CHAPTER TWELVE

RIGHTS-BASED HUMANITARIANISM AS EMANCIPATION OR STRATIFICATION? RUMORS AND PROCEDURES OF VERIFICATION IN URBAN REFUGEE MANAGEMENT IN KAMPALA, UGANDA

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1. *Introduction*

Through a study of the tension between the increasingly state-like practices of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the frames for rights claiming available to the refugee population, this chapter tries to complicate our understanding of the relationship between rights struggles and humanitarianism by exploring informal processes through which refugees are construed individually and collectively as illegitimate rights claimants. The last fifteen years have seen a comprehensive reform of the international refugee regime through the institutionalization and regularization of UNHCR’s practice. Moreover, since the mid-1990s, UNHCR has referred to itself as a “human rights organization” and has emphasized the importance of refugee rights in securing international protection. The focus on reform and the turn to rights have generally been viewed as marks of progress. However, seen from the perspective of refugees and asylum seekers, in subtle ways, these developments may also serve as vehicles for subjugation and control in global migration management.

In this chapter, I examine how discourses on human rights and international protection are appropriated and played out with ambiguous effect in the encounters between UNHCR legal protection officers and urban refugees in Kampala, Uganda. These interactions are characterized by formal and informal negotiations over a set of scarce resources; urban residence permits, financial support for basic needs, refugee status and resettlement to the West. The struggle for resettlement is intense and

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structures much of the social life in the refugee community (Sandvik 2008). The chapter is based on my experience as a caseworker for UNHCR (2004), and data from fieldwork among urban refugees with the Refugee Law Project (RLP) (2005), both in Kampala. My research methods included participant observation, unstructured interviews with urban refugees and employees of the international and national refugee bureaucracy, a newspaper review of Uganda’s three main newspapers covering refugee issues from 1992–2005 and an analysis of grey literature.

The empirical starting point is the suspicion and distrust which infuse the relationship between refugees and humanitarians. During my time as a caseworker, I was struck by how humanitarians, and here I include UNHCR legal protection officers, Ugandan government officials and local service providers, commonly referred to urban refugees as people “who always tell stories” in order to obtain benefits, such as a place on UNHCR’s urban caseload or access to resettlement interviews. The perception of refugee clients as unruly subjects seemed to be intrinsic to bureaucratic practice and to the humanitarian outlook more generally. During my subsequent fieldwork in the urban refugee community, I was warned numerous times by former colleagues to be both skeptical toward the veracity of any refugee narrative, and to be careful with the questions I asked, as rumors were so easily triggered. In the course of fieldwork, I noticed that a similar degree of mistrust was held by the refugees. In their narratives, humanitarians emerged not only as incompetent bystanders, but also as the actual perpetrators of violations of human rights and bureaucratic procedure.

I accumulated a number of reports and statements offering serious accusations of corruption and sexual exploitation involving humanitarians in conjunction with disbursement of economic support, the granting of refugee status and the selection of resettlement candidates. These accounts were always what legal terminology defines as ‘uncorroborated’—not supported by evidence or credible information. Consequently, they were seen as lacking in veracity, and dismissed as rumors by UNHCR staff and other refugee bureaucrats. Given the many and severe ways in which humanitarians of various pedigree in fact have failed to serve their constituency, both in Uganda and elsewhere, I was pondering what to make of the content and frequency of these accusations. These types of accusations are familiar to humanitarian researchers, but offer particular conceptual and methodological challenges for ethnographers, who must make sense of how and where they fit in the social fabric. To that end, instead of considering their veracity, I will take them as narrative practice,