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AND IDP ADVISORY TEAM



Real-time evaluation of UNHCR's IDP operation in Uganda

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Evaluation summary

Introduction

In January 2007, UNHCR issued a document titled 'Policy framework and implementation strategy: UNHCR's role in support of an enhanced humanitarian response to situations of internal displacement'. The primary purpose of this document was to set out the key principles and objectives guiding UNHCR's engagement with internally displaced persons (IDPs) in the context of the UN's humanitarian reform process, and in particular, within the new institutional arrangements known as the Cluster Approach.

This real-time evaluation (RTE) report is one of a series which seeks to analyse and assess UNHCR's initial experience in the implementation of the Cluster Approach, with the aim of identifying lessons learned and effective practices which may be drawn upon as that approach is rolled-out to other operations. The evaluation process also provided an early opportunity to review field operations in the light of the IDP policy framework referred to above, together with UNHCR's policy paper on 'The Protection of IDPs and the Role of UNHCR', issued in February 2007.

The countries selected for evaluation are those in which the Cluster Approach was first activated (Democratic Republic of Congo, Liberia, Somalia and Uganda), together with Chad, where a 'cluster-like' arrangement was in place at the time when the first RTE was undertaken.

Evaluation process

This evaluation report is based on a mission to Uganda undertaken from 11 to 18 June 2007. The evaluation team consisted of three UNHCR staff members: Claire Bourgeois (IDP Advisory Team), Jeff Crisp (Head, Evaluation and Policy Development Service) and Neill Wright (Senior Coordinator IDP Operations). The team visited IDP locations and held consultations with beneficiaries in Gulu, Kitgum, Pader and Liria districts, as well as at Kiryandongo refugee camp in Masindi.

In both Kampala and northern Uganda, meetings were held with a wide range of stakeholders, including UNHCR staff, representatives of national and local government, the IASC and UN Country Teams, the NGO community and the International Committee of the Red Cross. Workshops on the humanitarian reform process were conducted for UNHCR staff in both Kampala and northern Uganda, and initial findings and recommendations from the evaluation were presented to UNHCR personnel and other stakeholders immediately prior to the mission's departure from Uganda. Those recommendations are summarized below.

Recommendations

Operational strategy

- UNHCR and the humanitarian community must acknowledge the profound problems that continue to affect northern Uganda, recognizing that an operational strategy based on the assumption of a full and speedy return of IDPs to their home sites will be neither appropriate nor effective.
- In accordance with analysis presented by the Emergency Relief Coordinator to the Security Council, UNHCR and the humanitarian community must adopt an operational strategy that gives equal and simultaneous attention to IDPs in mother camps, new sites and home sites.
- Additional efforts should be made to gain a fuller understanding of IDP patterns of movement, needs, intentions and aspirations. In addition to an expanded profiling process, wider consultation with beneficiaries is needed, based on the principles of Age, Gender and Diversity Mainstreaming.

The Cluster Approach

- Renewed efforts are needed by all Clusters to improve the coverage and consistency of the humanitarian operation and to ensure that minimum standards are met.
- UNHCR Kampala and the Global Shelter Cluster should identify and seek to fill the gaps that exist in the area of shelter.
- Immediate steps should be taken to train relevant personnel in the art of facilitation, focusing on the need to ensure that Cluster meetings are kept to a minimum and that they are brief and action-oriented.
- UNHCR, OCHA and other members of the IASC Country Team should review and enhance the approach currently taken to the issues of information management, inter-cluster coordination and cross-cutting humanitarian issues.
- UNHCR should strive to ensure that the accountability mechanisms incorporated in the Cluster Approach are activated when necessary, so as to ensure that cluster leadership responsibilities are fully and effectively exercised.

UNHCR staff and structure

- UNHCR should ensure that all staff members in Uganda are familiar with the contents of relevant policy and guidance documents relating to IDPs, the Cluster Approach and the broader process of humanitarian reform.
- The Office should strive to ensure that new IDP operations deploy a critical mass of experienced personnel, that staff turnover is limited and that new and junior employees receive appropriate induction training.

- UNHCR should review both the number and nature of the staff currently deployed in Uganda so as to ensure that the Office can effectively discharge its responsibilities towards IDPs and refugees.
- Staff members deployed in operations where the Cluster Approach has been activated should receive dedicated training and support in the area of cluster facilitation.
- UNHCR personnel should refrain from any actions that call into question the commitment of the Office to an enhanced inter-agency humanitarian response.
- Further efforts should be made to ensure that the UNHCR programme in Uganda is effectively integrated, so as to avert the risk of a structural gap between the IDP and refugee components of that programme.

Protection Cluster

- Drawing upon experience from Uganda and other countries, UNHCR should develop a closer working relationship with the Office of the UN High Commissioner for Human Rights in IDP situations, working in close association with ICRC and other agencies with protection mandates.
- UNHCR and the Protection Cluster in Uganda should document and analyze the 'freedom of movement' initiative undertaken in Uganda, so as to identify lessons learned from the experience and to assess its applicability in other IDP situations.
- UNHCR should ensure that the impact of the operational activities undertaken by the Protection Cluster is effectively monitored, recorded and reported to donors.
- The Office should ensure that UNHCR's involvement in operational protection activities is discussed by the Protection Cluster, so as to define and place a limit on the initiatives that UNHCR is able to support.
- As the IDP operation in Uganda evolves, the Protection Cluster should give increased attention to the related issues of land disputes and access to justice, including civilian policing, ensuring that these issues are approached in a gender-sensitive manner.
- UNHCR and the IASC Country Team should examine and strive to implement the recommendations of the recent Women's Commission report, 'Listening to youth: the experiences of young people in northern Uganda', especially those relating to the issues of education, livelihoods and cultural activities.

