



UNHCR Monthly Protection Update Legal and Physical Protection April 2019

Key Figures

336

Number of Police
deployed

*(Arua, Oruchinga, kyaka,
Rwamwanja, Nakivale, Kyangwali,
Kiryandongo and Yumbe)

30

Number of female Police
deployed

*(Arua, Kyangwali, Rwamwanja,
Nakivale, Kiryandongo, Yumbe)

28

Number of Police Posts
in Refugee Settlements

*(Arua, Oruchinga, Kyaka,
Rwamwanja, Nakivale, Kyangwali,
Kiryandongo)

360

Number of refugees that
received legal Assistance

8,732

Number of Refugees
reached during community
sensitization

81

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

40

Number of Packages
Provided by UNHCR

(Fuel, accommodation,
WASH facilities, protection
house, vehicle, motorbikes and
transport)



Police in conjunction with UNHCR, OPM, and protection partners in one of the community policing sessions in Imvepi Refugee Settlement, Arua District

Key highlights

- The Arua operation has continued plans to support security structures by building their capacity and providing the necessary facilities to serve. As one of the strategies in its phone distribution plans, the operation targets security secretaries to enhance their communication with respective security agencies and other supportive mechanisms.

Physical Safety and Security

- A total of 702 crimes were reported in Arua with 158 (92 refugee, 66 nationals) recorded during the reporting period. In comparison with March where 180 cases were recorded, April has registered a reduction in crime rate by 12%. Assault, domestic violence and threatening violence remain the highest reported crimes in the settlements of Arua.
- The operation is committed to safeguarding and maintaining the civilian and humanitarian character of asylum in the settlements. As of April 2019, the operation had registered 400 ex-combatants comprising (398M/2F); 06 children in Arua.

Access to Legal Assistance and Legal Remedies

- A total of 4,050 refugees had been provided with general sensitization on legislative awareness and legal counselling in the settlements of Imvepi, Rhino and Lobule and detention facilities of Arua and Koboko.
- In Kyangwali, legal counselling was provided to 41 refugees who presented various issues which ranged from recovery of money, custody, to loss of documents and land disputes, among others.
- Legal counselling and follow up was conducted for 100(70M/30F) suspects and accused persons from Nakivale (97) and Oruchinga (3). Additionally, 52(28M/24F) witnesses from Nakivale (50) and Oruchinga (2) were facilitated to attend court in Isingiro Grade 1 Magistrate's court.
- In Rwamwanja, 13 witnesses (9F/4M) were supported with pre-trial counselling and watching brief to enhance access to justice.

- 65(45M/20F) individuals in Kyaka benefitted from legal counselling and were supported with legal representation. Legal assistance was also provided to 3 women groups comprised of 45 women engaged in livelihood activities. The women were aided to formalize their business groups. In particular, they received assistance in drafting their memorandum and articles of association.
- In Yumbe, a total of 3476 (2146F/M1330) refugees and host community members received legal assistance through legal counselling, legal information sessions and case management in the settlement and in detention facilities. 46 (36F/10M) refugees and other persons of concern (PoCs) were supported to access justice through community based paralegals who addressed civil cases through alternative dispute resolution (ADR) mechanisms with support from the IRC legal team.

