



Refugee Law Project

Faculty of Law, Makerere University



**REPORT ON A VISIT BY THE LEGAL AID AND
COUNSELING DEPARTMENT TO KYAKA II REFUGEE
SETTLEMENT CAMP, 7 APRIL - 18 APRIL 2008**

Refugee Law Project

Vision

Human rights for all people in Uganda irrespective of their legal status. This vision is informed by relevant international laws as well as the Constitution of Uganda.

Mission

To empower asylum seekers, refugees, deportees, IDPs and host communities in Uganda to enjoy their human rights and lead dignified lives.

Mandate

- To promote the protection, well-being and dignity of forced migrants and their hosts.
- To empower forced migrants, communities and all associated actors to challenge and combat injustices in policy, law and practice.
- To influence national and international debate on matters of forced migration, and justice and peace, in Uganda.
- To be a resource for forced migrants and relevant actors.

All of the above is achieved through a combination of activities broadly categorized under legal aid and counseling, research and advocacy, and training and education.

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Table of acronyms

AAH: Aktion Afrika Hilfe

ADF : Allied Democratic Front

GTZ: German Technical Cooperation, officially known as Deutsche Gesellschaft für Technische Zusammenarbeit

IGAs: Income Generating Activities

IMC: International Medical Corps

LAC: Legal Aid & Counseling Department (RLP)

OPM: Office of the Prime Minister

PTSD: Post Trauma Stress Disorder

REC: Refugee Eligibility Committee

RWC: Refugee Welfare Council

SCIU: Save The Children In Uganda

SGBV: Sexual & Gender Based Violence

SRS: Self Reliance Strategy

STS: Secondary Traumatic Stress

UNHCR: United Nations High Commissioner for Refugees.

1.1 Introduction:

The Refugee Law Project (RLP) Legal Aid & Counseling team was once again granted permission by the Office of the Prime Minister to enter and provide Legal Aid and Counseling Services in Kyaka II Refugee Settlement, Kyegegwa district, between 7th -18th of April 2008. The team was well received by the camp authorities, UNHCR, and its Implementing Partners. The main objective for the visit was to follow up on the previous field visit that was conducted between 21st May and 1st June 2007, to advocate with regards to current issues of broad concern in the camp, to provide legal aid to current RLP clients, and to assist those refugees who are not clients but who present with pressing issues.

The team was constituted of three legal officers; Bernadette Iyodu, Kenechukwu Esom and Paulina Wyrzykowski, and a clinical psychologist Simon Arthur Ndaula. The team met the camp commandant, police, UNHCR, and all the implementing partners in order to obtain their responses to the first draft of the previous filed visit report and to discuss their findings of the current visit.

This is a draft report to be circulated for comments only to all organizations contacted in Kyaka II Refugee Settlement Camp and their head offices in Kampala. The Refugee Law Project will very much appreciate early response to this draft. A final copy of the report will be uploaded on the RLP's website¹ in one month, at which time the RLP will await your further written comments. The RLP LAC department would also appreciate any clarifications and additions you might wish to share at the time.

For reasons of confidentiality (and in some cases to maintain the Client – Advocate relationship), this report discusses only general complaints and pertinent issues that were voiced by the refugees, in addition to observations made by the team.

This report is a merger of pertinent issues encountered during both the 2007 and 2008 field visits². It is intended to capture the comments, clarifications and additions to the previous draft report of the previous visit. This is reflected in the boxed text. The findings of the most recent field visit immediately follow the comments/clarifications and additions of each issue.

Acknowledgements

The RLP is very grateful for the permission it was given by the OPM to enter and provide its services in the settlement. The team is also grateful to the Office of the Prime Minister, camp authorities, police, UNHCR, and implementing partners for all the assistance they accorded us despite the tight schedule of the verification exercise that was on going at the time of our visit.

¹ www.refugeelawproject.org

² Conducted in the period of 21st May to 1st June 2007. The report was circulated but written responses were not submitted

The camp authorities, UNHCR and the Implementing Partners expressed their gratitude to the RLP team for sending out and tabling the first draft for discussion and seeking to obtain their comments and clarifications. They were also grateful to the team for bringing to light some particular cases they were not able to reach because of the vastness of the camp, uncovering new issues and sharing their findings and recommendations.

1.2 General complaints

1.2.1 Insecurity and general fear (2007)

Briefly herein below are the pertinent concerns from the refugees and general observations from the RLP team with regard to the general insecurity and fear in 2007

There were reports indicating the presence of Allied Democratic Forces (ADF) in 2006 as a major security problem. The refugees expressed concern that, while the matter was resolved in 2006 they still lived in fear that the same problem might arise again. The refugees reported that they had arrested two ADF rebels and handed them over to the camp authorities, who then failed to explain to the residents how these rebels later escaped from custody.

There were complaints regarding cases of unexplained deaths and disappearances.³ The refugees claimed that investigations are carried out, but the communities are not usually advised of the outcome, which leaves them guessing and living with unexplained fear. The most prominent case of unexplained disappearance is that of the Chairman of Sweswe,⁴ who disappeared in July 2006; up to now, none of the refugees can explain what happened to him. In a separate occurrence, the death of a refugee was reported on the morning of Monday 18 May 2007, confirmed to have occurred in the same area by authorities. While police investigations were still ongoing by the time the RLP team left, the medical report did reveal that the probable cause of death was alcohol, as the body was intact save for the head area which was ruled to have struck the ground as the refugee fell off of his bicycle.

When the team made inquiries with the police about major crimes in the camp, and how investigations were generally conducted, the response was that most of the police officers were new to the post and, as a result, could not comment very

³ Reported was the death of a refugee in Bukere who was shot and died on the spot at night, a Rwandese refugee woman resident of Bukondo, death of a national in the camp. All these deaths happened in 2006.

⁴ The chairman was a Rwandese national who held office between June and July 2006. The matter was reported to OPM and the Police. It is claimed that he disappeared with an office bicycle that was never recovered.

much on the situation⁵. Unfortunately there were no previous records to which the team could refer.

Along the same lines, the refugees complained that when a suspect is apprehended, he or she is released after a week and allowed to walk freely in the camp. One example given was a case in which a Rwandese woman was strangled by her husband. The man was detained in the camp and released within a week. This action left the refugees questioning the effectiveness of the police and their ability to protect the public. They said that since then the suspect had disappeared from the camp to an unknown destination.

Single women, in particular, aired complaints with regard to security matters. Those spoken to complained of random persons knocking on their doors late at night⁶. They claimed that these people were mostly men who disturbed their peace at night and other unknown persons whom they could not easily identify. In addition, they claimed that when they made this known to the camp authorities, they were always turned away, the authorities believing that the women wanted to create grounds for resettlement, even calling them 'prostitutes' instead. When the team spoke to male refugees they confirmed that this sort of knocking is rampant, and that sometimes women who refuse to open their doors are raped or beaten. After bringing this to the attention of the authorities, the RLP team was told that the camp is infested with big rats that could be the cause for the knocks. The camp authorities also claimed that the knocking is often a result of failed love affairs.

⁵ In fact, the death of the refugee that occurred on the 28 May 2007 was the first major case reported which the police were further investigating.

⁶ Most of the single women residing in Bukere, and a few in Sweswe, were victims.

Comments and points of clarification from the camp authorities as regards the above issue.

- *On arrest and detention of the ADF rebels, it was clarified by the camp commandant's office that the arrest was effected by the refugees themselves and that camp authorities handed over the suspected rebels to the police for further management of the case.*
- *In response to cases of unexplained deaths, the camp commandant informed the Legal Aid team that all perpetrators of crime are arrested, detained and taken to court for trial.*
- *He went on to further clarify the incident of the chairperson whose disappearance had caused fear amongst refugees. He stated that the chairman moved with his bicycle out of the settlement and never returned and neither did he inform anyone of his movements. This conclusion was reached by the commandant on the basis that a bicycle was missing and someone had reportedly seen the chairman riding it around the time of the incident. He also added that some refugees spontaneously repatriate themselves and do not inform the UNHCR for fear of complicating their return or informing them of the technicalities of entering into a tripartite agreement.*
- *The camp commandant also commented and clarified the allegations made by the refugees about the arrest and immediate release of a man who strangled his Rwandese wife. He said that the suspect was arrested, detained and transferred to the Kyegegwa police wherein the matter was forwarded to court for trial. He added that the suspect had never returned to the camp as he was serving his sentence in prison and, in any case was not a husband to the deceased.*
- *Regarding last year's recommendations proposed by the RLP on police conducting deeper investigations for the claims reported, the camp commandant's office stated that investigations were conducted very well and commended the new police for a job well done. With regards to recommendation made by the team that police should always cultivate a good culture of keeping and maintaining a proper record keeping system he said that record keeping was being done and suggested that it was going to be improved further as the police are trained in this area. His general response to the recommendations was that, cases are being handled on an individual basis and carefully investigated.*

- *Regarding the last recommendation, the Commandant informed the team that the constitutional period of 48 hours is not honoured because of logistical constraints and that police needed time to conduct investigations. He also called upon the IPs to push for logistics assistance, in addition to training for police and OPM. He recommended that they should move a step forward in capacity building and work with the government in providing logistical support in the form of vehicles to enable police and the OPM to perform satisfactorily. It was a point he proposed to bring up at their next Inter Agency meeting.*
- *In responding to the same recommendation, the police stated that the overlap of the 48 hour period is not done intentionally, and that such incidences are few. Prolonged detention arose as a result of logistical constraints, mostly the lack of transport to transfer the suspects to Kyegegwa police station for further handling and arraignment at the courts of law. They also stated that sometimes they are forced to release the suspect on bond in trying to adhere to the 48 hour rule.*

Recent security Concerns - 2008

During its most recent visit the team received reports to the effect that there have been deaths in the camp. Three recent cases and several older ones were cited repeatedly. The cases referred to were of a death⁷ that occurred in Sweswe dam II where the body was discovered immersed in a stream, a woman who was killed in Kaborogota⁸ and a man of Mukondo Cell C who was cut up but escaped death narrowly. The refugees alleged that the suspects of the first death were arrested but released after one week in detention. They stated that the suspect in one of the deaths was currently in Katojo prison. However, they expressed fear due to the fact that the suspects are released back into their communities where they committed the offence. The refugees claimed that they are not made aware of the reasons or circumstances for release of suspects that have been alleged to have committed capital offences.

