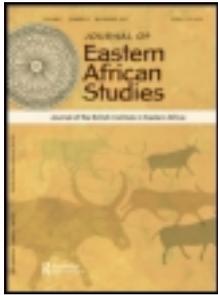


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Publisher: Routledge

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## Journal of Eastern African Studies

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/rjea20>

### Dispersal, division and diversification: durable solutions and Sudanese refugees in Uganda

Tania Kaiser <sup>a</sup>

<sup>a</sup> Department of Development Studies, School of Oriental and African Studies, London, WC1H 0XG, UK

Version of record first published: 03 Mar 2010

To cite this article: Tania Kaiser (2010): Dispersal, division and diversification: durable solutions and Sudanese refugees in Uganda, *Journal of Eastern African Studies*, 4:1, 44-60

To link to this article: <http://dx.doi.org/10.1080/17531050903550116>

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## Dispersal, division and diversification: durable solutions and Sudanese refugees in Uganda

Tania Kaiser\*

*Department of Development Studies, School of Oriental and African Studies, London WC1H 0XG, UK*

*(Received 21 February 2009; final version received 30 July 2009)*

Questions over durable solutions in the social, political and security terrain of southern Sudan and northern Uganda invite recognition that simple delineations between “home” and “exile” are inadequate for an understanding of displacement and refugee status. Contrary to existing policies that assume an unproblematic repatriation of Sudanese refugees from their protracted exile in Uganda to a “post conflict” Sudan, the emerging reality is that multiple strategies of survival, self-protection and development are being employed. This paper explores the variety and ingenuity with which refugees address challenges to livelihoods, identities and security with a portfolio of responses which render the notion of a straightforward cross-border movement “home” largely notional. Drawing on long-term research in a number of Sudanese refugee settlements in northern Uganda since the mid-1990s, this article emphasizes the need to recognize that durable solutions should not be constructed as single and fixed in contexts where individuals and groups may continue to migrate so as to meet their family’s collective needs. It also invites recognition of the extent and ways in which re-crossing international borders has particular meaning for refugees given their specific legal status, as well as the additional relevance and significance of physical, social and symbolic boundaries in such a context.

**Keywords:** Post-conflict migration; refugees; Sudan; Uganda; durable solutions

In discussions regarding asylum in Europe, it is commonplace to observe the difficulty in distinguishing between forced migrants, refugees, and migrants of other kinds.<sup>1</sup> Within the European Union, recognition as a Convention refugee is, for instance, not only a way for forced migrants to achieve the protection they may desperately need, but in some cases also serves as a mechanism for formalizing migration processes which have mixed motives. This blurring of identity and status is likewise visible in the context of forced migration in the developing world. In such a context, the nature of the choices individuals make regarding the directions they pursue when forced to flee due to conflict are often made with reference to previously existing relationships, networks of trust and familiarity, and various other pre-existing migratory trajectories which may facilitate their passage.

Just as there are social, political and various other continuities between refugees’ pre-flight lives and their responses to and strategies in exile, so too are there links and continuities between their lives in exile and in the “post conflict” period when

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\*Email: tk51@soas.ac.uk

attempts are made to find “durable solutions”. Both sets of strategies may involve movement at the local and regional levels, and – where possible – movement more broadly.

While it is clear that the act of crossing and re-crossing international borders can be a complex political, symbolic and material process, refugees’ navigation and exploitation of borders and boundaries in the course of their (forced) migration journeys may have been hitherto understated. This article considers one geographical and political context where forced migration and migration of other kinds appear to have intersected, despite the fact that such intersection was not always apparent during the long years of exile. The extent and ways in which mobility – particularly movement across the border between Uganda and Sudan – has been influential in the protection, livelihood and development tactics of refugees at all stages of their forced migration trajectories is the principal focus of this article. The deployment of key assets and skills with reference to contextually relevant social and symbolic boundaries will also be considered.

In what follows, I first briefly outline the situation of Sudanese refugees in the Uganda–Sudan border area before considering the implications for the discourse on “durable solutions” of the ongoing mobility and dynamism of refugees and returnees, and continuities between choices made in their exilic and “post-conflict” life courses. The relevance of the border as a useful conceptual and analytical category in this context is discussed. The article then draws on long-term research in a number of Sudanese refugee settlements in northern Uganda since the mid-1990s, which highlight both the diversity and complexity of refugees’ livelihoods and their strategies during exile and in the search for a durable solution.

### **Sudanese refugees in Uganda and the Kiryandongo Refugee Settlement**

Since shortly after Sudan gained independence in 1956, Sudanese refugees have been crossing the border into Uganda, whose refugees it has also sporadically hosted. Large numbers of Sudanese spent much of the 1960s in exile in Uganda while many northern Ugandans, in turn, fled their country after the fall of President Idi Amin in 1979. The second Sudanese civil war (1983–2005) led to a further flight of both Ugandans and Sudanese to Uganda in the 1980s and 1990s.

While the Sudanese presence in Uganda in the 1960s was largely accommodated through informal means, with refugees self-settling among kin in the border area, later arrivals were dealt with via different means.<sup>2</sup> Later refugees were registered by the state and required to live in government-defined refugee camps and settlements, mainly in the underdeveloped northern part of Uganda.<sup>3</sup> Some of the individuals who initially opted to remain outside the formal structures of registration, protection and assistance, choosing instead to self-settle in border villages and small urban centres, ultimately moved into camps and settlements. This was due to the insecurity brought with the violence perpetrated by the Lord’s Resistance Army (LRA) in the late 1990s.<sup>4</sup> Refugee settlements in the border region have themselves also been frequently attacked by rebels of the LRA and other insurgent groups including the West Nile Bank Front.

