2 On Intersecting Vulnerabilities

Through an examination of internal and external referral mechanisms, I showed how decision-makers or aid bureaucrats identify different or intersecting vulnerabilities of protection seekers. How aid workers identify vulnerable populations is highly dependent on their mandate in the agencies within which they operate as well as on the context. By intersecting vulnerabilities, I am referring to the overlapping of the perceived needs of protection seekers within interrelated constructions of protection gaps of diverse agencies. However, in spite of the identification of vulnerability populations and referral mechanisms, the effective functioning of the referral system is, in practice, constrained by the inaction or slow response of other agencies within the collaborative humanitarian operation. The extent to which the protection system of the humanitarian bureaucratic system is effective in addressing the needs of vulnerable groups is highly dependent on the timely responsiveness of other agencies.

In problematising the assessment and production of vulnerability from the viewpoint of aid bureaucrats, this report has been attentive to their practices and highlights the ways in which these practices shape, mitigate, or produce vulnerability among protection seekers. It is my contention that protection seekers are not passive participants in their interactions with aid bureaucrats. Although with limited degree of success, those that fall outside universal vulnerability categories actively endeavour to change their subjectivity through protests, voicing complaints, and sometimes also strategise to beat the bureaucratic system in order to improve their conditions or shorten the waiting period for documents or resettlement programmes. The latter should not be viewed in the binary and overtly simplistic terms of legal and illegal, but, rather, should be understood as an exercise of agency by people who seek to improve their material or living conditions. Consider the example of the mother who presented the same child repeatedly in order to increase the rations of benefits meant for minors as a vulnerable category and shaved the child's head to avoid being detected. In contexts of post-conflict spaces, the binary between legal and illegal, or moral prescriptions of what is right and wrong, become all the more problematic when analysing people's actions or interactions with other actors. Whether this be in the example of aid bureaucrats who go against their agencies' guidelines to exercise discretion in order to mitigate the suffering of protection seekers or whether it be the protection seeker, whose attempts to 'game' the system is to achieve a sense of 'normalcy' we so much take for granted (such as family reunion, provisions for survival, or access to healthcare).

For aid workers in Uganda trying to execute their tasks well, it continues to be an insurmountable task, given the resource constraints and the overwhelming numbers of people that fit into designated vulnerability categories. In voicing the biggest challenge cited by all participants in this study as a major constraint to protecting the most vulnerable populations, I end with a rhetorical question borrowed from Lipsky, but equally applicable to Uganda's humanitarian aid context: 'How is the job to be accomplished with inadequate resources, few controls...and discouraging circumstances?' (Lipsky 1980; 82).

Bibliography

Agaba, Racheal, 'Four Kayihura's co-accused Released on Bail' *PML Daily Correspondent*. February 4, 2020. Available at <https://www.pmldaily.com/news/2020/02/four-kayihuras-co-accused-released-on-bail.html> [29 November 2020].

Akello, Vanessa (2009) 'Uganda's Progressive Refugee Act becomes Operational.' Available at <https://www.unhcr.org/news/latest/2009/6/4a3f9e076/ugandas-progressive-refugee-act-becomes-operational.html> [28 November 2020].

Apthorpe, Raymond (2011) 'Coda with Alice in Aidland: A seriously Satirical Allegory in Mosse, D Adventures in Aidland: The Anthropology of Professionals in International Development. pp. 199-219. New York/Oxford: Berghahn Books.

Aycan Celikakoksoy and Eskil Wadensjo (2019) Refugee Youth Who arrived in Sweden as Unaccompanied Minors and Separated Children: *Education and Labour Market Well-being*. *Nordic Journal of Migration Research*. NJMR 9(2) 2019. 179-200.

Bagenda, Emmanuel, Naggaga Angela & Smith, Elliot (2003) 'Land Problems in Nakivale Settlement and the Implications for Refugee Protection in Uganda'. *Refugee Law Project Working Paper Series No.8*.