Camp Coordination and Camp Management Cluster

- CCCM activities in Uganda must be adequately resourced, extended to all locations and undertaken in close cooperation with local authorities and established coordination mechanisms.

- The CCCM Cluster should elaborate upon the notion of ‘viable communities’ so as to define the concept more precisely, to establish benchmarks for the attainment of this objective and to assess the applicability of the concept to other IDP situations.
- There is a continued need for the development and dissemination of the CCCM strategy, supported by effective cluster leadership and field staff training.
- In the context of the UNHCR staffing review proposed by this evaluation, special attention should be given to the deployment of sufficient personnel in the areas of community services, logistics, programme and administration.

National and local authorities

- Greater efforts are required on the part of the humanitarian community to ensure the engagement of national and local actors in countries where the Cluster Approach is activated.
- In the specific circumstances of Uganda, such a strategy should include the establishment of a Memorandum of Understanding between the IASC Country Team and the government on IDP issues; additional local capacity-building efforts; the development of district level IDP plans; the introduction of new registration requirements for international NGOs; and new efforts to ensure the engagement of local NGOs and CBOs.

Sustainable solutions

- Given the scale of the IDP problem in northern Uganda and the absence of development and reconstruction activities, donor states should continue to provide generous support to humanitarian activities in the area.
- Donor states should also use their influence to ensure that northern Uganda is effectively incorporated in the country’s development plans and programmes.
- The IASC Country Team should encourage and assist the authorities to finalize the Peace, Development and Reconciliation Programme for the north of the country and to fully implement Uganda’s national IDP policy.
- The Resident/Humanitarian Coordinator and IASC Country Team should ensure that the activities of the Early Recovery Cluster are commensurate with the challenge posed by the evolution of the IDP operation in northern Uganda.
- UNHCR should ensure that it is not drawn into early recovery activities that lie beyond the mandate, competence and resources of the Office.
- In view of the fluidity of the situation in northern Uganda, UNHCR should exercise considerable caution in developing an ‘exit strategy’. There is a particular need for the Office to examine the practical application of the benchmarks that have been established in relation to durable solutions for IDPs.

UNHCR's IDP operation in northern Uganda

The operational context

1. For the past two decades, northern Uganda has been devastated by an armed conflict in which the rebel Lord's Resistance Army (LRA) has been pitted against the government and its armed forces, the Ugandan People's Defence Force (UPDF). In the early stages of the conflict, large numbers of civilians fled their homes spontaneously, often seeking safety in the vicinity of local trading centres. As the violence continued, many more people were forced to leave their homes at short notice by the UPDF, whose counter-insurgency strategy consisted of confining the civilian population to camps that were described as 'protected villages'. At the height of the displacement, Uganda's IDP population stood at some two million, the largest in the world.
2. Since the government and LRA announced their intention to negotiate a peaceful end to the conflict, and particularly since the signing of a Cessation of Hostilities agreement in August 2006, there has been a substantive improvement in the security situation in the north of the country. The LRA's attacks on the civilian population have been halted, the UPDF's presence has been scaled down and assumed a less dominating character, while freedom of movement and humanitarian access have been considerably improved. The phenomenon of 'night commuting' (whereby members of the population sought safety in towns during the hours of darkness) has come to an end. Substantial numbers of IDPs, some 700,000 in total, have left their camps, either to return to their original places of residence or to establish new settlements from which they can access their ancestral lands.
3. The humanitarian situation in northern Uganda is now, as one international NGO has observed, "ripe with opportunity but still uncertain."¹ The opportunity presented to central and local government, humanitarian actors such as UNHCR and to the development community is to enable the IDPs to make a free choice about their future and to support their efforts to establish a more peaceful and productive way of life.
4. The uncertainty derives from the unfinished nature of the peace process and the immense challenge of promoting the protection, reintegration and settlement of a very large and widely dispersed IDP population. That challenge is reinforced by the fact that many have been displaced for a decade or longer, during which they have experienced persistent violence and insecurity, confinement to densely populated camps and very limited access to livelihoods opportunities. As a result, a process of social and cultural disintegration has occurred, involving high levels of alcohol abuse, gender-based violence, early marriage and HIV-AIDS.
5. It should be noted that some districts of north-east Uganda are affected by an additional problem of internal displacement, caused by the activities of warriors and cattle raiders from the Karamajong area of eastern Uganda. UNHCR is not involved

¹ American Refugee Committee International, 'Informed voluntary and secure: ensuring choice for displaced communities in Uganda, June 2007.

in this situation and the evaluation mission did not travel to these parts of the country. The report consequently makes no recommendations on this issue.