Not all southerners fled Sudan, of course, and those who did were sometimes able to maintain some form of contact with their home areas and relatives resident there. For those living in border camps and settlements, cross-border trips were a possibility

and were embarked upon in various ways for purposes of livelihood, family, ritual or politico-military reasons.

Situated south of the Victoria Nile in a maize-growing area in Masindi District, the residents of the Kiryandongo Refugee Settlement have been relatively fortunate insofar as the settlement has never been directly affected by rebel attacks and has generally offered reasonably good quality agricultural land. Its population of around 14,000 people consisted largely of refugees who fled from the border areas of Sudan's Eastern Equatoria to Uganda in 1989. After a period spent in a transit camp near Kitgum (see Figure 1), most were relocated in 1990 after attacks by the LRA. At Kiryandongo, each refugee family was allocated a plot of land and after some years many were able to make a modest living on the basis of agricultural production, petty trade and other small-scale income generating activities. Despite later problems pertaining to the provision of food rations for the settlement's residents, over time the settlement became quite well connected, both locally and globally. Refugees established connections with the local host population, with individuals who had remained in Sudan, and with refugees who had been resettled to countries as distant as the United States, Australia, the United Kingdom and Scandinavia.

In January 2005, the Government of Sudan and the main Sudanese rebel movement, the Sudanese Peoples' Liberation Army (SPLA), signed a Comprehensive Peace Agreement (CPA) bringing to an end over two decades of conflict. After initial reluctance, many Sudanese repatriated on a voluntary basis. Approximately 50,000

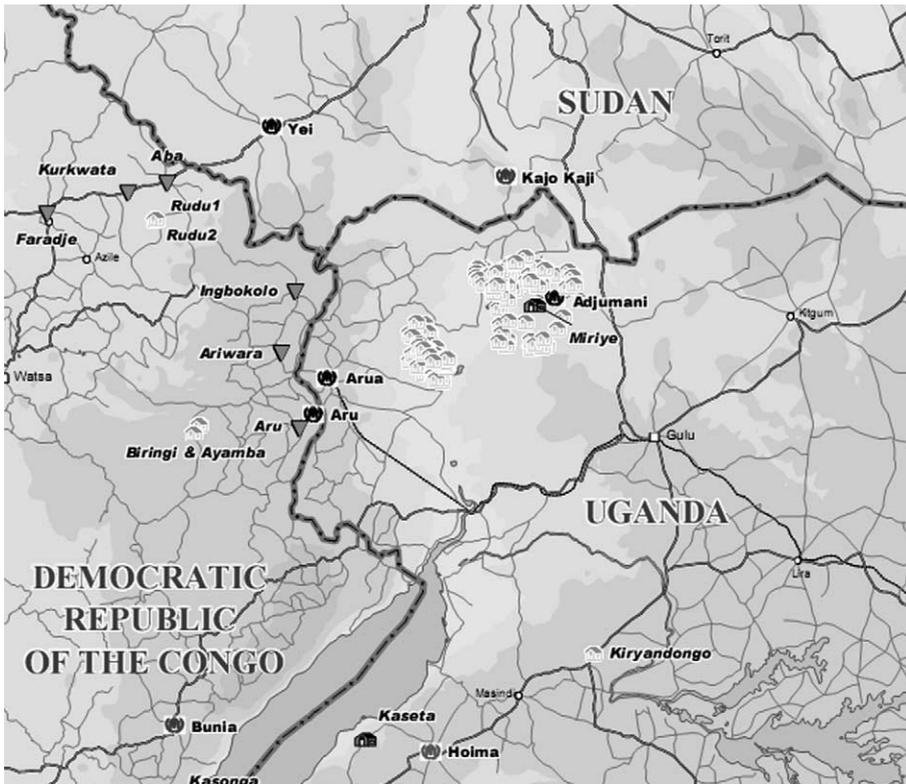


Figure 1. UN High Commissioner for Refugees, *Uganda Atlas Map*, 16 June 2005 (section). Available at: <http://www.unhcr.org/refworld/docid/463851fe2.html> (accessed 28 July 2009).

refugees remain in Uganda while over 3,000,000 have returned from neighbouring countries.<sup>5</sup> The fear of continued or renewed insecurity in Sudan remains a tangible reality for both those who have repatriated as well as those who are waiting to make the journey home.<sup>6</sup> Some commentators point to the lack of an early and expected “peace dividend” for stayees and returnees, and note that there is significant pressure for developmental work to begin in the border region.<sup>7</sup>

### **The research**

The field research on which this article is based is informed by long-term anthropological work in the Kiryandongo Refugee Settlement (1996–97), as well as a number of further research trips to Kiryandongo, Rhino Camp Settlement, Imvepi Settlement (in Arua and Yumbe Districts) and other camps and settlements in the border region between 2001 and 2008.<sup>8</sup> In particular, the empirical material presented here was collected in Kiryandongo Settlement and Kampala in January–February 2006 and March–April 2008.<sup>9</sup>

Building on earlier work and familiarity with many members of the Kiryandongo population, it was possible to target relevant key informants in addition to carrying out wider investigations with the general population. The research methodologies employed within the refugee communities were broadly ethnographic, including participant observation, the collection of oral histories, formal and informal interviews and group discussions. Care was taken to include members of different groups, notably people of different ages, genders, socio-economic statuses, and professional groups (political leaders and administrators, farmers, craftsmen, market and other traders, teachers, entrepreneurs). Interviews were also held in the settlement with Ugandan government representatives, clan, ritual, and other refugee leaders, opinion makers, and with members of religious groups. Outside the settlement, interviews were held with members of the security forces, political representatives, aid actors, members of the host population (which included internally displaced people) and with self-settled Sudanese refugees.

