

IMPROVING LOCAL GOVERNANCE IN FORCED MIGRATION: CASE STUDIES AND CONSIDERATIONS FROM EAST AFRICA

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Cities and Migration Programme



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SECTION I: INTRODUCTION



Ethiopia, Uganda, and Kenya are among the leading host countries of forcibly displaced people in sub-Saharan Africa and particularly in the East African region. All three countries have a long history of hosting refugees and differing levels of internal displacement. These countries also have a fast-growing urbanisation rate and urban population. Studying and analysing the increasing number of urban forcibly displaced people in these countries is not only important to understand the effects of migration and urbanisation (with a focus here on secondary cities), but it can also contribute to peace and stability in the region. To better understand how different types of governance affect the response of each country to urban forced migration, this case study discusses urbanisation, urban displacement, and the role and response of local governments.

The first section presents an overview of secondary city municipal actors and urban displaced people, followed by governance structures and their impact on responses to urban forced migrants in Ethiopia, Uganda, and Kenya. The final section explores key takeaways based on a comparison of these cases and concludes with recommendations for refugee- and IDP-hosting national governments, local governments, donor governments, and international organisations.



SECONDARY CITY MUNICIPAL ACTORS AND DISPLACED PEOPLE

There is a growing focus on secondary cities as a key location for the urban forcibly displaced in sub-Saharan Africa. At the same time, numbers of displaced people in these cities are often not matched by recognition, assistance, or funding. Secondary cities and towns may lack strong ties to central governments and ministries compared to capital cities, or financing mechanisms for displaced people can overlook municipal needs. This in turn can impede municipalities' ability to access funding or for relevant municipal issues to be shared nationally or internationally.

Many municipalities are at the forefront of urban displacement. While they may in fact be open or even eager to address it, they often lack the financial and technical resources to adequately do so, as well as connections to the international humanitarian and development actors that might be able to facilitate a more comprehensive response. Research on the role of local politics in the Middle East on Syrian refugees notes that municipalities' opportunities to obtain additional funding for refugee assistance from central governments and public and private donors played a key role in the response refugees received (Betts et al. 2017). Yet in the absence of such support, municipalities risk becoming de facto first and last responders with limited means to do so.

Some international guidelines and policies acknowledge the important role of municipalities in addressing forced displacement. The 2009 UNHCR Urban Refugee Policy states for example that:

"IN URBAN CONTEXTS, MUNICIPAL AUTHORITIES AND MAYORS HAVE A PARTICULARLY IMPORTANT ROLE TO PLAY IN THE OBJECTIVE OF EXPANDING PROTECTION SPACE, AND UNHCR WILL CONSEQUENTLY PLACE PARTICULAR EMPHASIS ON ITS RELATIONSHIP WITH THESE ACTORS. AT THE SAME TIME, AND IN PURSUIT OF THE SAME OBJECTIVE, THE OFFICE WILL WORK CLOSELY WITH THE NATIONAL AUTHORITIES, THE POLICE AND JUDICIARY, THE PRIVATE SECTOR, NGOs, LEGAL NETWORKS, OTHER CIVIL SOCIETY INSTITUTIONS AND DEVELOPMENT AGENCIES"

(UNHCR 2009).





"PEOPLE ARE MOVING TO CITIES TO FIND REFUGE AND CITIES STRUGGLE TO MEET BASIC STRAINS AS A RESULT OF POPULATION SIZE - THIS AFFECTS GARBAGE, WATER PROVISION, EVEN LOCAL JOBS, AND HOUSING MARKETS GO UP. SO, BOTH HOST COMMUNITIES AND IDPs ARE LOOKING AT CITY LEADERS, BUT THEY ARE OFTEN COMPLETELY UNEMPOWERED BOTH TECHNICALLY AND FINANCIALLY. AT THE SAME TIME DONORS...OFTEN PREFER ESTABLISHED PARTNERS. SO, THE QUESTION IS, HOW DO WE MAKE THE HUMANITARIAN SYSTEM BETTER ABLE TO SUPPORT LOCAL GOVERNANCE IN BOTH THE SHORT- AND THE LONG-TERM?"

However, in many countries it is only more recently that the forging of partnerships with local actors such as local authorities has increased. This can be seen through the promising focus on urban areas and the support that local actors can play, which has emerged in the last five years as seen through events and initiatives including the 2018 High Commissioner's Dialogue on Protection and Solutions in Urban Settings: Engaging with Cities, the Welcoming Cities initiative, and the Marrakech Mayoral Declaration.

Of central importance is the 2018 Global Compact on Refugees (GCR), which recognises local authorities as key stakeholders in refugee assistance, as well as civil society, host community members and refugees themselves (UNHCR 2018, Section 1.3). "In consultation with national authorities and in respect of relevant legal frameworks," the Compact reads, "support by the international community as a whole

may be provided to strengthen institutional capacities, infrastructure and accommodation at local level, including through funding and capacity development where appropriate" (ibid.). Good practices and innovative approaches by "networks of cities and municipalities" hosting refugees are welcomed.

Yet it is clear that more work needs to be done. As one UN informant summarised, "People are moving to cities to find refuge and cities struggle to meet basic strains as a result of population size - this affects garbage, water provision, even local jobs, and housing markets go up. So, both host communities and IDPs are looking at city leaders, but they are often completely unempowered both technically and financially. At the same time donors... often prefer established partners. So, the question is, how do we make the humanitarian system better able to support local governance in both the short- and the long-term?"

REGIONAL AND INTERNATIONAL FRAMEWORKS

Ethiopia, Uganda, and Kenya are each pilot countries for the Comprehensive Refugee Response Framework (CRRF), which is widely considered to be the practical embodiment of the GCR. The CRRF is envisioned to address refugee situations as both development and humanitarian issues requiring long-term, development-oriented responses led by a variety of local, national, and international actors (UNGA 2016). Refugees' right to freedom of movement and the right to work are core elements of the CRRF, as is the inclusion of refugees into national systems for service delivery, which each of these countries have adopted to varying extents (ibid.). The CRRF was designed to entail strong leadership from refugee-hosting countries, and in particular, a whole-of-government approach including a strong role for local actors such as municipalities. However, the following case studies illustrate gaps in the involvement of local authorities in the CRRF as implemented in Ethiopia, Uganda, and Kenya. At the same time, each case study also illustrates other positive examples of localisation, such as the inclusion of refugees in the socio-economic development plans of Kenya's Turkana and Garissa Counties.

At the regional level, all three countries are also members of the Intergovernmental Authority on Development (IGAD), which promotes regional cooperation in areas including migration. The Regional Migration Policy Framework (RMPF) guides responses to migration issues by IGAD, which are led by the Migration Programme. In 2022, for example, IGAD health ministers endorsed a Declaration on Refugee and Cross Border Health Initiatives to improve cross-border health systems to address Covid-19 and other existing and emerging health threats (IGAD 2022). In 2019, the IGAD member states adopted the so-called Kampala Declaration, a plan of action on jobs, livelihoods and self-reliance for refugees, returnees, and host communities in the IGAD region. This was a significant step towards economic inclusion for refugees and other populations in the region and was considered a key means to implement international policies such as the CRRF and GCR (IGAD 2021).

The following case studies of Ethiopia, Uganda, and Kenya explore the opportunities and challenges that governance structures offer urban assistance to refugees and IDPs, with a particular emphasis on the capacities and constraints of local refugee- and IDP-hosting governments.



SECTION II: CASE STUDY - ETHIOPIA



As global forced displacement continues to rise, Ethiopia accounts for one of the top sub-Saharan Africa countries to host both internal displaced persons (IDPs) and refugees. Although the country has a history of internal displacement, the number of IDPs recorded since 2017 has exceeded a million people each year due to both conflict and climate disasters. In 2018, the year this case study focuses on, more than 3 million people were internally displaced in

Ethiopia, out of which 2.9 million people were displaced due to conflict (IDMC-GRID 2019: 9). There was a significant fall in the number of IDPs recorded by the end of 2019, although there were still around 1.4 million IDPs associated with conflict and violence in the country (IDMC-GRID 2020: 19). In 2021, this number again increased due to the conflict in the Tigray region, expanded on in later sections of this report.





REFUGEES IN ETHIOPIA

Ethiopia is one of the top refugee-hosting countries in sub-Saharan Africa. As of 2022, Ethiopia hosts over 823,000 refugees and asylum seekers, mainly from South Sudan, Somalia, and Eritrea (UNHCR 2022). Most of these refugees reside in camps located in five regions: Afar, Benishangul-Gumuz, Gambella, Tigray, and the Somali region of Ethiopia; most refugees live in the Gambella and Somali region (World Bank 2020).

Despite Ethiopia hosting hundreds of thousands of refugees, data on the number of refugees living in urban areas is scarce. In fact, distinguishing between refugees and hosts can be difficult given the cross-border culture such as language and ethnicity and economic connections (World Bank 2020: ix). As most refugees migrate from neighbouring countries, refugee-hosting regions are generally located at or near the country's border, in addition to in the capital, Addis Ababa. However, only a small number of refugees are legally registered as residents of Addis Ababa, most of whom come through the Urban Refugee Programme as special cases.

In 1992, Ethiopia established the Administration for Refugee and Returnee Affairs (ARRA). ARRA is a specific government agency working towards the "protection of refugees and overall coordination of refugee assistance interventions in Ethiopia." ARRA also oversees camps security and management, coordinates services to refugees such as food distribution, primary education and health care facilities implementation, and acts as a liaison with ministers. Following the Leaders' Summit on Refugees in 2016, Ethiopia launched the CRRF in 2017 with nine proposed pledges to implement.



FIGURE 1

Overview of nine pledges by the Government of Ethiopia in the adoption of the CRRF (Genest, 2018).

Thematic Area

Pledge



1. OUT-OF-CAMP POLICY

1. Expand the Out-of-camp policy to benefit 10 per cent of the current total refugee population (the policy currently only allows Eritrean refugees to seek formal work outside of camps under certain conditions.)



2. EDUCATION

2. Increase enrollment in primary, secondary, and tertiary education for all qualified refugees.
3. Provide work permits to refugees and to those with permanent residence identification.
4. Provide work permits to qualified refugees in the areas permitted for foreign workers.
5. Make available irrigable land to allow 100,000 people (refugees and local communities) to engage in crop production.
6. Build industrial parks where a percentage of jobs will be committed to refugees.



3. DOCUMENTATION

7. Provide other benefits such as issuance of birth certificates to refugee children born in Ethiopia with the possibility of opening bank accounts and obtaining driving licenses later.



4. SOCIAL AND BASIC SERVICES

8. Enhance the provision of basic and essential social services.



5. LOCAL INTEGRATION

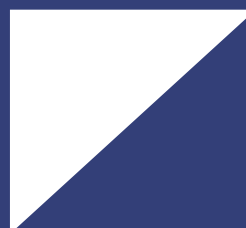
9. Allow for local integration of protracted refugees who have lived for 20 years or more in Ethiopia.