The current situation: IDP movements and motivations

6. The Refugee Law Project at Kampala's Makerere University has provided a useful typology of the principal forms of settlement where northern Uganda's IDPs and former IDPs are now to be found. These consist of:

- longstanding 'mother camps', where displaced people were accommodated for long periods of time prior to the recent cessation of hostilities;
- 'decongestion sites', which were established by the government in 2005-2006 in an attempt to move IDPs away, on both a voluntary and mandatory basis, from the overcrowded and unhealthy conditions found in the mother camps;
- 'new settlements' or 'satellite sites', established by groups of IDPs in their parishes of origin, close to their former homes and farms; and,
- 'home sites', those locations where the IDPs were living at the time when they were first displaced.²

7. Those IDPs who are to be found in the new settlements are the most mobile, in the sense that they normally retain a close connection with their mother camp (on average some 15 kilometres away) visiting it periodically to collect food rations, access services and to see their children, who are often left behind to continue their schooling. As well as separating family members, this pattern of movement has placed the young people concerned at greater risk of sexual violence and exploitation, including early marriage.

8. The scale and nature of IDP movement between these different sites varies very considerably from one part of northern Uganda to another, partly because of the role the authorities have played in declaring different areas to be secure and in authorizing returns to those areas. In the Acholi region (including Gulu, Kitgum and Pader districts), which has the worst history of violence and displacement, movement out of the mother camps has been quite tentative.

9. By May 2007, only one per cent of the IDPs had returned to their home sites, while a further 24 per cent had moved to new settlements, leaving 75 per cent of the IDP population, more than 800,000 people, in the mother camps. In the Lango region (including Liria district), however, where the conflict was shorter in duration and less devastating in its consequences, 75 per cent of IDPs (more than 350,000 in number) had already returned to their villages of origin by May 2007, leaving some 110,000 in camps.

10. In deciding whether to move and where to move, northern Uganda's IDPs are confronted with a number of different considerations. Many are evidently eager to escape from the restricted way of life they have endured in the mother camps and

² 'Rapid assessment of population movement in Gulu and Pader', Refugee Law Project, Makerere University, June 2007. This briefing paper has been of particular value to the RTE team in the preparation of this section of the report.

wish to benefit from the improved security that now prevails in their home areas. At the same time, the IDPs are also leaving the mother camps because they are unable to pay the high rents that local people are now demanding for the use of their land, and because the food provided by WFP in those camps has in some instances been reduced to 40 per cent of a full ration.

11. Other factors are at play in limiting the scale of the homeward movement and in deterring many IDPs from returning all the way to their home sites. After two decades of a brutal conflict that affected almost every household in northern Uganda, and at a time when the peace process remains to be concluded, levels of fear remain high, leading people to feel safer in the mother camps or new sites than in their isolated homesteads.

12. Land mines and unexploded ordnance (and the limited extent to which land mine information campaigns have been carried out) provide an additional impediment to the homeward movement in some parts of northern Uganda, as does the absence of civilian police and a lack of information on conditions in areas of potential return. During the past two decades, moreover, the IDPs (including a high proportion of children, many of whom were born and brought up in the camps) have become habituated to more collective forms of settlement. Some have lost their parents and do not even know where their 'home' and 'ancestral land' is to be found.

13. Last but by no means least, the sheer difficulty of life in the new sites cannot be exaggerated. Many of the IDPs interviewed in those sites by the RTE mission were living at the most abject level of subsistence, foraging for food in the bush or engaging in exploitative forms of labour in order to secure a minimal income. An elderly woman in Gulu district, for example, told the mission that she had earned just 100 shillings (75 cents) for clearing and digging a plot of land of more than 150 square metres.

14. Many other IDPs who have left the mother camps complained of the minimal levels of assistance they have received since establishing the new sites, a claim supported by the absence of the most basic resources and services in those sites, as well as indications that malnutrition rates in areas of return are higher than those found in the mother camps.

15. During a lively meeting with IDPs in a 'satellite site' close to Kitgum, residents identified a number of key concerns:

- the lack of food distribution in the new site, which obliged them to go back to their mother camp on a periodic basis, even though they did not always know when distributions would take place;
- the absence of access roads to their farming land and ancestral homes, which hindered their efforts to grow and market their crops and which made them feel less secure;
- the lack of educational provision for their children. Although the residents of the site had erected a basic school structure, they had no furniture to put in it and no accommodation for teachers;

- a shortage of farming tools, meaning that that older children living at the site were unable to contribute to land clearing and agricultural production because they had no implements to use: and,
- the inability of the community to care for its more vulnerable members, especially widows with large numbers of children, given the limited availability of non-food items such as buckets, blankets, mosquito nets and plastic sheeting.

16. As indicated by the residents, concern about the welfare of female-headed households and other people with special needs is an enormously important one in the context of northern Uganda, where a significant proportion of the population are sick, disabled or traumatized, have lost their partners or children, or who have been victims of abduction, rape and other forms of gender-based violence. In the short term at least, it seems likely that many members of the community with such special needs will remain in the mother camps, where rudimentary services are available, while the fitter members of the population move out of the camps to clear the land and erect dwellings in the new settlements and home sites.

17. Taking all of these factors into account, it seems likely that a significant minority of the IDPs - up to 30 per cent in Acholi according to one NGO estimate - will stay in their mother camps for the immediate future, and may choose to settle in those locations on a longer term or indefinite basis. These circumstances make it incumbent upon the humanitarian community to acknowledge the profound problems that continue to affect northern Uganda, to be wary of overemphasizing the progress and impact of the peace process, and to recognize that a strategy based on the assumption of full and speedy return to home sites will be neither appropriate nor effective.

18. In the words of UN Emergency Relief Coordinator Sir John Holmes, "the situation, with most people still in camps, some in halfway house satellite areas and others already beginning to return home, presents us with a triple challenge... These three phases will co-exist, often in close proximity, creating a complex situation which demands a flexible and highly coordinated approach."³ Such an approach will also require sustained support from the international community and the active engagement of the Ugandan authorities.