### **Durable solutions: “should I stay or should I go?”**

The local policy discourse currently surrounding durable solutions for Sudanese refugees in Uganda is considerably less sophisticated than refugees’ own responses to the changing political and conflict environment found in this border area. Before the 2008 long rainy season, the UNHCR’s voluntary repatriation programme (volrep) was in full force, with several loaded convoys leaving Uganda for Sudan weekly. Despite the myriad of individuals who expressed reservations over the likelihood that they would soon – or ever – be in a position to contemplate return to Sudan, as of April 2008 neither the Government of Uganda (GoU) nor UNHCR gave any formal consideration to the policy implications of this programme.<sup>10</sup> Both sets of actors appeared comfortable with the prospect of allowing the “volrep” initiative to run its course, without reference to the long-term implications for refugees who would eventually seek local integration.

In the short term, the foremost focus of both the aid community and political actors – including the Government of Sudan – was, and remains, the repatriation of Sudanese to their home areas, and the reconstruction and rehabilitation of the infrastructure there. For the population of Kiryandongo Settlement specifically, this

means return to a home area in the border region of Eastern Equatoria (Magwi) which has thus far seen little reconstruction work, and where developmental interventions are still eagerly awaited. While there are some affective, emotional, political and social reasons that might render early repatriation an obvious choice, there are also numerous practical obstacles. The case of an elderly Sudanese woman called Lucilla Achan is instructive.

Lucilla is a Sudanese Acholi great-grandmother of uncertain age, who has resided under precarious conditions in exile in Uganda for well over a decade and a half. Classified by UNHCR as an EVI (Extremely Vulnerable Individual) she has lived, sometimes unregistered, at the Kiryandongo Settlement since the mid-1990s after fleeing LRA attacks in Kitgum District. For Lucilla, achieving a durable solution means finding a place in her home area where she can settle with confidence, supported by people who will help her to build a house and open a new field, being too old and frail to do this alone. Discussions with Lucilla regarding her desire to repatriate tend to be circular, with her weighing up the pros and cons of the limited assets and networks on which she can expect to draw on either side of the border. In conversation in 2006 and 2008, she did not always conclude in favour of the same course of action. Sometimes she felt that the benefits derived from the diminishing support and protection offered by the refugee environment still outweighed the risks associated with the perils of return to a place where she had no confidence that she would be able to secure land and build a livelihood. At other times she feared being left behind when the other refugees would leave the settlement and it would slide – as many feared it would – into banditry and insecurity. It was impossible for Lucilla to arrive at a decision on where to go and what to do without reference to other members of her family circle and the wider community. It was the deficiencies of just this network in her case, however, which made the decision so difficult to make. I return to Lucilla's case later, after considering some of the wider issues associated with the search for durable solutions.

### **Rights and return: why does (re-)crossing a border matter?**

There is a rich and extensive literature focusing on the entitlements, rights and responsibilities associated with the legal status of “citizen” as opposed to “refugee”.<sup>11</sup> As Kibreab has argued, for most refugees – unlike some other more privileged and cosmopolitan migrants – the rights associated with membership in a particular state and linked in practice to physical residence in a single location – are a substantial loss when forced migration intervenes, and are rarely recouped in countries of exile. In this respect, the idea that crossing a border is not meaningful, or that being at “home” is not linked to the hope of certain legal, political and social goods would be difficult for some forced migrants to concede, even if one might be reluctant to subscribe to the idea of an inherent connection between people, place and culture.<sup>12</sup> A loss of citizenship is deemed significant because of the consequent “protection gap” which refugees experience in asylum countries; it is often assumed that a return to the state of origin is the foremost means through which this disadvantage might be remedied. This may not, however, be an adequate analysis as will be made apparent in relation to the empirical material presented here.

When one comes to think about “durable solutions” – the happy situation achieved for former refugees when they no longer require the international protection of UNHCR, having regained the legal protection of a state (although not necessarily

the state from which they originally came) – some questions arise. UNHCR famously specifies three durable solutions – namely repatriation, local integration in the country of asylum, or resettlement to a third country.<sup>13</sup> As Van Hear notes, each of these durable solutions is linked to a specific physical location, which is not expected to change over time or with changing circumstances.<sup>14</sup>

However, the lived reality of life in exile in Uganda for Sudanese refugees in the context of the complicated social, political and security terrain of the south Sudan and northern Uganda border area takes one beyond very straightforward applications of individual “durable solutions” and away from neat oppositions between Sudan/Uganda and home/exile on one side of the border or another. The conceptual construction of the border itself is a useful analytical tool in this context. The legalistic perspective, so often pre-eminent for obvious reasons in discussions of durable solutions, implies the need for a solid and concrete conceptualization of a border for instance as “legal lines separating different jurisdictions”.<sup>15</sup> This makes the protection gains and losses of forced migration across an international border clear and explicable in terms of the different protection regimes available on each side of the line referred to. However, borders are increasingly being additionally represented as multiply oriented and functioning. Cast as “frontiers” or “zones of transition”,<sup>16</sup> even international borders can be seen as potentially more flexible and navigable, and this implies room for strategy and agency on the part of forced migrants in their crossing and re-crossing of them. As Migdal notes, borders do hold meaning for people but those “meanings vary and are contested by other social formations”.<sup>17</sup>