The team approached the camp commandant's office and the police to discuss this issue. The camp commandant responded that it was impracticable to move the suspects upon their release outside the camp. The reason for taking suspects to court and thereafter to prison is for them to reform, after which they are meant to come back to their communities. He further stated that the office monitors such cases, and added that it was only the victims and their families that express fear and not the

⁷ Reported to have occurred in March 2008

⁸ Late in 2007

entire camp. The RLP team however found that, to the contrary, the victims' families are actually too shy to talk about such cases and it is the entire community which airs the complaints.

The camp commandant also said that his office always held reconciliatory round table discussions with the victims, victims' families, and the suspect in order to avoid friction between the two and encourage them to live together. The RLP team also observed that a death in one village and/or cell is rumored throughout the camp and eventually some facts get distorted as the story goes on from one village to the next.

The police's response to the same concern was to state that when a suspect is convicted and tried and has served his sentence, he has a right to return to his community. Upon his or her return from court or prison, the individual is advised to report to the police and show documents for release.

The RLP team informed the refugees of the above two responses and even went further to educate and hold discussions with them on legal procedures and circumstances under which suspects are released. As a result of this discussion the refugees suggested that rather than being released back into his/her own community, the suspect should be resettled to another village within the camp. The rationale behind this proposition was that it would give the suspect's own community time to calm down. It was suggested that seeing the suspect back in his former community only triggers ill feelings from his village.

The team went back to consult with the camp authorities on the above proposal. The camp commandant reiterated its policy of not sending any suspects to another village, as that would amount to punishing the suspect twice. Instead, sensitizing the refugees was put forth as an option. The Camp Commandant also added that he has requested for a legal assistant to join them in handling legal cases and that the said person will be charged with the duty of sensitizing the refugees on legal matters.

Recommendations to the UNHCR, OPM, Police

- Educate the refugee population on circumstances under which a suspect is or can be released.
- Follow up with the victim and victim's family when the alleged suspect is released on how they are coping.
- Sensitize the refugee population on the implications of being released without papers.

Physical and Legal protection matters:

Related to the above issue was a complaint raised by victims' families that they are threatened with violence by the suspects' families and friends. Some of the refugees in this situation stated that they are asked to withdraw cases from court or else face severe repercussions. This category of refugees also claimed that they have had to move house a number of times in search of protection as they are not helped by the

police much. They also claimed to have reported the threats to the police, but that nothing had been done to assist. In some cases, the police requested payments to facilitate police investigations.

When confronted with these concerns, the police claimed that investigations are conducted whenever threats are reported, and where there is evidence that violence has been threatened, the persons implicated are cautioned. If the threats continue after the caution, the person is arrested and detained.

On the issue of soliciting for monies towards facilitation to conduct investigations, the police denied this allegation and were very evasive. However, when asked if they had the capacity to conduct investigations with the resources available, they responded that investigations are done when there is transport and fuel, otherwise the matter is laid to rest until the logistics are in place.

Following from the previous report on the issue of logistics, the police maintained that the issue of transportation, communications and other logistics had not changed.

Court matters:

The police seem to be effectively performing their duties in that once a suspect is in police custody; the said person is arraigned in the courts of law (although the 48 hour detention rule is sometimes not observed). The team observed that there was a huge communication gap between the courts, police, Camp Commandant and the UNHCR office in that once the suspect has appeared in court to answer charges, he/she is left to fend for him or herself, with absolutely no material or other support from the authorities. This was a complaint voiced also by the victims and their families.

The team had the opportunity to follow one particular matter⁹ after several complaints were reported regarding lack of support upon release. The refugee in question informed the team that he was not being advised and helped. He also stated that once he was released from prison he stopped receiving food and had nowhere to sleep. He had to take shelter in a mosque and beg for food and transport back to the camp. He further added that because of the lack of support upon his release, he could not stay in town long enough to obtain his release papers, which took more than 2 days to prepare.

The team followed the matter up to High Court in Fort Portal to ascertain the problem. They were informed by the court clerks that sometimes the accused persons have to wait for the release papers to be drafted and signed by the judge or magistrate grade I before they can be released. In the case of refugees, they fail to wait because of their own circumstances and as a result the release papers are left lying in their files. The team was also given the chance to peruse through the suspect's file and

⁹ An elderly man from Byabakora was released on bail but without papers.

were informed that the release papers were ready but needed the signature of the suspect to make them complete.

The main issue of concern is the release of suspects on bail, upon acquittal or under whatever other circumstances from court without documentation, and the non service of summons and generally court papers on the victims, witnesses and the suspects. These papers contain dates on which one is supposed to appear in court. If this information is not communicated to the victim or the accused, what results is a significant gap in the justice system. The victims spoken to complained of never having been summoned to court to testify and justice not being done. In the case cited above, the suspect was not sure of his date of appearance in court for the hearing until the team informed him of the same.

There was another case that the team discussed with both the camp commandant's office and the victim. The victim had not been properly advised and wasted much time moving back and forth between the legal aid organizations¹⁰ in Kampala and camp seeking legal assistance. He eventually missed all the dates for hearing of the matter in court. Consequently the matter was dismissed for want of prosecution. The victim instead looked at this anomaly as a case of insecurity in the settlement on his part.

This was a relatively new issue in the camp and the discussions held with the camp commandant's office, police, court and the UNHCR revolved around finding a workable solution. The following course of action was agreed upon:

- The Court is to alert the camp authorities whenever they have any cases that concern refugees by sending a cause list¹¹ to the camp.
- The camp should use its postal address more regularly so that the summons can be served by post.
- The Camp Commandant's office and the UNHCR should work hand in hand to facilitate movement of the suspects and victims to and from court.
- The police and camp commandant's office should work together to make sure that a suspect is released with the relevant documents before he/she returns to the settlement.

1.2.2 Trade

The situation as reported in 2007 by the refugees and observations made by the team. According to the refugees, outside traders from the neighbouring districts are granted permission to come into the settlement with trucks to buy produce at a set price.¹² However, the refugees claim this is a give-away price vis-à-vis the open market price, where the same produce fetches twice what the refugees are

¹⁰ The victim approached the Uganda Human Rights Commission, the Legal Aid Project and was referred to the Refugee Law Project eventually. By the time he approached the RLP, the case was already dismissed for want of prosecution.

¹¹ Simply put, a cause list is daily Court lists generated on a monthly basis by court indicating all cases coming up before particular judges/magistrates at a particular time

¹² The prices are set and agreed on by the camp authorities and the traders without consulting the refugees.

paid. They also said that it is hard for them to obtain permission to sell their produce in the open market outside the camp. The few who, by chance, are able to obtain permission, then face new problems, such as operating without licenses in the market, and getting robbed by nationals when it becomes known the person selling is a refugee. These obstacles in effect curtail the right to equal bargaining and demotivate those who are seeking to do business.

It should be noted that at the time of the team's visit, the food ration had been cut by half, which was a cause of general complaint¹³ alongside the already existing trade-related complaints. The camp authorities' response to this issue was succinct: the refugees are encouraged to sell their produce to store managers within the camp, who then sell to the outside traders; according to authorities, this process assures that the refugees lose nothing in the process. The camp authorities also added that the refugees are encouraged not to sell all their produce, but rather to keep some as a reserve source for any eventualities.

The second category of business persons are those who were not farmers back in their countries of origin and have skills in other areas like carpentry. It is clear that the vocational institute in Bujubuli does not only produce farmers, but imparts a wide range of practical skills and knowledge to the student; however, many who graduate are then forced to farm instead of putting into practice the skills they obtained. As a result, the bulk of these respondents complained of not being given a chance to practice their professions in order to make a living.

It is important to note that not every refugee is innately able to farm or has ever farmed before. The team observed a large number of youths who had dropped out of school and were considering joining the vocational institute because they were unable to pay tuition for continuing education. However the question remains *"after acquiring the knowledge and skills, what next?"* When asked whether any of the refugees in this category ever tried obtaining a loan to start a business, a number responded that such services are not offered, and instead they are advised to register for hoes (i.e., to take up farming).

The following were clarifications, comments and additions from the camp authorities regarding the above findings:

- *With regard to the prior setting of prices for produce, clarification was made to the effect that prices are set by the market forces of demand and supply, and not by the Commandant's office, and that there is always competition between the nationals and the refugees.*
- *On the issue of permission, it was clarified that refugees who wish to go out to sell their own produce are free to do so and that they obtain movement permits, a sample of which was shown to the team, to go sell produce in the outside market.*

¹³ The food cut was only temporary according to the AAH official. It was only to last two months, April and June. The food cut arose as a result of resource constraint on the part of WFP at the time.

- *Additionally the camp commandant's office also requested the team to go visit the Bukere trading centre on a market to observe for themselves whether the prices are artificially set.*
- *The camp commandant's office added that there are trade associations in the camp which are run mostly by the Rwandese refugees because the Congolese refugees are generally a lazy lot. That Rwandese have proved successful in business and spearhead trade in the camp.*
- *He further stated that the association/society which started last year with the help of the camp commandant's office had established food stores in Bukere and Sweswe in which all refugees were free to sell their produce at an agreed price. He insisted that the society operates as a middleman so that refugees do not get cheated. He also added that the association owns a vehicle which transports produce from the camp to sell in the outside market, and that those with large produce were free to rent space in it to have their produce sold in Kampala and elsewhere.*
- *He stated that money for setting up the food stores was collected from the refugees under the supervision of the camp commandant.*

The refugees themselves, when confronted with the clarifications and additions from the camp commandant's office, confirmed the fact that the prices are determined by the market forces of supply and demand. They stated that sometimes the prices step up when not in the harvest season and step down when it is the harvesting season.

