

## Key Figures

**260**

**Number of Police  
deployed**

\*(Arua, Oruchinga, kyaka, Rwamwanja, Nakivale, Kyangwali, Kiryandongo)

**23**

**Number of female Police  
deployed**

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

**28**

**Number of Police Posts  
in Refugee Settlements**

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

**82**

**Number of Refugees that  
received legal Assistance**

\*(Arua, Kyangwali, Kiryandongo)

**4,358**

**Number of Refugees  
reached during community  
sensitization**

**14**

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



*Launch of the Access to Justice Report by Hon Minister of Justice and Constitutional Affairs*



### Key highlights

- UNDP/UNHCR launched a report on the access to justice needs of refugees and host communities assessment conducted in Isingiro and Arua. The objective of the study was to review existing coordination mechanisms and map actors' activities in enhancing rule of law, access to justice and security for refugees. The study also sought to identify service gaps among formal and informal justice institutions including courts of law and police in enhancing rule of law, access to justice, human rights and security for refugees and host communities. A programme implementation document providing action plans and strategies will be developed to respond to the identified needs of refugees and host communities.
- A joint border monitoring by UNHCR, OPM, HIJRA, AIRD and MTI was conducted from the 19-22 March 2019 to eight border points of Katuna, Mirama Hills, Kamwezi, Kizinga, Kashenyi, Kikagati, Bungago and Mutukula. The monitoring team met with

border, police and immigration officials to discuss concerns of new arrivals and protection response at the border points. Following closure of Rwanda border, new arrivals are coming through Mutukula, Mirama Hills, Bungago and Kikagati.

### Physical Safety and Security

- In Arua, 180 crimes (102 refugee, 78 nationals) were registered in March 2019. Rhino camp refugee settlement recorded the highest number of cases with 109 (61 refugees, 48 nationals) followed by Imvepi refugee settlement with 62 (34 refugees, 28 nationals) cases and Lobule with 9 (7 refugees and 2 nationals) cases. In comparison with February 2019 where Arua settlements recorded 177 cases, March registered a 1.7% increase in crime rate. Physical assault remained highest incident in the three settlements followed by domestic violence, theft, threatening violence and domestic violence.
- In Arua, addition to 42 police personnel there are 29 (20M/9F) crime preventers to ensure law and order. Community participation was considered key in enhancing security and preventing crimes. Additionally, the Arua operation has 89 (08 Lobule, 39 Imvepi and 42 Rhino) community watch groups and security vigilantes respectively comprised of 343 members. The community watch members work in close collaboration with security secretaries on the Refugee Welfare Committee structures of the respective villages.
- Between 26<sup>th</sup> and 30<sup>th</sup> March, 6 community policing sessions were conducted across 3 zones of Imvepi settlement including the reception centre which targeted the new arrivals. This activity was organized and coordinated by UNHCR and OPM in conjunction with police and IRC and attended by a total of 765 (385M/380F) individuals.

### Access to Legal Assistance and Legal Remedies

- In Mbarara, case follow up and legal counselling was provided to 52(38M/14F) persons of concern (PoCs) police stations in Nakivale settlement and Kabingo court in Isingiro District. In Kyaka, legal assistance was provided to 26 (9F/17M) PoCs.
- In Yumbe, 45(29F/16M) PoCs were supported to access justice through community based paralegals who addressed civil cases through alternative dispute resolution mechanisms with support from the IRC legal team. Cases supported included contracts grievances, debt claims, land wrangles, child neglect and minor assault with no injury of persons
- Legal counselling was provided to 20 (15F/5M) persons currently at the protection houses in Rubondo and Kabahinda in Mbarara.
- 35(21F/14M) cases were registered in Bidibidi by the legal team. 22 cases were successfully resolved and 13 were referred to Police for further investigations and prosecution. The highest reported cases are assaults (11), domestic violence (5), arson (4), attempted suicide (4), theft (3), defilement (3), rape (2), threatening Violence (1), trespass (1) and breach of contract (1). One case involving a male combatant in Zone 1 was referred to OPM where the PoC received legal counselling and coordination with police for safety.
- In Kiryandongo, DRC in partnership with police, the Directorate of Public Prosecutions (DPP), Judiciary and community based paralegals handled /followed up on 12 cases, bringing the total number cases handled to 43 in March 2019. Out of the total, 18 cases have been resolved/closed and 25 cases are still being followed up on. The 12 cases handled this month include 5 defilement cases, 1 denial of resources, 1 case of theft, 1 domestic violence case, 1 case of road traffic accident, 1 rape, 1 case of trespass and 1 case of threatening violence.

### Detention monitoring

- In Kisoro, 8 prison monitoring visits were conducted and 24 cases on remand in Kisoro were attended to. The PoCs were provided legal, psycho-social counselling and NFIs. Their relatives were updated on their conditions and 2 police monitoring visits were conducted leading to the release of 3 PoCs.
- Prison monitoring was conducted in Kisoro and Kamwenge districts. The PoCs were provided legal, psycho-social counselling and NFIs. Their relatives were updated on their conditions.

- Detention monitoring visits were also organized by ARC and undertaken by a joint team from OPM and Refugee Law Project (RLP). The activity was conducted in Lamwo on 20th and 21st March 2019 at various detention facilities. The police were supported with assorted stationery and police forms for proper case documentation.
- In Yumbe, 7 visits to police and prisons detention facilities were undertaken. 92(12F/80M) refugees were identified. The facilities visited were Arua, Yumbe and Bidibidi prisons, Yumbe Central Police Station and the police posts of Swinga, Yoyo, Odravu and Bidibidi. The team held counselling and legal awareness sessions for inmates on the rights of accused persons and criminal trial procedures in Uganda. The team facilitated reintegration of released prisoners back to the settlement and conducted family visits. Through funding from BPRM, NFIs were distributed to Yumbe and Bidibidi prisons as requested by the authorities.