One can begin to see the way that the crossing of a stark “line on a map”, which is so important in the definition of a refugee under the UN 1951 Convention, may also refer to the negotiation of a constructed category which offers opportunities for the way that recognized refugees, and those contemplating a subsequent re-crossing of the same border, may seek to negotiate and exploit it.<sup>18</sup> As Wilson and Donnan observe, “borders are spatial and temporal records of relationships between communities and between states”,<sup>19</sup> and they are also mechanisms for linking as well as dividing social groups. In addition to international borders, refugees also encounter and construct local boundaries of various kinds whose symbolic and social dimensions further play a significant role in the ways their meanings may be encoded, and in the way that they are manipulated by refugees.<sup>20</sup>

As Goodhand notes, “boundaries play an ambiguous role, acting simultaneously as a source of security and antagonism, inclusion and exclusion”.<sup>21</sup> The fact is that refugees have to draw subtle and critical distinctions between different possibilities, statuses and risks vis-à-vis the deployment of their identities and energy across the border area. Glossing over this as a straightforward decision about whether to return home or not is woefully inadequate as it fails to capture the sophistication of the risks and opportunities embedded in the border environment, and also misses the nuance of refugees’ and returnees’ responses. Specifically, and with reference to Goodhand’s point regarding the recalibration of power relations in this context,<sup>22</sup> the opportunities and risks associated with particular strategies may not be the same for all refugees and returnees. Rather, the complexity of the political and security situations across the border area and the specific assets, skills and networks accessible to individual refugees are likely to affect their chances of success and define what they are willing to attempt.<sup>23</sup>

This paper takes as a point of departure work since the late 1990s which problematizes return migration,<sup>24</sup> as well as more recent work highlighting the fragile, contingent nature of repatriation to an allegedly post-conflict environment and the need to understand its interconnections with both historical migratory movements in the region or borderland, and also with the choices and strategies deployed by forced migrants during flight and exile, observing how these relate to decisions made in relation to return migration.<sup>25</sup> There are two pre-requisites for an analysis of this kind. The first is that the assumption of a clear and categorical difference between refugees and other kinds of migrants at all stages of “refugeehood” is de-emphasized. This is not to suggest that the experience of those who are forced to flee because of fear of persecution or violence in their home areas is not real, and in many ways, specific. Rather, it can carry with it an assumption that all social, political, economic and other strategic considerations are abandoned by forced migrants when they flee their homes, instead of being – as they frequently are – embedded in the forced migration decisions they make in flight, exile and – most important from the point of view of this article – in decisions about durable solutions.

The second assumption to be jettisoned, following Monsutti, is the idea that durable solutions for former refugees need necessarily be single, fixed and unchanging and involve them in no further movement.<sup>26</sup> As this paper will argue, diversification, division and dispersal are so far proving to be key strategies in Sudanese refugees’ search for durable solutions consequent to the signing of the CPA. Since mobility remains, as it has always been, a key asset with respect to the search for security, mobility and social goods of various kinds, one should not be surprised to see it continue after the need for exile has ostensibly passed. Movement has never been only about physical insecurity, and Sudanese peoples’ physical trajectories are likely to vary as much now as they have during the course of their exile in Uganda.

There is little reason to assume that when former refugees have regained the protection of a state they will not want or need to continue moving. Similarly, there are few grounds for the idea that a single solution will meet the needs of all, or even most, of a given refugee population. Steps taken are linked to specific aspirations, and refugees’ motivations, aspirations and expectations have frequently changed during periods of exile. While the new Government of Southern Sudan has been desperately keen to see the repatriation of refugees from neighbouring countries (to demonstrate political legitimacy, capacity, and to include in the April 2008 census as many of its constituents as possible prior to the referendum on secession in 2011), what refugees want or aspire to has undoubtedly changed over time. Some Sudanese refugees now also have developmental aspirations over and above bare survival, and are perfectly well equipped in many cases to explore ways in which these can best be achieved in the current climate, and whether a cross-border move for some or all family members at this point will help or hinder such projects.

It is crucial to recognize that even in the midst of conflict, people make strategic decisions about how they will meet their immediate and pressing security needs and also how they may maximize other advantages: social, economic and political. Representing refugees as pawns who, by virtue of the fact that they have been obliged to move as a consequence of conflict, have had no chance to express agency, make strategic decisions, manage family and wider networks misses an important part of the narrative.

### **Choices in exile: links to choices about durable solutions**

In this section I draw on ethnographic material to illustrate some of the many ways in which Sudanese refugees in Uganda made choices and imposed their priorities on the limited options available to them as refugees in a host country. The purpose of this account is partly to refute ongoing stereotypes of refugees as passive and dependent by demonstrating how versatile and imaginative many of the Sudanese have been in their response to exile, despite conditions which were not always enabling, and also to provide a context for subsequent discussions of strategies adopted by refugee families in the post conflict context.

The majority of Sudanese refugees have been accommodated in refugee settlements in which they have been allocated plots for agricultural activity, and the expectation has been that they would subsist by using this land. For a predictable range of reasons this single income source has been inadequate to meet the needs of most refugee families who have consequently diversified their activities, sometimes illegally, in a number of ways. This has frequently involved asserting their right to freedom of movement – not granted by the Ugandan legislative framework – and physically relocating to places which they felt were more secure, better equipped to meet their needs and offered greater income generating opportunities. For example, many refugees have simply self-settled in areas occupied by co-ethnic groups and avoid the authorities wherever possible, subsisting by farming, trading, or in most cases a combination of the two. Here one may observe the construction and transgression of another kind of border – the artificial lines around camps themselves, and the boundaries between camp and non-camp locations. Some refugees have also registered in settlements in order to receive food rations when these are available, and to access social services.

