

ACCESS PROTECTION EMPOWERMENT ACCOUNTABILITY AND LEADERSHIP (APEAL) PROJECT, FUNDED BY ECHO



THE REPUBLIC OF UGANDA

# A CASE OF ACCESS TO JUSTICE BY GBV SURVIVORS



Funded by European Union Civil Protection and Humanitarian Aid

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CARE International has been working in Uganda since 1969 to address the urgent needs of conflict and disaster-affected populations and provide support for community development.

Through its Humanitarian programme, CARE works to ensure that women, girls, refugees, persons with disabilities, and older persons who have been affected by crises access a gender responsive humanitarian assistance, with emphasis on disaster preparedness, inclusiveness and resilience.

**ABOUT APEAL PROJECT**

With support from the European Union Civil Protection and Humanitarian Aid (ECHO), CARE leads a consortium of 11 partners to implement the Access Protection Empowerment Accountability and Leadership (APEAL) project in the refugee settlements of Kyaka II, Kyangwali and Imvepi.

The goal of the project is to ensure that newly arrived refugees from DRC and South Sudan, as well as their host communities, receive continuous life-saving and multi-sectoral protection and assistance at all levels. These includes Gender based violence response, Child Protection, Mental Health Psychosocial support and disability inclusion-sensitive services.

**CHALLENGES TO ACCESS TO JUSTICE THE PLIGHT OF GENDER BASED VIOLENCE SURVIVORS IN ACCESS TO LEGAL SERVICES; BY THE APEAL PROJECT IN KYANGWALI REFUGEE SETTLEMENT-KIKUUBE DISTRICT**

As part of result 1 of the project, APEAL ensures that targeted populations are



Women and Girls at a Safe space during GBV session

identified, screened and have access to quality, timely, and appropriate Gender Based Violence and protection, including legal services.

This is done through Survivor Centred GBV Prevention and response, supported by a well-coordinated referral system. CARE and the partners through Women and girl's safe spaces provide a variety of GBV prevention and response services also aimed at supporting and empowering women and girls to enhance their protection.

**WHAT ACTORS SAY ON ACCESS TO LEGAL SERVICES**

In order to achieve appropriate legal services, the consortium works in partnership with an array of actors right from government, the police, medical officers, community structures, CSOs and CBOs among others.

The district police commander Kikuube district, Richard Asiimwe, confirmed that the settlement registers at least 20 GBV cases on average per month, but is quick to add that the situation would be worse had it not been the interventions of other

stakeholders.

He said the most prevalent cases registered by police are sexual violence, physical assault and economic violence where couples disagree on how to control the money donated for food. Even with this, the victims do not seek legal support to the end.

Long distances to the service centres and language barrier are also other challenges survivors face limiting their access legal support, because they are neither fluent in the local dialect nor in English.

APEAL project through its interventions in targeted locations mobilizes communities to report incidences of GBV. This is specifically through ensuring that men, women, boys and girls understand the services provided by different service providers along the referral pathway. Through the case management interventions, survivors are accompanied to access services and the project staff advocate on behalf of the survivor for timely service provision. The project has also trained paralegals at community level to bridge the gap between communities

and service providers through the process of accessing justice. The project works to promote community led actions through increasing access to information. The Refugee Engagement Forum, the Women Leaders and the Refugee Welfare Councils are currently being trained to understand the policy and institutional framework that governs access to justice with specific emphasis on the Domestic Violence Act 2010.

According to the Refugee Welfare Council (RWC) III Ruta Abooki, the women now know where to report when they face GBV and where to refer should they fail to resolve certain cases. Abooki-a community based Facilitator who has received training to counsel GBV survivors attributes the vice to lack of respect in homes, poverty, and alcoholism. She called upon actors for more awareness and sensitisations on the available opportunities of legal aid services in the settlement, so as to improve GBV survivor access to legal services as well as counter GBV in the settlement

**APEAL APPROACHES STRATEGIES**

The Women Lead in Emergence (WLiE) model is one of the avenues APEAL uses in to promote access to legal support and services in Kyangwali settlement.

It employs the grouping approach to support women directly affected by crisis to participate in humanitarian action by standing up and articulately advocating



Ruta Abooki

for improvement of policy enforcement and service provision on issues affecting them. The groups are safe spaces for women who have faced GBV to share their experiences and find manageable ways of accessing justice for themselves. Groups are also a source of information on referral mechanisms available in the settlement.

CARE is also using Men Engage strategy to prevent GBV through the Role Model Men and Boys (RMMB) approach. It gives men an opportunity to make their contribution to protection of women and girls against GBV in the settlement. Currently there are 180 role model boys and men who have been trained on positive forms of masculinity, GBV and gender equality and are reaching out to other men to transform society. RMMB contribute to the GBV referral pathway at the settlement level.

Despite APEAL project interventions on GBV particularly access to survivor justice, Uganda Law Society Executive Director, Moses Okwalinga says although legal services for GBV survivors are available for refugees, the service providers are non-state actors who don't have the mandate or capacity to follow services at a large scale as compared to the government. Furthermore, the populace is largely unaware of the available legal services offered. "A case in point is the refugee populations that we serve where you find that over 80% of the target population can't fully appreciate the need and availability of legal services to GBV survivors.

"He also mentions that a major gap in access to justice is the insufficient funding

to enhance access to legal services as well as lack of state support in rendering legal services.

**MAJOR RECOMMENDATION BY APEAL PROJECT IN IMPROVING ACCESS TO JUSTICE FOR GBV SURVIVORS.**

- Invest in the role of leaders: cultural norms and beliefs discourage women from seeking legal services for fear of offending customs, families, communities and traditions among others. APEAL will continue to engage at these levels to improve on access to justice and the culture of seeking justice.

- Lobby for more service providers rendering free legal services -through localization and expanding partnerships and referrals; which has hindered many survivors of GBV from seeking/accessing legal services.

- Undertake more awareness campaigns to educate the public on available legal services,

- Seek for more government and donor community support to increase penetration of legal service Collaboration among CSOs offering humanitarian services to increase referrals, and more collaboration between state and non-state actors to enhance access to legal services.

**CONCLUSION:** APEAL will contribute to advocate for fast tracking and the enactment of the legal aid bill in order to make available state funded legal aid services and to set up more justice points like police stations, courts and probation offices to serve communities effectively.



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Implemented by:

