

## Sub National Protection Dialogue (Mid/South West and West Nile)

23-25 April 2018 (Mbarara) & 2–4 May 2018 (Gulu)

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### Background

In April/May 2018, Uganda operation successfully concluded two Sub-national Protection Dialogues covering the major refugee emergency operations in Western (DRC/BRI) and West Nile regions (South Sudanese). The events took place from 23 to 25 April 2018 in Mbarara and 2 to 4 May 2018 in Gulu. The protection dialogues took place alongside other ongoing efforts by UNHCR to strengthen the refugee protection response.

The dialogues brought together a full array of protection actors from the humanitarian and development sectors including the Office of the Prime Minister (OPM), District Local Government, District Probation Officers, UNHCR, UNICEF, UNFPA, UNWOMEN, WFP, UNDP and NGOs (ARC, DRC, Save the Children, Refugee Law Project, HIJRA, AAH, Tutapona, CAFOMI, Windle Trust, JRS, MTI, Finn Church Aid, World Vision International, CARE, Child Voice International, TPO)

The discussions were themed on the imperative to streamline and strengthen the existing protection response and coordination mechanisms in the refugee settlements and had the following objectives:

- ✓ Reflect internally on existing protection response mechanism and capacity;
- ✓ Identify and agree on specific strategic objectives for the sub-national protection response;
- ✓ Foster a stronger, coordinated and harmonized approach to protection across the operation;
- ✓ Map out essential protection infrastructure for each settlement; identify areas where there are gaps and recommend measures to address them;
- ✓ Identify the optimal, streamlined protection coordination mechanism and how to ensure that protection effective protection practices and protection information are shared and harmonized across the operation;

The stakeholders discussed the gaps in protection infrastructure, protection coordination and service delivery and collectively agreed on timed solutions to those gaps. Discussions also focused on the need to enhance the community reporting mechanisms in the refugee settlements and the review of identified weakness in some locations and harmonize approaches in the protection systems and safeguards particular to women and children.

The main outcomes of the Dialogues with each specific outcome document were:

- ✓ Validation/agreement on six strategic protection objectives, problem analysis and actions required for delivery;
- ✓ Agreement on the “essential protection infrastructure” for protection delivery in each settlement - identifying the gaps, measures and opportunities/solutions to address them;
- ✓ Agreement on the organigram for protection coordination reflecting the terms of reference and linkages between the settlement/district/regional and national level protection coordination;

This report provides a summary of the issues and outcomes of the dialogue which cuts across all aspects of protection response in both the Western/DRC and West Nile/South Sudanese situations.

### 1. Strategic protection objectives and problem analysis

The Dialogue validated and agreed upon six specific strategic protection objectives as follows:

*Reception, registration, refugee status determination and documentation processes strengthened streamlined through protection sensitive systems, data quality, continuous registration and effective issuance of relevant documents.*

Limited capacities of border authorities and reception staff, as well as shortfalls in coordination among key partners create delays and backlogs in registration and issuance of documentation. Asylum seekers who fall outside the prima facie recognition also wait long periods for RSD; and for those who are rejected, the Refugee Appeals Board (RAB) does not review their cases on a regular basis. Registration is also delayed in most locations due to inadequate staffing, equipment and, at times, internet connectivity. As a result,

refugees and asylum seekers may miss out on access to certain services or experience delayed service provision. Recording and updating of persons with specific needs is also challenging because RIMS does not record specific needs codes. Also, pathways for persons of concern to report complaints and receive feedback in the areas of reception, verification, registration and RSD are limited and where they exist unclear and uncoordinated. There is also a lack of clarity on the long-term measures for registration, related to the use of RIMS and proGres v4.

*Physical safety, security, civilian character of the refugee settlements and access to Justice for Persons of Concern*

The continuous massive influx of refugees has strained existing capacity of stakeholders to ensure physical safety and security, timely access to justice, and effective legal response. Inadequate police presence and capacity, lack of gender balance in the force and limited vehicles hinder effective prevention and response to crime. Collaboration between state police, community policing structures and other protection actors in settlements also requires strengthening. Access to justice is also challenged due to geographical location of courts, delays in judicial proceedings and inadequate access to legal counselling and representation. Lengthy stays in detention and lack of alternatives to detention also remain significant challenges. With ongoing inflows, new arrivals lack of knowledge of local laws and combatant elements are not adequately identified and separated, and their disarmament guaranteed. Limited lighting in communal areas within the settlement and long distance walk to search for firewood also cause increased protection risks.