Other refugees chose to relocate from one settlement where they were registered to another where they were not technically entitled to live. Refugees from the Achol-pii Settlement near Kitgum moved in large numbers after a massacre of refugees by the LRA there in 1996, many relocating to the safer and better connected Kiryandongo Settlement. Similarly, some refugees forcibly relocated from Kiryandongo (having themselves fled Achol-pii after a further attack in 2002) in 2003, making their way back to Masindi as soon as practicably possible despite the government's insistence that they should stay in at the Madi Okello Settlement (near to Arua) in West Nile.

A former schoolteacher in the early 1990s reached Kiryandongo, arriving on foot from former Zaire at the Ugandan border after having decided that it would be preferable for his children to be educated in English than in French. He dismissed objections as to the illegality of this move, noting simply that at the UNHCR sub-office in Arua he had pretended to have just arrived from Sudan. Crossing the international border was in this case no obstacle to the pursuit of educational goals.

A significant number of refugees, particularly in recent years, have similarly become relatively expert in manipulating third country resettlement processes. Information about how best to access such protection programmes circulates within the refugee population. Advice and "inside" information about how to present oneself to the various gatekeepers and officials concerned with resettlement, including tips as to what kind of evidence would be required with respect to claims made on the basis of a protection problem, means that undoubtedly some superior storytellers find themselves benefiting from schemes of this kind. As time has passed

and the number of resettled refugees has increased, a further opportunity has opened up with respect to “family reunification” opportunities. In at least one case with which I am familiar, a refugee was resettled in Australia to “reunify” with an alleged family member with whom she had had no previous acquaintance, and to whom she was certainly not related.

Finally, very large numbers of refugees took advantage of conflict lulls or periods of relative security to move backwards and forwards across the international border between Uganda and Sudan. While economic activities were evidently important and many were involved in trade and agricultural activity including animal husbandry on the Sudan side of the international border, other political and social objectives were also pursued. Supporters of the Sudanese Peoples’ Liberation Army/Movement (SPLA/M) in some Ugandan settlements were known to cultivate and export crops “for the front”, and political contacts and reciprocal visits were maintained, quite apart from the circulation of SPLA soldiers who undertook “R&R” in Ugandan towns and settlements. Some families went to extreme lengths to ensure socio-ritual continuities across the borderland, in one case transporting the body of a deceased family member by bicycle from the Kiryandongo Settlement, across LRA affected Kitgum District and over the international border so that he could be buried on the family plot in Sudanese Acholi-land.

Each of these acts of mobility intersects with the idea of a borderland space in the sense that opportunities and life chances are more or less associated – for different people at different times and in response to specific security, livelihood and social challenges – with the positive exploitation of international and internal borders and boundaries. The kinds of movement described here are continuous to a large extent with the kinds of strategies employed in Sudan in the pre-flight (or inter-flight) period. As conflict increased in Sudan in the late 1980s, families began diversifying their activities and dispersing their members. Whether this involved ostensible labour migration or migration for educational purposes, both of which also removed young men in particular from the risk of conscription, patterns of movement and of self-protection were clearly embedded in ways that exploited the relative advantages of movement across boundaries where this was possible.

In the context of the refugee settlements, what is visible is a circular pattern of movement in many cases, whereby a “home” settlement became a point of departure and return for those able to access educational and employment opportunities outside of it. The kinds of boundaries crossed and re-crossed include those between camp and non-camp environments, between rural and urban areas in both Uganda and Sudan, and between lives and networks deployed in the region and in the wider diasporas in Australia, Canada, the US and UK. Such boundaries have social and symbolic dimensions and crossing them implies adapting oneself appropriately to locally valued forms of social relationship and practice.

The reciprocal and long-term flow of refugees in both directions across the Sudan–Uganda border means that for refugees and hosts alike there is familiarity with what the border can and cannot offer. With even the LRA taking refuge in cross-border camps and the security of cross-border strikes, with the Uganda People’s Defence Force (UPDF) operating in Sudan with the permission of the state, and with refugees tactical experts in managing the border when required, it is possible argue that the border is part of the language and landscape of conflict and responses to conflict in this context.

Choices made by Sudanese refugees in exile have expressed wide-ranging desires, priorities and needs. It should thus surprise no one that refugees' thinking about the relative advantages of any possible return to Sudan should be similarly sophisticated. The following section briefly considers the process of the voluntary repatriation programme in its early stages, and goes on to explore some of the many ways in which refugees have engaged with it, while simultaneously refusing to limit themselves to a unilinear or fixed model of action in the search for durable solutions.

### **Voluntary repatriation: process and response**

After the signing of the CPA for Sudan in January 2005, UNHCR was quick to send registration teams to the Ugandan settlements. Not surprisingly, few refugees were willing to register their interest for repatriation at this stage, having little confidence that once their names were listed they would have any further choice regarding when exactly they should travel. UNHCR encountered various financial and logistical problems in the early days, to the extent that when in 2006–07 people did begin registering in earnest, UNHCR lacked the capacity to return people at the speed at which some of them wanted to go. Spontaneous returns thus increased from around this time, with some refugees even failing to inform UNHCR of their departure from the settlements.

Perhaps inevitably, the first to leave were those without overwhelming commitments in Uganda – often young men who possessed assets, skills and contacts which left them confident of the advantages to be gained from an early arrival in post conflict southern Sudan. Some went on the basis of mere rumours – that the University of Juba was to relocate back from Khartoum and offer scholarships to returned refugees, for example, or that job openings had become available. Entrepreneurs such as experienced builders with a little capital were reportedly in demand, and many recipients of vocational training in exile were quick to depart so as to access what they assumed would be plentiful employment in Sudan.