Cluster activation, management and impact

19. Jan Egeland, who preceded Sir John Holmes as the UN's Emergency Relief Coordinator (ERC), played a significant personal role in bringing the 'forgotten emergency' of northern Uganda to the attention of the international community from 2003 onwards. These advocacy efforts, which encouraged and were supported by a more assertive approach to the situation in northern Uganda on the part of the UN Security Council, also coincided with the establishment of the Humanitarian Response Review (HRR) and the formulation of the Cluster Approach. Unsurprisingly in these circumstances, northern Uganda was selected to be one of the first countries selected for the implementation of this new model of humanitarian coordination.

³ Statement to the UN Security Council, 22 May 2007.

20. The Cluster Approach was formally adopted in Uganda in January 2006, and initially entailed the establishment of four clusters: Early Recovery led by UNDP, Health and Nutrition under the World Health Organization, Water and Sanitation led by UNICEF, and Protection under UNHCR. Camp Coordination and Camp Management (CCCM) which started out as a sub-cluster under the Protection Cluster, subsequently became a cluster in its own right, also under UNHCR leadership.

21. There is a broad consensus in Uganda that the process employed to activate the Cluster Approach was not an optimal one. It was introduced with relatively little consultation with the UN or IASC Country Team, leading to a clear sense that it had been imposed upon them. As a result, agency buy-in to the approach was initially very limited.

22. This situation was compounded by the fact that the Cluster Approach was introduced to Uganda at short notice and at an early stage of the roll-out process. Little or no guidance was available to organizations responsible for the practical application of the Cluster Approach, and the Global Clusters were not at this point in a position to provide substantive support to the field. In addition, the Cluster Approach appears to have been superimposed upon a number of existing coordination mechanisms, many of which involved national and local government bodies who felt by-passed by the new arrangements.

23. The strong dissatisfaction generated by these features of the initial activation process had a longer-term impact. A year after the introduction of the Cluster Approach, an inter-agency workshop concluded that understanding of the HRR process in the field was still “minimal” and that the activation of the Cluster Approach had been “a Headquarters driven process that did not allow any time for preparation in country... The objectives of the approach remain unclear.”⁴

24. The activation of the Cluster Approach in Uganda was complicated further by a number of other factors: continuing insecurity and limited access in the north of the country, the absence of a dedicated Humanitarian Coordinator in the UN Country Team, and the sudden arrival of a significant number of international NGOs (“parachuting in from the moon” in the words of one local government official), wishing to contribute to the humanitarian operation.

25. Suspicious of the UN’s motives in initiating the Cluster Approach, which some NGOs felt was an attempt to exclude them, and disinclined to work closely with government structures, the newly arrived agencies introduced another complication to a situation where humanitarian action had historically been inconsistent and uncoordinated. Reviewing the situation in May 2006, for example, the Coordinator of ICVA observed that “NGO programmes and projects come across as a patchwork, lacking in structure or pattern.” In a second report five months later, the Coordinator noted that “the patchwork of NGO activities, as seen in May, will not show a clearer pattern if many of them continue to be driven by a project mentality.”⁵

26. Visiting Uganda a year later, the RTE mission found a rather mixed picture in terms of cluster management. Despite the difficulties of the initial activation process,

⁴ Workshop report, ‘Uganda in-country self assessment, 25-26 October 2006’.

⁵ ‘Uganda trip report’, October 2006.

there is a growing sense that the Cluster Approach has had a variety of positive consequences, some of which are examined in more detail in later sections of this report. They include:

- providing the IASC and UN Country Teams with common understandings, objectives and directions;
- facilitating the humanitarian division of labour;
- promoting the exchange of information and ideas;
- standardizing concepts, definitions and statistical reporting;
- encouraging the pooling of tools and techniques;
- supporting resource mobilization;
- strengthening humanitarian advocacy, IDP protection and the promotion of human rights; and,
- focusing new attention on issues related to camp management and IDP settlement.

27. At the same time, the RTE mission also identified a number of areas where the impact of the Cluster Approach and the involvement of UNHCR has been more limited. One is to be found in the issue of humanitarian coverage and consistency.

28. While recognizing the massive scale of the IDP situation in terms of the large number of people concerned, the extensive geographical area across which they are spread and their dispersal amongst a rapidly growing number of sites, it is evident that the humanitarian effort continues to fall well short of what is required for minimum standards to be met. Moreover, the provision of essential goods and services to different IDP populations appears to be somewhat arbitrary in nature. Shelter is a particular concern, and it is recommended that this issue be the subject of discussions between UNHCR Kampala and the Global Shelter Cluster, so as to identify and fill the gaps that exist in this area.

29. Another limitation of the Cluster Approach as practised in Uganda relates to the issue of efficiency. Throughout its mission, the RTE team was constantly reminded of the demands which the Cluster Approach has placed on humanitarian personnel. "It leads to a lot more work." "It involves far too many meetings." "The Cluster Approach is based on a number of abstract concepts that have never been properly explained."

30. Given the regularity and vehemence with which such opinions are expressed, there is an evident need to review the way in which the Cluster Approach has been 'rolled-out' to the field, a task that should be facilitated by the comprehensive OCHA-led evaluation of these new arrangements. At the same time (and based in part on the mission's encounter with an exhausted group of humanitarian workers who had just emerged from an eight-hour cluster meeting!) immediate steps should be taken to train relevant personnel in the art of facilitation, with a primary focus on the ability to ensure that such gatherings are brief and action-oriented.