*All actors are committed to and proactive in the prevention of Sexual Exploitation and Abuse (SEA) and Sexual and Gender-Based Violence (SGBV) and capacities are built to respond in a timely and effective manner. SGBV and PSEA prevention and response are mainstreamed into all sectors, and zero tolerance for SEA is rigorously enforced*

There is lack of safe and confidential spaces at the border / transit centers, in which to conduct interviews to identify and manage SGBV/SEA. Once persons of concern are received at the settlements, coordination among partners and referral pathways also need continuous attention and strengthening. Space in protection houses is limited and temporary. There is a need to mainstream SGBV and SEA prevention and response into all sectors, as limited livelihoods opportunities, limited access to alternative domestic energy, insufficient lighting and safe shelter expose refugees to SGBV and SEA risks. Support to government institutions, such as police and judiciary, requires strengthening to enhance access to justice for survivors. Negative social and cultural norms prevail within the refugee population, exacerbating SGBV occurrence; and sustained awareness raising on gender-equality and empowerment of women is needed. Newly recruited staff in emergency settings may lack sufficient knowledge and awareness of SEA and Code of Conduct. The information captured in the GBVIMS is not comprehensive enough, and a more comprehensive case management focus is therefore needed. The delayed procurement and distribution of dignity kits for women and girls of reproductive age also need to be addressed

*Children of concern are protected and their best interests are safeguarded through measures to prevent risks, monitoring and improved case management.*

Common protection concerns faced by children include: separation from families or primary caregivers, limited access to education, lack of documentation, early marriage, child labor, abandonment, SGBV, neglect, violence and related traumas, exploitation, limited access to birth registration, and difficulty in accessing services for children with specific needs. Identification of children at risk requires strengthening and their protection risks are not responded to in a systematic and timely manner. Best Interests procedures in place are often inadequate. Current Child Protection (CP) coordination mechanisms need to be strengthened.

*Improve accountability to persons of concern through effective and efficient complaints and feedback mechanisms*

There is limited engagement of refugee and host communities in the programme cycle of both humanitarian and development actors and inadequate partnership between sub counties and the districts. Existing reporting and feedback mechanisms in refugee hosting areas are scattered and not well coordinated. As a result, protection incidents and complaints are not reported and addressed in a timely manner. This is mainly due to: cultural rigidities, language barriers, fragmented complaints channels, poor telephone networks, limited knowledge on existing structures, poor coordination among service providers, limited resources to address complaints and provide feedback to PoCs and communities on cases reported.

*Coexistence between refugee and host communities strengthened and resilience promoted through appropriate approaches and strategies, reconciliation, and integration measures.*

Tensions exist between the host communities, protracted caseload and new arrivals caused by real and /or perceived unequal access to services and resources both within and outside the refugee hosting areas. There is also limited involvement of government authorities at all levels that negatively impacts the inclusion of refugee issues in national planning. Limited awareness of the plight of refugees and the protection and assistance they receive among host communities also cause tensions. The 30/70% contribution ratio is contested and often a source of tension. Ethnic tensions among refugee communities also affects peaceful coexistence.

## 2. Protection Coordination and information Management

In line with the Refugee Coordination Model (RCM), the establishment of the National Refugee PWG is critical in facilitating solutions on complex protection issues that require high-level advocacy and intervention as well as to guide on strategic response and policy formulation. The PWG also has an important role to play in ensuring a comprehensive and coherent implementation of the protection and solutions strategy. The basic organigram for protection coordination at the national level comprises an umbrella National Refugee Protection Working Group (PWG). Under the PWG, there are three (3) sub-working groups for SGBV, Children Protection and Education.

Similar protection coordination structures exist at the settlement level which feeds into the district/regional coordination, and ultimately linking up with the national PWG. While some settlements have established sub-working groups on various other protection topics i.e. legal assistance, psychosocial support, persons with specific needs and peaceful co-existence, there is consensus to merge these subtopics under the umbrella PWG to streamline the coordination and minimize the number of meetings. This will not preclude task team discussions on these issues as appropriate.

Beyond sharing of minutes, substantive discussions and issues that cannot be addressed at field level should be highlighted and escalated to the structure above. Similarly, strategic or policy resolutions discussed at the national level structure should cascade down to the sub-national /settlement level. In this regard, a sub-national /regional level coordination was adopted to align with the regional government administrative structure. The sub/national regional coordination also aligns the two key operations i.e West Nile for the South Sudanese refugees and Western region for the DRC/Burundi situations. In addition, it was suggested to establish a coordination forum for urban refugee response in Kampala.

Refugees' participation in protection coordination is generally encouraged by including relevant committee members in Working Group meetings as appropriate. Linkages across other sectors are made through existing inter-agency coordination meetings at field and national level. Mainstreaming

To improve the protection information flows, a large quantity of protection data is being gathered and compiled at the field level however; there is a lack of a harmonized system and tools to consolidate and analyze such data. This should be addressed to allow the PWG to produce materials that allow for an analysis of protection gaps to inform programmatic decisions, advocacy and resource mobilization, and give greater visibility to the protection work being done by the Protection partners in the operation as well as the impact of interventions.

