



# Refugee Law Project

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Briefing  
Paper  
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## MADI OKOLLO REFUGEE SETTLEMENT:

### A DIFFERENT APPROACH TO REFUGEE MANAGEMENT

#### INTRODUCTION

Madi Okollo Refugee Settlement was created in 2003 and at the time of research had an official population of 7,989 people, 63 percent of whom are below the age of 18. The majority of the refugees in the settlement are Sudanese Acholis, with smaller populations of other Sudanese groups including Latuku, Didinga, Baka, Dinka, and Lafon as well as a handful of Congolese. Most were initially settled in Achol-Pii Refugee Settlement in what is now Pader district. Following the killing of a large number of refugees there in an attack by the Lord's Resistance Army (LRA) in August 2002,<sup>1</sup> the majority of them were moved to Kiryandongo Refugee Settlement in Masindi. Although some refugees have remained in the Kiryandongo area, others were involuntarily transferred elsewhere, including to Madi Okollo in 2003. A second major influx of Sudanese refugees of Dinka origin, most of whom arrived in late 2005, are mainly settled in Madi Okollo's Abera Village 7. At the time of the visit, the official organised repatriation process from the settlement to Eastern Equatoria in Sudan—where the majority of those living in Madi Okollo come from—had not yet begun, although an information campaign led by the United Nations High Commissioner for Refugees (UNHCR) had been in place since December 2005.

The Refugee Law Project (RLP) conducted 105 in-depth interviews in Arua district between 22 October and 5 November 2006, the majority with refugees living in Madi Okollo Refugee Settlement. Other interviews and discussions were conducted with government officials and UN and NGO staff working in the settlement and in Arua town. The research team, which included a lawyer and a psychosocial counsellor, also had the opportunity to re-visit Rhino Camp Refugee Settlement to follow up on the research conducted there in July and August of this year,<sup>2</sup> particularly with regard to food, livelihoods, and repatriation (see Box 1, page 7).

The research trip was the last in a series of extended Ford Foundation-funded field visits to refugee hosting areas of Uganda in which the human rights and the protection of so-called vulnerable groups—particularly refugee children and young people—are being explored. The study emphasises the ways that 'vulnerable' individuals interact within families, communities, and societies to mitigate their vulnerability in an atmosphere of changing official assistance.

The following represents preliminary findings on three of the most salient issues that emerged from the visit to Arua: village structure and vulnerable groups, education and early marriage, and repatriation. It will be followed by a more in-depth Working Paper once the research data collected over the course of the four trips has been analysed. This briefing was circulated to key stakeholders for comment prior to its publication on our website.

<sup>1</sup> For more information on Achol-Pii, see Lucy Hovil and Alex Moorehead, *War as Normal: The Impact of Violence on the Lives of Displaced Communities in Pader District, Northern Uganda*, RLP Working Paper 5, June 2002.

<sup>2</sup> See *RLP Briefing Paper*, "Refugees in Rhino Camp Refugee Settlement and Arua Town," October 2006.

## **1. MADI OKOLLO'S VILLAGE STRUCTURE AND VULNERABLE GROUPS**

### Summary of Findings

**Madi Okollo is designed according to a village system in which individual homesteads are situated adjacent to the allocated agricultural land. This is in contrast to the cluster system in other Ugandan refugee settlements in which homesteads are grouped together and a refugee's fields may be up to 2 or 3 kilometres from his or her home.**

- Generally speaking, the village structure in Madi Okollo appeared to reduce some of the obstacles to accessing agricultural land that many refugees—and particularly those considered 'vulnerable'—face in other settlements. Many refugees interviewed appreciated the benefits of this proximity to their fields.
- On the other hand, official actors acknowledged that this village structure inevitably results in some refugees being located further away from services. All interviewees in Abera (primarily Dinka), for example, expressed extreme frustration with the distance of their village from the rest of the settlement, and particularly from schools and the health centre. This has been noted in recent budget discussions between UNHCR and its implementing partner, German Development Services (ded), and plans are in place for a health outreach programme in Abera in 2007.
- Most refugees interviewed in Abera complained of a shortage of non-food items (NFIs) including saucepans, basins, and jerrycans for fetching water. According to some officials, although these items were distributed upon arrival, many of them were sold in order to meet other immediate needs. Some refugees also explained that the lack of a functioning borehole forced them to fetch water from the nearby river, and that many people had lost jerrycans and saucepans in the strong current. In response to this, ded has contracted for the sinking of boreholes and plans to carry out an emergency needs assessment in Abera.