BOX 1 **A LACK OF COORDINATION AND APPROPRIATE GOVERNMENT STRUCTURES FOR REFUGEE RESPONSE**

"THE GOVERNMENT AND ITS DEVELOPMENT AND HUMANITARIAN PARTNERS HAVE CREATED A COORDINATION STRUCTURE AS A PART OF THE UN-SUPPORTED COMPREHENSIVE REFUGEE RESPONSE FRAMEWORK (CRRF), WHICH IS DESIGNED TO ASSIST REFUGEES AND HOST COMMUNITIES AND DEVELOP REFUGEE SELF-RELIANCE. THE COORDINATION STRUCTURE OF THE CRRF AIMS TO MANAGE INTERACTIONS BETWEEN VARIOUS NGOS, INTERNATIONAL ACTORS, AND GOVERNMENT AGENCIES, BUT IT IS NOT CURRENTLY OPERATING. AS A RESULT, MANY GOVERNMENT ACTORS ARE NOT INVOLVED IN THE CRRF PROCESS OF MOVING AWAY FROM THE CAMP-BASED APPROACH TO MANAGING REFUGEES; REFUGEES, HOSTS, AND THE PRIVATE SECTOR HAVE LIMITED INPUT INTO THIS PROCESS; THERE IS A LACK OF STRATEGIC VISION FOR CARRYING OUT THE CRRF; AND THERE IS NO CLEAR PLATFORM FOR DONOR ADVOCACY WITH THE GOVERNMENT"

(Graham and Miller 2021).



While some accounts differ about the level to which the CRRF in Ethiopia is operational, there is consensus that the implementation remains a challenge in part due to structural issues, limited leadership, and a tense political environment (DIE 2021). This in turn has significant implications on refugees' lives as well as the larger refugee responses envisioned to be carried out by a variety of government actors.

Following the adoption of the CRRF, Ethiopia revised its refugee law to grant more rights to refugees at the beginning of 2019. However, the extent of some of these changes are debatable, such as work permits for refugees, as rights are often experienced by refugees differently in reality. For example, although refugees in theory have access to business licenses per the government's new policy, this does not seem to manifest in reality. As one refugee leader explained,

"THE MAJOR CHALLENGE IS NOT BEING ABLE TO OBTAIN A BUSINESS LICENSE FOR REFUGEES. YOU HAVE TO RENT A BUSINESS LICENSE FROM ETHIOPIANS OR BE IN PARTNERSHIP WITH AN ETHIOPIAN"

(Interview, Refugee leader, 2021a).

Another leader in Addis shared, "Life here is very difficult – there is no permission to work, there is the ability to study, but then it is impossible to have a job. Last time we [refugee leaders] discussed with government and UNHCR, they said they want to give opportunities for refugees to work. But when we follow up on the work permit, they said, here in this country even local people don't have enough jobs" (Interview, refugee leader, 2021b).

One barrier mentioned by multiple refugee informants in Ethiopia was the fact that refugee IDs were often not recognised as legal resident permits, which in turn made it impossible to access business licenses. As one Yemeni refugee put it, "When the issue goes down to the local level administration, people don't recognise refugee IDs. They don't understand the procedure or the ideas. The local administration needs to know about these IDs – they need to know how to deal with these documents, how to handle these procedures. But this is not done. So as a refugee, you give me some documents, but you don't allow me to benefit from it! Awareness-raising is the issue" (Interview, Yemeni refugee, 2021).

Such statements highlight the importance of local authorities in refugee responses – in many cases, these authorities are the only direct contact with states that refugees ever experience. In the case of Ethiopia, progress towards the implementation of the CRRF includes ensuring that local actors are provided with the responsibility, financing, and technical support they need to address refugee issues locally. As one report details,

"IMPLEMENTATION OF THE CRRF IN ETHIOPIA, AS ENVISAGED AT THE GLOBAL POLICY LEVEL, REQUIRES A RECALIBRATION OF RESPONSIBILITIES BOTH ACROSS DIFFERENT PARTS OF GOVERNMENT AND BETWEEN FEDERAL, REGIONAL AND WOREDA AUTHORITIES. THIS IS NOT A STRAIGHTFORWARD PROCESS"

(Asfaw and Carver 2019).



ETHIOPIA'S GOVERNMENT STRUCTURE

Ethiopia is administratively divided into nine regional states and two charter cities - the capital Addis Ababa and Dire Dawa in the east. It is governed through a decentralised system of ethnic federalism whereby regional states are accorded powers by the federal government. Like the federal government, the regional governments are also organised into three branches of government - legislative, executive, and judicial. In addition, the federal constitution of Ethiopia allows regional states to draft and implement their own regional constitution for decentralisation purposes as long as it does not contravene the supreme (federal) law.

The two largest regions - Oromia and Somali - have experienced ongoing territorial disputes along a shared border that stretches over 1,400 km. "Historically, their relationship has been characterised by territorial competition which often leads to disputes and conflicts over resources, including wells and grazing land" (BBC 2017). Mass displacement occurred after the regional government of Somalia expanded its regional periphery, leading to the forcible expulsion of many Oromos living in the Somali region and on the border of the two regions. This illustrates some of the ethno-political tensions of the country which in turn play out in the form of displacement.



BOX 2 ETHIOPIA'S CONSTITUTION: THE DEVOLUTION OF POWER FROM FEDERAL TO STATE GOVERNMENTS

Article 50 (4):

State government shall be established at State and other administrative levels that they find necessary. Adequate power shall be granted to the lowest units of government to enable the People to participate directly in the administration of such units.

Article 52 (2) (a, b, and c):

States shall have the following powers and functions:

- To establish a State administration that best advances self-government, a democratic order based on the rule of law; to protect and defend the Federal Constitution
- To enact and execute the State constitution and other laws
- To formulate and execute economic, social and development policies, strategies and plans of the State

Local government structure

The regional governments are further subdivided into different levels of local governments. A region's local government mainly encompasses zones, which are the highest level of local government; *woredas* (equivalent of districts); and *kebeles* (the smallest administrative units). In some cases, there are *liyu woredas* (or special districts) that are "established for the particular ethnic group that inhabits the area" (Ayele and Fessha 2012, 96). Specifically, in urban settings *woredas* are equivalent to city administrations with elected members of the city council (Ayele and Fessha 2012, 96). The city administration comprises "a mayor, a mayoral committee, a professional municipal manager, a municipal judicial organ, and a municipal administrative court" (Ayele 2014, 96). Research has found that *kebeles* and *woredas*

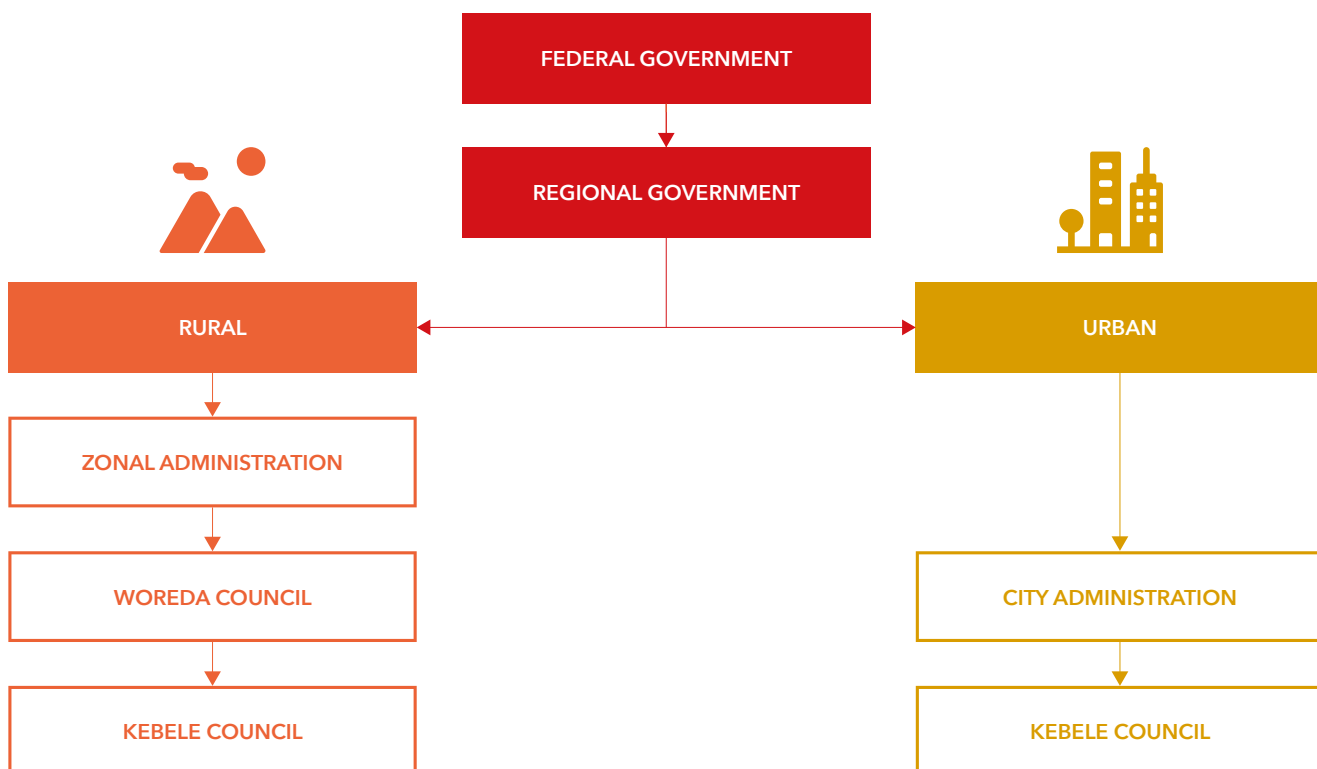
are important government liaisons with civil society actors in Ethiopia, including many community groups and special-interest groups that address displacement. One study found that civil society actors felt a need to increase engagement with government by increasing their representation in *kebele* cabinets or *woreda* structures (INTRAC 2004). This in turn illustrates how advocates for assisting displaced people might become embedded in local government through civil society actors themselves.

Despite the federal constitution stipulating that regions have to establish a local government and grant adequate power to lowest units of government as stated on Article 50 (4), it does not explicitly mention the roles of local government. This ambiguity of the federal constitution seems to leave the specifics about the role and functions of local government to the

regional state and its constitution. The expectation of regional constitutions to specify the power and function of local governments is therefore legitimate. Nevertheless, the regional constitutions are also ambiguous in this regard. Although these constitutions mention local governments power to 'plan and implement policies regarding social services and economic development...', [n]one of the regional constitutions identifies the particular social services and economic development that each tier of local government is mandated to plan and implement' (Ayele and Fessha 2012, 100). Therefore, it is highly possible that local (zone, *woreda*, or *kebele* level) laws and policies are either greatly influenced or even passed at regional level. This in turn has implications for how issues of displacement are handled, as evidenced through the case study of an IDP response in Adama in a later section of this paper.

FIGURE 2

Structure of the Ethiopian government (UN Habitat 2020: 18).



