

Key Figures

339

Number of Police
deployed

30

Number of female Police
deployed

28

Number of Police Posts
in Refugee Settlements

1,600

Number of refugees that
received legal Assistance

17,561

Number of Refugees
reached during community
sensitization

120

Detention monitoring visits
conducted *(police stations,
prisons, remand homes)

60

Number of Packages
Provided by UNHCR
(Fuel, accommodation,
WASH facilities, protection
house, vehicle, motorbikes and
transport)



HIJRA legal officer handing over the new desktops to prison officials

Physical Safety and Security

- As of 31st July 2019, 1,183 (661 refugees, 522 nationals) incidents of crime were reported in refugee settlements of Arua. Physical assault remained highest in the three Settlements followed by threatening violence, theft and fraud. Continued co-operation with protection partners and various interventions needs to be strengthened to reduce crime.
- In Yumbe, domestic violence was the highest registered case. Out of 131 cases registered, 59 were successfully resolved and 72 referred to Police for further investigations.
- HIJRA supported 29 members of established Community Watch Groups in Kyangwali settlement with assorted materials including visibility jackets, Torches and gum boots to facilitate them in performing their duties.
- A review of individual protection cases in the protection houses across Adjumani and Lamwo was conducted to identify gaps in service delivery, identify instances of duplicate efforts, develop a centralized placement and case management tool and identify follow up action points. Updating the draft SOPs is ongoing by Lamwo and this will inform the review in Adjumani,

harmonize approaches and centralise day to day service delivery with one protection partner for effective coordination.

Access to Justice, Legal Assistance and Legal Remedies

- In Kyangwali, HIJRA facilitated 03 Court personnel (Grade one Magistrate, State Attorney and Court Clerk) with transport to and from Hoima to Kyangwali, 56 cases were heard (53 Criminal cases and 03 civil cases that were cause listed for hearing). Of the 53 criminal cases, 11 involved refugees while 42 involved nationals. The presence of court personnel enabled refugees and the host community access to justice. In addition, the Grade One Magistrate Court attended to other cases which included threatening violence malicious damage to property, criminal trespass domestic violence among others. Two cases involving Ugandan nationals were dismissed for want of prosecution.
- Furthermore, in a separate session, a total of 06 Court cases were successfully prosecuted during the reporting period, they include; 2 theft cases, 2 cases of threatening violence, 1 case of burglary and 1 case of assault.

- In a criminal session at Masindi High Court, 31 cases involving refugees (27 Congolese, 2 South Sudanese, 1 Kenyan and 1 Rwandan) were heard by the Chief Justice of Uganda and the Principal Judge. 06 cases were sentenced, 11 cases were dismissed for want of prosecution, 3 cases were acquitted, 4 cases were sentenced after plea bargain, and 4 cases were discharged after proceedings were discontinued upon advice from the DPP (Nolle Prosequi). 02 interpreters were at the disposal of the court to support the refugees.
- In Kyangwali, HIJRA legal team offered legal counselling and advice to 42 persons of concern (16M/26F) with the objective of enabling them to make informed decisions on referrals to appropriate service providers, they also supported paralegals in mediations of 94 (53F/41M) cases. The cases handled were land disputes, debt claims, family disagreements, minor assaults, child neglect in which agreements were reached and parties reconciled.

Civilian and Humanitarian Character of Asylum: UNHCR in Arua continued to work in close coordination with OPM and other security agencies not only for identification, but also screening of ex-combatants at various border points and settlements. 408 ex-combatants (2F/406M) so far have been identified. In order to facilitate, sustainable integration of this caseload into the community, the protection team continues to ensure close monitoring. Findings however indicate that most of them are enjoying freedom of movement.

Community Policing and Advocacy

- In Kyangwali, HIJRA Legal team supported 39 members of the Refugee Welfare Council (RWCIII) in Kyangwali with copies of the Constitution of the Republic of Uganda and the Refugee Act, 2006. This is intended to increase their knowledge on the laws of Uganda, administration of justice, refugee rights and legal procedure in Uganda. 142 (95M/47F) other RWCs were trained on the legal frameworks, rights and obligations of refugees, Civil and Criminal Justice system in Uganda, Powers of the RWC Courts, Alternative Dispute Resolution (ADR) and the referral pathways in the refugee Settlement.
- In Yumbe, 3 community policing sessions were conducted for the refugee and host community by Police and Probation Officer. 392(208F/184M)

refugees and host community attended the sessions. The host community appreciated the sessions and highlighted that they had always been left out as most sessions are held in the settlements. This enabled them to directly raise their concerns.