Detention monitoring

- In Arua, the International Rescue Committee (IRC) in liaison with UNHCR supported 17(9F/8M) refugees from 12 households of Imvepi, Omugo and Ofua to visit their family members in Arua main prison and Giligili Remand Home.
- The Danish Refugee Council (DRC) in coordination with UNHCR conducted a prison monitoring visit to file cases of detainees originating from lower Rhino for legal support and assistance. The visit revealed that there were 11 male detainees charged with assault, theft, defilement, domestic violence, arson and attempted suicide. The profiled cases were shared with Uganda Law Society (ULS) for further action. During the visit the detainees were provided with on spot legal counselling and advice.
- As of April, UNHCR, OPM and partners had conducted 05 joint detention monitoring visits to Arua main prison, Remand Home and Koboko prison. At the time of reporting, there were 89 (3F/86M) refugees in Arua main prison out of 702 inmates. The refugees are from Imvepi, Rhino, Bidibidi and Adjumani settlements. In the month of April 2019, 28 refugees appeared before the courts of law.
- Joint Prison monitoring with partners was conducted in Nakivale and Oruchinga covering 31 prisons in Kiruhura, Isingiro, Mbarara, Bushenyi, Ssembabule, Lyantonde, Lwengo, Masaka, Rakai and Kyotera districts. 57 (56M/1F) PoCs were identified and supported with Non-food items (laundry soap, toothpaste and razor blades)
- In Kisoro and Matanda, 4 prison monitoring visits were conducted in the districts of Kanungu and Kisoro respectively. 04 refugee inmates were supported at Kanungu prison.
- In Yumbe, 6 detention facility visits were conducted in Arua, Yumbe and Bidibidi prisons, Giligili regional juvenile remand home, Yumbe central police stations and other police out posts across the five zones. 142(29F/113M) refugees were identified in detention. Counselling and legal awareness sessions were conducted for the inmates. Reintegration processes were conducted for prisoners released back to the settlement. Family visits were also facilitated for relatives of inmates.

Mobile court sessions

- In Yumbe; 1 mobile court session was held and 18 (3F/15M) cases were handled during the session, 03 accused persons were convicted and sentenced, 01 case dismissed for want of prosecution, and 14 cases were adjourned for further investigations and prosecution. ULS provided legal representation for accused persons during the court sessions.
- In Rwamwanja, ADR was conducted through the Baraza courts. The cases of 14 PoCs (7M/7F) were resolved. Additionally, two mobile court sessions were held at Nkoma Town Council and 16 individuals benefitted.

Community participation and outreach

- In Kyaka, 3 community awareness sessions and 2 community dialogues were held with community structures in Bukere and Sweswe on refugee rights. 449 (238M/211F) individuals participated.
- 5 sensitization sessions were conducted on the laws of Uganda in Nakivale Refugee settlement reaching a total of 346(192M/154F) individuals.
- In Adjumani, DRC conducted an outreach in Boroli refugee settlement on the justice system in Uganda. A total of 103 refugees (33M/70F) participated in the activity.
- In Kyangwali, 01 community policing activity at Rwenyawawa Village reaching out to 115 PoCs (19 SS and 96 DRC) was conducted. The session was facilitated by HIJRA Legal staff, Police Officers, Magistrate Grade 1 Hoima/Kyangwali Courts, the Community Services Officer Hoima/Kyangwali Court. The activity aimed at informing the community of their duties, obligations and rights while in Uganda.

- In Adjumani, DRC conducted sensitization sessions on sexual offences, domestic laws (Penal Code), juvenile justice, statutory and traditional marriages, witch craft, mob justice, bail and bond applications and referral pathways in Maaji and Olijji refugee settlements. A total of 36 refugee leaders attended the sessions.

Capacity building

- In Arua, IRC in coordination with UNHCR and ULS conducted a refresher training for 45(5F/40M) community based paralegals from Imvepi and Rhino Camp (Ofua and Omugo) on the legal framework and alternative dispute resolution, at Imvepi refugee settlement.



Refugees attending a sensitization session in Olijji refugee settlement, Adjumani

- The Midwest operation supported the Kyangwali Magistrates Court by facilitating 3 court personnel and a State Attorney to preside over 54 (50 criminal, 04 civil) cases. 21 cases involved refugees from Kyangwali. Support in the form of stationery, facilitation of interpreters and transportation of complainants was also availed.
- A refresher training on different aspects of mediation was conducted in Kyangwali for 33 mediators from different villages within the settlement. The mediators were trained on the meaning of mediation, how and who can conduct a mediation session, difference between criminal and civil cases, what cases can be handled under mediation, the importance of counselling during mediation and referral of cases.
- In Oruchinga settlement, 20 (10 refugees, 6 nationals and 4 staff) individuals were trained as mediators during a training on ADR. Participants were provided with stationery for use in documentation of cases mediated, reporting templates and guiding notes for ADR.
- In Nakivale settlement, 5 Police posts were supported with 120 liters of fuel to ease mobility during investigations. 5 sensitization sessions were

conducted on the laws of Uganda and attended by a total of 346(192M/154F) individuals.