GOVERNMENT FLOWS OF FUNDING



According to Articles 96 and 97 of the Ethiopian federal constitution, both the federal and regional governments have the power to levy and collect different types of taxes. However, besides the independently raised regional revenue, the regional government's annual budget is also financed by the unrestricted grants/funds from the federal government (UNICEF 2020: 5). For example, in the fiscal year 2019-2020, 36.4 per cent of the total federal budget was allocated to (nine at the time) autonomous sub-national (regional) governments where allocation of the budget was determined within the regions (UNICEF 2020, 4-5).

The federal constitution does not specify the financial power of local governments, and the revenue of local governments is again left to regional governments. Specifically, in the case of urban local governments, cities do have various sources of revenue such as municipal taxes and service fees; however, these revenues are insufficient and unsustainable (Ayele and Fessha 2012, 102). In addition to inadequate tax collecting power, local governments are financially dependent on regional government grants (Ayele and Fessha 2012, 102). Local governments have limited autonomy since most funding comes from the regional governments. Certainly, regional governments retain more power, making it harder for cities to carry out their mandates (World Bank 2015, xv).

As the World Bank writes,

"COMBINED WITH THE LIMITED AUTHORITY AND CAPACITY OF LOCAL GOVERNMENTS, THESE FINANCIAL CONSTRAINTS MAKE IT MUCH HARDER FOR CITIES TO FINANCE THE NECESSARY INFRASTRUCTURE AND SERVICES TO PROVIDE FOR RAPIDLY GROWING URBAN POPULATIONS."

In contrast, regional governments in Ethiopia have the right to develop their own laws and policies as well as draw budgets for sectors in their region. As a result, support from the regional government is essential for local governments to properly address the growing forced migration crisis in different urban areas. The following case study illustrates the key role Oromia region played in addressing the 2018 IDP crisis. The effective 'call to action' made by the Oromia regional government helped Adama successfully resettle about 1,300 registered IDPs in the city with the collaboration of the private sector.



THE LOCAL RECEPTION OF IDPs TO ADAMA CITY IN 2018

In late 2017, ethnic conflicts between the Oromos and the Somalis led to an estimated 1,074,000 people forcibly displaced in both regions (DTM 2018). IDPs temporarily settled in different camps in the Oromia region, where they officially registered and received international humanitarian assistance. In response to the displacement, the regional government of Oromia called for action to help resettle the Oromo IDPs. The regional government considered the capacity of 11 cities within the region to allocate acceptable numbers of IDPs to each. The ensuing regional 'lottery' meant that households were voluntarily resettled to one of the 11 cities taking part through a process that entailed their names being anonymously drawn and then allocated to a city. Adama was allocated 2,000 households and 506 unaccompanied IDP minors. According to our interviews, the regional government worked collaboratively with the Adama City Administration to agree on this number based on what assistance the city could provide.

This was a huge responsibility for the city as it had to facilitate and provide for 2,000 households without federal government support. The city administration therefore requested significant help from different sectors and stakeholders. Quickly, the city administration and regional government called society to action through social media and TV outlets, emphasising the need to build housing and advertising an emergency fund that had been established.

Adama city is now home to 1,340 registered IDP households and 506 registered unaccompanied IDP minors who arrived through the lottery system, as well as many unregistered IDPs. In response to the city's call for action, and with the generous contribution of the local community and the private sector, four resettlement areas were constructed, and the same lottery system was replicated to distribute the newly constructed houses fairly and equally to all IDPs.



Challenges faced by IDPs and Adama Municipality

The consequences of unplanned urbanisation and immense pressure on the city from increasing numbers of inhabitants are causing challenges:



The resettlement housing constructed for IDPs lacks basic sanitation and drainage systems.



There is insufficient access to water and limited electricity in the resettlement areas.



The health care and school within the resettlement area are not only inadequate for the number of residents in the area, but also extremely underequipped.



The lack of knowledge on the current total number of IDPs actually living in the resettlement area makes it difficult for their needs to be fully addressed.



Misunderstandings about usage and ownership of the land where the resettlement area is constructed is causing ongoing social tensions.



Cultural difference and lack of integration has led to tension and conflict among the local community and IDPs.

These challenges are important to recognise as they are not unique to Adama, and instead represent issues that many urban areas hosting forcibly displaced people deal with. They are also crucial to examine in light of climate projections, which anticipate higher temperatures and more frequent drought among other changes in Ethiopia, and in turn will likely increase the pressure on cities due to further rural-urban migration.

Practical actions by Adama Municipality and partners

IDPs were supported in a wide variety of ways directly after displacement, including through houses being built for them. Other initiatives to address 'people on the move' took place later, implemented by the Adama City Administration in conjunction with local and international stakeholders. Recently, the Adama City Administration, with support from Cities Alliance and the Swiss Agency for Development and Cooperation (SDC), initiated a project to implement voluntary registration and resource centres to support Adama in gathering information about migrants and to offer guidance to migrants regarding services. A networking group that fosters discussion and cooperation between stakeholders is also part of this venture.

'Migration service desks' were set up to voluntarily integrate IDPs and rural-urban migrants without documentation who had previously been excluded from urban planning and budget plans for a variety of services in Adama. These desks provide information on registration, local services, and employment, and have proven to be "very effective." "Registrations grew from 700 in 2020, to 2,050 in June 2021" and "A total of 681 service seekers, most of them women, have been matched with jobs in Adama city and the neighbouring Industrial Park" (Cities Alliance 2021).

Additionally, Adama city has provided 1,875 sqm of land in-kind for two market centres. The markets are near IDP shelters and rural areas where produce is grown by local farmers; all this in a part of the city that is developing quickly and expected to stimulate the economy for both new and existing residents. These initiatives illustrate practical actions that cities can take to both better understand migration dynamics in their area as well as address identified needs of displaced people.

THE TIGRAY CRISIS AND URBAN IDPs

Despite some IDPs receiving assistance, other IDPs have been created through new conflicts. In early November 2020, a conflict broke out between the regional government of Tigray and the federal government of Ethiopia. Tension escalated quickly between the two parties when Tigray held a regional election in September, even though the federal government postponed all regional and national elections due to the Covid-19 pandemic (Paravicini 2020).

The conflict has led to a major forced displacement crisis, including to urban areas. Out of the 1.7 million internal displacements, more than 575,000 IDPs reside in Shire, a town in the Tigray region; this is the highest concentration of IDPs in the country (IOM 2021). According to the report, “IDPs are residing in overcrowded collective shelters, including schools, within the host community and in open spaces. The majority are from western and north-western Tigray. Other urban areas with high displacement concentration including Adwa (188,910), Sheraro (165,223), and Mekele Zone (200,909)” (IOM 2021). The report also stresses the growing food insecurity, and the

lack of other basic humanitarian necessities such as shelter, water, sanitation, and hygiene (IOM 2021).

The conflict in Tigray presents a complex situation between the regional and federal government. The financial pressure on cities and urban areas to assist the influx of IDPs in the midst of an ongoing crisis is foreseeable. However, the functionality of local governments is questionable, as those seen in opposition to the government are cut off from financial support. Hence, as the conflict continues, civilians and vulnerable groups including IDPs are left unprotected. Among many tensions illustrated by this conflict is that of tested autonomy between regional and federal governments. While displaced people are the result of this conflict, the level of assistance they receive is also dependent in part on resource allocation to the places where they have fled for safety. Unlike the situation of Adama, at the time of research limited support was provided to IDPs from Tigray or to the cities that have accepted them.





"IDPs ARE RESIDING IN OVERCROWDED COLLECTIVE SHELTERS, INCLUDING SCHOOLS, WITHIN THE HOST COMMUNITY AND IN OPEN SPACES. THE MAJORITY ARE FROM WESTERN AND NORTH-WESTERN TIGRAY. OTHER URBAN AREAS WITH HIGH DISPLACEMENT CONCENTRATION INCLUDING ADWA (188,910), SHERARO (165,223), AND MEKELE ZONE (200,909)."

DISCUSSION: LESSONS FROM LOCAL GOVERNMENT IDP RESPONSES



In the face of significant constraints, Adama city impressively responded to the needs of thousands of IDPs, although significant needs remain, as detailed below. Successful communication about the appeal for support came from ‘cascading’ a single message through federal, regional, and local government. Social media was an important tool in spreading the message to different actors and communicating with potential donors, including in the Ethiopian diaspora. In addition to television coverage, posts on Facebook, YouTube, and Telegram groups popularised the call for support. This widespread targeting gave many of our informants a feeling of positive obligation; once a critical mass was reached, offering support became a kind of actionable norm, even for those not directly called upon. The focus on both in-kind and cash donations meant that actors could contribute in various ways, involving contributors with and without funds, both groups and individuals, and those motivated by both altruism and self-interest.

Adama’s IDP response also offers some lessons. Firstly, while rapid mobilisation can be successful for addressing some long-term needs such as housing and emergency needs like the immediate availability of food, it appears to be more difficult to facilitate other needs such as employment which require ongoing relationships and the availability of certain skills. While the federal, regional, and local government collaborated impressively, it is not clear that this collaboration continued past the ‘emergency’ phase. IDPs continued to receive food rations for several years, but other needs that are important for integration received less attention as time went on. And, despite the assistance that was provided in the short term, IDPs still cited needs such as more durable shelter, higher food rations, and support for accessing employment.

In part this may be because it was unclear to government actors how many IDPs actually arrived or remained in Adama. As discussed above, many of the IDPs came by way of a lottery system that designated their household to go to one of 11 cities in the Oromia region. At the same time, it is evident that many more than the allocated number of IDPs arrived in Adama, independently of the lottery system described above. However, because IDPs that did not arrive through the lottery system remained unregistered, their number is unknown, and they did not have access to housing or food rations, thereby increasing their vulnerability. This highlights lack of data and registration opportunities as central issues that affected not only IDPs themselves, but those mandated to care for them, such as clinics and hospitals that at times had more patients than they could treat.

Based on our research, no effort to document and register these IDPs took place, meaning that the city could not adequately support them or understand the true extent of the demand they placed on local infrastructure. Creating avenues for documentation, voluntary registration, and information dissemination is crucial in situations such as this and could take place under the municipal government or in collaboration with an established, trusted NGO. Doing so offers an important means of local government advocacy to higher government actors at different levels, such as regional or national, which may in turn influence the amount or timescale of funding available to support local urban authorities in responding to forced displacement.

While refugees in Ethiopia are addressed through different actors such as ARRA, secondary research on the CRRF process in Ethiopia also sheds light on how interactions between local, regional, and the national government influence the outcomes of refugee assistance. In a case study of the implementation on the CRRF in Somaliland, research found that success hinges on increasing the leadership and clarifying the role of local governments in the process, as well as strengthening coordination between national stakeholders (DIE 2021). The study found local governments are often used as gatekeepers rather than planners or implementers, which is problematic due to both the aim of the CRRF to involve local actors as well as the fact that key roles are envisioned to be passed over to these governments by UNHCR and ARRA.

At the same time, pilot initiatives for IDP registration in Adama as well as similar municipal initiatives in other parts of the world document that cities and local jurisdictions in fact often have the operational and technical capacity to develop municipal ID card programmes (C-MISE n.d.). This finding is particularly important given that urban IDPs are still considered a 'hidden population' globally (Davies and Jacobsen 2010), despite the knowledge that millions are located in urban areas (Huang and Graham 2019). Voluntary registration, municipal ID cards, and long-term support to municipalities hosting IDPs are all important ways to acknowledge and support the reality that – as Earle and Ward (2021), this paper, and other research find – IDPs are in fact city residents who must be treated as such.