Detention Monitoring

- In Adjumani, OPM, partners and UNHCR conducted a 2-day detention monitoring visit in Lamwo, Kitgum and Gulu, besides their interest in the detention conditions, they also assessed individual cases for possible pro bono legal services and provision of material assistance in form of NFIs and dignity kits. The need for ad hoc court interpreters was identified.
- In Arua, a team led by the Chief Magistrate, members of Justice Law and Order Sector (JLOS) and UNHCR inspected detention facilities of Arua Central Police Station (CPS), Arua Main and Women Prisons. Preliminary findings indicate that the Central Police Station cells and inmate wards at Arua Main prison are congested, deplorable conditions and suspects take more than the constitutionally mandated hours in police cells mainly due to delay in police investigations and sanctioning of files by DPP, another observation was a variation in Police Station Diary and suspect lock up record. On a positive note, the women's wing was found to be in good condition and within minimum standards.
- In a follow-up joint prison visit conducted in Arua and Koboko by OPM, NRC, IRC, DRC, HADS, ULS and UNHCR. 75 (6F/69M) refugee prison inmates were found in Arua Main Prison and 24 (3F/21M) refugees prison inmates in Koboko prison. The purpose of visit was to assess the human rights situation of refugee inmates, offer legal counsel and guidance and provide material support based on the previous needs' assessment. NRC supported refugee inmates with hygiene kits and some clothes. ULS committed to assist and provide legal services to the refugees.
- In Yumbe, 4 detention facilities) were visited and 103 (3F/100M) refugees were identified in detention. 3(1F/2M) refugees who got released from prison were reintegrated back to the settlement. 16 (7F/9M) refugees were supported to visit their relatives in detention in Bidibidi and Yumbe Prisons.
- UNHCR donated two desktop computers and assorted accessories to Masindi and Hoima government prisons to enhance data management

and record keeping. Masindi is one of the biggest government prisons holding more than 1,500 prisoners within the region with over 60 refugee inmates; many of these are transferred from Hoima Government prison especially capital offenders. It is expected that there will be improved information management and sharing.

Coordination

- In Arua, 02 separate coordination meetings one at District Coordination Meeting (DCC) and another technical Legal Working Group Meeting were held with protection partners from DRC, IRC, HADS, Judiciary, DPP, IRC, NRC, OPM, Arua District Local Government, Justice for Children, ULS, Prisons and Police, Resident District Commissioner and the District Internal Security Officer (DISO) of Koboko. The cross cutting issues discussed included inter alia; the need to improve detention conditions and the issue of juveniles, need for speedy trial, legal representation, proper case follow-up and improvement in coordination.
- In Adjumani, the Judiciary through the District Coordination Committee (DCC) held a meeting and discussed modalities for holding mobile court sessions in the different refugee settlements in Adjumani. The meeting was part of the preparations for the annual mobile court circuit in refugee settlements planned for the month of August 2019.

Capacity Development

- In Yumbe, 01 training was conducted and facilitated by Judiciary, ULS, UNHCR and OPM for 12 (4F/8M) court interpreters. Among Key areas and topics covered included communication skills, UNHCR code of conduct, key terms used in court, took oaths, court environment orientation and physical attendance of court sessions and actual interpretation services for individual cases were conducted.
- Poor and prolonged investigation of cases due to lack of facilitation leading to frequent adjournments, poor turn up of witnesses and lack of investigative skills in handling cases among others.
- Refugees continue to complain about delays in expediting cases (especially capital offences) due to intermittent court sessions, lack of legal representation and a limited number of judicial officers to handle cases leading to case backlog.

- In another separate training in Yumbe, 32 (2F/30M) Anti-riot Police (Field Force Unit) Police officers were also trained on PSEA, UNHCR code of conduct, use of force, legal framework for refugee protection, role of government and human rights approaches. The training was facilitated by UNHCR, Uganda Law Society and OPM.

Gaps Identified

There are several obstacles stifling provision of access to justice for PoCs. The following challenges continue to persist:

- Lack/limited facilities for holding juvenile offenders at police posts, this often leads to detention of children together with adults.
- Need for alternative feeding systems for inmates in detention.
- Inadequate facilitation of Court personnel which is a demotivating factor that affects execution of Court duties and participation in Mobile Courts.
- Ignorance of the laws of Uganda coupled with limited knowledge of Court procedures.
- Inadequate facilitation of police (fuel, vehicles and accommodation) continues to affect presence of police in settlements. International standards require that one police officer is deployed per 500 individuals, current numbers fall below this standard.
- Language barrier at the police and court remains a challenge for witnesses, this is coupled with difficulty in accessing interpreters for court leading to failure to take plea in addition to failure to access sureties on grounds that refugees lack fixed places of abode.
- Some prisons are faced with limited accommodation leading to congestion. Additionally, some facilities lack fences and permanent latrines
- Delayed reporting of cases which affect outcomes of cases especially where material evidence is missing or tampered with.

Partners Implementing Access to Justice Response

Partners: IRC, HIJRA; DRC, ULS, ARC, RLP; InterAid Uganda, CAFOMI

Operational Partners: UNDP, LASPNET

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