



Key Figures

292

Number of Police deployed

37

Number of Female Police deployed

56

Number of Police posts in Settlements

1188

Number of refugees that received legal assistance

39,754

Number of Refugees reached during community sensitization

29

Number of packages provided by UNHCR (Fuel, WASH facilities accommodation, vehicles protection house, motorbikes and transport)

MONTHLY THEMATIC UPDATE – SEPTEMBER 2018

Legal and Physical Protection



Figure 1 Mobile Court Session (18th-20th of September 2018) at Lobule Settlement

Physical Safety and Security

- From Jan - Sept 2018, 1208 (480 nationals, 728 refugees) crimes were reported in Arua. At 687 (387 refugees, 300 nationals), Rhino camp recorded the highest number of cases, followed by Imvepi 463 (306 refugees, 157 nationals) and Lobule 58 cases (35 refugees, 23 nationals). In September, 152 crimes were reported. The highest number was in Imvepi (79) followed by Rhino (68) and Lobule (5). The most prevalent incidents reported were; assault, theft, defilement & domestic violence. To enhance law and order, the police has continued to work with 29 (20M, 9F) crime preventers in 03 settlements under the Arua operation.
- UNHCR continues to support the police through construction of accommodation and WASH facilities in Imvepi Zone III; in addition, 02 pickup vehicles and 02 motorcycles were handed over to police posts in Imvepi and Rhino settlements. Community participation was key in enhancing security and crime prevention. Community watch groups and crime preventers actively supported law enforcement bodies. 09 mentorship sessions were conducted to community watch groups in Imvepi settlement in months preceding September.
- To maintain the civilian character of asylum in settlements, UNHCR continued to support OPM to identify and screen ex-combatants present among refugee populations. As of September 2018, the number of ex-combatants identified was 375 (367M, 02F) (06 children). A system to ensure appropriate monitoring their activities in the settlement is in place. More support and targeted programmes could enhance their smooth integration in the community.
- From Jan - Sept 2018, UNHCR Arua organized and facilitated 02 trainings in July for 109 court interpreters and members of alternative dispute resolution mechanisms to equip them with necessary skills to conduct effective court interpretation and ensure greater understanding on their roles to solve disputes using non judicial mechanism.
- In Kyangwali, 29 (27M,2F)community watch groups were supported with gumboots and raincoats each to improve their working conditions.

Detention Monitoring

- From January to September 2018, UNHCR, OPM and implementing partners conducted 3 joint detention monitoring visits (in the months preceding September): two to Arua Main Prison and one to Koboko prison. Legal interactions were conducted with refugee inmates; legal assistance and material gaps were identified. Of the 761 inmates in Arua main prison, 58 (3F, 55M) are refugees. The refugees are from Imvpei, Rhino, Bidibidi and Adjumani settlements. Further, there are 15 refugees out of 209 inmates in Koboko prison. 59 refugee inmates appeared in Court as of September 2018.
- In the months preceding September, UNHCR, OPM and other protection partners provided material support to detention facilities in Arua and Koboko districts
- In Kyangwali, routine police visits have been conducted in Hoima and Kyangwali police station, Malembo A, Kagoma and Bukinda police post where 34 cases involving 40 PoCs (1F, 39M) were identified and followed up.
- A joint quarterly prison monitoring visit was conducted from the 24th to 28th September 2018 with Staff from OPM, UNHCR, ARC and Refugee Law Project. 07 prisons were visited; Isingiro, Mbarara, Kakiika, Bushenyi, Ntungamo, Mitooma and Buhweju prisons. A total of 144(141 Male, 3 Female) Persons of concern are admitted at the prison facilities. All inmates were provided legal and psychosocial counselling.
- In Yumbe, ARC organized a joint detention visit with OPM, UNHCR, Police, Liaisons Officer and RMF (medical services) to Yumbe and Bidibdi prisons respectively. A total of 38 (2F & 36M) refugees were found in detention. UNHCR, OPM, and partners supported the two prisons with assorted material such as sandals, hygiene kits, Jerri cans, Blankets and Mats. IRC also conducted 4 detention monitoring visits to the various detention facilities i.e. Yumbe, Bidibidi, Arua prisons and the Yumbe Central Police Station

throughout the month; a total of 106 (F2 M104) refugees were identified.