New matters arising regarding trade, 2008

As regards the establishment of food stores, a majority of refugees claimed that it was not a general idea sold to all. They complained that it was just a few persons working for the camp commandant who operate the business. A particular individual's name kept coming up in all discussions on trade. The refugees claimed that this individual works directly for the camp commandant. When the individual in question showed up at a focus group discussion, some of the refugees declined to speak claiming that it was not safe to do so as they would face the repercussions later on when the team left the settlement. From the team's observation, it was clear that this individual had power and wore an air of superiority.

In other villages, when confronted with the commandant's account of a trade association/society, the refugees insisted it was a myth and that nobody had ever heard of it. However, when the name of the individual described above was mentioned, they all said that he was the camp commandant's businessman. In some villages also, refugees had been approached by the said individual proposing the establishment of a store but the inhabitants of the village had insisted that the store would have to be run by the people of the area. At this point they claimed that the

store house idea failed because they did not wish the camp commandant's businessman to run it.

From the team's assessment, the trade association appeared to be run by one man. The team observed him loading sacks of maize on his truck in one village and the persons who had earlier complained about prices were selling it to him at a different price other than the price earlier alleged that is to say from UShs. 150/- (Uganda Shillings One Fifty Only) to UShs. 300/- (Uganda Shillings Three Hundred Only) per Kg, respectively.

There came a time during the focus group discussion that the team was assured by the refugees that if they aired out their grievances as they were, then they would have no assurance of being safe after the team left the camp. They spoke less once the commandant's alleged businessman walked in for the 'sake of peace'

Additionally there were also accusations made against the camp commandant's office for confiscating some refugee traders' produce. They claimed that over twenty eight (28) bags of maize had been taken from them. They also stated that they had tried to plead with the camp commandant since they had injected a lot of money in their business and that they ended up incurring losses and as a result were crippled financially. Finally, the refugees also claimed that there were some national businessmen who were in the same business but that their produce was not confiscated. They then alleged that the national businessmen had private dealing with the camp commandant's office and were thus spared.

It is also pertinent to note that the trade associations/cooperatives exist in some camps like Kyangwali refugee settlement camp in Hoima district and they are reported to be performing very well to the extent that the WFP buys food from them. There is therefore need to replicate the same trade arrangement in Kyaka II, a camp with relatively fertile soils especially when emphasis is being made on the Self Reliance Strategy by the UNHCR and the government, OPM.

On discussing the same issue with the camp commandant's office, the following were brought to light:

1. The camp commandant admitted to having confiscated produce of some refugees
2. He stated that the confiscation was done on the day food rations were being given out as the refugees sell their food rations to businessmen from within and without the camp so as to get money towards buying food items that are not distributed e.g. salt and oil.
3. He further stated that the confiscation arose as a result of sale of produce close to the WFP food store, and that had they tried to sell their produce elsewhere, say at the trading centers, then it would have survived confiscation
4. He also said that confiscation was done because it is the women that receive the food and the men sell it as soon as their women receive the rations – the prohibition on selling produce outside the distribution centres is meant to curtail the practice.

5. The camp commandant insisted that the said confiscation was done as a way of discouraging refugees from selling off all their food rations
6. He also insisted that the confiscation rule was applied across board therefore national businessmen were not treated as an exception to the general rule.
7. He reiterated that selling of the produce by the WFP food store was discouraged as it was difficult to tell which bags belonged to the store and which belonged to the individuals.
8. Finally, the camp commandant asserted that the produce confiscated is taken back to the WFP food store.

Also the camp commandant made clarifications on the store houses. He said that the idea was fairly new and refugees had been encouraged to join in, and that the camp commandant's office had started recommending the idea to refugees in Mukondo and Kaborogota.

The refugees queried and proposed an alternative solution to this problem. They suggested that if they were allowed to sell their produce to WFP just as it is done in Kyangwali Refugee Settlement Camp, there would be no complaints at all. They felt that selling to WFP would assure them of a ready market and a fair price. In responding to this issue, the camp commandant stated that it was against WFP policy to buy food from a camp that is still receiving rations.

The team sought clarification on this point from the AAH officials who are the WFP Implementing partners, and further queried the AAH officials regarding the existence of trade associations in the camp. In responding to the suggestion that refugees might sell their produce directly to WFP, the AAH official informed the team that this is a possibility as long as the refugees were orderly and formed a strong association. On the issue of already existing associations, she responded that the camp commandant had instructed the refugees to come up with associations as middlemen and refugees were also encouraged to participate. She indicated that there arose confusion as to tribes as some farmer were not willing to sell to middlemen who did not hail from their particular zones and tribes. The refugees claimed that the Rwandese who is heading the association undercuts their prices, and as a result the association idea died out.

Recommendations to the OPM

- The commandant's office should disassociate itself from the trading association as far as its management is concerned. The office of the camp commandant should instead assume the role of the overseer and monitor and cross check with the association once in a while.
- The management of trade association should be streamlined and governed by regulations.
- Establishment of store houses in each village should take into account the constitution of its management. There should be members of that village on the management team. This will also facilitate trust building amongst the refugees as they are from diverse ethnic backgrounds.

- The camp commandant's office should also clearly communicate to all independent refugee businessmen that selling of produce near the WFP offices is prohibited and comes with dire consequences.

1.2.3 Land matters

There were numerous and long standing complaints in 2007 regarding land management. Instances of land grabbing and double allocations of a given plot to more than one person or family were reported. Land in this case is closely linked with the preceding issue of farming, and is thus fundamentally important—especially when all refugees are encouraged to be farmers. The team was shown letters written by camp authorities ordering the relocation of refugees from one zone to another, and requesting the chairman of the zone to assign a relocated case to a piece of land. These letters always elicited negative responses from the chairpersons of the (new) zones directed zones directed at the camp authorities. This left the refugee who is supposedly 'relocated' landless, as his or her piece of land had already been given out, and the new zone to which he or she was required to move had no land to offer. Most of the refugees in this situation reported that they sought to stay in their former area of camp, which they had already cultivated, but this effort often gave rise to conflicts between the new and the former owners of the plot.

The camp authorities' position on the issue, they admitted that land conflicts have been rampant and attributed them to the previous administration's management of land allocations. The new administration is struggling to put the matter right, but said that it was going to take a long time.

At the time the team visited the camp, new entrants, most of who were from the Congo, were being effectively handled by the REC. When asked where they would be settled considering the overwhelming complaints over land, the camp commandant's office said they had matters under control and that, with the help of UNHCR, they had organized to have the new cases settled in another camp¹⁴ - both because of the lack of land and to maintain more space in an effort to sort out the already existing land conflicts.

As a follow up matter the following were clarifications and additions.

- *The land issue had been sorted. The camp commandant stated that formerly the Local Chairpersons had too much power on their hands and misallocated land consequently causing numerous complaints.*
- *Land allocation is now in the hands of the camp commandant's office*
- *Relocation is now done by the camp commandant himself where he helps the disgruntled refugee and his/her family to move from one village to the other.*
- *There are no more complaints regarding confusing letters being issued to the refugees as used to be the practice.*

¹⁴ The camp commandant stated Nakivale Refugee Settlement Camp as the resettlement camp

Land as a current issue (2008)

There were fewer complaints this year. The general feeling from speaking to a majority of refugees was that land allocation was no longer an issue for those who could cultivate. However for those who kept livestock, land was still an issue.

Some of the refugees that had gardens near their houses complained about refugees who kept goats and pigs. They indicated that the livestock wandered into their gardens as the homes were close to each other.

On speaking to those with livestock, they claimed that the land allocation which is 50x100 per ration card is not enough for them. This has proven to be a challenge, as this is the standard land allocation in the camp. As a result, they have frequently been brought before the RWC's office to answer charges of their animals wandering off to the neighbours' gardens.

Recommendations to the OPM and IPs:

- Revision of land allocation with specific regard to the refugees who practice animal husbandry as a way of self reliance.

1.2.4 Complaint handling - 2007

Most refugees indicated the following;

1. That when they approach the camp commandant's office to register complaints, they are usually turned away without being heard or are given insufficient time to state their issues, and that, even when given time, they are often summarily dismissed after being accused of seeking resettlement¹⁵.
2. Some refugees who volunteered¹⁶ with the Implementing Partners in the camp complained of being arbitrarily dismissed from work by Camp authorities. That as soon as a complaint arises from a volunteer refugee and reaches the camp authorities, the camp authorities without delay order the organization in which the refugee is working to relieve him/her of their duties. When the refugee follows up on the situation, he/she is told that the action taken is meant to serve as a punishment.

When approached regarding this issue, the Camp Commandant indicated that he tries to listen to each complainant but circumstances sometimes do not always allow him to do so. He gave a scenario where he might be attending to a refugee and then something happens somewhere in the camp, and after it is communicated to him, he drops everything he is doing, locks up and rushes to the site immediately, resuming his meeting with the refugee after handling the emergency. He denied corporal punishment happened at all.

¹⁵ Corporal punishment – the caning of persons - is unconstitutional under the laws of Uganda

¹⁶ One case was followed up by the team, which the camp authorities were at pains to admit. There were other similar general reports.

The police in turn acknowledged that they do not take the initiative to investigate cases or act upon cases unless requested or ordered to by the camp commandant. In one case¹⁷, the team intervened to have the police release a suspect on bond after the police failed to abide by the 48-hour rule while waiting to hear the camp commandant's side of the story.

Follow up matter. Clarifications and additions arising there from.