James and Benedict, two young builders trained in Uganda, were quickly convinced that their futures rested back in Sudan. Exiled as small children, they grew up in Ugandan settlements and returned later to a country they only vaguely remembered, with established family responsibilities. Benedict departed first, and was one of the first returnees from Kiryandongo to arrive in Parajok, in Sudanese Acholi-land. On a return visit to the settlement, he spoke excitedly about the warm reception he had received from those who had remained in the village throughout the war, and had begun work constructing a home for his family which he had initially left behind in Uganda owing to the uncertainty surrounding the security situation in Sudan. James left much later, taking his family with him. While insecurity remained a significant problem in the early post-CPA phase, this was largely due to the activity of the LRA in the Acholi part of Eastern Equatoria – a problem which diminished considerably after they were chased into Democratic Republic of the Congo (DRC) by the SPLA/UPDF.

Okot John left the settlement in 2006, having completed his secondary education in Uganda and having no prospect of further study there. He was alerted to employment opportunities in Juba by an “Old Boy” (OB) of his secondary school, and rushed to Juba on roads barely de-mined so as not to miss the chance. His problem on arrival was the need to acquire citizenship documents in order to pursue

his long-term goal of a university education. After numerous trials and tribulations, he won a scholarship and is presently studying engineering in Juba.

In the early stages of the registration process in 2006, the principal reasons given by refugees for not wanting to register their interest in returning imminently to Sudan had to do with their experiences of the atrocities there prior to flight, the lack of social services in south Sudan, concerns regarding landmines, and fear of general or LRA instigated insecurity. By the first half of 2008, the focus of peoples' reluctance – where it persisted – had shifted to the lack of educational opportunities available in south Sudan. Many secondary students in Ugandan schools hesitate to return to Sudan until they have at least completed their education in the knowledge that the only upper level (A level) secondary school in Eastern Equatoria is in Torit, a long distance from their villages. Insecurity remains a substantial concern, and this is located in both the fear that the political agreement reached between Khartoum and the SPLA/M will collapse in the face of significant problems of implementation, and in concerns regarding the LRA, whose peace talks with the GoU ultimately ended without a peace settlement. A number of people also continue to voice reservations over leaving Uganda on the basis of their experience of the atrocities in Sudan during the war; many feel that it will never be sufficiently safe to return home because of what they endured while there. Finally, in keeping with aforementioned arguments, there remains a great desire among some refugees, especially among the younger generation, to access third country resettlement opportunities while these still exist.

All of these factors have an impact on peoples' desire to repatriate and on the additional options they might consider. The “volrep” programme gained momentum in 2008–09 and many convoys of returnees have been assisted back to Sudan. Some have been driven to return by what they see as increasingly inadequate conditions in the Ugandan settlements, which in many cases indeed appear quite neglected at this point. Those remaining also fear the further reduction of services and support, and worry that they will be at risk if abandoned plots are taken over by nationals or, worse still, become bushy and sites of risk and insecurity. What are the options for those who remain uncertain about a full-scale repatriation to a devastated rural area with few resources and services, where governance remains weak and where educational and economic opportunities remain very slim? <sup>27</sup>

### **Dispersal and diversification**

Just as refugee families deployed multiple strategies of movement and activity to assist them through the difficulties of exile, so too are these approaches now being employed in the search for durable solutions. There are countless ways in which refugee families have sought to maximize the advantages associated with a particular location and status, while minimizing the risks and threats they might also contain.

Despite the reluctance of the UNHCR and the GoU to consider alternative durable solutions, including local integration in the short term, refugees are outpacing them by making their own informal arrangements in this direction. For refugees remaining in Kiryandongo, various possibilities exist. After the long exile from Sudan in the 1960s, for instance, a number of Sudanese decided not to return, and their communities remain visible and identifiable in the 2000s. One community is to be found in a small town near Kampala, to whose secondary school many refugees sent their children during the period of exile. In 2008, a minority of refugees moved themselves and their families out of the Kiryandongo Settlement and joined these

historic communities. Others relocated within Masindi District, some moving only as far as the local trading centre at Bweyale, where a few are now buying land, building houses and otherwise establishing themselves. In general, it is only the better-off refugees who have the option of relocating to urban areas including Masindi Town and Kampala. Parents may enroll their children in Kampala boarding schools, even if they themselves are not able to afford to live nearby. One common phenomenon is that children are left behind in school in Uganda, while their parents repatriate. The desire for and attempts to access resettlement programmes continue apace at this stage with those whose “process” is ongoing delaying any decision about their future in the region.

Research in Kiryandongo and, to a more limited extent, among members of the Sudanese diaspora, indicates that the optimal scenario for refugee families at this point is to be able to employ multiple livelihood and other strategies in numerous locations simultaneously. If one or more family members returns to the home area, then others will pursue opportunities in urban centres in Sudan and Uganda, while others still keep a foothold in Kiryandongo in case of sudden reversals in the security situation in Sudan, or to oversee the continuing education of secondary students there. What emerges is a set of responses which are each provisional and which remain flexible. There is little resonance in what is observable of the finality and fixity of the language of repatriation as spoken by the UNHCR and GoU.