SECTION III: CASE STUDY - UGANDA



Uganda is widely considered to be one of the world's most progressive host countries, allowing refugees the right to work and freedom of movement and promoting self-reliance through national strategies since the 1990s. Currently, Uganda hosts close to 1.5 million refugees in different parts of the country (UNHCR 2021).

According to UNHCR (2021), there are over 92,000 urban refugees in the country. The Kampala Capital City Authority (KCCA), however, estimates that there are 300,000 refugees residing in Kampala, the country's capital (Saliba and Silver 2020). The numbers differ because KCCA takes into account "those who are registered in settlements but nonetheless spend considerable amounts of time living in Kampala" (Saliba and Silver 2020) and includes household members of refugee families who have not yet gone through the official asylum process (Saliba and Silver 2020).





**CURRENTLY,
UGANDA HOSTS CLOSE
TO 1.5 MILLION REFUGEES
IN DIFFERENT PARTS OF
THE COUNTRY.**

(UNHCR 2021)

UGANDA'S GOVERNMENT STRUCTURE

The Republic of Uganda is a country with a decentralised government that comprises the major three bodies of government: the executive, legislative, and judiciary (State House of Uganda, 2021). In addition to the constitution's devolved system, the country specifically consolidated the Local Government Act 1997 (Cap 243) to further recognise the role of local governments.

The five-tier local government structures vary in an urban versus rural setting. Uganda also has four official administrative regions: the Central, Eastern, Northern, and Western regions (CLGF 2018), including 10 sub-regions (UNHCR source cited by Reliefweb, 2020). The country is divided into districts, cities (city divisions), municipalities, and hundreds and thousands of lower administrative units in Uganda (State House of Uganda 2021). As of July 2020, four more

cities received formal city status, including Arua, meaning they are now able to surpass the district level. This has occurred as part of a broader plan to create 15 cities across Uganda as approved by the Cabinet in 2019 (ACODE 2020), in part as a response to the rapid urbanisation in the country.

As one report explains,

"THE GROWTH AND EXPANSION OF MUNICIPAL COUNCILS IN UGANDA HAS OVER THE YEARS TAKEN PLACE WITHOUT CORRESPONDING PHYSICAL AND SOCIO-ECONOMIC INFRASTRUCTURE. THIS IN PART IS DUE TO THE DELAY IN THE UPGRADING OF THESE GOVERNANCE STRUCTURES TO CITIES. APPROVED HUMAN RESOURCE AND OTHER INSTITUTIONAL STRUCTURES OF MUNICIPAL COUNCILS; AND THE AVAILABLE FUNDING LEVELS DO NOT POSITION MUNICIPAL COUNCILS TO ADEQUATELY MEET ADMINISTRATIVE AND SOCIO-ECONOMIC NEEDS OF THE EVER-INCREASING NUMBER OF THEIR RESIDENTS."

(ACODE 2020)

"[P]ROVISION WITH RESPECT TO LOCAL GOVERNMENT IN UGANDA AND PROVIDES FOR REFORM OF LOCAL ADMINISTRATION. THE SYSTEM OF LOCAL GOVERNMENT SHALL BE BASED ON THE DISTRICT AS A UNIT UNDER WHICH THERE SHALL BE LOWER LOCAL GOVERNMENTS AND ADMINISTRATIVE UNITS. RURAL DISTRICTS SHALL HAVE A DISTRICT COUNCIL AND SUBCOUNTY COUNCILS. A CITY SHALL BE EQUIVALENT TO A DISTRICT. LOCAL GOVERNMENT ADMINISTRATIONS SHALL CARRY ADMINISTRATIVE FUNCTIONS AS OUTLINED IN THE SECOND SCHEDULE TO THIS ACT."

Local Government Act (UN InforMEA)

Local government

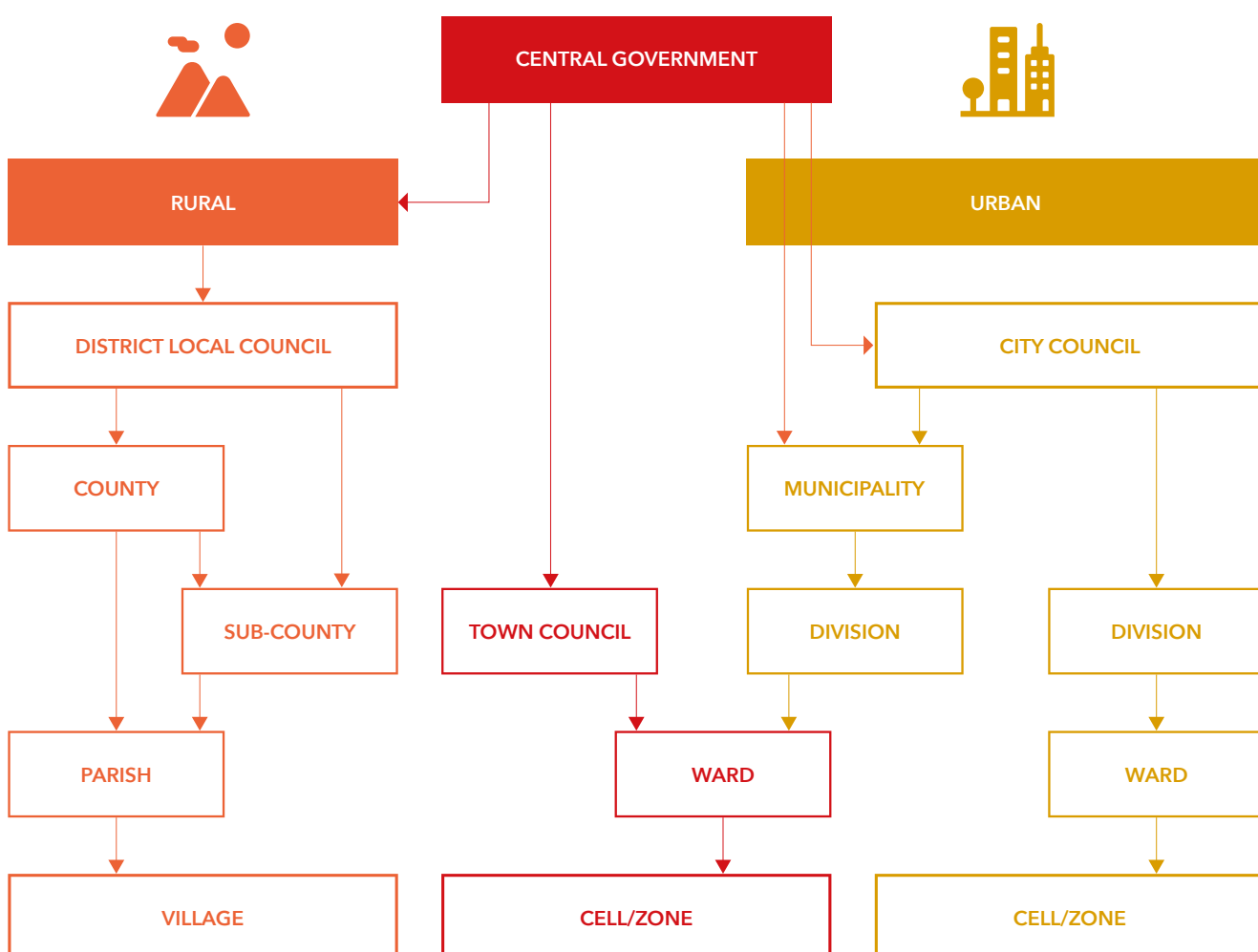
Uganda's local government system is based on districts, which are comprised of the local government councils and administrative unit councils; these two bodies are collectively referred to as local councils and are further categorised as urban or rural (UN Habitat 2020). Cities have a special role in the government system as laid out in the Local Government Act, Section 4, which states that a city is equivalent to a district. This explains in part the importance of Arua's designation from a town to a city in 2020, as this change provides it with more authority within the national governance system.

Local governments are key players in Uganda's decentralised system. Thus, to coordinate and support these local governments, the central government has a designated department, the Ministry of Local Governments. With a vision to be democratic and accountable to local governments, the ministry is responsible "to coordinate and support Local Governments for sustainable, efficient and effective service delivery in a decentralized system" (MoLG 2021).

The Ministry of Local Government also encompasses the district administration, district inspection, urban inspection, local council development, local economic development, urban administration, and the finance and administration departments (MoLG 2021). Specifically, the local council development is mandated "to build and sustain the necessary capacity of the Local Councils and Administrative Units to enable them perform efficiently and effectively" (MoLG 2021).

FIGURE 3

Structure of the Government of Uganda (Cities Alliance, 2015).




GOVERNMENT FLOWS OF FUNDING

In Uganda, taxes are collected by the central government and then distributed as grants to districts. Although local governments' primary source of revenue is transfers from the central government, they are mandated to raise revenue locally from property taxes, licenses, and user fees (CLGF 2018). Districts and municipal councils also have the responsibility to provide public infrastructures such as "the provision of primary and secondary education, safe water supplies and public health, and are encouraged to devolve some services to the lower tiers. In addition, Local Economic Development (LED) is the responsibility of the districts and lower tiers of government" (CLGF 2018). However, funding for municipalities is based in part on population sizes, which are determined by censuses that are often outdated. While Uganda's Local Government Act provides formulas for resource allocation including number of inhabitants, refugees and asylum seekers are not included in this equation. The implications of this are explored further in the following case study of Arua.

Refugee policy is the responsibility of the Office of the Prime Minister (OPM), which also receives most refugee-related funding provided by the international community. While some recent discussions suggest this stance might be changing, the Government of Uganda has been reluctant to move away from a settlement-focused approach to the refugee issue. The Jobs and Livelihoods Integrated Response Plan: Refugees and Host Communities in Uganda 2020-2025, for example, is a 70-page document that includes just one paragraph addressing the issue of refugees in urban areas. A key reason underpinning this reluctance is likely that refugees living in settlements receive significant support from the international community in contrast to those living in urban areas; however, as will be further discussed, a variety of avenues exist for increasing assistance to urban refugees and the cities they live in. These avenues, though, are limited without the support of the Ugandan government and a commitment to changing policies that impede refugees' eligibility for assistance outside of settlements.





DISTRICTS AND MUNICIPAL COUNCILS ALSO HAVE THE RESPONSIBILITY TO PROVIDE PUBLIC INFRASTRUCTURES SUCH AS "THE PROVISION OF PRIMARY AND SECONDARY EDUCATION, SAFE WATER SUPPLIES AND PUBLIC HEALTH, AND ARE ENCOURAGED TO DEVOLVE SOME SERVICES TO THE LOWER TIERS. IN ADDITION, LOCAL ECONOMIC DEVELOPMENT (LED) IS THE RESPONSIBILITY OF THE DISTRICTS AND LOWER TIERS OF GOVERNMENT."