- *There were complaints that the camp commandant dedicated less time to the refugees' complaints because he was busy. It was true that the camp commandant was busy as there was a verification exercise going on. The camp commandant also admitted that he was very busy with the verification exercise but when an emergency is reported to his office, he takes time off to handle the case. The team saw this come to pass when the camp commandant took time off to handle a case where a refugee was alleged to have been practicing witchcraft and consequently her house was burnt down by the villagers. Two of the accused persons were village leaders on the RWC. The camp commandant brought in the victim and the accused persons to the police post for further handling of the case despite the verification exercise that was going on.*
- *Police had improved by far in their record keeping. The team had chance to go through the record book whilst following up on some cases that were reported to them.*
- *The RWCs assumed too much power as they handled cases which were beyond them. They handled cases that related to grievous harm, defilement and rape.*

Recent issues with regard to complaint handling - 2008:

There were reports of refugees suffering corporal punishment upon reporting cases to the camp commandant's office. A number of these were said to happen whenever there was food distribution and clothes distribution by the community services. It was alleged that whenever the refugees tried to raise a complaint about the food ration or ill-fitting clothes, they received a stroke(s) of the cane to be silenced.

There were also many complaints regarding domestic violence reported to the Refugee Welfare Committee members and chairpersons of the villages. These cases involved infliction of wounds from various forms of beatings employed by the accused persons. The women who were victims of domestic violence showed scars and wounds that ordinarily amount to grievous bodily harm or aggravated assault and not simple assault. There was one particular woman whose husband was a mechanic and used his tools for beating her. Her scars were large and jagged looking.

¹⁷ A resident of Bukere was arbitrarily arrested and taken into custody. He was detained for three days without charges. The police at the time of the interview with did not have a proper charge drawn against the refugee because they had received orders for the arrest of the refugee and were waiting to hear from the camp commandant's office for an order to release the said inmate. There was a worry that, as it was a Friday afternoon and the camp authorities were leaving the settlement for the weekend, obtaining a release order on a Monday the following week would have done injustice to the detainee and thus the team intervened.

All the victims of domestic abuse who spoke to the team claimed to have reported their cases to the RWCs who asked for money first before the case could be recorded. They were reportedly also told that they can only be helped if they first reported the case to the RWCs – in other words, that they should not approach the police directly but should wait for the RWC to forward it for further handling. The women complained that the RWCs failed to push the case forward.

They said victims also said that they sometimes resorted to reporting their cases to the community educators who work with IMC, who then forward the cases to their office for further handling. Unfortunately for them, IMC does not have a policy of reporting these cases to the police. As a result the perpetrators of domestic violence return to the camp beat up their wives and hide with impunity. They come in unnoticed and leave without a trace.

The team spoke to the police in order to find out if cases of domestic violence, grave cases, and cases of a like nature have been reported to them. There were no records of the cases that the team was following up on mainly because the victims had confessed that they had not reported to the police. The team brought these cases to the notice of the police and informed them that IMC had been receiving most of the reports on domestic violence and assisting the victims obtain medical care and counseling. The police informed the team that it is unethical for them to follow up a case that has not been reported to them.

The team held a discussion with the IMC official on this matter and they were informed that IMC deals with the medical needs of the client as a priority. Reporting to the police is the victim's choice, even though IMC advise the victim to do so. It is not their responsibility as IMC to forward the case to the police.

In the course of discussions with the camp commandant's office, the team also raised this issue as the RWCs directly fall under this office. The camp commandant expressed disappointment at this information and informed the team that the RWCs system was gravely flawed and that the office of the camp commandant had received reports from the refugees that it was highly corrupt. He informed the team that he had already taken serious measures to end this by dissolving the RWC II¹⁸. The camp commandant also assured the team that he was still cleaning up the RWC system and would recommence doing so as soon as the verification exercise ended.

Recommendations to OPM, Police and IMC

- Train the RWC on how to handle cases
- Expressly communicate to the RWC what type of cases they are supposed to handle
- Have quarterly reviews of the RWCs records on cases reported.
- Sensitize the refugee population on cases they should report to the different authorities and the reporting procedures thereto.

¹⁸ The team had received reports that the RWC II of Bukere was dissolved by the camp commandant's office on allegations of corruption.

- IMC should also inform the victims of the pros and cons of reporting a case of sexual and gender based violence to the relevant authorities for handling as victims not reporting the cases might result to recurrent happenstances of acts of SGBV

1.2.5 Protection matters

Protection concerns and observations briefly as reported in 2007;

1. There were numerous protection complaints from the refugees some of which required immediate attention, others investigation and follow-up.
2. Notably, the camp is only served by one UNHCR Protection Officer and one Field Officer. The complaints from the refugees were to the effect that UNHCR did not have a sufficient protection presence, with only one officer attending to the entire camp.
3. The refugees also said that previously, when the camp had three protection officers, they felt satisfied as their complaints were addressed with a home visit, a casual dialogue, investigation, and a word of consolation.
4. They also claimed that most times, records of their cases are not kept; as a result, when an officer is transferred and the case has to be handled by a new officer, they are required to start all over again because their cases were not recorded in writing. They did sympathize with the one protection officer responsible for the entire workload.
5. Resettlement rejection letters written in English were presented by the refugees most did not understand the contents because of the language used in drafting the same. The problem had two dimensions; first, the letters were written in English which most do not understand, let alone read and speak; second, they claimed that the letters were merely handed to them without explanation and maintained that they should be informed face-to-face of the rationale in detail, rather than having “just ink on paper”¹⁹ (in English).
6. The quest for resettlement also indicates general dissatisfaction with refugee protection within the country.

This was also a follow up matter and the following were the team’s findings:

- *There were still many complaints that required protection*
*There was a new field officer posted from UNHCR and permanently stationed in the camp – base camp*²⁰

Recent findings on the issue of protection - 2008:

The team was appalled to find no protection officer in the camp. There were a number of complaints that the team had wished to discuss with the UNHCR protection office and share views. When the team approached the UNHCR desk, they were met by the new field officer who explained the absence of a protection officer(s) in the settlement. He informed the team that there was a change in positioning of the UNHCR sub office from Mubende to Hoima. The protection

¹⁹ Most refugees claimed that they viewed the said letters in this way, and challenged why the letters could not be written in their mother tongue as is currently the practice for the Kibati caseload (OPM letter Asylum letters are all in Kinya-rwanda).

²⁰ Located in Bujubuli

officers were all based in Hoima and were to come to the settlement on a mission basis when protection cases were identified.

When asked how these cases were identified since there were no protection officers to do exactly that, he informed the team that the RWCs act as the local chairpersons and handle cases in their jurisdictions. The field officer stated that they refer cases to the police and the UNHCR and that they were trained on reporting procedures, case handling and identification.

The team expressed their reservations about the on the ground structures and put their reservations forward for discussion with the field officer. Their concern became magnified after receiving reports from the refugees on how corrupt and incompetent the RWCs were in handling and identifying cases. The team shared their findings on the allegations that the RWC system was also manipulated and practiced nepotism, offering little accountability or transparency.

Response from the field officer to the above concerns was to the effect that RWCs are elected democratically by the refugees themselves and that where they fail to perform as required, the OPM advises them to elect another person. He stated that the OPM has conducted refugee leadership training on this issue before. However, from the team's findings this was not a true reflection of the above.

As the field officer was fairly new in the settlement, the team discussed protection cases with the camp commandant in seeking interim protection for those that required it, while the UNHCR desk waited for protection officers to come from Hoima on a mission. The team made suggestions to the camp commandant's office drawing examples from other settlements where those suggestions have worked. They suggested that a protection area within the base camp be established to cater for urgent cases before they can either be relocated to other camps or attended to by the UNHCR protection officers. The camp commandant informed the team that his office has been using the SGBV house as a protection house. He also informed the team the OPM will soon send a legal officer to the settlement to handle legal and protection issues.

Recommendations to UNHCR and OPM

- Protection cases are of a sensitive and confidential nature and should therefore be handled by qualified persons.
- There is need to base a protection officer (s) in the settlement.
- OPM needs to establish its own protection house

1.2.6 Kibati caseload

These are several thousand rejected asylum seekers in a zone created for them, called Kibati zone.²¹ The individuals in Kibati are from Rwanda and were given a blanket

²¹ These people said that the place and the name was created by the camp commandant to mean 'people who do not have status,' and was started in 2006

rejection in the form of the rejection letters they showed our team. While the rejection letters²² explain to them that the doors are still open for them to appeal within thirty days, they have not been accorded legal representation and do not know where to obtain such services.

There was no Kibati at all. The team was informed by the camp commandant that the inhabitants of Kibati zone were forced to return to their countries of origin in September 2007 by the ministry of Internal Affairs. He stated that the UN was on the ground when this was taking place.

It should also be noted that the RLP has issued a press release on forced repatriation of the Kibati occupants²³.

1.2.7 Medical

The 2007 situation

1. There were numerous complaints of people suffering from stomach ulcers and hemorrhoids (rectal bleeding), and also quite a number of persons who claimed that mental illness is on the rise in the camp.
2. The refugees also complained of excessive delays in referring the serious cases which the health centre does not have the capacity to handle, such as those that require x-rays or operations. Specifically, they cited a case of a woman²⁴ who lost her child and eventually died due to delays in referral. When the team followed up the case to the hospital where she died they were given a medical opinion that *“had the referral been made in time, the patient would have survived otherwise; by the time she was brought in, she was too wasted.”*²⁵
3. The general allegation that the health centre gave out the wrong medication for the given diagnosis.

Response from the Medical Officer²⁶ of the Health Unit which is a Centre III to the issues raised by the refugees: he informed that sometimes, when a patient is diagnosed for the ailment registered, additional ailments are also found, and, if urgent, these must be dealt with before the initial complaint can be attended to and

²² Letters were written in Kinyarwanda which most of them speak, write, and comprehend. They did not misunderstand their unfortunate status as conveyed by these letters.

²³ Visit RLP’s website at www.refugeelawproject.org for the press release reacting to the forced repatriation of the Kibati occupants who were mainly Rwandese and Burundian rejected asylum seekers.