31. The mission identified three additional areas in which the anticipated gains of the Cluster Approach do not appear to have been realized in the Ugandan context. First, while information exchange has steadily improved since the activation of the Clusters, the operation has been affected by a lack of effective information management, including the lack of a central location for this function, such as a Humanitarian Information Centre.

32. Second, a number of respondents commented on the relatively low level of attention given by the IASC Country Team to inter-cluster coordination and to cross-cutting issues, and in this respect felt that a stronger and longer OCHA presence would have been advisable.

33. Third, while the Cluster Approach was intended to reinforce the accountability and predictability of the humanitarian system, the low level of activity demonstrated by the Early Recovery Cluster (an issue examined in a later section of this report) and an unresolved discussion that has taken place concerning UNICEF's decision to withdraw from leadership of the GBV Sub-Cluster, suggest that these objectives have not been met.

UNHCR roll-out: staffing and structure

34. In assuming its new responsibilities towards Uganda's IDPs, UNHCR was confronted with a mixed operational environment. On the positive side, the organization was able to benefit from its general knowledge of the country and its longstanding working relationship with a government which had in 2004 introduced a particularly progressive national IDP policy. The progress of the Uganda peace process meant that UNHCR was able to establish itself in the north in conditions of reasonable security, with good access to most of the IDP population. The IDP situation also had a high level of donor state interest, reflected in ready availability of funding for the organization's new activities.

35. In other respects, however, the operational environment was more challenging for UNHCR. The IDP problem itself was massive in scale, involving some 80 per cent of the population in the north and extending across a vast region of the country. As indicated earlier in this report, the roll-out of the Cluster Approach in northern Uganda took place at an early point in the HRR process, which was itself concluded at unusual speed for a UN-led initiative.

36. UNHCR encountered a specific difficulty with the introduction of the Cluster Approach. While the organization had a longstanding presence in Uganda and had worked extensively with Sudanese refugees living in the north of the country, in some cases very close to the IDP population, the organization had always avoided any engagement with internally displaced populations living in the same area. With the activation of the Clusters, however, UNHCR now assumed a significant role in relation to the IDPs, particularly in the high-profile area of protection. Understandably, perhaps, humanitarian actors who had been working in northern Uganda for many years and who had a much closer familiarity with the internally displaced population were resentful of UNHCR's sudden but belated appearance on the scene.

37. The difficulties emanating from this situation were replicated and reinforced by the way in which UNHCR assumed its new responsibilities in the country. The Cluster Approach, for example, was introduced to Uganda a full year before the organization produced the key guidance documents that now govern its work in relation to IDPs.⁶ By September 2006, when the UNHCR Representative in Uganda visited Geneva, it had also become evident that UNHCR's human resource and procurement procedures were hindering the implementation of the programme.

38. With regard to staffing, there is a general consensus within and outside UNHCR that the personnel initially deployed in the north of the country lacked experience and knowledge of the organization, and that their turnover rate was too high. The number and nature of the UNHCR personnel deployed in northern Uganda continue to be incommensurate with the scale of the task they are expected to perform. The establishment of new UNHCR offices has not been as speedy as might have been expected. In Gulu, for example, the VSAT is still not operational.

39. Junior and senior UNHCR staff members alike express concern about the limited training they have received in the IDP issue and the art of cluster coordination. They also make regular reference to the tensions that exist in maintaining a contractual management relationship with implementing partners, as well as a facilitation and coordination relationship with cluster members.

40. Confronted with this dilemma, there is a temptation for the more experienced UNHCR personnel to voice their preference for "the old way of doing things" in which the organization had an unambiguous leading role and contracted implementing agencies to undertake operational activities on its behalf. Needless to say, such sentiments, especially when stated in public, detract from the efforts that UNHCR has made at the global level to articulate its commitment to an enhanced inter-agency humanitarian response.⁷

41. In terms of structure, it is no secret to say that the activation of the Cluster Approach in Uganda created dilemmas and difficulties within the Branch Office structure, most of them related to the organization's longstanding reluctance to engage with the IDP situation in the north of the country, and a concurrent concern that UNHCR's well-established refugee programmes might be jeopardized by this initiative.

42. Such fears have not been confirmed, however, and some staff members suggest that the organization's involvement in the IDP issue has actually strengthened its role in the protection of refugees. Even so, the RTE mission sensed that a lingering gap remains between a traditional UNHCR refugee programme that is managed from Kampala, and a 'clusterized' IDP operation that is perceived by some as being run from the north of the country.

⁶ The two documents are: 'Policy framework and corporate strategy: UNHCR's role in support of an enhanced inter-agency response to the protection of internally displaced persons', and 'The protection of internally displaced persons and the role of UNHCR'.

⁷ UNHCR's IDP policy framework states that "UNHCR is fully supportive of the humanitarian reform process, is firmly committed to the task of establishing an enhanced inter-agency response to the protection of internally displaced persons, and is determined to exercise in full the new responsibilities which it has assumed in relation to such populations."

43. The situation described above has not prevented UNHCR from becoming a substantive and credible contributor to the implementation of the Cluster Approach in Uganda, thanks in large part to the dedication and commitment of all the staff members concerned. To maximize their contribution, however, increased training, enhanced guidance and improved in-house communication are called for.