Burris S, Drahos P. and Shearing C. (2005) 'Nodal Governance'. 30 *Australian Journal of Legal Philosophy* 30.

Fischer-Tahir, Andrea and Wagenhofer, Sophie (ed) (2017) Introduction: Spatial Control, Disciplinary Power and Assimilation: the Inevitable Side-Effects of 'Progress' and Capitalist 'Modernity' pp 9–34 in Andrea Fischer-Tahir and Sophie Wagenhofer (eds.) (2017) *Disciplinary Spaces: Spatial Control Forced Assimilation and Narratives of Progress since the 19th Century*. Bielefeld: Transcript. DOI: <https://doi.org/10.14361/9783839434871-002>

Green, Maia (2011) 'Calculating Compassion, Accounting for some Categorical Practices in International Development', pp. 33-56 in Mosse, David, *Adventures in Aidland: The Anthropology of Professionals in International Development*. Oxford: Berghahn.

Hande Sözer (2019) Categories that Blind Us, Categories that Bind Them: The Deployment of Vulnerability Notion for Syrian Refugees in Turkey, *Journal of Refugee Studies*, fez020, <https://doi.org/10.1093/jrs/fez020> [8 October 2020]

Hirokazu Miyazaki (2012) 'The Temporality of no Hope' pp. 238-250 in Greenhouse, J. Carol *Ethnographies of Neoliberalism*. University of Pennsylvania Press.

Kende-Robb, Caroline (2017) 'Uganda's policy towards refugees is the best in the world. Here's why. Available at <https://www.weforum.org/agenda/2017/07/uganda-refugees-what-we-can-learn/> [Nov. 28, 2020].

Laszczkowski and Reeves (eds) (2018). *Affective States: Entanglements, Suspensios, Suspicious*. Oxford: Ber-

ghan.

Rwakaringi, Mugume Davis (2017) 'Is Uganda the world's best place for refugees' Guardian Africa Network. Available at <https://www.theguardian.com/world/2017/apr/01/is-uganda-worlds-best-place-for-refugees-south-sudan> [November 28, 2020].

Riles, Annelise (2000) *The Network Inside Out*, University of Michigan Press, Ann Arbor, MI, DOI: [10.1017/S0922156503231228](https://doi.org/10.1017/S0922156503231228).

Mosse, David, (2011) *The Anthropology of Expertise and Professionals in International Development* Adventures Mosse, D (ed) *Aidland: The Anthropology of Professionals in International Development* Berghan Books.

Nakueira, Sophie (2019) 'Governing Through Paperwork: Examining the Regulatory Effects of documentary practices in a refugee settlement' *Journal of Legal Anthropology*, Vol. 3, No. 2, pp. 10-28. DOI: <https://doi.org/10.3167/jla.2019.030204>.

Navaro-Yashin, Yael (2012) *The Make-Believe Space: Affective Geography in a Postwar Polity* Duke University Press.

Norwegian Refugee Council (2018) *Refugee Status Determination: A Study of the Process in Uganda*.

Stock, Inka (2019), *Migration and Forced Mobility: Sub-Saharan African Migrants in Morocco*. Bristol University Press.

Straimer, Clara (2010) *Vulnerable or invisible? Asylum seekers with disabilities in Europe*. Research Paper No. 194. Available at <https://www.unhcr.org/research/working/4cd9765b9/vulnerable-invisible-asylum-seekers-disabilities-europe-clara-straimer.html> [January 23, 2021].

Zacka, Berando (2017) *When the State Meets the Streets: Public Service and Moral Agency*. The Bellnap Press of Harvard University Press: Cambridge, Massachusetts.

Legislation

The Children's Act, Cap 59(As Amended) 2016, <https://barefootlaw.org/wp-content/uploads/2018/04/The-Children-Act-Cap-59-as-amended-2016.pdf> [Oct 25, 2020].

Refugees Act, 2006, <https://www.refworld.org/docid/4b7baba52.html> [Accessed 26 November 2020].