The family of Innocent Omera provides an illustration of the kind of diversity and movement that might be considered necessary for the attainment of security in the short to medium term, as well as the level of complexity at which refugees operate.<sup>28</sup> Innocent is the head of a large extended family and spent many years with many of them in exile in Kiryandongo Settlement. He was latterly an enthusiastic supporter of the SPLA/M. During his period of exile he worked as a teacher and for a succession of NGOs in Sudan. Other periods were spent quietly at home with his two wives, their children and the wider family in the settlement. Innocent returned on his own to Sudan soon after the signing of the CPA, spending much time in Juba in the eventually successful attempt to be re-instated in his old civil service post after an absence caused by nearly 20 years of exile. He now lives in a Sudanese town with one of his wives, while the other stays in Torit where several of his children by both wives are in school. He has a brother who has for many years lived in the UK and shows no signs of returning to Sudan, and another in another African country from where he may return to take up a political role in Juba. Another brother has relocated from Kiryandongo to Juba where he is looking for work, and a fourth was resettled to the USA in 2004. There he is unhappy but remains for the sake of his children’s education. His relatives in Uganda and Sudan hope that he will soon be able to remit some of his earnings to them to help the family. Some of Innocent’s many children are continuing their education in Kampala in primary and secondary school, as well as at the university level. Innocent’s parents have both returned to their home village where they require support to live independently. Together, all of these individuals are able to pool skills, resources and earnings to enable each of them to achieve at least some of their objectives while ensuring that more vulnerable family members are catered for. It should be noted that such integrated strategies imply sacrifice on the part of some. In this case, Innocent’s brother in Juba was obliged by the needs of the other family members to remain for longer than he would have liked in Uganda to protect and support the elderly and youngest members of the family. He thereby

missed what arguably were the best employment opportunities in the immediate post-CPA period in Juba.

### **Implications and conclusions**

The findings of this study indicate that the international border between Sudan and Uganda is meaningful for refugees in a number of related and subtle ways. As a physical border, its presence had largely been relevant in the recent past as a militarily defined construct. Refugees crossed this border in seeking refuge from conflict. As far as its meaning in the context of the search for solutions is concerned, the situation is more complex. The border divides Sudanese Acholi from Ugandan Acholi and in socio-cultural terms may be less significant than many of the internal borders and boundaries within Sudan. From a technical point of view, it remains the case that crossing the border has meaning in relation to citizenship, among other aspects. Whether physical protection is most accessible to the Sudanese in Uganda or Sudan depends on their location within each state, the level and extent of insecurity caused by non-state actors (particularly the LRA) in each, and on the successful implementation of political settlements in both countries. In Sudan, it also depends on returnees' perceived relationship with those who never left, especially members of military organizations including the SPLA.

While Uganda offers the remaining refugees greater developmental opportunities than Sudan presently can and does, it nevertheless remains the case that the Sudanese in Uganda are aliens and will be treated as such when it comes to accessing key advantages. In Sudan they are citizens, but citizens who may not for some time yet be in a position to claim much developmental advantage. While they are certainly entitled to certain rights as citizens, whether or not they will be in a position to claim these rights in the presently precarious political context of post-CPA, pre-referendum Sudan – in some cases as members of relatively marginal and even unpopular ethnic groups – remains to be seen. Arguably, possessing a way of bridging the border and gaining what advantages are to be derived from presence on either side is more important than being on one side or the other of it in terms of protection, livelihoods and developmental opportunities.

A further step in research along the lines explored in this article will thus be to assess in greater detail the role that is played by internal differentiation and class issues with respect to the kinds of choices and opportunities discussed in general terms here. It is already apparent that some of the highlighted choices made by refugees were available to them because of assets already in their possession, and are thus not equally open to all. Whether the analysis holds as much for the peasant farmers, who are much more likely to have straightforwardly repatriated, as for more educated and cosmopolitan types is also open for discussion.

### **Durable solutions policy**

It is unclear how such multiple based and contingent strategies for surviving the peace as well as the war fit into the various institutional and political categories employed by UNHCR and host states. The GoU has for several years indicated its relatively relaxed position in relation to the possibility of local integration, but its current stance – along with that of UNHCR – indicates clearly that it sees no need to explore this until the voluntary repatriation process has been “completed”. There is

no sense in these positions of the related and simultaneous processes and strategies that may concurrently be adopted by different members of the refugee community, and even by different members of the same family. The official policy line offers no flexibility and no recognition of the demonstrable need for the interaction of multiple strategies in the search for solutions. The extent to which UNHCR can be excessively dogmatic about the need for solutions to be “durable” – or at least about how it might define durability with a view to the changing needs and opportunities available to given refugee populations in particular contexts – may require further thought and discussion. It would clearly not be desirable to see a situation where UNHCR’s own interest in refugees ended before they had achieved the security of a long-term solution to their protection and related problems. Whether this is tantamount to arguing that a single solution can be found in every case in the expectation that it will never require variation or flexibility over time is another question.

As Monsutti has asserted, UNHCR and related organizations must begin to realize that their narrow conceptualizations of durable solutions as sequential, mutually exclusive and permanent are too inflexible and rigid to capture what is already happening on the ground.<sup>29</sup> As for the GoU in this case, it may be that refugees’ own responses in leaving settlements and finding alternative places to live leave its own eventual discourse of local integration high and dry.

Two insights emerge from the case of the Kiryandongo refugees presented here. First, refugees draw on what might be called portfolios of strategies, tactics and approaches in the attempt to meet their substantial family needs. As the examples indicate, aspirations are rather high and far surpass the achievement of protection and the basic needs, which may have been an early objective of refugee programming. After protracted exile in Uganda, southern Sudanese are not happy to relinquish the developmental opportunities which they have seen made available to the lucky few in Uganda. The choices that they are now making, and which relate in ways that have been discussed to the kinds of life strategies used before and during exile, reflect the developmental goals that many refugees now have. They understand that their future trajectories may not be linear and uncomplicated, and are instead willing to invest heavily – where this is an option – in positioning themselves and their families as well as they can.

