



# UNHCR Monthly Protection Update

## Legal and Physical Protection

### May 2019

#### Key Figures

336

Number of Police deployed

30

Number of female Police deployed

28

Number of Police Posts in Refugee Settlements

963

Number of refugees that received legal Assistance

13,043

Number of Refugees reached during community sensitization

105

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

43

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



Special SGBV Mobile Court session proceedings in Imvepi

#### Key highlights

- UNHCR was invited to deliver a lecture on Refugee law, impact of conflict and UNHCR civil-military relation with peace keepers to the Uganda People's Defence Forces (UPDF) Senior Military Command in Jinja. The lecture was delivered to senior Military officers from seven countries. This is a yearly standing invitation often extended to UNHCR to deliver lectures on refugee matters.
- The first Legal Actors Sub-Working Group meeting was held on 27<sup>th</sup> May in Bidibidi. The forum was established to enhance coordination among partners conducting legal activities.
- LASPNET in coordination with UNHCR and UNDP convened a meeting on 28<sup>th</sup> May in Arua to disseminate research findings of the Joint UNHCR/UNDP assessment on Rule of law, Access to Justice and Security Needs of Refugees and Host communities in Isingiro and Arua districts. In attendance were representatives from UNHCR, UNDP, OPM, Police, Prisons, IRC, FIDA, DRC, Judiciary, DPP, UHRC, ULS and other key stakeholders including the area Member of Parliament (MP) and LC V Chairman among others.

#### Physical Safety and Security

- A total of 892 (511 refugees/381 nationals) crimes were reported in Arua with 190 (109 refugee/81 nationals) being recorded during the reporting period. In comparison with April 2019 where 158 cases were recorded, May registered a 20% increase in crime rates. Rhino camp (116) recorded the highest number of cases followed by Imvepi (60) and Lobule (14).
- 113 (69F/44M) criminal cases were registered by the legal team in Bidibidi. 54 cases were successfully resolved and 59 were referred to Police for further investigations and prosecution. Assaults and Domestic Violence were the highest reported cases.
- The operation is committed to safeguarding and maintaining the civilian and humanitarian character of asylum in the settlements. As of May 2019, the operation had registered 401(399M/2F) ex-combatants in Arua; 06 of whom are children.
- UNHCR conducted routine assessment visits to 02 protection houses in Kyaka. The occupants were supported with laundry soap as well as counselling. 07 cases at the protection houses are pending decision by OPM.

- In Kyangwali, 82 (12F/70M) cases were recorded from statistics registered and followed-up from Kyangwali police station and police posts within the settlement. This is a slight decrease in the number of cases compared to April 2019 where 87 cases were reported.

### **Access to Legal Assistance and Community Sensitization**

- A total of 6,103 refugees have received legal assistance in Imvepi, Rhino camp and Lobule as well as detention facilities of Arua and Koboko. In May, 35 refugees appeared in courts of law. This represents a 25% increase in the number of refugees that appeared in court in April.
- UNHCR in coordination with Justice Law and Order Sector (JLOS), under the leadership of Judiciary in conjunction with OPM, DRC, ULS and IRC conducted SGBV special court sessions in Imvepi and Rhino Camp. The court was presided over by Chief Magistrate of Arua Magisterial Area. Out of 32 cases which cause listed for hearing, 08 suffered conviction, 11 were adjourned for the next hearing due to absence of witnesses, 01 was committed to High Court and 01 file was closed. The next sittings are scheduled for 6<sup>th</sup> and 7<sup>th</sup> June in Imvepi and Rhino respectively.
- In Adjumani, protection partners conducted 3 legal aid clinics to ensure that persons of concern (PoCs) and the host community receive holistic legal counselling and advice. The clinics were held in Baratuku, Pagirinya and Boroli settlements. UNHCR and ARC also attended to 2 cases requiring legal advice and counselling in Palabek refugee settlement. Both cases were referred to police for investigation.
- 1137 (F582/M555) refugees and host community members received legal counselling in Yumbe. In addition, 54 (35F/19M) refugees and other PoCs were supported to access informal justice through community-based paralegals who addressed civil cases through alternative dispute resolution (ADR) mechanisms with support from IRC. The cases supported were breach of contract (13), Land disputes (13), minor assaults (10), debt claims (8), child neglect (7) and malicious damage (3).
- In Kyaka II, UNHCR and partners mobilized and participated in 02 criminal court sessions conducted by the Magistrate court of Fort Portal in Kyegegwa district. 27 cases of theft, domestic violence and common assaults involving refugees were handled. Of the 27 cases, 13 were concluded

and 14 are still ongoing. 11 PoCs were supported in bail process and all cases were linked to legal representation, interpretation services and mobilization of witnesses. The operation also provided legal counselling to 55 (24M/31F) PoCs. Of the 55 PoCs, 34 were asylum seekers that sought further guidance on the appeal and review legal procedures while the others were general protection cases.