The Constitution of the Republic of Uganda, 1995 http://www.uganda.at/Geschichte/verfassung_der_republik_Uganda_2008.pdf [Accessed 28 November 2020].

The Penal Code Act 1950, <https://ulii.org/ug/legislation/consolidated-act/120> [Accessed 28 November 2020].

Convention on the Elimination of All Forms of Discrimination against Women New York, 18 December 1979, <https://www.ohchr.org/en/professionalinterest/pages/cedaw.aspx> [Accessed 20 November 2020].

African Charter on the Rights and Welfare of the Child, https://www.un.org/en/africa/osaa/pdf/au/afr_charter_rights_welfare_child_africa_1990.pdf [Accessed 23 November 2020].

Policy Framework

Refugee and Host Population Empowerment Strategic Framework- Uganda. Available at https://reliefweb.int/sites/reliefweb.int/files/resources/64166_0.pdf [Accessed Oct 14 2020].

UN High Commissioner for Refugees (UNHCR), *The Heightened Risk Identification Tool*, June 2010, Second Edition, available at: <https://www.refworld.org/docid/4c46c6860.html> [accessed 3 November 2020]

UNHCR Policy on Age, Gender and Diversity, UNHCR March, 2018, available at <https://www.unhcr.org/protection/women/5aa13c0c7/policy-age-gender-diversity-accountability-2018.html> [5 October 2020].

A Framework for the protection of Children, UNHCR 2012, available at <https://www.refworld.org/pdfid/4fe875682.pdf> [28 September 2020].

Interviews

Country Director, Medical Teams International, Kampala, 27 July 2020

Child Protection Officer, Children's Lives Matter, refugee settlement in Kyegegwa District 05, October 2020

Food Distribution Officer, Food is Life, Nakivale Settlement (via phone) 11 August 2020.

Food Distribution Officer, Food is Life, Oruchinga (via phone) 13 August 2020.

Head of Programs, Tutapona, Kampala, 04 September 2020.

GBV Officer, Alight Uganda refugee settlement Kikuube (formerly Hoima) District (via phone) 07 October 2020

Environmental Officer, Inter-generational Agenda of Climate Change, (via phone) 24 October 2020

Legal aid officer, Legal Aid International, Adjumani district (via phone), 19 September 2020

Operations Officer, ReUnite, Kampala 15 September 2020.

Protection Officer, OPM, Kampala, 09 September 2020.

Profile Officer, Refugee Desk Office, Kampala, 21 August 2020.

Program Manager Education, Windle International, Kampala, 02 September 2020.

Psycho-social support counselor, Legal Aid international, Isingiro district (via phone), 04 August 2020

Refugee Status interviewing officer (RSIO 1), OPM, Kampala, 26 August 2020

Refugee Status interviewing officer (RSIO 2), OPM, Kampala, 28 August 2020

RWC1, Community Leader of a refugee settlement (Isingiro District), (via phone) 05 September 2020.

Relationship Officer, Refugee Bank, a micro-financial institution (via phone), 05 September 2020.

UNHCR, Senior Community Based Protection Officer (via phone) 19 October 2020.

War Child Canada, Nakivale Settlement (via phone) 14 August 2020

Anonymous interviewee, Nakivale settlement, 09, October 2020.

Appendix 1.

List of state and non-state aid agencies/departments

Item No.	Agency/Department
1	OPM
2	UNHCR
3	Legal Aid International*
4	Refugee Desk Office, Old Kampala Police Station
5	Windle International
5	Alight
6	War Child Canada
7	Child Lives Matter*
8	Food is Life
9	ReUnite Global Inc*
10	Medical Teams International
11	Inter-Generational Agenda on Climate Change
12	Tutapona
13	Refugee Welfare Council
14	Micro-financing institution

Where agency's name is marked with an asterix (*), a pseudonym has been used in place of the agency's real name. This list is not indicative of the total number of agencies that took part in the study but rather highlights those who are mentioned in this report.

VULNER



The VULNER consortium consists of 9 academic partners from 6 different countries.