²⁴ The said expectant refugee woman was in her second trimester but still continued experiencing nausea and vomiting and had little appetite. Medically there was need to look into the case earlier as the symptoms presented at the time were only supposed to be experienced up to the third month of pregnancy. She was referred to Fort Portal Buhinga Referral hospital over the Easter Holiday and there were no qualified medical personnel. The nurse on duty advised that as the case was critical the refugee should check into a private hospital if she was to survive. But it was too late and the woman had a spontaneous abortion even after the doctors at the private hospital tried to get the situation under control. The husband to the refugee woman sold most of his personal effects to meet the costs and has been left traumatized.

²⁵ As said by one of the doctors that attended to the patient.

²⁶ There is only one qualified medical officer assisted by clinical officers to handle all the medical cases in the camp including the host community.

treated. He admitted that sometimes he does not have the time to explain to the patient why he is treating an ailment they are unaware of because the numbers are overwhelming, though he does keep records. The medical doctor also discussed other challenges that he faces, which include the bad positioning of the camp in a new district which has no district hospital to handle emergencies, the absence of specialists (thus the referrals to Mubende, Fort Portal or Inter Aid to Mulago), power cuts, understaffing (which he claimed he could handle alone for the time being), a lack of special medical machines like the x-ray machine and the basic blood transfusion facilities, the attitudes and practices of refugees who report to the hospital as a last resort after their local herbs have proved worthless, inadequate drugs, and the high demand from refugees for medical attention.

When asked about the local drug shops and the refugees purchasing medicines from them, he informed the team that the drug shops were under supervision of the health centre that ensures that the proper medications are sold.

Follow up matter. A number of additions, clarifications and comments were made :

- In clarifying the issue of excessive delays in making referrals from the refugees, the medical doctor said that the report should read and reflect the issue in two ways. The refugees often present late, and as a result the referral is made late. Furthermore the receiving doctor upon referral also informs the medical centre that the referral was made late and scolds the staff most of the time. He also said that the clients most times resort to use of local herbs before they report to the health centre, and added that the medical staff were aware of the criminal implications if they sat on a serious case that needed referral*
- He added that whenever referrals on serious cases need to be made, the medical staff convene as a team and make decisions and assessment jointly. He insisted they rely on their professional judgment and guidelines that require them to make a physical examination, review past history of the patient, and consider other parameters. The decision is made by 2 or 3 people. To further make his point clear, the medical doctor used an illustration of a mother who has just been brought in within an hour and asking for a referral. That it is not possible to make the assessment and a referral without giving themselves ample to study her situation. That she has to wait for at least 3 hours before a proper assessment is made and also this is done on a case by case basis distinguishing between mothers that present cases of obstructed labour and others of normal birth and can be handled at the health centre*
- On the case that was brought out as an example of late referral cited in our previous findings, the medical doctor admitted that the refugee at issue was indeed wasted by the time she was referred. He however clarified that the said refugee was married to a male nurse in the health centre and therefore got all medical attention necessary. The medical staff felt they had exhausted all options before the referral was made. She was dehydrated by the time of referral to a bigger facility. The doctor concluded by saying that her problem was mostly due to her family history.*
- The doctor further commented on the late presentations of medical cases. He stated*

that coming to the health centre late and expecting to see results in the shortest time is unreasonable as the referral process takes some time. He complained that many times when the parents bring their children who then pass away they blame the doctor for failing to refer, even if they presented the child late to the health centre, especially for the anaemic cases. He commented that this was rampant during the previous years as the health centre lacked transfusion facilities. Now that health centre had added these facilities, there is no need to refer the cases anymore to larger health centres.

- *Further comments and clarifications were made with regard to the refugees making allegations that they are given wrong medications for ailments that they were not complaining of. He informed the team that most times it is not wise for the patients to dictate what medication they want unless they are aware of the diseases they are ailing from. He added that when a refugee walks in and starts dictating, the medical team listens to him/her as their training requires, then use their judgment for diagnosis.*
- *He also clarified that a patient has the right to be informed of the diagnosis made, especially for some sensitive caseloads.*
- *He made an addition with regard to the inadequate drugs at the health centre. He informed the team that drugs are never enough. The centre receives only 70% of its monthly requisition made to the ARD²⁷*

Recent findings

The health centre has one medical doctor, three clinical officers, three enrolled nurses, two midwives, one psychiatric nurse, four nursing aids, one vaccinator, one nutritionist and one laboratory assistant. According to the doctor, the midwives are on a 24 hour shift always. The above staff serves a population of eighteen thousand (18,000) refugees and five thousand (5,000) nationals. The doctor also informed the team that his caseload per day ranges from seventy (70) to one hundred and fifty (150) patients per day from 8:30 am to 2:30 pm.

A majority of refugees still claimed that they were being kept in the camp despite the fact that their cases needed to be referred to bigger facilities. They also still maintained the allegation that they were being given the wrong medications. However, they also informed the team of the improvements that the health centre made. They confirmed that the health centre had carried out a sensitization on how to prevent malaria and its symptoms and advised the community to report such cases as soon as the illness began to manifest. The refugees informed the team that they were grateful as this has helped to reduce child deaths caused by anaemia, which was a side effect of malaria.

With regards to other ailments the refugees claimed that the treatment is very difficult to come by. The refugees are sometimes instructed by the nurses and the doctor to buy their own medicines because the health centre had run short of the same. They also alleged that they are sometimes prevented from seeing the doctor

²⁷ ARD is an organization that supplies medicine to the UNHCR

because they are too many and he is busy. Some of them even claimed to have never seen the doctor, despite complaining of serious ailments.

When the team asked the refugees why they thought they were not allowed to see the doctor, they responded that sometimes the doctor is not present at the health centre because he serves in two other camps i.e. in Oruchinga and Nakivale refugee settlements. They also said that sometimes the nurses just don't let a refugee see the doctor because the volume of patients is too great.

The refugees also complained of the long distances they need to travel before reaching the health centre at the base camp. Their main worry was for the pregnant women who were in their third trimester accessing the health centre vis-à-vis the bad roads. They also attributed the miscarriages and still births to bad roads. The refugees asked that in such cases midwives should conduct home visits. The team observed a deserted health unit in Mukondo A²⁸ and were informed that from the time it was struck by a hailstorm it has never been repaired and everyone is required to go to the base camp.

The team was informed of a new ailment in the camp that attacked children of 2 years and below. Lacking a medical or English word for it, the refugees referred to the ailment as 'Kiriimi'. This was explained by the refugees as referring to 'a medical condition which results in a blockage of the wind pipes by a piece of meat from the child's mouth'. They also claim this disease occurred primarily among the Rwandese, and that it manifests itself with a temperature, difficulty in breathing and swallowing. The children stop eating solid food and are fed on porridge. They die in a period of one week. The refugees stated that when they approached the medical centre with this ailment, they were turned away as there was no medicine for it. They were informed by the health centre that it was a condition which is not treatable. The refugees stated that they took the matter into their hands and decided to treat their children by performing the operation themselves. They use a fork-like instrument, lift the obstacle causing the blockade and cut it off using a pair of scissors or new razor blade.

The team discussed their findings with the medical doctor was informed that it was something the centre will look into, as they were not aware of the ailment.

In response to the refugees' concern regarding the doctor's absences from the settlement, the team was informed that it is indeed true that the medical doctor is away sometimes in the Oruchinga and Nakivale refugee settlements where he performs a supervisory role at the health centres. Furthermore, he is also the coordinator of the three health centres and has to write and submit proposals for all three health centres. The doctor also stated that whenever he leaves for the above refugee settlements, he leaves everything under good control and management.

²⁸ Mukondo A is at the farthest end of the settlement near a military barracks. It is about 30 minutes drive from the base camp. The terrain of the settlement does not favour easy access to this health centre. The health unit is not all collapsed in as the walls are still standing strong, save for the roof that has caved in.

The team shared the concerns expressed by the refugees to the effect that the existing solo medical officer needs another pair (s) of hands to help. They suggested the staffing of the health centre needed to be bumped up to cater for the big numbers that required medical attention.

The team found the above ratio overwhelming, and inquired if the health centre management thought that they required more personnel. The medical doctor maintained that his position is manageable and that he would only require more staff in the priority areas – specifically, 2 more midwives, one (1) more clinical officer, and an extra enrolled nurse. However the team thought that there was need for one more medical doctor, especially considering that the current doctor has to perform his supervisory and coordinator duties for three camps. It was also noted that 23,000 people is big a number for one medical professional to handle, and that 70 to 150 per day only gives a patient about 2minutes with the doctor. When pressed, the doctor admitted that he cannot handle this case load by himself without serious psychological related repercussions.

The team was further convinced that an additional doctor was needed because of what they observed in the absence of the doctor for just three days from the settlement. It was said he was called to a meeting at the UNHCR head office in Kampala. There was a medical case that needed the urgent attention of the doctor²⁹. The female refugee³⁰ has been a notorious case at the health centre for the nature of her illness and has been referred on numerous times to Fort Portal and Mulago hospitals, through Inter Aid, for expert handling. She had undergone several operations. While the doctor was away she suddenly needed to see him because of a shooting pain from within which caused to her move with difficulty. She had get on all fours for one day and when she was taken to the health centre, she was told that her case required a referral to Fort Portal but that she could not be referred because it was only the medical doctor who could authorize a referral. She then requested pain killers in the interim but the health centre lacked any at the time and she was told to buy her own. She used a walking stick and sought out the RLP team, which luckily was in Bukere at the time.

The medical doctor also informed the team about the challenges the health centre faces. He stated that it had been a struggle for the centre to get blood transfusion facilities. It took him a full year of convincing and arguing for it from the government and UNHCR before the facilities were finally established. He added that currently there are services which the centre has tried to outsource, and that these services were available on an occasional basis; dental services from the district are received fortnightly, a psychosocial and psychiatric services doctor comes in 4 times in a month, and the HIV/AIDS program is offered on a weekly basis.

²⁹ Details on nature of illness can not be discussed in this report for confidentiality reasons.