- 09 PoCs accessed justice at Fort Portal Chief Magistrates Court. In addition, 23 (8M/15F) witnesses were supported with pre-trial counselling and watching brief to enhance access to justice during the 04 on station chief magistrates' court sessions. Through individual case management, 25 persons (7F/18M) received legal counselling and advice.
- In Kyangwali, 189 (48M/141F) cases were registered. The clients were offered legal counselling and 116 (22M/94F) cases were referred to the responsible partners as follows: 27 (9M/18F) cases on Housing land and property rights, 40 (6M/34F) on Legal Civil Documentation 49 (7M/42F) cases on RSD. Additionally, 22 cases were successfully resolved through the existing network of community mediators.

### **Detention monitoring**

- UNHCR, OPM and implementing partners have conducted 05 joint detention monitoring visits to Arua Main Prison including the women wing, remand home and Koboko prison. At the time of reporting 89 (7F/82M) of the 812 inmates in Arua main prison were refugees.
- UNHCR together with OPM, DRC, HADS, IRC and ULS distributed sanitary kits to 19 inmates in Koboko prison and 35 in Arua women penitentiary on 10<sup>th</sup> and 14<sup>th</sup> May respectively.
- IRC conducted 11 visits to police and prisons detention facilities in Yumbe and identified 219 (16F/203M) refugees in detention. The detention facilities included Koboko prison, Arua main prison, Giligili Arua Juvenile remand home, Yumbe Prison, Bidibidi Prison, Yumbe Central Police Station and Police Posts of Kululu, Odravo, Bidibidi and Romogi. IRC conducted counselling and legal awareness sessions on rights of accused persons, criminal trial procedures in Uganda, facilitated reintegration of 11(2F/9M) released prisoners back to the settlement and supported 21(7F/14M) refugees to access their relatives in detention through family visits.

- In Mbarara, 04 prison visits to Kisoro prison and 03 police station visits were conducted resulting in the release of 4 individuals. In Matanda, 04 cases on remand were followed up. The court hearing was scheduled for 18<sup>th</sup> May but later adjourned to a later date.
- 01 detention monitoring was carried out at Kyangwali Prison which holds 29 PoC inmates.

### Community participation and outreach

- In Adjumani, UNHCR and partners held community dialogues with refugee communities in Elema, Pagirinya, Nyumanzi, Maaji and Ayilo settlements. The topics discussed include ADR mechanisms and services provided by the legal Aid clinic. In addition, UNHCR partners led 3 block based legal outreach sessions in Pagirinya, Boroli and Baratuku. The outreach created legal centers to ensure maximum penetration of legal support to persons with specific needs. Participants were sensitized on the criminal procedures of Uganda.
- In Kyangwali, UNHCR organized 01 Community Policing meeting for Kasonga & Kyebitaka villages chaired by the Chief Magistrate for Hoima and guests from Justice Center Uganda and RLP. Topics discussed were centered on ADR, duties and obligations of refugees in the country of asylum, and the roles played by different partners in the protection of refugees.
- 04 awareness sessions were conducted on the laws of Uganda in Rwoma B, Rubondo A, Kabahinda B and Kabazana Reception Centre. The sessions reached out to 591(301M/289F) refugees and 1 male Ugandan who were sensitized on where to seek redress.
- UNHCR facilitated the Police in Mbarara and Kyaka to conduct 4 community policing sessions reaching approximately 2,000 refugees and host community members in Bwiriza, Bukere, Mukondo and Sweswe zones. The sessions sought to foster community participation in prevention and response to crime by working in coordination with police, Refugee Welfare Councils (RWCs) and vigilante groups.
- In Kyangwali, 341 (161M/180F) individuals were reached through 06 group information sessions conducted by ICLA on protection and access to basic services. In addition, 2 collaborative dispute resolution trainings were conducted at Kasonga Youth Centre.