Protection

44. The humanitarian community has been criticized in the past for sustaining the IDP situation in northern Uganda through the provision of long-term emergency relief, while paying insufficient attention to the many protection and human rights problems to be found in the area. The introduction of the Cluster Approach has coincided with, and to some extent been the cause of, a significant improvement in this situation.

45. Confirming this analysis, a variety of respondents interviewed by the RTE mission commented specifically on the active and inclusive nature of the Protection Cluster, as well as the added value that UNHCR and OHCHR have brought to the humanitarian operation in northern Uganda. There is an evident need for the two organizations to develop a closer partnership in IDP situations, working in close association with ICRC and other agencies with protection mandates.

46. The specific contribution made by UNHCR and its partners in the Protection Cluster can be divided into two complementary areas, the first of which is that of conceptualization and advocacy. More specifically, UNHCR and the Protection Cluster played an essential role in unlocking the IDP problem by developing a coherent IASC Country Team protection strategy, and by recasting that problem in terms of the right of Ugandan citizens to exercise 'freedom of movement'.

47. As well as resolving an ongoing debate concerning the notions of 'decongestion' and 'return', the notion of freedom of movement attained widespread publicity and became a common slogan and rallying point for the humanitarian community in northern Uganda. It would be useful for the 'freedom of movement' campaign to be documented and analyzed by the Protection Cluster so as to identify lessons learned from the experience and to assess its replicability in other IDP situations.

48. According to two commentators who have examined the country's IDP situation for more than a decade, "the promotion of the right to freedom of movement by UNHCR has been perhaps the single most important protection intervention by a humanitarian actor in the field to date."⁸ The notion of 'viable communities', discussed in the following section of this report, represents another protection-related concept which promises to be of substantial value in guiding the work of UNHCR, the Protection Cluster and the IASC Country Team.

49. In addition to its efforts in relation to conceptualization and advocacy, the Protection Cluster has given practical effect to the notion of freedom of movement by means of a variety of different operational activities, all of them designed to promote the physical, material and psychological welfare of the IDP population. These

⁸ Chris Dolan and Lucy Hovil, *Humanitarian protection in Uganda: a Trojan Horse?*, Humanitarian Policy Group Background Paper, Overseas Development Institute, London, December 2006.

include returnee monitoring, the opening up of access roads to new settlements and home site areas, demining, the rehabilitation of water sources, the clearing of empty huts and filling of latrines in abandoned camps, and the provision of support to civilian police in the form of bicycles and communications equipment. UNHCR should ensure that the impact of these operational activities is effectively recorded and reported to donors. The organization should also ensure that UNHCR's involvement in such activities is discussed by the Protection Cluster, so as to define and place a limit on the projects that UNHCR is able to support.

50. While a host of protection issues remain to be fully addressed in northern Uganda, two related issues warrant the special attention of UNHCR and the Protection Cluster as the IDP operation proceeds: land disputes and access to justice, both of which have important gender dimensions. With regard to the former, it would appear that the problem of access to land has been mitigated to some extent by clan-based decision making and dispute resolution mechanisms. However, land disputes are reportedly on the rise and seem certain to increase further in scale as additional numbers of IDPs return to their home sites.

51. Moreover, women are seriously disadvantaged in the traditional justice systems of northern Uganda. According to some reports, those involved in land disputes have been the target of physical intimidation and violence, a situation arising from the high level of impunity enjoyed by the perpetrators. While there is an evident value in the GBV training and awareness-raising initiatives that have been undertaken by the Protection Cluster, greater attention must be given to the issues of investigation and prosecution.

52. As this situation suggests, while northern Uganda may now be experiencing a high degree of security in comparison with the time when the LRA and UPDF were engaged in armed conflict, it would be an exaggeration to say that the rule of law prevails in the area. Indeed, the justice system is deficient at all levels.

53. Many new settlement sites lack a civilian police presence. IDPs are obliged to travel long distances to report complaints. Women and girls who have been subjected to violence are deterred from making such reports by bureaucratic procedures and the informal charging of fees by legal and medical personnel. The courts have inadequate staff and resources, and consequently do not sit for long periods of time. As a result, many cases are never heard.

54. Having lived in camps for such long periods of time, moreover, the IDP population has little knowledge of the means available to seek legal redress. An enormous effort is required by UNHCR, the Protection Cluster, the IASC Country Team and the authorities to ensure that the issue of access to justice is addressed in a more robust manner than is currently the case.

55. More generally, it is evident that many of the protection problems that exist in northern Uganda are related to the process of social disintegration that has taken place during two decades of displacement. In this respect, the mission endorses the recommendations of a recent report which calls for special attention to be given to

the provision of education, livelihoods and cultural activities for the young people of northern Uganda.⁹

Camp Coordination and Camp Management Cluster (CCCM)

56. As noted earlier, the Camp Coordination and Camp Management Cluster (CCCM) in Uganda initially functioned under the auspices of the Protection Cluster but subsequently (in March 2007) became a cluster in its own right. This situation, coupled with some earlier access problems, may account for the fact that CCCM appears to have made a somewhat slow start in Uganda. However, the cluster has recently received a significant degree of attention from the Global CCCM Cluster, and as a result has picked up considerable speed. This is a welcome development that should be further reinforced, in response to the rapidly changing nature of the IDP situation. In this context, a number of priorities can be identified.