(CLGF 2018)

WEST NILE REGION AND URBAN REFUGEES

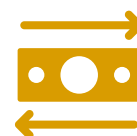
The West Nile region is one major refugee-hosting area in Uganda. With three million inhabitants, the region hosts around 700,000 refugees concentrating in the district of Arua in western Uganda (UN Habitat, 2020). Arua District hosts approximately 250,000 South Sudanese refugees – an estimated 24 per cent of its population, although this also includes those living in the Imvepi, Rhino, and Rhino extension (Omugo) settlements. A town since 1974, Arua officially gained city status in 2020, although it is often still referred to as a town by its inhabitants. Arua sits near four refugee settlements (Bidi, Adjumani, Rhino, and Imvepi) that are some of the largest in the country and is only 75 km from the border with South Sudan. In part due to this proximity to settlements and the border, Arua government officials estimate that many of these refugees reside in and outside of Arua city (some say the city has tripled in size). An exact figure cannot be provided as refugees have traditionally not been included in the formal government census (Interview, mayor of Arua 2020).

In 2020, however, a census of Central Division, Arua – conducted by the Uganda Bureau of Statistics (UBOS), AVSI Foundation and Cities Alliance, and financed by SDC – found that 10 per cent of the population in the division, which represents the former Arua municipality, were refugees (UBOS 2020). Given this and other research that identifies many refugees living outside of central Arua due to the lower cost of living, the figure for the town as a whole is likely much higher. The Arua census on refugees and migrants, which covered only 3 per cent of Arua city, thus recommends a “more comprehensive, inclusive and conclusive census” by covering the outskirts of the city (UBOS 2021) in order to better determine the number of refugee inhabitants.

Municipal experiences and responses to urban refugees

When asked, members of Arua’s municipal authority are quick to cite both the challenges that increased numbers of refugees in Arua have brought as well as their openness to serving them. While the needs remain enormous, efforts are being made to support refugee-hosting municipalities in Uganda, including in Arua. As one member of UNHCR Uganda described,

“WE ALREADY HAVE DIRECT SUPPORT HAPPENING TO MUNICIPALITIES AND LOCAL AUTHORITIES. UNHCR GIVES SOME SMALL AMOUNT OF MONEY TO MUNICIPALITIES FOR CARS AND SO ON, AND WE’RE TRYING TO INCREASE THAT. IT [DIRECT SUPPORT TO REFUGEE-HOSTING MUNICIPALITIES] IS HAPPENING...WE ARE WORKING TO MAKE TEACHERS, HEALTH WORKERS, NGOs, PAID FOR VIA LOCAL GOVERNMENT. WE NEED MORE CAPACITY-BUILDING AS WE WORK TO PROVIDE MORE SUPPORT TO REFUGEES IN URBAN AREAS.”



The impact of refugees on many primary and secondary schools in Arua is profound. As the municipal education officer explained,

"THE STANDARD CLASSROOM SIZE IS 55 CHILDREN, BUT NOW WE SEE 78 CHILDREN ON AVERAGE. WE USED TO HAVE ONE DESK FOR THREE CHILDREN, BUT NOW IT IS FOR FIVE...THE SITUATION WE ARE DEALING WITH IS NOT A NORMAL ONE."

The head of OPM Arua noted the need to improve facilities for schools in urban areas like Arua due in part to the increased demand of refugees. Needs include more textbooks, desks, toilets, and, critically, more teachers.



"BUT WHY," ASKED
THE HEAD DOCTOR,
"SHOULD I DENY
SOMEONE MEDICINE
JUST BECAUSE THEY
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IN A NATIONAL
BUDGET?"



Refugees interviewed commonly discussed health care as both a reason for coming to Arua and a service directly in need of improvement. Multiple local Ugandans also mentioned the need for better health care, although did not attribute the challenge to refugees directly. At Oli Health Centre, the main health centre in Arua, the senior nurse explained that before the 2016 influx of South Sudanese refugees into the town, funds were

more or less adequate. However, since then the funding and the infrastructure have been strained. Refugees come for pre- and ante-natal services, for medicine and emergency help, and there have been outbreaks of diseases to treat in refugee communities in and around Arua, most recently measles. "But why," asked the head doctor, "should I deny someone medicine just because they are not captured in a national budget?"

Interviews with members of Arua Municipality and INGOs with offices in Arua reveal a lack of tailored programmes to meet urban refugees' needs, while the refugees in the city themselves explain that they receive no government or INGO support. Interestingly, although a range of INGOs have offices in Arua, none of those interviewed had urban programmes. Instead, they solely operate in one of the three nearby refugee settlements. A member of UNHCR bluntly explained this rationale:

"UNHCR AND INGOs CANNOT OPERATE IN SECONDARY CITIES BECAUSE OF THE GOVERNMENT'S POLICY [OF REFUGEES ONLY BEING RECOGNISED IN SETTLEMENTS OR KAMPALA]. THEY DON'T WANT TO CREATE A PULL FACTOR."

The head of OPM in Arua echoed this information, though stated that there was an unwritten policy of refugees being free to stay in town. He cited pull factors of refugees to Arua as including more educational opportunities than in settlements, medical referrals to clinics in Arua, better business opportunities, a chance to use professional skills, and security needs. He also noted a contradiction that made it harder for urban refugees to receive services in Arua: the government of Uganda drafted the national refugee policy, while UNHCR wrote the urban refugee policy (Interview, OPM Arua). While refugees were ostensibly free to live anywhere in the country, it is only

when they are in settlements and Kampala that they are considered refugees and thus eligible for services. As mentioned above, this tension impacts refugee-serving organisations, as well, which often want to offer support to the most vulnerable refugees. It was noted by several organisations that although the poorest refugees generally stayed put in the settlements, it was generally those with the highest security needs, ranging from ongoing persecution by armed actors or discrimination due to being LGBTQ+, or extreme vulnerabilities such as disabilities, that came to urban areas. The lack of support for refugees in urban areas, therefore, represents a lack of assistance to some of those who need assistance and protection the most.

Although the acknowledgement of urban refugees is restricted at the level of policy, urban refugees are represented in Arua City Development Forum (CDF), which brings together representatives from different sectors and groups, including refugees. Such a platform offers a way to raise issues, consider solutions, and act as a platform for engagement with outside actors such as humanitarian and development agencies. The refugee representative of the CDF is thus able to raise issues relevant to refugees in Arua while also responding to how refugees might be impacted by other issues discussed. This good practice illustrates how representation can also occur in more informal fora, and in so doing influence local governance on refugees by providing their input and perspective on a range of city matters.



DISCUSSION: WHAT NEXT FOR RESPONDING TO URBAN REFUGEES IN UGANDA?

The research presented above of refugees and municipal responses in Arua paints a picture of a welcoming city in need of resources. The political and financial structures that contribute to this situation – while assuredly also international in nature – are also generated by the national status quo. In Uganda, taxes are collected by the central government and then distributed as grants to districts; funding for municipalities is based in part on population sizes, which are determined from often outdated censuses. While Uganda's Local Government Act (1997) provides formulas for resource allocation including number of inhabitants, refugees and asylum seekers are not included in this equation. Despite decentralisation as a key policy reform for the Ugandan government in the early 1990s, municipalities still struggle to access the funding they need to operate. This issue is compounded by the fact that in Uganda refugee issues, and the concomitant international resources, are generally dealt with at a district level. UNHCR data on refugees in the country provides, for example, information on numbers in main refugee-hosting districts, but does not have more detailed figures of refugees' geographic locations except for estimates in camps and settlements. In Arua, as refugees are not formally counted as urban

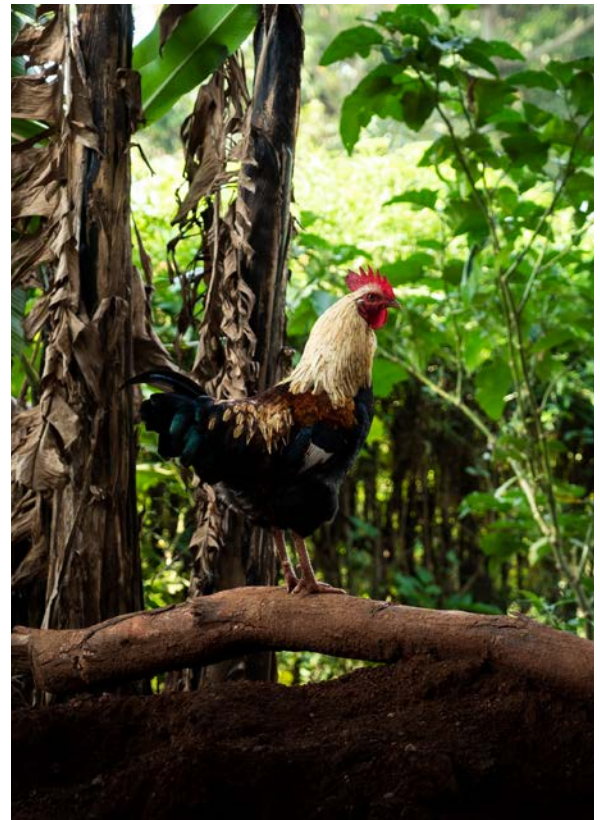
inhabitants, no additional funding is allocated to yearly budgets to account for the increased demand on services that this significant number of people create. This combination of lack of data and funding makes it very difficult for cities such as Arua to adequately plan and provide for all their residents (Lozet and Easton-Calabria 2020).



This in turn reflects a chicken-or-egg dilemma facing municipalities in many refugee-hosting countries: only recognising refugees as such if they are in settlements or in Kampala, rather than in other urban areas, leads to a lack of data on those urban refugees that have settled regardless of policy. However, as expanded on below, the 1951 Refugee Convention and its 1967 Protocol, both of which Uganda has ratified, define refugees in relation to persecution and other reasons for flight rather than where they are based within a host country. However, until this is recognised in the country, 'spontaneously settled' refugees in urban areas are at best invisible and at worst targeted and vilified. Of course, being invisible and in need is hardly a best-case scenario for either refugees or the cities and towns hosting them. The Arua census sheds light on how terminology can obscure the reality of forced migration: an examination of 'recent migrants' to Arua (defined as those who have arrived within the last five years) shows that a striking 95.1 per cent hold refugee status (UBOS 2021). However, because in past government censuses refugees have not formally counted as urban inhabitants, no additional funding has been allocated to yearly budgets to account for the increased demand on services that this significant number of people create.

If urban refugees were properly accounted for in censuses, the municipalities in which they reside would in theory receive more resources from the central government to support their populations, including refugees. The provision of support could then reflect the actual number of those in need, while also potentially shedding light on the contributions such as taxes that some refugees already offer urban areas.¹ Stronger health care systems designed for the real number of inhabitants of municipalities, rather than just their citizens, could be created. And in turn the health and well-being of both urban refugees and local citizens could be improved. International organisations might have the information needed to develop urban programmes in cities and towns where they do not currently operate.