**Relations between the various ethnic groups in Madi Okollo and between refugees and their national hosts in the area appeared generally positive, particularly as a result of community events, one of which—marking the settlement's third anniversary—was witnessed by the research team. There were, however, some exceptions.**

- Disputes over brideprice between families of young people of different tribes have sometimes led to considerable tension and sporadic incidents of serious violence within the settlement.
- The employment of refugee teachers has overall been positive both for the individuals employed as well as for their students. Dinka and other non-Acholi refugees, however, complained that their children were effectively excluded by the use of Acholi language—particularly in the early years of primary school—as the medium of instruction. Although the employment of non-Acholi teachers has been looked into by official actors, UNHCR noted that many applicants applying for primary teaching positions do not meet basic criteria such as having completed their 'O' level studies. As a result, a number of non-Acholi refugees decided to pay for their children to live and study in Arua town or to delay their children's schooling altogether.

## Recommendations

To all relevant actors:

- *Construct* a health centre—perhaps beginning with a tent or other temporary structure until funds are in place for a more permanent building—located in or near Village 7 that is visited regularly by health staff on appointed days.
- *Increase* health outreaches to reach those who were settled far from or are otherwise unable to reach the health centre.
- *Continue* with efforts to drill boreholes and otherwise provide reliable supplies of water.
- *Maintain* support for community events as a means of encouraging coexistence.
- *Conduct* a full needs assessment in Abera Village, specifically with relation to NFIs.
- *Recruit* and *hire* teachers who speak non-Acholi languages represented in the settlement.

## **2. EDUCATION AND MARRIAGE**

### Summary of Findings

**Both refugees and officials working with them have expressed concerns that UNHCR’s decision—following global funding cuts—to discontinue nearly all support for secondary education has exacerbated social problems within Madi Okollo Refugee Settlement.**

- A large number of young people in the settlement have dropped out of secondary education.
- Although there are some girls in the settlement’s Endebu Integrated Self-Help Secondary School, only 5 girls (out of an annual class of approximately two dozen students) have completed Senior 4 in the three years since the establishment of Madi Okollo. Officials working in education generally believed that this number would decline still further in response to the discontinuation of support by UNHCR.
- Primary schooling is funded by Uganda’s Universal Primary Education (UPE) system, basic scholastic materials are provided by ded through UNHCR, and meals are provided by World Food Programme (WFP) under its School Feeding Programme. Pupils usually pay 500 Ugandan Shillings (approximately US\$ 0.27) per term as cost sharing to pay cooks’ salaries.
- Despite this virtually free primary education, some refugees interviewed decided to drop out of the final two years of primary school. Knowing that they would be unable to continue their education beyond Primary 7, they preferred to begin economic activities (which for many girls included marriage and starting a family).
- Interviewees also confirmed that the majority of refugee girls who leave primary or secondary school owing to a lack of school fees are expected by family and society to marry soon afterwards regardless of whether or not they are above the age of 18.
- Defilement is a further factor causing young people—and most often girls—to drop out of school.
- A significant number of refugee girls who dropped out of school as a result of pregnancy told the RLP that they have been ostracised and abandoned by their friends who are still studying. Other young people interviewed admitted to ending friendships with pregnant classmates.
- Every refugee interviewed about ‘defilement’ understood that the term referred to sex with a girl under 18. ‘Early marriage’, on the other hand, was widely understood to refer to those

marriages taking place before the individual was ready. ‘Readiness’ was linked by many to education level; thus, the marriage of a girl of any age (even over 18) who had not completed education to an examination level such as Primary 7 or Senior 4 constituted an ‘early marriage’ with negative implications, particularly for the female partner.