57. First, CCCM activities have to be adequately resourced, extended to all locations and undertaken in close cooperation with local authorities and established coordination mechanisms, such as the District Disaster Management Committees. In accordance with the observations made by Sir John Holmes, these operational activities will require a multiple focus, addressing the situation of IDPs who have returned to their homes, those who are in new sites and those who choose to remain in the area of their mother camps.

58. With regard to the latter group, a special focus on the maintenance and restructuring of camp site infrastructure, as well as the clean-up of camps, is needed. More generally, continued attention should be given to the objective of establishing 'viable communities' in mother camp areas, a concept which has, like 'freedom of movement', acted as an important advocacy tool and rallying point for the humanitarian community. The CCCM Cluster could usefully elaborate upon this new concept and assess its applicability to other IDP situations.

59. To facilitate the implementation of the CCCM strategy, additional efforts should be made to gain a fuller understanding of IDP patterns of movement, needs, intentions and aspirations. In addition to an expanded profiling process, wider consultation with beneficiaries is needed. The RTE mission is thus fully supportive of the UNHCR Deputy Representative's call for "the establishment of a regular dialogue with IDPs, in the spirit of Age, Gender and Diversity Mainstreaming."¹⁰ The mission also wishes to place on record its appreciation of the innovative mapping activities undertaken by the agency *CartONG*. This is an example of effective practice that deserves to be extended within Uganda and more widely publicized in other parts of the world.

60. Third, there is a continued need for the development and dissemination of the CCCM strategy, supported by effective cluster leadership and field staff training. Other human resource issues also require attention. As the Global CCCM Cluster has observed, UNHCR's early and successful focus on protection has not been supported

⁹ 'Listening to youth: the experiences of young people in northern Uganda', Women's Commission on Refugee Women and Children, June 2007.

¹⁰ Mission report, June 2007.

by the deployment of sufficient staff in areas such as community services, logistics, programme and administration.

National and local authorities

61. UNHCR's policy in relation to IDPs is based on the notion that such an involvement "does not detract from the fundamental principle that states... have primary responsibility for the rights, protection and welfare of all people on their territory, including the internally displaced." A successful activation and application of the Cluster Approach therefore demands the full engagement of the authorities. In Uganda, that condition has not yet been fully met.

62. Uganda, like other developing countries with large IDP populations, was not substantively involved in the HRR process and the formulation of the Cluster Approach. When that approach was first introduced, official reactions were conditioned by two more specific factors: first, a concern that this initiative would duplicate, complicate or bypass existing coordination structures and processes; and second, that the Cluster Approach was closely associated with the role of the Emergency Relief Coordinator, who in 2003 had declared northern Uganda to be "the most forgotten humanitarian crisis in the world," who had brought that situation to the attention of the Security Council, and who had been involved in an unappreciated and ultimately unsuccessful effort to add a dedicated Humanitarian Coordinator to the UN Country Team.

63. A third consideration derived from Uganda's longstanding engagement with UNHCR in relation to the large refugee population (more than 200,000 people at present) on its territory. During the past decade, Uganda has pursued one of the most liberal refugee policies in the developing world, while UNHCR has sought to support that policy by providing direct and tangible assistance to those national and local government bodies dealing with refugee issues. While UNHCR's new involvement with IDPs was the subject of direct discussions and an agreement between the High Commissioner and President Museveni, some parts of the administration were also concerned that the responsibilities UNHCR had assumed in this respect might have an adverse impact on its refugee programmes.

64. The role of the state in the implementation of the Cluster Approach in Uganda has also been conditioned by the politics and economics of Uganda. While they have been subjected to terrible attacks and atrocities by the LRA, the population of northern Uganda, especially the Acholi people, are generally supportive of the opposition, distrustful of Kampala and fearful of the UPDF.

65. A cause and a consequence of these circumstances has been that the northern part of the country has gained few benefits from Uganda's successful efforts to revive its economy and attract the support of donor states. UNHCR and other actors involved in the Cluster Approach have thus been confronted with the challenge of promoting the protection, settlement and reintegration of a massive IDP population in an area that is a low national priority and which lacks a coherent development process.

66. Local government has a vital role to play in efforts to address the humanitarian challenges of Uganda, not least because most of the IDPs have remained relatively

close to their parishes of origin, and because of the significant variations that exist in the dynamics of displacement throughout the north of the country. That is not currently happening.

67. On one hand, local government structures are acutely short of the financial, material, human and technical resources needed to collect and analyze information, develop plans, prepare project proposals and undertake operational activities. On the other hand, they are confronted with a newly expanded group of international humanitarian actors who are perceived to be profligate in their expenditure, to work in a 'go it alone' manner and to act on the assumption that all local government structures are inefficient and corrupt.

68. The experience described above points to a need for UNHCR and other members of the humanitarian community to give much greater attention to the role of the state in the formulation, articulation, activation and implementation of the Cluster Approach. In the particular circumstances of Uganda, such a strategy might include the following initiatives, all of which would assist the authorities to engage more meaningfully in the Cluster Approach:

- the establishment of a Memorandum of Understanding between the IASC Country Team and the government on IDP issues and the implementation of the national IDP policy, as already proposed by the UNHCR Representative;
- additional capacity-building efforts, including the secondment of consultants to local government structures to assist with planning, project formulation and monitoring initiatives;
- the development of district level plans on the settlement, reintegration, registration and deregistration of IDPs;
- the introduction of new registration and reporting requirements for international NGOs; and,
- new efforts to ensure the participation of Uganda's many local NGOs and CBOs in the Cluster Approach.