¹ Please note the body of literature on tax contributions that refugees make in contexts of resettlement; however, this evidence is less robust in the Global South because of a lack of data collection and estimations that 70 per cent of refugees live in countries with restricted or no right to work. In part due to this, most refugees in the Global South work in the informal sector. Sources: UNHCR. 2020. "Livelihoods and Economic Inclusion" webpage. Available at: <https://www.unhcr.org/livelihoods.html> (Accessed 19 September 2020); CDG et al. 2020. *Locked Down and Left Behind: The Impact of Covid-19 on Refugees' Economic Inclusion*. Available at: <https://www.cgdev.org/sites/default/files/locked-down-and-left-behind-paper-71320.pdf> (Accessed 19 September 2020).



As one interview informant working in a major European donor agency explained,

"WITHIN THE CRRF, WHERE WE HAVE REPRESENTATIVES FROM DEVELOPMENT AND DONOR ACTORS - WE HAVE ALWAYS THE HUMANITARIAN RAISING THE URBAN REFUGEE ISSUES. FROM THE GOVERNANCE SIDE, WE ALSO HAVE PROJECTS ON IT, BUT THEY ARE MORE FOCUSED ON CITY-STRENGTHENING THAN URBAN REFUGEES DIRECTLY... WE MAY HAVE TO RECOGNISE URBAN REFUGEES IN OTHER CITIES...BUT WE ARE NOT THERE YET."

As mentioned in the quote above, the CRRF Secretariat and CRRF activities in Uganda may be one potential avenue for achieving wider recognition and support of urban refugees in secondary cities in Uganda. This could occur through projects targeting refugees and hosts in urban areas by sector, similar to the 2018 Education Response Plan for Refugees and Host Communities.

However, likely most significant and most necessary is a wider policy shift that takes into account UNHCR's 2009 Urban Refugee Policy and 2014 Policy on Alternatives to Camps, which acknowledges that in many cases camps are not the best environment for refugees and further reinforces refugees' right to freedom of movement. Promisingly, UNHCR Uganda has in recent years demonstrated a new degree of flexibility in its approach, exemplified by its recent decision to establish a new partnership with the Norwegian Refugee Council, which now implements urban programmes (NRC 2020). In September 2021, moreover, UNHCR's Kampala office convened a meeting on cities and their contribution to the Global Compact on Refugees at which a number of secondary urban areas were represented. Based on interviews with different UNHCR Uganda staff members, however, it is clear that most knowledge remains concentrated on settlements and resources directed towards refugees in them rather than those in urban areas. This in many ways makes sense following the Government of Uganda's settlement strategy, but further illustrates how humanitarian agencies operating in the country also need to further adapt to the reality of urban refugees.

Regarding Ugandan legislation in particular, it is also important to consider that while the 2006 Refugees Act's narrow definition of a refugee is often invoked by national actors, it also opens with the qualifications for refugee status that follow the 1951 Refugee Convention, which recognises refugees on the basis of persecution. The 2010 Refugee Regulations follow on from this, enshrining international obligations into domestic law. Uganda is also a signatory to the 1967 Convention Protocol and the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, which expanded the definition of refugee to include people feeling "external aggression, occupation, foreign domination or events seriously disturbing public order" (OAU 1969). Several clauses of the 2006 Refugees Act also create flexibility for recognised refugees to be settled elsewhere and even specifically states the role of local or urban councils in these situations:



PARA 44(2)

An applicant or refugee who may wish to stay in a place other than the designated places or areas may apply to the Commissioner for permission to reside in any other part of Uganda.



PARA 44(3)

A refugee who is authorised to stay in a place other than a designated place or area under subsection (2) of this section, may be required to report to the local or urban council of the area or to an authorised officer from time to time (GoU 2006).

Given the legislation that Uganda has already signed, and clauses such as those in the 2006 Refugees Act, it is arguable that much of Uganda's refugee policy is already 'fit for purpose' in terms of its ability to recognise urban refugees. Recent regional discussions on forced migration have also indicated an openness on the part of OPM to reconsider the settlement-based definition based on growing evidence of the presence of urban refugees, suggesting that legal recognition of urban refugees may be a distinct possibility.

Locally in Arua, recommendations put forth based on the outcomes of the census include the creation of a Local Government Refugee Desk that would coordinate relevant actors and provide information for refugees and the possibility to register as urban refugees. Such an office could function similarly to the registration process in Kampala at the Old Police Station and could help shorten lengthy registration processes both there as well as in the settlements. This in turn could better enable international organisations to work directly with refugees in urban areas (if the government's stance were to allow this).

Such possibilities link back to a more pivotal recommendation: increasing the provision of direct funding to secondary cities hosting significant numbers of refugees. Due to the limited allocation of funding to local authorities based on outdated census figures which do not take refugees into account, as described earlier, there is a central need for

increased levels of funding to these cities in order to not only directly assist refugees, but update and expand social goods used by refugees and hosts alike. Cities Alliance is in the process of developing a campaign for more direct financing to refugee-hosting cities in the West Nile region, which has been met with enthusiasm by external as well as many national actors. While the mechanism and source of financing are not yet defined, this initiative falls in line with important agendas such as the Grand Bargain on localisation, the Global Compact on Refugees, and the 2030 Sustainable Development Goals through the multi-pronged approach of both strengthening municipal authorities and increasing assistance to urban refugees. As a pilot CRRF country and a leader in progressive refugee policy, Uganda and its refugee-hosting cities have an important opportunity to further the rights of refugees in ways that support the country's urban development as a whole.



SECTION IV: CASE STUDY – KENYA



The comparison between Kenya, Uganda and Ethiopia regarding response and policies to the growing number of refugee crises is an interesting research area. Similar to its neighbouring countries, Kenya is also one of the top refugee-hosting countries in Africa. However, unlike Ethiopia and Uganda, Kenya has a restrictive encampment approach towards refugees and has denied refugees the right to work. As of the end of June 2021, Kenya is home to more than 521,000 registered refugees and asylum seekers where 44 per cent and 40 per cent are residing in Dadaab and Kakuma camps respectively (UNHCR 2021). Currently, most refugees are from Somalia, South Sudan, the Democratic Republic of Congo (DRC), and Ethiopia (UNHCR 2021).

Refugees living in urban areas account for 16 per cent (slightly over 82,000) which currently are all registered in Nairobi only (O’Callaghan et al. 2019). Although encampment has been put in place, there are a significant number of registered refugees living in urban areas such as Nairobi. Unfortunately, “These registered refugees (and an unknown number that are unregistered) live as urban refugees outside the camps, with their presence implicitly endorsed by the Kenyan authorities” (O’Callaghan et al. 2019). Despite the lack of official data on them, the presence of unregistered refugees in other urban areas is documented by various studies and accounts (Pavanello and Pantuliano 2010, Muindi and Mberu 2019, and Aidan and Duncan 2020).

Prior to the 2006 Refugee Act, Kenya lacked a national refugee legislation (O’Callaghan et al. 2019). The 2006 Refugee Act formally recognised “statutory and prima facie refugees.” Following the act, the Department of Refugee Affairs (DRA) was established which later in 2016 changed to the Refugee Affairs Secretariat (RAS) (ibid.). RAS is responsible for several major services including refugee status determination (RSD), registration, protection, documentation, repatriation, and relocation (Refugee Affairs Secretariat Kenya 2022).



KENYA'S GOVERNMENT STRUCTURE



The Republic of Kenya comprises the three branches of government: the executive, legislature, and the judiciary (Kenya Consulate Office). Based on the 2010 Constitution of Kenya, the structure of the government incorporates the national and county divisions which are autonomous but also interdependent. There are 47 counties each represented by a seat in the Senate (Kenya Consulate Office). These 47 county governments are "responsible for collecting taxes, user fees and charges and, in addition, Article 203(2) of the constitution stipulates that not less than 15 per cent of revenue raised nationally must be allocated to county governments" (CLGF 2018). Considered by many policymakers as one of Kenya's most significant governance changes since independence, the Devolution Act of 2013 followed the 2010 Constitution of Kenya to increase autonomy and accountability at local and regional levels for budget decisions and resource allocation and spending. This Act had a particular potential for impact among more marginalised counties such as Turkana (Vemuru et al. 2016). In addition, the Kenyan government introduced the Urban Areas and Cities Act in 2011, summarised in the box below.



BOX 3 KENYA'S 2011 URBAN AREAS AND CITIES ACT

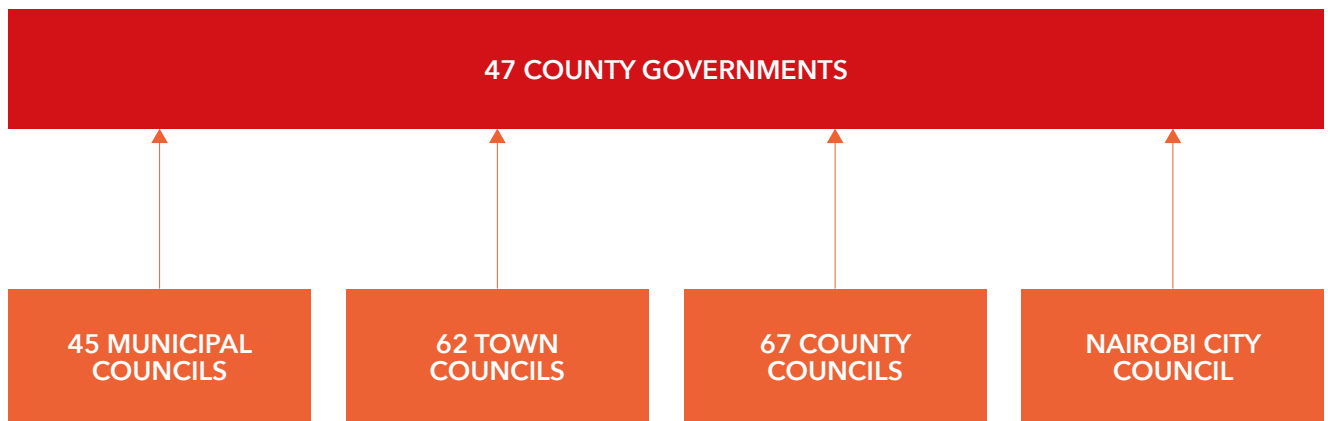
This Act describes the criteria for classifying urban areas and cities, i.e., the requirements for conferment of city, municipal, and town status. Part III of this document elucidates the governance structure for urban areas which are to be managed by city and municipal boards. Part V deals with the creation of integrated development plans for cities and municipalities as per the preparation process set out under the Third Schedule. Finally, the Second Schedule contains the rights of and participation by residents in the affairs of urban areas.

This Law was revised in 2015.

Source: UN Habitat, Urban Law Database

FIGURE 4

System of government and management of urban areas in Kenya (World Bank, 2016).



Local government structure and funding

Kenya's 47 county governments are further divided into different tiers of local government. According to Article 176, 2 of the constitution,

"EVERY COUNTY GOVERNMENT SHALL DECENTRALISE ITS FUNCTIONS AND THE PROVISION OF ITS SERVICES TO THE EXTENT THAT IT IS EFFICIENT AND PRACTICABLE TO DO SO"

(GoK 2010).