³⁰ She is a resident of Bukere and a former client of the RLP. She was dropped from the RLP case load when she was referred for resettlement handling on medical grounds to RLP's partner organization, but the case was withdrawn by UNHCR at the screening stage. She is still in the camp

A good number of refugees showed the team their medical referrals to Inter Aid to attend expert management of their cases at Mulago. Some of the referrals were two months past the referral date but unattended to.

The medical doctor explained the referral process³¹ to the team and pointed to it as one of the challenges. Inter Aid was shut down for a period of four months and had to move its offices to another location and during which time referrals were made but not received at the Inter Aid offices making it extremely difficult for the refugees referred to get any medical attention from Mulago hospital. Also Inter Aid had faced a problem of funding and this coupled with the temporary closure and move of their offices caused a backlog of cases referred.

He said that has been put in a position of prioritizing cases that he had already made referrals for, because it was not possible to refer them all. New referrals were made but further dates given in a bid to give Inter Aid time to resume work and prepare to receive the referrals. When Inter Aid receives a referral, it caters for their accommodation as well in Kampala for all the time the refugee is undergoing treatment. The officer also complained that he is also given limits as to how many patients he can refer because of the facilities available in Kampala to house the referred cases³². This matter was clearly explained to the team but not explained to the bearers of the referral notes who took every chance to complain about it.

Recommendations to GTZ and UNHCR

- Recruit more qualified medical personnel to handle the large numbers of patients.
- For cases referred, any delays should be clearly explained and accounted for.
- Fund the restoration of the collapsed medical centre.
- Pay close attention to serious medical cases
- In the absence of the medical doctor, delegate the duties and responsibility of authorizing medical referral to a larger facility.
- The UNHCR needs to add their voice to the pleas of the medical personnel when making proposals to the government for medical facilities so that they do not take a very time to procure the same.

1.2.8 Water problems

As of 2007, the refugees talked to complained about the lack of adequate sources of clean water. The few boreholes that exist are shared by both refugees and nationals and yet would not be adequate for the refugees alone.

³¹ Before he refers the refugee to Kampala, he has to first refer him/her to the regional hospital which upon requiring further expert handling informs him so, thereafter, he writes a referral for the refugee. However the refugee has to get a movement permit from the camp commandant's office and that can only be obtained upon presentation of the referral note from the medical doctor. The camp commandant then refers the refugee to the IP that okays the referral and gives the refugee money. At the end of the day the refugee is required to have with him/her three letters before they can leave the camp to seek expert medical attention from Kampala.

³² Vis-à-vis referrals received from other refugee settlements.

The team also observed that one zone with either two or more cells shared one borehole. As a result, refugees were forced to dig into the ground in search for water. There were open surface water sources from which some refugees got water for daily use. When the water was boiled, it turned oily and yellowish in colour. Also, the distances of the boreholes from the residences of the refugees were quite long, prompting some to use a bicycle to fetch the water.

As a follow up matter, the water problem in the settlement has not changed and from the reports received, it seems to have worsened.

Recent findings with regards to the water issue:

The refugees complained of few boreholes existing in the camp which produced less water and some that had dried up altogether. The water produced also turned yellowish in colour when boiled. The existing open water sources were shallow wells that produced smelly water and yet they were the only ones that some villages³³ could rely on. That it is made worse in the rainy season when surface rain water washes and deposits all waste into the shallow wells. The refugees in Mukondo and Byabakora II complained of skin related diseases caused by the water. Several cases presented themselves to the team, which however lacked the medical expertise to diagnose them.

The refugees also alleged that whenever a borehole broke down, it took a very long time from the time the borehole committee headed by a caretaker submitted a report to GTZ to have the problem fixed.

It was alleged that because of the bad roads, boreholes have not been repaired and drilled in some areas. The refugees in Mukondo B alleged that the vehicle that had been dispatched from the base camp failed to make it to the village to drill a borehole because of the bad roads and instead drilled a borehole in the neighbouring village.

In seeking clarifications and comments from GTZ, the following was brought to light: shallow wells are drilled where the boreholes have dried out or started producing less water. Upon drilling of these wells, the water is treated with chlorine and tested before use. However, the testing is only done once upon drilling. The boreholes once drilled can not be up rooted as doing the same is costly.

Clarification was also made regarding allegations made by refugees about the failed attempt of drilling a borehole in Mukondo B. The GTZ officer informed the team that a drilling vehicle had been dispatched to the village but failed to make it there because of the nature of the terrain. Since the vehicle was already in the field and the said services were already contracted, it did not make any economic sense to send it back, and as a result the bore hole was drilled in the neighbouring village, which can be accessed by the refugees of Mukondo B at least for drinking.

³³ One such example is Mukondo B, which only has an open water source that produces smelly and dirty water

Recommendations to GTZ

- Monitor water sources periodically
- Test the water in shallow wells periodically
- Help the refugees dig shallow wells and provide mechanisms of protecting the same in light of the topography of the land by building a proper structure around the well that barricades flow of dirt into the wells in the rainy season.

1.2.8. Road Maintenance

Closely linked to the water and health issues is the accessibility of these resources and facilities by road. There were numerous complaints made by the refugees as regards road maintenance. Some roads within the settlement were clearly in dire need of maintenance (some locations, like Byabakora I, were inaccessible by road). The refugees stated that they were aware that road maintenance was one of their responsibilities as they are the primary beneficiaries. They have tried to repair and maintain the roads to a certain extent using their hoes, however, there are areas that needed machines to dig and repair. The team observed a bridge that was near collapsing and made a note to discuss the same with the camp authorities.

When the team approached GTZ (which is responsible for road maintenance), they were informed that road maintenance of the road leading into the camp from the district was under the responsibility of the government, and within the settlement was responsibility of the UNHCR in conjunction with GTZ. The team was also informed that within the settlement, the communities are responsible for the roads because they use them for economic purposes. Some roads were opened by UNHCR, which used machines to do so because of the terrain. The GTZ official informed the team that where communities fail to repair the roads, it is upon them to report the same to the GTZ. However, any road maintenance activities also depended on availability of funds and other pending priorities.

It should be noted that bad road conditions are alleged by the refugees to have led to a number of misfortunes ranging from miscarriages, deaths, and other tragedies.

Recommendations to GTZ & UNHCR

1. Regular mobilization of the communities to repair the roads
2. Sensitization of communities on the importance of well maintained roads
3. Education of communities on reporting procedures.

1.2.9 The youth and school-related issues - 2007

There was a general outcry from the youth that they are idle as a result of interrupted schooling resulting from a failure to raise school fees. They claimed that even if they tried to form a youth club or association so as to determine how to be most useful in the community, they lack backing and are discouraged by the camp authorities who apparently claim that the youth groups were usually in the process of hatching dubious plans to cause unrest

in the settlement. They also stated that the RWC III system does not have a committee dedicated to handling youth problems.

The youth suggested that instead of sitting idly, they'd rather be given balls, ropes, and other sporting equipment so that they can play amongst themselves in zones, and be allowed to form youth clubs so that they can help each other and voice their concerns as one.

On the issue of school fees, both the parents and the youth complained that while they are not paying tuition in primary schools, they are still required to pay an amount for feeding at the schools³⁴ which is in their opinion overly expensive. They proposed reduction of fees and not total to what they can afford claiming that most of them have many children to educate and yet do not have proper sources of earning save for sale of their farm produce.

The refugees reported that scholarships they used to receive from UNHCR for the best primary school performers have been stopped. Save the Children Uganda, which used to provide the secondary school teachers' salaries, has also reportedly stopped supporting the education system, leading to an increase in school fees in secondary schools.

The team approached Save the Children Uganda in their branch office in Fort Portal for their opinion, and was informed that Save the Children generally supported basic education (primary education), and runs time-bound projects. They began working in Kyaka in response to a crisis in Bundibugyo district, in order to help orphans, and went on to develop programmes supporting educational and vocational training. In this regard, the organization supports the only vocational institute in the settlement at Bujubuli.

With regard to the secondary school fees increase, the team was informed that at the time when SCIU came in to assist, there was a crisis because UNHCR pulled out their support from secondary schools and the teachers threatened to lay down their tools. Save the Children stepped in to pay the teachers' salaries. However, this was to last only a year and, in the meantime, the burden fell on the parents. Although Save the Children stated that it was not normally their policy to supplement salaries, they promised to assist in another way by getting the school registered so that it can enjoy the benefits of USE³⁵ in which parents will be relieved of fees to a certain extent. Save the Children International Uganda Chapter also pledged their continued support for the vocational institute.

When UNHCR was approached on the issue, they decried the lack of resources available to maintain the scholarships. They stated that they only

³⁴ The amount paid is per child and is used for paying the school cooks. Each child is required to pay and provide his or her own plate and cup.

³⁵ Universal Secondary Education

supported one scholarship which is for continuing education in university. They sympathized with the parents nonetheless.

In following up, the following were observations made by the team

- *Fewer complaints from the youth as the Right to Play was present in the camp and had set up sports fields for sporting activities. All these activities and focal persons were in each school in the settlement.*
- *A few students that had failed to continue with higher secondary school³⁶ complained of lack of funds to either join secondary school or the vocational institute.*
- *SCIU had stopped supporting the only vocational training institute.*
- *SCIU was also withdrawing from supporting the primary schools in monetary terms.*
- *Only the Windle Trust Fund helps out in supporting the best performing students from lower secondary, so that they are able to join the higher secondary school.*

Recent findings in this regard:

There were reports from school going children and parents that AAH was stopping the food for education project effective May 2008, and all parents and schools were expected to grow food for feeding children at school.

The primary school pupils told the team that they have to walk for long distances to get to school in the morning and most times they end up arriving in school late. That even the teachers start classes late because of the great distance they have to cover as they are not resident in the school despite a majority of them possessing bicycles. The terrain deters their arrival in school early enough to prepare for classes. The provision of lunch helps them develop mentally, physically and concentrate and perform better during classes as they don't have to worry about going back home for lunch and returning to school for afternoon classes.