The second implication, then, is that their short-term objectives and actions may only be the first of what they see as several steps towards the attainment of their ultimately desired ends. Any policy discussion of “durable solutions” must therefore recognize that the choices people make in the immediate post-conflict period may be preliminary steps towards other, longer-term goals. In this sense, the achievement of durable solutions should be conceptualized as a process, rather than as an event. Importantly, refugees’ choices may and do involve dispersing extended family members within Uganda, across the Uganda–Sudan border, and indeed more widely in their search for post-conflict durable solutions. Policies have borders too, and we may find that the borders between voluntary repatriation, local integration and third country resettlement are transgressed to such an extent as to make their separation largely artificial.

The problems of former Sudanese refugees are evidently not solved at a stroke when they return to their impoverished and war ravaged country. Deciding to remain in Uganda for five years to complete an education which will better equip one to make a future for oneself in Sudan is neither unpatriotic (as it is sometimes represented) nor necessarily evidence of an unwillingness to return. However, it may

be the case that for the youngest generation, who were born or grew up in exile, their attitudes towards returning to Sudan will be more difficult to predict. As one Sudanese man presently resettled in a European Union state phrased the matter, “though they want to see Sudan, they seem not interested to live there . . . . They think life in Sudan is very difficult because of the poverty and poor paying job down there. They are also much concerned about security in Sudan.”<sup>30</sup>

I conclude by returning to the case of Lucilla Achan. Her greatest dilemma in deciding whether or not to repatriate is located in the weakness of the personal and family network on which she can draw. She has an elderly, sick brother in Kyangwali Settlement, and some younger female relatives with children but no husband or partner. She currently resides with her granddaughter who helps to care for her but has also experienced recent health problems. She lost one son fighting with the UPDF in DRC, and has another who was badly disabled fighting with the SPLA in Sudan. In Kiryandongo, she lives in a hut built for her by a friend who is no longer present and survives by undertaking a range of small-scale income generating activities depending on her health and strength. Among them, piecework, gathering grass for building, and brewing alcohol. If she were to return to Sudan, she would be faced with the prospect of finding land on which to build a new home, accessing the materials and labour required to do this, and finding new sources of income. The lack of a healthy male relative in her case is a serious obstacle to her ability to return to Sudan. For Lucilla, crossing the border means starting again. The end of the war seems rather unreal to her, and it is not clear that she is concerned about the political consequences of a potential return.

Yet in May 2009 Lucilla returned to Sudan. A friend offered to accommodate her on his newly recovered land in her clan area, while another offered a sum of cash to help build her a house. Her granddaughter became involved in the cross-border trade in maize, exploiting local connections and the huge price differentials on either side of the border, thus increasing her prospects for some sort of economic independence. Coupled with an increasingly difficult social environment in Uganda, involving accusations of witchcraft and illness, this was enough to persuade Lucilla that her desire to die “at home” should after all prevail.

## Notes

1. Van Hear, “From Durable Solutions to Transnational Relations.”
2. Kaiser, “Experience and Consequences of Insecurity.”
3. Government of Uganda, *The Refugees Act*; Hovil, “Self-settled Refugees in Uganda.”
4. Kaiser, “We Are All Stranded Here Together.”
5. UNHCR, “Number of Sudanese Repatriated from Uganda this Year.”
6. International Crisis Group, *Northern Uganda Peace Process*.
7. Schomerus, *Perilous Border*.
8. See for example Kaiser, “Social and Ritual Activity in and out of Place”; Kaiser, “Between a Camp and a Hard Place.”
9. This work was carried out under the auspices of the AHRC’s Diaspora Migration and Identities programme and with support from the British Academy. I would like to thank the AHRC, the British Academy and SOAS for supporting this research, as well as the many refugees who have welcomed me to Kiryandongo, and representatives of the Government of Uganda, the UNCST and UNHCR who also participated in the research.
10. Interviews with UNHCR and GoU personnel carried out in Kampala and Masindi, March–April 2008.
11. Kibreab, “Revisiting the Debate”; Kibreab, “Citizenship Rights”; Malkki, “National Geographic”; Turton, “The Meaning of Place.”

12. Gupta and Ferguson, "Beyond Culture."
13. Chimni, "From Resettlement to Involuntary Repatriation"; Jacobsen, "The Forgotten Solution."
14. Van Hear, "From Durable Solutions to Transnational Relations."
15. Anderson and O'Dowd, "Borders, Border Regions and Territoriality," 594.
16. Ibid.
17. Migdal, "Mental Maps and Virtual Checkpoints."
18. Hyndman, *Managing Displacement*.
19. Wilson and Donnan, *Border Identities*, 5.
20. Migdal, "Mental Maps and Virtual Checkpoints."
21. Goodhand, "War, Peace and the Places in Between," 225.
22. Ibid., 228.
23. As Kibreab has commented, refugees may accurately be represented as likely "risk takers" in the sense that they have lost much and learned to gamble to achieve what security they can in the post flight context (personal communication 2009).
24. Bakewell, "Repatriation and Self-settled Refugees in Zambia"; Black and Koser, *The End of the Refugee Cycle?*; Hammond, *This Place Will Become Home*; Long and Oxfeld, *Coming Home?*
25. Lubkemann, *Culture in Chaos*; Monsutti, *Afghan Transnational Networks*.
26. Monsutti, "Afghan Migratory Strategies."
27. Pantuliano et al., "The Long Road Home"; Schomerus, *Violent Legacies*.
28. Names of all refugees interviewed for and discussed in this research have been changed to protect their confidentiality. In some cases, non-essential details of individuals' stories have also been changed to make them less recognizable.
29. Monsutti, "Afghan Migratory Strategies."
30. Personal communication by email with a Sudanese male, September 2008

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