Legal Assistance and Access to Legal remedies

- In Kyangwali, 38 (19F, 19M) PoCs benefitted from legal counseling; 15 reported cases related to domestic violence, family reunification, children at risk and other categories. 31 (25M, 06F) PoCs benefitted from mediation by the Community based mediators.
- In Kiryandongo, the DRC Legal team facilitated 16 witnesses to report to police and record statements in cases of child to child sex and aggravated defilement.
- In Kampala, 224 (84 from registration desk & 104 internal referrals) accessed the legal desk and benefitted from Individual Legal Counselling on various issues presented for guidance.
- In Oruchinga, Legal representation was provided to one case of defilement. The case was adjourned due to lack of legal representation for the accused.
- 16 refugees were identified and provided legal counselling during 04 detention monitoring visit.
- UNHCR/LWF also supported 14 witnesses with meals, transport, pre-trial counselling and interpretation
- Legal representation was accorded to 29 refugees accused of illegal entry. All 29 have been released from detention.
- 05 cases were followed up at the Magistrates Court in Isingiro. Of the five, 04 were dismissed for want of prosecution while 01 was convicted.

Mobile Court sessions

- In Kyangwali Magistrate Grade 1, a Court clerk and the Resident State Attorney were facilitated with transport to conduct a mobile court session in Kyangwali where 28 cases appeared before her worship i.e. 11 cases involving 13 (12M, 1F) PoCs and 17 cases involving nationals. For PoCs,

Judgment was entered in 05 cases (01 juvenile), 02 cases appeared for mention, hearing ongoing in 04 cases.

- UNHCR facilitated the court session with interpretation services and also facilitated 10 PoCs with transport allowance.
- UNHCR attended one High Court session and 2 court sessions in the Chief Magistrate Court in Hoima, where 07 cases engaging 07 (male) PoCs appeared.
- In Kiryandongo, DRC Legal team met the Resident State Attorney (RSA) Kiryandongo to discuss the way forward for moot court session to be held at the settlement.
- In Rwamwanja, Magistrate Grade one mobile court session was conducted at Nkoma Sub County, where 6 refugees were provided representation.
- In Yumbe, access to justice has been strengthened through Mobile Court sessions in Bidibidi settlement. IRC, ULS and ARC in collaboration with UNHCR and OPM facilitated one mobile court session in Zone 5 in Bidibidi settlement. A total of 8 refugee cases were heard before magistrate grade 1; 6 cases convicted and sentenced as charged, 1 case adjourned and 1 case granted bail. This brings the total number of mobile courts sessions conducted in Bidibidi settlement to seven (7) which has improved access to justice to person of concern.



Figure 3



Figure 2 & 2 Mobile court session held on 26th September, 2018 in Yangani, village 5. © Photo taken by Odongo Robinson – Legal Officer

Co-ordination

- In Rwamwanja, a meeting was conducted with Kamwenge Police and Child/Family Protection Unit with the objective of ensuring implementation of UPR adopted recommendations related to juvenile justice.
- One meeting was conducted with the District Coordination Committee (DCC) Chairperson-Grade 1 Magistrate Kamwenge and In charge of Kamwenge Prison on prison decongestion and reduction of case backlog in the district.
- Oruchinga team conducted a quarterly advocacy meeting with representatives from the Isingiro Magistrates' court, Director of Public Prosecution, Local government and police with the aim of discussing best protection practices, impediments to justice and viable solutions in advocating for better service delivery to persons of concern. Issues raised were challenges in assuring witness protection, frequent adjournment of cases, collecting/handling evidence and commitment towards addressing refugees' legal concerns. The participants agreed to schedule a meeting with the Chief Magistrate to discuss the issues and chart a way forward.
- In Adjumani, UNHCR participated in a meeting held on 20th September with the Adjumani District Coordinating Committee on legal affairs. Other participants included JLOS actors in the district - Chief Administration Officer, Magistrate Grade 1, State Attorney and local advocates,

Police, Criminal Investigations and Prisons Departments and partners. To improve timely delivery of justice, the Magistrate shared a weekly schedule for hearings and judgements of criminal and civil cases.

- On 21st September, LWF and DRC Adjumani Legal Teams participated in a workshop organized by International Justice Mission (IJM) in Kampala with participants from Civil Society Organizations working on Access to Justice. The discourse focused on three main aspects i.e. juvenile justice, protection of gender based violence survivors and perpetrators, and the legal protection of refugees and host communities. A draft policy and recommendations will be presented to CRRF Secretariat in Kampala to inform planning for the Justice Law and Order Sector in advocating for long-term responses to protection of refugees and host communities.
- In Adjumani, DRC facilitated a moot court session with 52 individuals (19 M, 33 F) in Mungula II Settlement. The session aimed at raising awareness on the sentencing guidelines, understanding the concept of innocence of the accused before he/she pleads or is proved guilty, bail application, providing evidence in court, proving all ingredients of the offence and defenses to the offence charged.
- Advocacy was further promoted during 06 follow up engagements done with the local authorities (police posts, police stations, LC1 offices, KCCA Rubaga and Makindye Divisional offices).
- 36 KCCA Law Enforcement officers (9 female and 24 male) benefitted from a coordination meeting that was attended by representatives from UNHCR and OPM to discuss refugee issues and harmonize expectations of OPM, UNHCR, IAU visa vie those of KCCA Office of the Town Clerk.
- 63 (05F, 58M) LC chairpersons from Rubaga Division benefitted from a sensitization organized and conducted to educate them about services offered at OPM, UNHCR, KCCA and IAU. This meeting was facilitated by IAU and also in