### Capacity building

- UNHCR partners in Adjumani conducted a training on juvenile justice with the objective of empowering local leaders with skills and knowledge on handling juvenile cases.
- UNHCR and ARC, trained 10 court interpreters in Palabek settlement. ARC also trained 09 (2F/8M) paralegals, 03 SGBV incentive workers and 03 mental health and psychosocial support workers in identification of cases that require legal support, case management and mediation.
- OPM conducted a training for various border officials in Yumbe on 22<sup>nd</sup> May 2019. Officials represented were drawn from OPM, police, army and immigration. UNHCR joined OPM to facilitate sessions on international protection, refugee reception, the Code of Conduct and PSEA.
- In Yumbe, weekly capacity building and mentorship meetings were held with 150 (62F/88M) community based paralegals across Zone's 1-5 to enhance their capacity in ADR and record keeping. Material support in form of stationary were given to paralegals to facilitate their work. The Police were also supported with stationary to facilitate recording of statements and photocopying Police Forms.
- 15(8M/7F) cases were registered for ADR in Oruchinga Base Camp. The cases were supported with stationery for the effective documentation of cases handled at the community level.
- In Rwamwanja, 55 Refugee Welfare Council members (35M/20F) were supported with counter books, pens, and referral books to enhance case management and community-based protection at large. In Kyaka II, the police was supported with 01 carton of reams of paper and 04 boxes of pens to support documentation of evidence. Additionally, UNHCR supported police at Bujubuli to provide meals to 08 (1F/7M) suspects to improve their living condition while in detention.
- UNHCR, HIJRA and OPM conducted a training on international Protection, conduct of law officers in humanitarian settings and the legal frameworks for asylum targeting Police and Prison officers from Kyangwali, Kikuube and Hoima. Further, following a request by the Masindi Resident Judge to assist with interpretation services for refugees at Masindi and Hoima Courts, UNHCR conducted a one day training for 10 court interpreters covering the code of ethics and catering for all the languages spoken in Kyangwali settlement.

## Coordination

- Protection Working Group meetings were held different operations across the country. In Kiryandongo, the forum discussed issues affecting general distribution due to family separation and mergers leading to conflicts over sharing of food/cash. The meeting encouraged the use of the protection desks and community engagement.
- UNHCR in collaboration with Justice Law and Order Sector (JLOS) hosted Regional Coordination Committee (RCC) meeting on 17<sup>th</sup> May in Arua. RCC oversees administration of justice in the region and oversight of the District Coordination Committee (DCC). Key actions points taken included inter alia; Joint community awareness sessions to be conducted to inform refugees and nationals that no payment must be made in regard to application of police bond; the meeting advocated for construction of juveniles cells in West Nile Region including refugee settlements, it emphasize the need for the Police to do thorough medical screening to weed out detention of children in adult prisons, and that Criminal Investigation Department (CID) should work with the Directorate of Public Prosecution (DPP) to locate 300 criminals files whose whereabouts are unknown within a reasonable time so as to avoid imminent miscarriage of justice.
- 01 District Coordination meeting was held in Yumbe Magistrate's Court hall and attended by 19 (4F/15M). Key issues deliberated on include the support of law enforcement institutions with stationery, joint community awareness for refugees and host community on trafficking, substance abuse, children's rights, plea bargaining sessions in Yumbe Prison, inclusion of religious leaders in capacity building initiatives and joint visits to all detention facilities, provision of health services to Prisons, advocacy for a mortuary in Yumbe town. The meeting noted with concern the high charges for medical examinations by the health centers.
- The Deputy Representative of UNHCR visited Kiryandongo and held meetings with refugee leaders and partners. Refugees expressed that they faced difficulties in acquiring ID cards and equating of documents for students in senior four among others.
- 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.
- 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 (fuel, vehicles and accommodation). Insufficient accommodation for the police continues to affect presence of police in settlements. The international standard requires that one police officer is deployed per 500 individual; the current numbers fall below this 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 aboard.
- 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 leading to frequent adjournments, poor turn up of witnesses and lack of investigative skills in handling cases among others.
- 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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## Gaps Identified

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