On speaking to the AAH official, it was brought to light that WFP was constrained and will not fund Food for Education and even for health anymore. They shall only maintain Food-for-Life only for the extremely malnourished and therapeutic feeding, and that will also be for three months only. This is due to the donors being short of funds. The AAH official also explained that the cut was abrupt, and that this decision was communicated to the officer shortly before the team arrived.

However, the AAH official also went ahead to explain that the office has supported schools to establish their farm lands by giving seeds and mobilizing the students, parents and teachers. She also informed the team that this position was explained to the refugees.

³⁶ A⁺ level i.e. secondary five and six

The team visited the vocational institution³⁷ to find out if students who have failed to make it to higher secondary education enroll in the vocational school as an alternative. The team was informed that the numbers have drastically dropped and only 9 students had enrolled for this year, four of whom are females and five male. The cause was felt to be the withdrawal of support by the SCIU from the institute. Refugee students are now expected to pay a fee of UShs. 20,000/- (Uganda Shillings Twenty Thousand only) and nationals, UShs. 25,000/- (Uganda Shillings Twenty Five Thousand Only) of which 10,000/- (Uganda Shillings Ten Thousand only) and 15,000/- (Uganda Shillings Fifteen Thousand Only) is paid towards tuition by refugees and nationals respectively and 10,000/- towards materials³⁸ by all. The vocational school representative informed the team that students fail to enroll and drop out of the secondary school because of fees. She also said that the situation was different from the previous year when SCIU was active in the school.

The team was speaking to the deputy head teacher of the institute and the secondary school and who made appeals to the effect that GTZ should also consider paying the secondary school teachers salaries. She also appealed to the SCIU to help out with the institute, at least in terms of supplying materials and course instructors, as the bricklaying instructor left as soon as SCIU withdrew their support.

The team met with the SCIU official at their branch office in Fort Portal and discussed the situation at length. They were informed that SCIU was financially constrained at the time and were undergoing a series of changes in the country. On a positive note the team was informed that a proposal will be placed for funding activities in the school and the institute, although it may take some time to come through.

On forwarding the appeal to the GTZ office, the team was informed that the secondary school was under the office of the Prime Minister because it is a community school and GTZ's role in it is only to provide basic support such as supply school kits and sanitary materials to the girls.

Recommendation to OPM, UNCHR and GTZ

- OPM should lobby for funds from other IPs to support the secondary school staff
- UNHCR should also support the secondary education of refugees
- GTZ should communicate their positions clearly to the secondary schools and to the OPM as well.

³⁷ The Vocational training institute offers courses in textiles, carpentry and joinery. Formerly it also offered bricklaying but the instructor left when the contract with the Save the Children expired.

³⁸ Each student is required to bring five boards for carpentry whether they are enrolled for that course or not, and pieces of cloth for those who offer the tailoring course. Each board costs UShs. 2,000/- (Uganda Shillings Two Thousand Only)

1.2.10 Communication deficiency

In 2007 the team made a general observation when interacting with the refugees, which was a need for the camp authorities and implementing partners to build effective communication with refugees.

A number of incidents were reported by the refugees, one being the passing round of repatriation forms to be filled in. The refugees complained that they did not understand the meaning of the exercise and yet they saw considerable activity resulting from such exercises. They also claimed that the process involved discrimination, as not all of them were given a chance to fill out the forms. Others who had heard of this misconstrued it as a way of forcing them back to their country.³⁹ Those who filled the forms were still waiting for a response.

UNHCR expressed surprise that the efforts to communicate were ineffective, as they had believed them to be sufficient. They promised a follow-up. The UNHCR officers also informed the team that 15 forms per zone were distributed as a survey and the same was done in other camps.⁴⁰

When the food ration was halved, the refugees claimed that they were not warned and informed of the reasons for the cut. They claimed that they were going to be called for a meeting and given the reason, but the AAH official told the team that communication regarding this matter was effected through refugee leaders. Unfortunately, this was not the case, especially for the women who are the majority of the food collectors. They still demanded to know why the cut had taken place and how long it would be. The change also affected the PSNs (Persons with Special Needs), who wondered why their ration was altered.

The team also observed that most of the communication at the health centre was in English. For example, the working hours notice was written in English, despite being placed in a predominantly Kiswahili-, Kinyarwanda-, and French-speaking community. This practice wrongly presumes that the refugees and host community can read and understand English and thus has generated many complaints.

Following from last year's field visit, the team observed the following:

- ***The camp authorities and implementing partners have employed the use of notice boards to post any important communications***
- ***There was also translation of messages into languages that were commonly spoken, read, and understood by the refugees***

Recent issues regarding communication gaps:

³⁹ The refugees of Buliti thought that it was a way of forcing them to return to a place where war was still going on and had even began to go to Congo to see for themselves if it was safe to return.

⁴⁰ The survey for Congolese repatriation had also been done in Nakivale and Kyangwali Refugee Settlement Camps.

Despite the above changes, significant communication gaps remained, particularly with regards to communication among the many Implementing Partners. This was observed from the discussions the team held with various IPs, each of which blamed others for not communicating effectively.

There is great need for closer networking amongst the IPs in the settlement so that messages are passed to the refugee population at once and effectively, without leaving room for the refugees to play one organization against the other.

The Hema Community

This is a community⁴¹ that is traditionally pastoralist. The males of this community were all seen holding sticks used for herding, despite the lack of cattle. The team was not sure what these gestures meant until they spoke to the community and were informed that carrying the sticks is a reminder of their former lives and heritage. At the same time it was also a way of looking forward to a future of many herds of cattle and preserving their own culture.

This community bitterly complained of difficulties encountered in adapting to a farming lifestyle. A majority spoken to reported cases of backaches and dislocated discs, and possessed medical papers to that effect. These refugees complain that they cannot dig as much as the other tribes who have been used to that way of life. Survival without cattle has turned out to be a nightmare to them. To make it worse they are situated near nationals⁴² who have cattle and their cattle graze right into their land.

The Hema wished to appeal to the government and the UNHCR that animal husbandry be recognized as part of agriculture and as a Self Reliance Strategy. They requested of the government and the UNHCR to at least give them money or give each one cow and one bull to start with.

The citizenship appeal

The team came across a group of refugees who claim to have lived in Uganda almost all their lives. They stated that they have been in and out of Uganda but basically grew up in Uganda and do not know their own cultures back in the Congo. A particular individual⁴³ stated that he came to Uganda in 1964 with his parents when he was three (3) years old, during the Lumombisti war, and lived in Uganda up to 1988. His father then decided that the family should return to the Congo, but unfortunately there was another outbreak of war in 1992 and the individual had to flee once again to Uganda. Since then he has never returned to the Congo and has married and founded a family in Uganda. He asked *'if you look at me and followed the story of my life, where do you think I have fully rooted myself though involuntarily, Do you think that I can be able to remember where I lived, the land boundaries and all back in Congo?'*

⁴¹ The Hema community is in Byabakora III

⁴² The Batoro of Uganda are traditionally cattle keepers and cattle are a symbol of their heritage

⁴³ For confidentiality reasons, names can not be discussed.

His parents all died in the Congo and he thinks the wish to die in their country of origin was the main reason why they had wished to return in the first place. RLP was given a list of other refugees in the same category.

Recommendations to OPM & UNHCR

- Cases that have over stayed and integrated into the community around them should be considered for citizenship as the alternative durable solution.

1.2.11 Psychosocial matters

Mental health

There was a change noticed in the delivery of mental health services from last year's visit. In addition to the psychiatric nurse's usual roles, there is a visiting PCO from the district that comes every fortnight to help in the diagnosis and prescription of medication. Discussions with the psychiatric nurse revealed that the most diagnosed mental health illness is PTSD with depression. Like last year, medications are only given to those affected and still no psychotherapy/counseling is afforded. There were many refugees in the areas visited who claimed that the drugs were not working and as a result stopped taking their medications. This undermines the drug therapy for improvement which is best noticed when both are provided.

It must be noted however that there is only one mental health specialist who also doubles as a regular nurse with other duties. As such, monitoring adherence to medication, home visits to check on progress and getting feedback on effects of the drugs and family support cannot be done. This adds to the reasons as to why those affected are not improving.

1.2.12 SGBV

SGBV in the camp has worsened since the last visit. In almost all areas visited, there were reported marked increases in domestic violence, assault, and early marriage. Rape was reported to have reduced while defilement fluctuated depending on the area visited. Defilement by teachers in schools was reported to be on the increase. This is supported by an interview with SCIU that revealed same findings. According to SCIU, perpetrators lure girls into sex by offering those items their parents cannot afford. These include soap, vaseline, money and scholastic material. Mention was also made of the male teachers being young and that sometimes the students show interest in them which further renders them prone to exploitation. This is consistent with our finds from group discussions with school going girls.

After discussions with some community members and their leaders, the following emerged as explanations to the new trend.

First, the RWC system handles cases they ought not to in addition to abuse of office i.e. they ask for bribes to handle cases and even threaten. Many cases stall as a result and women continue to suffer at the hands of their oppressors. In addition, as a result this behaviour is encouraged is to go on as evidenced by some respondents who reported that perpetrators tell them to go and report after all nothing shall be done to them. An instance of this involved a woman who is constantly beaten with

metallic objects by her husband, a case brought to the attention of the officials last year. At the time of the visit she had been assaulted twice four days before the interview, she reported to the RWCs who asked her to pay UShs. 10,000/- (Uganda Shillings Ten Thousand Only, for the case to be reported to the camp commandant's office or the police. Another case involved a lady whose case was not being handled because the perpetrator was of the same ethnicity as the RWC officials. On further investigation, it was found out that the two cases were not known to the camp commandant's office and the police.

The second reason explaining this trend relates to ignorance of steps to take in case one is violated. Victims seem to only know that only the RWC officials handle such cases. In a number of instances, victims were frustrated by corrupt leaders who asked for money so that the cases could be handled. Having no money, they lost hope in accessing justice and were confused on what to do next.