The source of funding for these local governments is from government transfers that are done through the Local Authorities Service Transfer Fund, locally collected revenue such as fees, property taxes and so on, and donor funding (Bosire n.d.). As mentioned above, although more responsibility has been given to counties since the 2013 Devolution Act, the longer history of exclusion in Turkana remains present. As one study found, "While there is a variation in the responses to the potential benefits

of devolution and oil and water discoveries, negativity arising from anger and frustration over years of being marginalised by the national government and corruption within the local government is revealed in almost every interview conducted in Kakuma, Lokichoggio, Lodwar, and Lorugum" (Vemuru et al. 2016).

This illustrates the importance of analysing intra-national governance processes with refugee-hosting countries to better understand how these factors may impact the assistance provided (or not) to both refugees and hosts.



REFUGEE RESPONSE IN TURKANA COUNTY

Turkana County is the second largest county in Kenya in terms of size and has an estimated 1,122,000 Kenyans and approximately 1,308,000 refugees (Lemuya 2019). Most residents of Turkana are pastoralists that have a semi-nomadic lifestyle (Beltramo and Pape 2021). The county's population has doubled in size within about a decade, with the major causes of urbanisation being refugee influxes, climate change-induced rural-urban migration, labour migration, and decentralisation and the devolution of resources (Lemuya 2019). Lodwar, Kakuma, and Kalobeyei refugee settlement are significant urban areas which are highly populated with refugees and climate-induced forced migrants. However, similar to other countries in East Africa, refugees are not included in the Kenyan census, making actual numbers hard to know.

The inclusion or discounting of different populations has real-world implications for people in the country, as government funds are released based on regional population size as well as constituency boundaries drawn up based on census data (BBC 2019).

At the same time, the inclusion of refugees into the Turkana County Integrated Development Plan (CIDP) and the development of the Kalobeyei Integrated Socio-Economic Development Programme (KISEDPP), which is based on the Local Economic Development (LED) approach and provides "roadmaps for collaboration between public, businesses and NGO partners" (Owiso and Manji 2020), are positive examples of refugee integration and can be considered successes for the CRRF. In particular, the role of Turkana County as a local government in pushing for refugee inclusion and the recognition of refugee issues has been important.



This is even specifically mentioned in UNHCR's two-year assessment on the progress of the CRRF approach:

"THERE IS EVIDENCE THAT GREATER FOCUS ON LOCAL AS WELL AS NATIONAL STRUCTURES WOULD INCREASE THE EFFECTIVENESS OF THE CRRF. EVIDENCE FROM KENYA AND UGANDA DEMONSTRATE THAT LOCAL GOVERNMENT STRUCTURES PLAY AN IMPORTANT ROLE IN COORDINATING AND LEADING REFUGEE RESPONSES. FOR EXAMPLE, THE KAKUMA COUNTY INTEGRATED DEVELOPMENT PLAN 2013-2017 HIGHLIGHTS THE ROLE OF LOCAL AUTHORITIES IN INCORPORATING REFUGEES IN LOCAL PLANNING"

(UNHCR 2018).



The inclusion of refugees into the CIDP means that refugees are included in planning for a variety of sectors ranging from health care to WASH to spatial planning. However, despite positive acclaim, research conducted by the EU Trust Fund found that the actual participation of both refugees and local officials in these processes was limited, with some stakeholders inadequately included: “Local governance stakeholders interviewed had the opinion that the county structure is best placed to articulate the hopes, desires and fears of the community in relation to the CRRF rollout. In other words, they called on the national government to cede more powers to the counties to take the frontline in championing the rollout process” (Owiso and Manji 2020).



Kakuma camp

Kakuma camp is home to 212,461 refugees as of June 2021 (UNHCR, 2021). The crises in Somalia and South Sudan have contributed to the increasing number of refugees (Vemuru, et al. 2016). Unfortunately, one UNHCR study found that both host community and refugees live in severe poverty and vulnerability (Beltramo and Pape 2021). The study indicates that “68 percent of Kakuma refugees...live below the poverty line of \$1.90 per day. Strikingly, the immediate surrounding host community in Turkana County is even more impoverished, with 72 percent living in poverty” (Beltramo and Pape 2021).

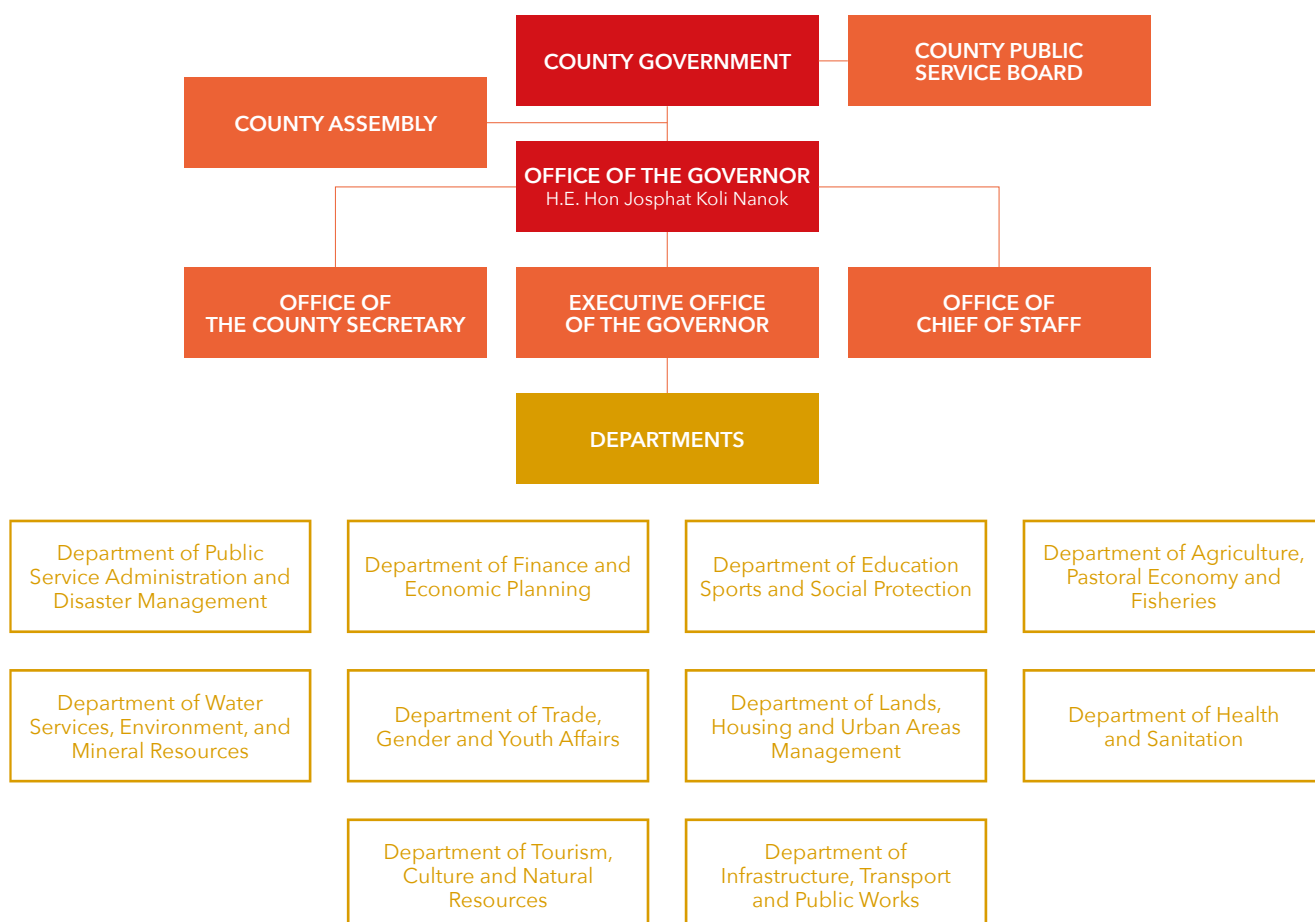


Kalobeyei settlement

The Kalobeyei settlement was opened in 2016 in Turkana County to accommodate the rising numbers of refugees in the Kakuma camp with the aim of helping refugees transition from an aid-based model to a self-reliance model (Betts et al., 2018). In addition to creating economic inclusion, this different approach also sought to increase interactions with the host community to further promote integration. Although the aim of Kalobeyei resettlement camp was to help refugees relocate from Kakuma camp, an unforeseen influx of refugees from South Sudan required emergency assistance. Therefore, the implementation of Kalobeyei model came with a compromise in that both emergency as well as the envisioned development support were required (Betts et al. 2018).



FIGURE 5
Overview of the Turkana County government.



EXAMINING THE IMPACT OF CLOSING KAKUMA ON TURKANA COUNTY

In 2021 the Government of Kenya announced it planned to close down the Dadaab and Kakuma refugee camps. While this plan has now been postponed, the possibility of camp closures in the near or distant future comes with huge considerations. First and foremost are refugees' safety and access to protection. Closures will also have significant ramifications on the regions that host the camps. For example, the growth of Kakuma-Kalobeyei town is uncertain as the future of the town itself is strongly linked to the presence of refugees.

One report states,

"[H]UMANITARIAN AND DEVELOPMENT INTERVENTIONS IN THE AREA HAVE NOT CREATED SUFFICIENT RESILIENCE CAPACITY TO ENSURE MINIMUM NEGATIVE IMPACTS IN THAT EVENTUALITY [OF THE CAMP CLOSING]. FUNDAMENTALLY, KAKUMA-KALOBYEI NEEDS TO BE IMAGINED BEYOND A REFUGEE-BASED ECONOMY, WITH A FOCUS ON INVESTING IN THE LONG-TERM SOCIO-ECONOMIC DEVELOPMENT OF THE LOCAL AREA. HOWEVER, THIS IS NOT THE CASE WITH THE SECONDARY CITIES LIKE ELDORET, KITALE AND LODWAR, AND OTHER SMALL TOWNS IN THE REGION WHERE RURAL-URBAN MIGRATIONS ARE THE MAIN DRIVERS OF URBANISATION, AND WHERE HUMANITARIAN INFLOWS ARE NOT DETERMINANTS OF THE STRUCTURE OF THE LOCAL ECONOMIES"

(UN-Habitat 2021).



Other examples of camp closures from Kenya suggest that refugee-hosting regions may experience economic decline due to aid withdrawal and a loss of refugee-related international investments. For example, after a temporary camp in the town of Lokichoggio was closed in 1992 and the camp relocated to Kakuma town, Lokichoggio struggled economically due to the loss of refugee-based operations. In Turkana, one could imagine a similar challenge compounded by the loss of the significant international recognition and financial and political capital the region has gained through its engagement with refugees.