attendance was KCCA Representative attached to office of the Town Clerk and UNHCR Community Services. The sensitization focused on the multi-sectoral nature of services offered by the partners, especially IAU, OPM, UNHCR and KCCA, the meeting also briefly highlighted the referral pathways of services by the different operations and how they are harmoniously interlinked. Copies of the refugee Act were distributed to the chairpersons majority of whom were all newly elected into office

Community Policing/ Community Awareness

- 04 community policing sessions were conducted by Police at Wijagahe Basecamp, Kaihora and Buguta. 372 Persons participated (200 F, 172 M). The major objective was to assess and increase refugee knowledge on their rights, obligations and generally laws of Uganda. Topics touched on general criminal conduct, gender roles, community based justice system and ADR, procedure of reporting cases, crime area profiling, referral pathways and child protection.
- In Kampala a total of 1273 (734F, 539 M) of which 21 were asylum seekers, benefited from sensitization and information empowerment at the program office. This was done during 19 sessions during the morning address sessions. Topics handled during these session include vigilance of POC in following up of cases at police stations and posts, presentation of updated recent and relevant documents to support their cases, the role of a lawyer in a case reported at the Police Station, procedures to be followed while accessing medical care on referral, introduction of new staff to the POC and their various roles at the protection office. POC were educated on the mobile money transaction system which is now being used for all cash based intervention. All POC were guided to register their mobile numbers on mobile money to ensure their cash based interventions were necessary, convenient, quick and safe. Parents enrolling

children in school were advised to ensure the schools have got registered and official bank accounts

- Within the reporting period, ARC and IRC continue with routine legal awareness and assistance activities of including provision of legal counselling, legal clinics, re-integration for PoCs released from prison, legal case management and legal information sessions across the five zones in Bidibidi settlement.

Gaps Identified

- Lack of sufficient fuel for police motor bikes and patrol vehicles as well as insufficient motor bikes remain as an outstanding challenge. OPM settlement commandant, UNHCR SO Yumbe Head of Office and Program officer have subsequently discussed and addressed the issue of fuel and transportation for police in the settlement. While OPM will monitor the proper utilization of fuel allocated to Police, UNHCR provided one motor bike to police in zone 2
- In Yumbe, the prisons are faced with limited accommodation leading to congestion. The facility also lack of fence and permanent latrines.
- The key challenges in the area of access to legal assistance/ justice are; poor investigation of cases due to lack of facilitation in form of transport costs, poor turn up of witnesses to Police and court to testify and lack of investigative skills in handling cases among others.
- Lack/limited facilities for holding juvenile offenders at police post, this often leads to detention of children together with adults. Ongoing construction of juvenile cells in Adjumani police station with the support of UNHCR will enhance management of cases relating to juveniles.
- Ignorance of the laws of Uganda coupled with limited knowledge of Court procedures continues to affect administration of justice. In some instances, witnesses back off for fear of

retribution, while in others, complainants are more interested in favours in exchange for justice.

- Limited knowledge by law enforcement personnel especially on the management of cases related to sexual and gender based violence.
- Insufficient funds to cover transport facilitation for witnesses leading to frequent adjournments and poor follow up of cases to completion. In addition lack of food for suspects at police posts often result in release of suspects.
- The low numbers of judicial officers to handle cases often causes delays in trials especially for capital offences leading to case backlog.
- 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.
- Insufficient accommodation for the police continues to affect presence of police in the settlements. The international standard require that 1 police officer is deployed per 500 individual; the current number fall below the required standard.
- The community continue to demonstrate preference for traditional justice systems which are only authorized by law to hear petty cases.
- Late reporting of cases by the community members affect outcome of cases especially where material evidence is missing or tampered with.
- Most cases of gender-based violence are resolved through family members and community leaders rather than through the formal administration of justice system. This is partly due to the fact that the perpetrator is often a close family member.

Partners Implementing Access to Justice Response

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

Operational Partners: UNDP, LASPNET