**Several agencies and individuals work collaboratively in Madi Okollo to assess and meet the protection and assistance needs of ‘vulnerable’ refugees. Particular issues, like defilement and sexual and gender-based violence (SGBV), can be handled by representatives from any of the following: the Office of the Prime Minister (OPM), Uganda Police Force, the Transcultural Psychosocial Organization (TPO), UNHCR, and ded-run Community Services. Ded maintain a network of UNHCR-funded refugee Community Facilitators and have also established two SGBV Multi-Functional Drop-In Centres that offer psychosocial support to affected individuals and communities. The latter are located near primary schools.**

- The recent decision by UNHCR-Geneva to replace the terms “Vulnerable Groups” and “Extremely Vulnerable Individuals” (EVIs) with “People with Specific Needs” is being implemented in Arua, but the research team did not encounter the latter phrase in use outside UNHCR.
- In contrast to findings in Rhino Camp Refugee Settlement, a significant number of refugees interviewed in Madi Okollo expressed familiarity with their settlement’s SGBV Multi-Functional Drop-In Centres, and many had visited them. Beyond the smaller size of the latter settlement, the reasons for this difference were not immediately clear.
- Despite the multiple avenues available for reporting and discussing issues surrounding defilement, both officials and refugees themselves confirmed that the majority of such cases went unreported, and were instead settled between the families of the individuals concerned except when they failed to reach an agreement.
- Many parents interviewed expressed frustration that boys sent to prison on defilement charges were released after only a few days. As a result of such occurrences, which most interviewees blamed on corruption, they admitted to a preference for using other means to address defilement. Police officials interviewed, however, explained that the lack of a juvenile holding cell forced them to release suspects under 18 in accordance with Ugandan law.
- Refugees and officials interviewed confirmed that instances of marriage- and dowry-related grievous bodily harm (GBH) and aggravated assault are common in the settlement and justified on cultural grounds. Many refugees demonstrated little awareness that such practices are not permitted under Ugandan law.
- Culturally-defined notions of sex and sexuality have been internalised by refugee men and women, leading many to view women’s sexuality as a source of wealth and many unmarried women to perceive themselves as lacking in physical protection and respect. These beliefs are compounded by the realities of early marriage and defilement and an atmosphere which justifies violence against women as daughters and wives.

### Recommendations

To UNHCR:

- *Run* an awareness campaign for relevant stakeholders to explain the thinking behind the shift from EVIs to ‘People with Specific Needs’.

To all relevant actors:

- *Resume* support for secondary education for all. Increasing the participation of girls might require further incentives in the form of individual scholarships for girls.
- *Recognise* that early marriage is both a response to and a cause of reduced livelihood options and *provide* alternative options, including through Income Generating Activities.
- *Counsel* pregnant girls and their friends on the importance of supporting one another.
- *Provide* activities and programmes that educate boys on the causes and consequences of SGBV and encourage them to make considered choices and plans for their futures.
- *Construct* or *designate* a reception and detention facility for juvenile suspects.
- *Inform* affected communities of the reasons behind previous incidences in which juvenile defilement suspects have been released.
- *Educate* communities on Ugandan law relating to assault and GBH—even if apparently justified on cultural grounds—and *punish* those who violate the law.
- *Increase* training to elders and community leaders to counsel and arbitrate between individuals and groups involved in dowry and marriage disputes.
- *Produce* and *disseminate* a list of official actors and community leaders working on defilement and SGBV. This could be done in conjunction with the information campaign being conducted by the Norwegian Refugee Council (NRC).
- *Establish* proactive structures in addition to the reactive structures described above in order to address issues of defilement and SGBV at a systematic level, starting with positive changes in attitudes.

### 3. REPATRIATION

#### Summary of Findings

**UNHCR Arua officially supports two types of voluntary repatriation: organised return, in which vehicles bring refugees to return areas in Sudan, and (since September 2006) spontaneous return, in which refugees simply register with UNHCR and make their own way to Sudan. Spontaneous returnees receive a Voluntary Repatriation Form (VRF) as an identity document before leaving Uganda, and are given an assistance package comprising food and non-food items upon arrival at way stations in southern Sudan. Owing to a combination of factors including intermittent security concerns and problematic road access, the process of repatriation from Madi Okollo to Eastern Equatoria had not officially begun at the time of research. However, registration for spontaneous and organised return to all repatriation areas in southern Sudan has been ongoing. To date, no refugees from Madi Okollo have expressed interest in UNHCR-assisted spontaneous return. The primary partner in information campaigns related to repatriation is NRC through its ICLA (Information, Counselling, and Legal Assistance) programme. Their work and that of other partners such as American Refugee Committee, Danish Refugee Council, and OPM are coordinated by UNHCR’s mass information focal person.**

- Most refugees interviewed in Madi Okollo had not returned home since fleeing Sudan. Those who had gone did not do so with the same frequency or for the same duration as did other Sudanese refugees interviewed in Rhino Camp Refugee Settlement and in Arua town.