At the same time, the unique arrangement of the Kalobeyei settlement could offer an important model and lessons for integrating refugees and hosts in camps and settlements even after they officially close. In part this is due to the collaboration of both the Government of Kenya, Turkana County, UNHCR, and other partners in the local handover of services as well as the role of KISED in the region, which has been expanded into a development plan for all of the Turkana West sub-county. Through this expansion, the impact of refugees on the region as well as the positive implications possible from hosting large numbers of refugees has been recognised. The model also illustrates some of the ongoing challenges of embedding local growth into larger economies to encourage growth and sustainability in both

camp and non-camp-based settings. Betts et al. (2019) write of the limited self-reliance of refugees in Kakuma and Kalobeyei, noting that both economies are comprised almost solely of international assistance and that,

"SELF-RELIANCE ULTIMATELY RELIES UPON FOSTERING ECONOMIC GROWTH AND CONNECTING KAKUMA, KALOBYEI, AND TURKANA COUNTY TO THE NATIONAL AND GLOBAL ECONOMIES ... THE MOST VIABLE MEANS FOR INTERNATIONAL ACTORS TO PROMOTE THIS [SELF-RELIANCE] IS BY INVESTING IN SELF-RELIANCE ENABLING FACTORS, SUCH AS BETTER PUBLIC GOODS PROVISION, IMPROVED SOCIAL COHESION BETWEEN REFUGEES AND HOSTS, AND IMPROVED MARKET REGULATION."

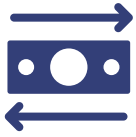
Such statements highlight the importance of key tenets of the CRRF, particularly promoting a development approach in refugee situations, and underscores many of the aims of the Kakuma-Kalobeyei settlement itself, including those yet to fully materialise.

DISCUSSION: TURKANA COUNTY AND INTERNATIONAL REFUGEE RESPONSES

While both Kakuma and Kalobeyei are in remote regions of Kenya, they have strong links to both the government and international actors. Kenya's status as a pilot country for the CRRF and the related emergence of KISED P and the development of the Kalobeyei settlement illustrate this. However, despite the stated importance of local engagement in the CRRF and the mention of refugees and KISED P in the Turkana County Integrated Development Plan, in reality Turkana County is excluded from much of the funding and governance of refugee assistance. It does not, for example, directly manage CRRF funding, illustrating a key tension between localisation in rhetoric and in practice.

One community representative of the CRRF in Kenya explained, "The funding of CRRF is not visible – even ministers say they have not heard of funding in Kakuma. The CRRF funding goes through the central government, but it doesn't drop down to local levels like it should. So, it is a good idea but it's not visible...When I was in Uganda everyone was talking about it, but here in Kenya, when you talk about CRRF, no one knows."

When one considers existing tools to address ongoing and arising challenges, the CRRF and by extension KISED P come to mind. Both lay out pathways for sustainable development and assistance to refugees and hosts alike – aims which are clearly needed in Turkana County. However, it appears that limited autonomy over the CRRF process and funding exists in Turkana, which limits both planning and implementation. This appears to be in contrast to devolution, which is seen as an opportunity to institutionalise local management and offers a means to promote urban and other development in the region. Turkana County – like many others in Kenya – struggles with municipal financing challenges, which direct CRRF funding could in part address, while cities in other parts of the country continue to host 'invisible' refugees without support.



"THE FUNDING OF CRRF IS NOT VISIBLE - EVEN MINISTERS SAY THEY HAVE NOT HEARD OF FUNDING IN KAKUMA. THE CRRF FUNDING GOES THROUGH THE CENTRAL GOVERNMENT, BUT IT DOESN'T DROP DOWN TO LOCAL LEVELS LIKE IT SHOULD. SO, IT IS A GOOD IDEA BUT IT'S NOT VISIBLE...WHEN I WAS IN UGANDA EVERYONE WAS TALKING ABOUT IT, BUT HERE IN KENYA, WHEN YOU TALK ABOUT CRRF, NO ONE KNOWS."

CRRF community representative in Kenya



SECTION V: TAKEAWAYS ON REFUGEE GOVERNANCE IN EAST AFRICA



As the previous sections have illustrated, Ethiopia, Kenya, and Uganda each sit on a different part of the spectrum of responses to refugees and IDPs, thereby presenting an interesting comparison in terms of governance. Uganda has a more open-door and unrestrictive policy towards refugees, although this becomes more nebulous in regard to urban areas.

Ethiopia also has an open-door policy, and the country has been shifting to an unrestrictive approach and expanding the 'out-of-camp' policy, albeit with mixed implementation. At the same time, Ethiopia has also faced a continuous major IDP crisis since 2017 and is currently in a civil war between a regional government and the federal government. In contrast, Kenya has a restrictive (encampment) approach towards

refugees, with the government denying refugees the right to work and limiting their movements outside of camps. Dramatically, the Kenyan government has also issued an ultimatum to UNHCR to provide a road map for closing both Dadaab and Kakuma camps, which will in turn have significant ramifications for the counties that host them.

In terms of general governance, all three countries have a decentralised system and power is devolved. However, they all follow different government structures. Ethiopia has a federal government structure with 10 regional states which are subdivided into different levels of local governments. Uganda has a central government system with a five-tier local government structure. Finally, Kenya has a national government and 47 county divisions. Despite all being decentralised systems, the structure of the system, including funding structures, as it relates to local levels is in cases nebulous in policy

documents. There is also a gap in resources and information on the ways local governments address the issue of forced migration, suggesting responses are often ad hoc or in cases very limited. At the same time, the local governance structures in each country all have the potential to be engaged with on issues of displacement; indeed, sub-units such as *kebele* in Ethiopia and different levels of councils in Uganda are important representatives for refugees and IDPs, because it is at this local level that most interactions between displaced people and governments actually take place. While these units may be too small for international actors to fund directly, taking the views of local councils into account can shed light on the actual day-to-day situation of displacement; it was at the *kebele* level in Adama, for example, that IDPs were first provided with assistance.



to forced displacement, several key findings emerge. First, all three countries lack reliable data on the number of refugees living in urban areas. Most data available shows refugees living in rural areas (particularly near border areas) and settlement camps. Resources and information on urban refugees are very limited. In most cases, the number of urban refugees is low because of the lack of registration in urban areas, because refugees register in camps but live outside of camps, and/or because data does not include unregistered refugees living in urban areas. In some cases, refugees born in displacement may not be included in the data as well. As a result, there is a huge information and data gap, which in turn impedes the ability of local municipalities to support forcibly displaced people as well as ensure adequate resources for all their inhabitants. This in turn represents in some cases a tension between municipal or regional governments and the federal governments of each country, which hold the majority of funds from taxes and is often the main recipient of donor funds.

However, it also clear that local governance does not remain 'local', but instead often necessitates discussion and collaboration with national ministries and other government departments as well as regional bodies such as IGAD and civil society organisations at local, regional, national, and international levels. The case studies explored here illustrate this need as well as the greater and lesser extent to which it occurs. The development of the Adama emergency IDP committee to address the varying needs of the IDPs illustrates an important inter-sectoral way to share information across local government ministries as well as potentially identify holistic solutions to challenges faced by IDPs. The Community Development Forum in Arua is another example where specific issues of displacement could be broached to representatives from a variety of sectors.





Other research exploring municipal responses to irregular migrants highlights the positive role of working groups in municipalities to address related issues such as health care, education, access to information, and access to justice (Delvino and Spencer 2019). In Ghent, Belgium, a Municipal Steering Committee on Migrants with Irregular Stay was established, as another example, consisting of both municipal authorities including the mayor and civil society organisations. Twice a year the city holds a migration forum where stakeholders are engaged by the mayor in policy and practice relating to irregular migrants (ibid.). In a guidance document for cities on the local inclusion of refugees and migrants, the value of mobilising local multi-stakeholder networks by local authorities is also highlighted, with networks including NGOs, migrant and refugee associations, and private businesses (OECD et al. 2020).

YET WITHOUT PROPER DATA OR FUNDING, IT IS NOT SURPRISING TO LEARN ABOUT STRETCHED LOCAL GOVERNMENTS STRUGGLING TO ADDRESS THE ISSUE OF FORCIBLY DISPLACED PEOPLE IN ALL THREE COUNTRIES. WHILE SOME POSITIVE CASE STUDIES EXIST, SUCH AS STRONG COMMUNICATION BETWEEN THE LOCAL GOVERNMENT OF ADAMA AND THE OROMIA REGIONAL GOVERNMENT IN ETHIOPIA AND THE WIDESPREAD LOCAL RESPONSE TO ADDRESS AN INFLUX OF IDPs, THESE EXAMPLES APPEAR TO BE FEW AND FAR BETWEEN.

Most available government literature for all three countries does not include information on the funding structure and allocation of budgets to local governments, particularly to support refugees and IDPs. There is no specific mention of emergency funds or funds for registering refugees and IDPs in urban settings – which is also not a surprise as urban refugees in particular are not legally recognised in most cities in any of the three countries covered. Instead, the central government, and sometimes regional or district governments, are predominantly responsible along with international partners and donors for addressing forced migration crises in Ethiopia, Uganda, and Kenya.

While this arrangement is not in and of itself an issue, there appear to be problematic gaps in communication, funding, and the devolution of leadership to local municipalities and counties experiencing influxes of forcibly displaced people. Turkana County, Kenya, for example, has no formal leadership role over the funds of the Comprehensive Refugee Response Framework, despite localisation being an important piece of it. This in turn illustrates the particular role that refugee-hosting secondary cities and counties have within a larger network – which is at times both enabling and confining – of national, regional, and international policies and frameworks relating to forced displacement. While some policies such as IGAD's Kampala Convention would seem to support the movement of refugees into cities to work and improve their livelihoods, other national policies pose restrictions. Key to each of these case studies is the role of localisation within refugee governance, as cities seek to gain the resources and tools they need to host the displaced people who – formally acknowledged or not – continue to arrive.

RECOMMENDATIONS

The following recommendations seek to improve the ability of successful local governance in addressing urban displacement:

National governments hosting refugees and IDPs should:



Promote easy and reliable access to information and data. They should invest in collecting important data such as census and demographics of forcibly displaced people. This would help governments plan and allocate budgets, and the easily accessible information could help potential international donors gather adequate information to allocate funding to cities.



Revise national policies to allow forcibly displaced people to legally reside in urban areas, thereby reflecting the reality that significant numbers of urban refugees and IDPs already exist.



Open sub-bureaus of refugee affairs at the local level in municipalities across countries.



Involve local governments in the design, budget allocation, and implementation of refugee and IDP responses.

Local governments hosting refugees and IDPs should:



Increase registration centres for urban refugees and IDPs. In addition, registration systems and mapping exercises should be introduced and expanded.



Promote inclusive urban development projects which include forcibly displaced people as well as the urban poor.



Increase their collaboration and connection with central governments. This is essential. Specifically, local governments should increase cooperation with the Ethiopian Administration for Refugee and Returnee Affairs, Kenyan Refugee Affairs Secretariat, and the Ugandan Office of the Prime Minister, Department of Refugees. Ideally this would support the creation of government sub-offices to register refugees and IDPs in urban areas.



International organisations and donors should:



Allocate funding to conduct field studies on urban forcibly displaced people to increase data on urban refugees and IDPs in secondary cities as a means of advocacy and to improve programming.



Focus on the localisation component of the CRRF as a much-needed outcome of CRRF pilots, including through the identification of where barriers within levels of refugee-hosting governments exist and how they can be addressed.



Increase collaboration directly with local governments for programme design and implementation and increase direct funding to secondary cities hosting large numbers of displaced people.



Building on the Global Compact on Refugees, increase work with local urban actors ranging from municipal authorities to faith-based and community organisations, including refugee- and IDP-led organisations.



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