The other reason explaining this trend was poverty. Refugees lack alternative means of making money besides selling their produce from their gardens which goes both to feed the family and in excess of which is sold. As a result some resorted to offering their daughters for marriage in exchange for what they consider huge sums of money in order to take care of the rest of the family. The girls are married off to very old males who have multiple sexual experiences and in most cases are already in polygamous relationships which expose the girls to the risk of HIV/AIDS and other STIs. Some of these girls are forced out of school and never return after marriage. The girls are psychologically challenged because they are never ready for the functions of a wife and ill prepared to manage family responsibilities.

Poverty also contributes to domestic violence in instances where the family head uses alcohol as a means coping with stress and frustration. In many cases even the few resources that could be used to support the family are used to maintain the alcoholism. This creates a conflict with spouse and sometimes with older children which culminates into physical violence.

The team approached IMC, the implementing partner responsible for SGBV education programs and again early marriage emerged as a problem. This according to them was attributed to the parents' attitude towards school. Some parents attach low value to education of the girl child, preferring them to stay home and work or when they have come of age, have them married off for a good sum of money. Another variable they reported to have increased was domestic violence. Culture was mentioned as one of the factors responsible for this e.g. they noted that it was more rampant in some tribes than was the case for others e.g. Banyabwisha. Another reason they put forward was seasons. During cultivating and harvesting seasons, a marked increase in the cases of domestic violence is always noted. In addition, is the period during which food is distributed. Couples always disagree on a number of things for instance; a man may want to sell food rations so that he can use the money for alcohol or even selling of the harvest and using up all the money to get other women. Whereas the women on the other hand prefer to sell part of the rations so as

to buy other necessities like salt, sugar and cooking oil. This usually results into fights in which individuals get badly injured.

When probed for the biggest constraint to work, the case of RWCs addressing cases came up. They compromise the work of the community educators and ultimately the goals of the SGBV programs.

Discussions with the commandant revealed that he was knowledgeable about the problem of RWCs abusing office and expressed concern about them handling cases they ought not to. He mentioned that some steps had been taken to curb the practice. In one area, all the RWCs were relieved of their duties for abuse of office. He promised to follow up on the issue and to sensitize the refugees on the other options available in case they are frustrated by their leaders. It is also interesting to note that an interview with one of the area chairmen also revealed that he was aware that cases of such a nature are not to be handled by RWCS yet they still do.

Discussions with the police unveiled that they were not aware that such a practice was going on. Reporting of cases is still poor and as such they can not execute their duties like they ought to.

Recommendations:

- There is need to start up a psychosocial program which will cater for counseling the traumatized refugee population, and outreach programs. There has never been such a program in this settlement
- Although some steps have been taken to curb abuse of office by RWCs, it is important that emphasis is placed on their education from time to time about their roles and set up punitive measures that are known to everyone in case they abuse office.
- There is a need for IMC to be more vigilant and redesign programs to target negative attitudes and beliefs that pose a threat to the success of their programs.
- There needs to be another intervention to empower refugees to report officials who violate them.
- GTZ should look at recruiting more staff as a first step to improving their mental health program

PER MEETING HAD WITH MR. BAYISA, THE DEPUTY REPRESENTATIVE AT THE UNHCR OFFICES ON MONDAY THE 12TH DAY OF MAY, 2008 ON THE TEAM'S FINDINGS AND DISCUSSIONS HERE ARE THE BULLET POINTS OF ISSUES RAISED (UNDERLINED) BY THE RLP TEAM AND RESPONSES GIVEN BY MR. BAYISA.

1. ABSENCE OF PROTECTION OFFICERS IN KYAKA II REFUGEE SETTLEMENT CAMP: MUBENDE IS NOT A REGISTERED DUTY STATION AND AS A UNHCR ADMINISTRATIVE POLICY, ALL UNHCR STAFF WILL BE BASED AT THE NEAREST DUTY STATION

WHICH IS MBARARA AND GO TO THE SETTLEMENTS ON A MISSION BASIS. AT THE MOMENT THEY HAVE BEEN MOVED TO HOIMA. UNHCR PLANS TO ESTABLISH SPACE FOR ITS STAFF WITHIN THE SETTLEMENTS SO THAT WHENEVER THEY REPORT ON MISSION THEY HAVE A PLACE TO STAY.

WITH REGARD TO HANDLING CASES THAT BEFIT PROTECTION, IT IS THE DUTY OF THE IMPLEMENTING PARTNERS AND THE UNHCR'S ROLE IN ALL THIS TO PERFORM MONITORING OF THE ACTIVITIES OF THE IPS. ALSO THAT THERE IS LACK OF INSURANCE COVER FROM THEIR NEW YORK OFFICE FOR NON DUTY REGISTERED OFFICES MAKES IT IMPOSSIBLE FOR THEM TO HAVE STAFF STATIONED IN THE SETTLEMENTS PERMANENTLY.

2. POLICE IN THE SETTLEMENT REPORTED BEING CHALLENGED LOGISTICALLY IN PERFORMING THEIR DUTY AND NEEDED UNHCR TO HELP: MONEY IS USUALLY GIVEN TO THE GOVERNMENT - OPM AND THEY ARE SUPPOSED TO EQUIP THE POLICE USING THESE MONIES. HOWEVER, THE MONEY IS GIVEN OUT BUT ITS USE IS NOT MONITORED. ISSUE TO BE DISCUSSED FURTHER AT THE UNHCR MEETING.
3. COURT MATTERS AND FEARS ARISING FROM RELEASE OF CAPITAL OFFENCE SUSPECTS BACK INTO THE SETTLEMENT: UNHCR PLANS TO CONTRACT AND PARTNER WITH RLP NEXT YEAR TO DEAL WITH ALL LEGAL AND COURT MATTERS. THAT IN THE FUTURE ALL LEGAL MATTERS WILL BE FORWARDED FOR HANDLING TO THE RLP.
4. THE HEMA COMMUNITY THAT TRADITIONALLY PRACTICES PASTORALISM VIS-À-VIS SRS THAT SUPPORTS ONLY CULTIVATION: JUST LIKE THE SOMALIS IN NAKIVALE SITUATION WHERE UNHCR HAS A PLAN IN PLACE ALREADY TO RESETTLE THEM, UNHCR WILL LOOK INTO THIS ONE TOO. ISSUE PROPOSED TO BE BROUGHT UP FOR DISCUSSION AT THE UNHCR MEETING. THAT IT WILL BE DIFFICULT TO GO BY THE HEMA COMMUNITY OF PROVIDING THEM WITH ANIMALS OR MONEY TO THAT END.
5. CITIZENSHIP TO REFUGEES WHO HAVE BEEN IN UGANDA FOR A VERY LONG TIME: AGAIN UNHCR WILL IN CONJUNCTION WITH RLP FILE A TEST CASE IN COURT FOR GRANT OF CITIZENSHIP. THIS IF SUCCESSFUL WILL BE USED AS A REFERENCE TO APPLY FOR MANY OTHERS IN THE SAME SITUATION.
6. INCREASED MEDICAL COMPLAINTS VIS-À-VIS LESS MEDICATION GIVEN TO REFUGEES AND REFERRALS TO INTER AID AS A CHALLENGE: USED TO BE ANOTHER UNHCR BUDGETARY POLICY THAT 1\$ PER REFUGEE PER YEAR. LATELY IT HAS INCREASED TO 1.5\$ PER REFUGEE PER YEAR. THAT FOR

THOSE WHO REQUIRE ADVANCED TREATMENT AND OPERATIONS IT WILL BE IMPOSSIBLE TO SPEND CLOSE TO 1 MILLION UGANDA SHILLINGS JUST FOR ONE PERSON IN THE COUNTRY OF ASYLUM. THAT IT WILL ONLY THEN BE BETTER TO REFER THEM FOR RESETTLEMENT THROUGH THE UNHCR. FOR INTER AID, UNHCR IS TIRED OF THE ONE TEMPLATE THAT REFUGEES PRESENT ON MEDICAL CASES BE THEY SIMPLE AND FLIMSY CLAIMS FOR TREATMENT ABROAD, THEY HAVE DECIDED TO STOP THEM FROM RECEIVING THESE LETTERS. A UNHCR DOCTOR (S) WAS TO COME IN TO REVIEW SOME CASES AND GIVE AN INDEPENDENT MEDICAL OPINION. ALSO THERE WERE PLANS TO REVIEW MOST OF THE TASKS ASSIGNED TO INTER AID AS AN IP AND REASSIGN THE SAME.

1.3 Miscellaneous

The team wishes to express its gratitude for the cooperation accorded to them and the free spirit with which OPM, UNHCR and her implementing partners associated and openly discussed issues of concern with the RLP. There was great improvement in relations with the RLP that was very commendable, and all parties did their best to accommodate our requests for interviews despite the ongoing verification exercise. The team is particularly grateful for all the cases that were identified and responded to by whichever office responsible. The team is also grateful to our clients and all the refugees in the settlement for making their work easier.

On the other hand the team also wants it to be known that they were thankful for the warnings and cautionary remarks they received from the OPM, UNCHR and Implementing Partners and police to the effect that the refugees were trying to take advantage of the RLP as an outside visitor, would seize the opportunity to report falsehoods and fabrications. The team was well aware of this fact as they periodically encounter similar issues in their everyday work. For this reason, the team took care to discuss all issues with the authorities concerned for verification purposes, and their responses were in turn communicated back to the refugees. The team also appreciated particular requests made by individual offices for a good future working relationship.

1.4 Conclusions and recommendations

The above issues are of great concern to the refugees and all the relevant stakeholders; decisions need to be made and action needs to be taken either independently or jointly to save the situation. It should be remembered that the above recommendations are some of the reasons why refugees escape or lie so as to obtain permission to walk out of the camp to settle in undesignated places or urban centres. If the government of Uganda and the UNHCR in Uganda uphold

the encampment policy, then the issues arising in this report should be addressed as a matter of urgency.