- Unlike in Rhino Camp, where many refugees go to Sudan for casual work or in search of long-term employment, refugees in Madi Okollo frequently work in Bweyale in Masindi district, where many were temporarily settled after Achol-Pii was closed and before Madi Okollo was opened. Perhaps as a result, the majority of refugees interviewed appeared to have heard rumours about repatriation but lacked concrete information about the process or about the security situation and the presence of social services in their home areas.
- Since the field research was completed, a group of government officials from Eastern Equatoria have visited Madi Okollo and other settlements on a ‘Come & Inform Visit’ along with representatives of NGOs working in the area and staff members from the UNHCR office in Kajo Keji, Sudan.
- A significant number of refugees interviewed did not understand the voluntary nature of the process, even when referring to it as ‘*Voluntary Repatriation*’. Perhaps owing to the particularly unstable nature of their displacement or to their awareness of more coerced returns—including that of Ugandans from Sudan—many refugees in Madi Okollo expressed the erroneous belief that they were bound to go all at once when the process began or “once they send the trucks for us.” Many referred to this as ‘official repatriation’.
- Despite their lack of information, the majority of refugees interviewed expressed the desire to return to Sudan in the near future.
- At the time of research, the NRC was beginning an information campaign in Madi Okollo as part of its ICLA Programme, and expected to carry out preliminary surveys covering information and legal assistance needs in late November and early December.

### Recommendations

To all relevant actors:

- *Continue to educate* refugees about the differences between UNHCR’s involvement in organised and spontaneous return (see Box 1).
- *Engage* individual refugees where they live to provide them with relevant information in order to avoid miscommunications and information gaps.
- *Implement* standardised translations of ‘Voluntary Repatriation’ in local languages, particularly to improve refugees’ understanding of the voluntary nature of the process.
- *Produce and disseminate* a glossary of repatriation terms in English and local languages.

### **Box 1: Update on Recent Developments in Rhino Camp Refugee Settlement**

While in Arua, the RLP team had the opportunity to return briefly to Rhino Camp Refugee Settlement, the site of a research trip in July and August. The team also discussed developments in the settlement with key UN, NGO, and government actors. Subsequent findings are organised below according to the relevant sections of the RLP Briefing Paper released in October 2006:

#### **Early Marriage and its Human Rights Implications**

- A new Youth Coordinator has joined Jesuit Refugee Services (JRS) in the settlement, working mainly with boys and young men to complement existing programmes targeting girls and young women. The position should be formalised in order to sustain this positive development in accordance with the recommendation made in the October Briefing Paper.

#### **Food, Livelihoods, and Income Generating Activities**

- Although much of the season's crop had already been lost, both refugees and nationals expressed cautiously positive expectations for the upcoming harvest due to increased rainfall in the area since the time of research.

#### **Repatriation**

- Repatriation—which was temporarily halted shortly after the research was completed for both security and weather-related reasons—was expected to resume, with several more convoys planned to travel to Sudan before the end of 2006.
- The ongoing information campaign conducted by NRC and other partners in Rhino Camp appears to have increased awareness of repatriation, and the RLP team witnessed a number of people making use of the information bulletin boards in the settlement. Nevertheless, UNHCR has recognised an ongoing need to provide information (e.g. through specific outreach programmes such as those conducted in September 2006) to individuals who have either been unintentionally excluded or who have received erroneous information from local leaders.
- UNHCR Arua has also recognised the confusion caused by use of the abbreviated term 'VolRep' and worked to discontinue its use in favour of 'Voluntary Repatriation'. Moreover, several officials involved in repatriation reacted positively to RLP suggestions that standardised translations of the phrase be introduced in relevant local languages, particularly to improve refugees' understanding of the voluntary nature of the process.
- No refugees in Rhino Camp have yet taken advantage of the spontaneous repatriation programme offered since September 2006, and refugees interviewed there remained confused about how it differs from organised return.
- Significant numbers of refugees interviewed regarding Spontaneous Repatriation were mistrustful of the guarantee that they would receive NFIs upon reaching Sudan or were disinclined to incur the expense of transporting household goods and animals, or to sell them in Uganda given that they reportedly fetch a much higher price in Sudan. Nevertheless, the programme presents an important option for those refugees who do not want to wait for facilitated return. Indeed, there were indications that more might register for Spontaneous Repatriation once the inherently protracted nature of the facilitated process becomes clear and successful instances of spontaneous return are spread via word-of-mouth.