Sustainable solutions

69. At first sight, the situation in northern Uganda appears to have some promising features. A peace process is in place, and the violence that has traumatized the area has diminished very considerably. Freedom of movement has been restored for most members of the population, and IDPs are making their way towards their homes in considerable numbers. Uganda has functioning state structures and is both highly regarded and strongly supported by the donor community.

70. Unfortunately, a number of clouds are casting a shadow over this landscape. The more pessimistic observers point to the cyclical nature of the armed conflict in northern Uganda and the unresolved issue of LRA culpability for its crimes, and warn that a return to violence and renewed displacement cannot be ruled out.

71. Other commentators suggest that if peace is fully restored to the north of the country, then both the government and donor community will declare the area's problems to be over and that humanitarian funding will decline, as indeed has already started. By May 2007, for example, the Inter-Agency Humanitarian Consolidated Appeal was less than 50 per cent funded, a situation "believed to be a direct result of donors prematurely assuming that development and reconstruction activities are underway."¹¹

72. But perhaps the greatest threat to the area is to be found in the absence of a development process and the concomitant risk that northern Uganda's IDPs - some 80 per cent of the population in some places - will be unable to find sustainable solutions to their plight. As mentioned earlier in this report, the area is deemed to be a low priority in developmental terms, a situation reflected in the fact that the official budget for northern Uganda will not be increased in the next financial year, despite the new opportunities that exist for infrastructural investment now that peace has been significantly restored.¹² There is particular cause for concern over the fact that the finalization of the official Peace, Development and Reconciliation Programme (PDRP) for the north of the country has been postponed, and is now not scheduled to be ready until 2008 - a very late date indeed, given the area's enormous and immediate needs.

73. While enthusiastic local politicians may dream of turning a town such as Gulu into "the Bangalore of East Africa" (i.e. a regional centre of excellence in communications, education and business services), such an outcome seems unlikely unless a suitable national economic strategy is put in place. Disappointingly, the donor states that provide some 40 per cent of Uganda's budget have not yet used their influence to ensure that the north of the country benefits from a sustained development effort, as required by the Juba agreement, which states that "the government shall take necessary measures to bring about balanced development of different areas of Uganda... the government shall take special measures in favour of development of the least developed areas"¹³

74. Similarly, one of the stated objectives of Uganda's national IDP policy is "to guide development of sectoral programmes for recovery, through rehabilitation and reconstruction of social and economic infrastructure, in support of return and resettlement of IDPs."¹⁴ UNHCR and its humanitarian partners must seek to ensure that these important principles are put into early practice.

75. An additional concern is to be found in the fact that the Early Recovery Cluster is, as mentioned earlier in this report, conspicuously inactive in northern Uganda. While needs assessments have been undertaken, they do yet not appear to have led to any concrete action. Equally disturbingly, none of the many stakeholders interviewed by the RTE mission had any expectation that this situation will change in the immediate future. Other clusters and other actors can of course compensate for this situation by engaging in early recovery activities. However, given the emphasis

¹¹ 'Listening to youth', *op cit*, p. 14.

¹² According to Sunday Monitor of 17 June, some 9.3 million Euros are to be spent on a fleet of cars for a four-day Commonwealth Heads of Government meeting in November 2007.

¹³ 'Agreement on Comprehensive Solutions between the Government of the Republic of Uganda and the Lord's Resistance Army/Movement', May 2007.

¹⁴ 'Republic of Uganda: National Policy for Internally Displaced Persons', August 2004.

placed on predictability and accountability in the HRR process, this is a disturbing scenario which warrants the immediate attention of the IASC Country Team and the ERC.

76. The current 'development deadlock' in northern Uganda entails a number of serious risks. The first is that UNHCR and other humanitarian organizations in northern Uganda will be progressively drawn into early recovery activities - an outcome that both national and local government would welcome, given their own reluctance and inability to invest in that process. UNHCR must reject this course of action (which would in any case be resisted by the organization's donors) and work with the UN and IASC Country Teams, as well as the ERC, to ensure that the PDRP and Early Recovery Cluster are belatedly put on track.

77. At the same time, and in view of the fluidity of the situation in northern Uganda, UNHCR should exercise considerable caution in developing an 'exit strategy' and in declaring a date for withdrawal from the area. In this respect, there is a particular need for the organization to examine the practical application of the benchmarks that have been established in relation to durable solutions for IDPs.¹⁵

78. The second risk is that the IDP population will be unable to attain the sustainable solutions that they have been waiting for during the past two decades, whether such solutions are to be found in areas of return or in the establishment of 'viable communities' in the vicinity of the mother camps. Some IDPs who have already left their camps may give up the struggle to re-establish independent lives and return to their former camps (as is reportedly happening to some extent in Lira) in order to access humanitarian assistance.

79. The third and most dangerous risk is that growing numbers of people in northern Uganda, especially members of the younger generation, will be obliged to engage in negative coping mechanisms and survival strategies in order to avoid or escape from total destitution. While such a scenario would not necessarily lead to a revival of the specific form of violence that has plagued northern Uganda since the mid-1980s, it might well entail new forms of turmoil and unrest. If this scenario were to unfold, what was until recently a forgotten emergency may in the future become a recurrent crisis.

¹⁵ 'Framework for durable solutions for internally displaced persons', IASC, March 2007.