*Inmates with NFIs(c) Doreen UNHCR*

- In Arua, UNHCR in coordination with OPM and protection partners including IRC, DRC, Uganda Law Society and Humanitarian Assistance and Development Services (HADS) conducted joint visit to Arua and Koboko penitentiaries on 21<sup>st</sup> and 22<sup>nd</sup> March respectively, to offer legal counselling and advice to detainees and also to sensitize them on criminal proceedings within the jurisdiction of Uganda. In total, there were 79 refugee inmates at Arua main prison and 29 refugee inmates in Koboko prison from Arua operation settlements (Lobule, Rhino and Imvepi) and other operations including Moyo, Adjumani, and Yumbe/Bidibidi.

### Mobile court sessions

- In Yumbe, one mobile court session was supported and held in Zone 2 where 21 (3F/18M) cases were handled during the mobile court session, 06 accused persons were convicted and sentenced, 04 cases dismissed, and 11 cases were adjourned for further investigations and prosecution. The session facilitated expeditious handling of cases. Uganda Law Society provided legal representation for all

accused persons during court sessions.

- DRC with UNHCR funding conducted a four day Legal Aid and Mobile Court session in Kiryandongo refugee settlement from 25<sup>th</sup> to 29<sup>th</sup> March 2019. The court sessions targeted the adjudication of 16 cases that had been cause listed and involved refugees. The general community turn up was however low possibly due to poor mobilization and timing of the activity. During these sessions, the Police desk received and recorded 18 cases of which 14 were of threatening violence, 2 domestic violence and 2 of theft.
- In Kyaka, an integrated mobile legal aid clinic was held involving 4 legal practitioners, one representative from the registrar of marriages, community development officer, court clerk, the resident state attorney and three police officers. 722 (506M/216F) PoCs were attended.
- 3 mobile court sessions were conducted at Kicheche Town Council and Nkoma Katalyeba Town Council. 30 cases were held including 7 cases of sexual assault.

### Capacity building

- In Kiryandongo; Refugee Law Project (RLP) undertook a 2-day training session targeting 29 local leaders (20 Refugees, 9 Nationals) on refugee laws, Human Rights, Rights versus obligations and duties, and the criminal justice system in Uganda
- In Kiryandongo, refresher training of 15 translators on police investigations and court sessions was held from 5- 6 March. The Training was facilitated by the Resident State Attorney and Magistrate Grade 1 of Kiryandongo/Masindi as well as the Detective Assistant Superintendent of Police Kiryandongo/Masindi. It is envisaged that this will help courts to make better decisions based on accurate interpretation. A legal aid programming training of community based paralegals was also held on the 12<sup>th</sup> & 13<sup>th</sup> March 2019. The training was facilitated by the Resident State Attorney for 40 community based paralegals.
- In Adjumani, the juvenile justice training conducted by LWF was concluded on Friday 22 March with a visit to the remand home. There were 78 children on remand. 11 are from Adjumani while 08 were pending transfer to the facility in Kampala. Their cases having been completed by the court and 06 were to be tried by the High court. LWF donated sponge balls darts, crayons, and balls indoor games for the children. The games are meant to help the children with stress management, building friendships and math abilities.

### Community participation

- In the South West, 1 community sensitization session was conducted on the laws of Uganda; it was attended by 135 individuals.
- A community radio talk show was conducted on peaceful co-existence between refugees in Kyaka and host community in Kyenjojo, Kyegegwa and Mubende districts.
- In Arua as of 31st of March 2019, 2,658 refugees were reached with legal assistance in areas such as legislative awareness & legal counselling in the settlements of Imvepi, Rhino and Lubule and detention facilities of Arua and Koboko.
- In Yumbe, 636(253F/383M) refugees and host community members received legal assistance through legal counselling, legal information sessions on rights and obligations of refugees and key laws of Uganda, case management in the settlement and in detention facilities. In addition, specific sessions were conducted in women centres, schools and detention facilities in collaboration with OPM, UNHCR, Police and other partners.
- In Yumbe, weekly meetings were held with 75(24F /51M) community based paralegals to enhance their capacity in alternative dispute resolution mechanisms and record keeping. Material supports in the form of reflector jackets, counter books and pens were given to the participants.

### Coordination

- In Mbarara, UNHCR participated in the District Chain Linked Committee (DCC) at Isingiro Magistrates court and Igogora in Kamwenge. The meeting brought together Justice, law and Order actors in the district including the Judiciary, police and prisons and district officials. The meeting aims to foster corporation, coordination and communication among stake holders and to improve access to justice.
- In Adjumani, UNHCR and OPM held a meeting with RLP to discuss the gaps in protection which included; poor coordination and failure to report on activities and support rendered to refugees. The meeting was held at OPM offices on 27<sup>th</sup> March.
- In Arua, UNHCR in coordination with Justice, Law and Order Sector (JLOS) of Arua District hosted a District Coordination Committee Meeting on 20<sup>th</sup> March. The meeting was chaired by the Chief Magistrate assisted by Resident State Attorney. The meeting discussed and resolved; to strengthen coordination between the DPP's Office, Judiciary and the police. To minimize the risk of loss of files; hence miscarriage of justice.



### 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.
  - Refugee inmates requested to be supported with handcraft materials some have acquired skills in making baskets, mats and necklaces. They also requested clothes.
  - No budget to support legal assistance activities at transit centres hence a high number of refugees on remand for lack of support to witnesses.
  - 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)
- 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 await their appearance before the Magistrate.
- 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 insufficient fuel for police vehicles, 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.

### Partners Implementing Access to Justice Response

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

**Operational Partners:** UNDP, LASPNET

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