In this respect, a Protection Information Management (PIMs) training for the Uganda operation will be conducted by end of May 2018 to refine the data processing and improve protection information flow. Further, a protection monitoring tool and protection dashboard articulating clear interventions, achievements and challenges will be developed. These will enable protection to share comprehensive and consistent reports through a portal that will be accessible to all actors including donors, and also ease the demand for protection information and visibility.

## 3. Essential protection Infrastructure in the settlements

The Dialogue mapped out the essential protection infrastructure and mechanisms that are necessary for quality protection delivery in five (5) key thematic protection areas i.e. SGBV, child protection, community-based protection including persons with specific needs, education and livelihoods

While there is currently a certain level of protection infrastructure and diverse initiatives for community-based protection in the refugee settlements, it is evident that there is a need to harmonize them across the operation and to address gaps through establishment of additional systems or strengthening existing ones.

Some key actions raised as areas requiring strengthening or follow-up include: focus on protection 'hotspot' mapping and mainstreaming in all sectors; improved case management tools for SGBV, Child Protection and PSN; conducting an inter-agency SGBV assessment to identify gaps based on which a comprehensive strategy and plan of action can be developed that will be aligned

to the government's national strategy; addressing the significant gaps in the current child to staff ratio<sup>1</sup> and other gaps in protection of unaccompanied and separated children, family reunification, and alternative care arrangements; collaboration with the judiciary on juvenile justice and enhancing access to justice; collaboration with authorities to support the establishment of a children's rehabilitation facility in the West Nile; enhancing access to secondary education which is essential for child protection and prevention of SGBV; engagement with community-based structures and harmonization of support through provision of incentives and working tools; enhancing support to PSNs; and expanding partnerships and joint programming in SGBV, child protection, education, and livelihoods, including with national and local authorities. To address the current gaps in case management tools for child protection, SGBV and PSN, the launch of proGres v4 following the ongoing verification exercise in the settlements will remain a priority. For longer term, UNHCR (with the support of HQ) will explore the possibility of creating an interphase between the child protection and SGBV modules in proGres v4 and the relevant national databases to facilitate inclusion of refugee-related data in the national systems.

#### **4. Accountability to Affected Populations - Feedback, Communication, and Complaints Mechanisms.**

While appreciating the importance to have multiple channels for feedback and response to ensure effective access by the community, the Dialogue alluded to the need to streamline, systematize and harmonize these systems to make them more efficient. UNHCR mapping of existing mechanisms to receive feedback and complaints from Person of Concern showed that there are over 20 systems existing across the country, including community-based and agency-led mechanisms. However, in some instances they were un-coordinated and duplicative and some are not working effectively. It was also not clear how some of the structures were used as mechanisms for feedback and response.

Each mechanism should have ToRs as well as clear guidelines on the procedures on how feedback / complaints that are received are handled and the actors involved in the process, while ensuring that confidentiality safeguards are in place. In addition to those listed in the mapping, the open door policy in some of UNHCR and partner offices with regular counseling / interview days on a weekly basis, was noted as a good practice that could be considered in other locations.

UNHCR gave a presentation on the comprehensive inter-agency comprehensive feedback, referral and response mechanism that the Office is working to establish to address the above concerns. The envisaged system will build on existing feedback mechanisms in the field, but will introduce a new component of a country-wide toll-free helpline as well as an online digital system that will enable systematic triage and filtering of feedback / complaints received and referral to appropriate stakeholders for action and response. An inter-agency Steering Committee will be established to guide the process. Participants generally welcomed the introduction of the proposed system that should build on existing mechanisms and harmonize / systematize them.

Further planning on the feedback mechanisms should include consultations with persons of concern of different groupings and ages to incorporate their needs and perspectives. The sustainability and need for sufficient human and material resources on the ground to be able to effectively gather and respond to the feedback received was also underscored by participants, as well as the need to enhance connectivity by the community.

#### **5. Conclusions**

The outcomes and objectives agreed upon during the Dialogue aligns with Uganda's 2016-2022 long-term Multi-year Multi Partner Protection and solutions strategy and will serve as a reference to guide future actions, planning and implementation by UNHCR and partners going forward.

The commitment and enthusiasm among all actors that was demonstrated during the Dialogue gives credence on the adoption of the outcomes. The National Refugee Protection Working Group will be relevant to ensure a coherent and coordinated approach to achieving the outcomes and to provide national level guidance and support as required. Participation of refugees in the NRPWG will be critical.

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<sup>1</sup> In order to provide appropriate, quality case management, caseworkers must have a reasonable caseload, reflecting their skills and capacities. The Child Protection Minimum Standards state that the number of cases allocated to each caseworker should not be more than 25. (*Inter Agency Guidelines for Case Management & Child Protection, pp 41.*)

However, the current standard child-to-staff ratio in the settlements in Uganda is around the range of 300 to 1.