- In Kyaka, 3 community awareness sessions and 2 community dialogues were held with community structures in Bukere and Sweswe on refugee rights and 449 (238M/211F) participants attended.
- IRC with UNHCR funding provided stationery and furniture for the police and Judiciary (Yumbe Magistrates court).

Coordination

- In Arua, Protection Sector Working Group meetings were held in Imvepi, Rhino camp and Lobule settlements. The meetings were attended by 79 partners, CBOs, refugee leaders and Sub county officials from the areas hosting the settlements. The meeting in Rhino camp was attended by 33 (25M/08F), Imvepi 25 (15M/10F) and 21 (10F/11M) in Lobule.
- Refugee Law Project (RLP) convened a meeting for Police Officers in Charge and Police CIDs in Kiryandongo, Bweyale and Kiryandongo settlement. The discussion was attended by UNHCR, OPM, RMF, SCI, DRC and the Police. The main issues discussed include lack of transportation, fuel shortages, few female detectives, lack of a female detention cell in Bweyale, delays in medical response, pressure from partners that affects the pace and quality of investigations among others. It was resolved that community dialogues will be conducted to inform the communities on court procedures and right to bail.
- In Adjumani, a meeting was held with members of the Justice, Law and Order (JLOs) on Performance of the Justice Institutions. Participants discussed the need to enhance community policing taking into consideration reports of alleged exploitation of nationals by the Courts, Police and District Officials.
- In Rwamwanja, a dialogue was held with the judiciary at Nkoma Town Council to discuss the possibility of allocating particular days for refugees to be facilitated to attend court in Kamwenge.
- Kyaka operation also participated in the District chain linked committee (DCC) meeting in which 15 stakeholders participated.
- One District Coordination Committee (DCC) meeting was held at Yumbe Magistrates' Court hall and attended by 22 stakeholders. Key issues deliberated on include joint community awareness

sessions for refugees and host community on trafficking in persons, plea bargaining and enhancing community policing to reduce incidences of domestic violence.

Challenges during the reporting period

- Backlog of cases particularly for those charged with capital offences such as murder and defilement. This is exacerbated by irregular High Court sessions normally held once a year
- Inadequate water in prisons which resulted in the denial of access to the Isingiro Government prison by the authorities based on lack of support from UNHCR to the prison to solve the water crisis.
- No budget to support legal assistance activities at the transit centre.
- Inability of inmates to communicate with their families.
- Refugee inmates requested to be supported with handcraft materials as some have acquired skills in making baskets, mats and necklaces. They also requested clothes.
- Lack of knowledge on asylum procedures.
- Prisoners lack material support for example soap especially ART clients.
- Inadequate staffing at the remand home.
- Repetitive child offenders (who prefer to stay in the remand home because conditions are better and hence keep committing crimes so as to return)
- Insufficient fuel, inadequate number of vehicles and insufficient accommodation. Insufficient accommodation for the police continues to affect presence of police in settlements. The international standard requires that one (1) police officer is deployed per 500 individual; the current numbers fall below the required standard.
- Language barrier at the police and court remains a challenge for the 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.
- Poor and prolonged investigation of cases due to lack of facilitation in form of transport costs leading to frequent adjournments, poor turn up of witnesses to Police and court to testify and lack of investigative skills in handling cases among others.
- Delay in reporting of cases continues to be a challenge as it may affect outcomes of cases especially where material evidence is missing or tampered with.

Gaps Identified

There are a number of specific 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. Inmates with no relatives in settlements especially the new arrivals are forced to starve while they wait to appear in Court.
- 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 continues to affect administration of justice.
- Limited number of judicial officers to handle cases often causes delays in trials especially for capital offences leading to case backlog.
- Inadequate facilitation of police including

Partners Implementing Access to Justice Response

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

Operational Partners: UNDP, LASPNET

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