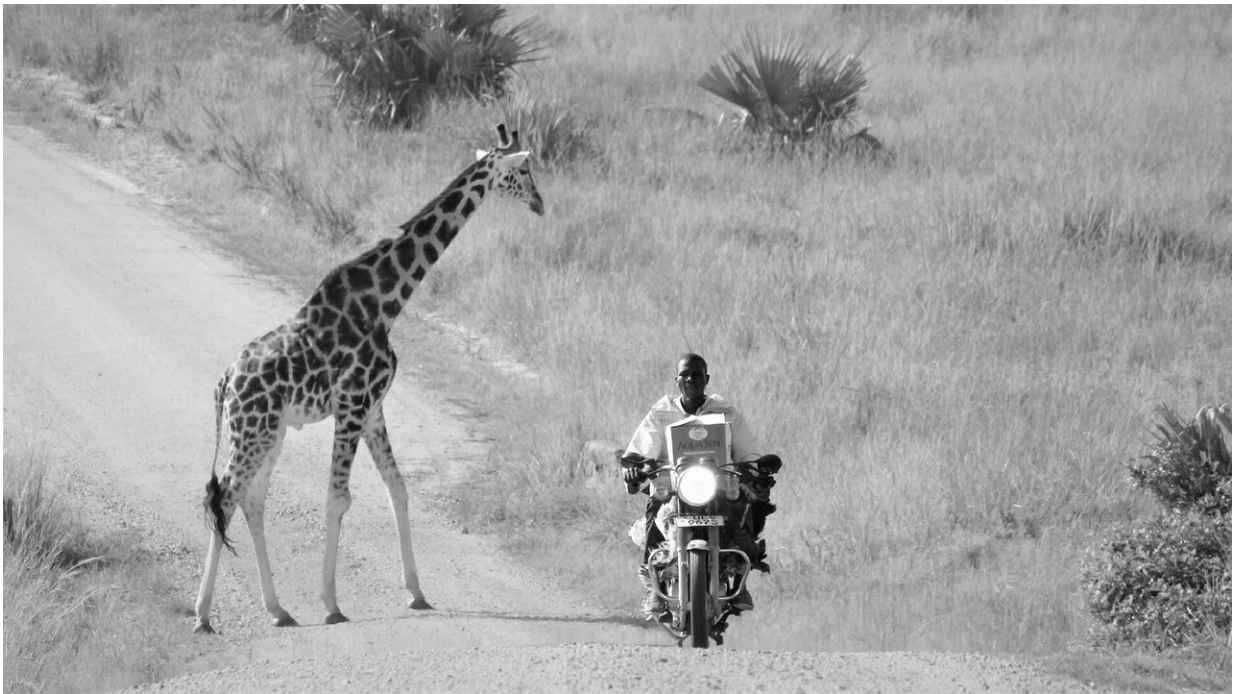


How refugees resolve disputes: Insights from a Ugandan settlement

July 29 2020, by Sarah Vancluysen, Bert Ingelaere



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Typically, refugee camps or settlements, whether in [Greece](#), [Jordan](#) or [Libya](#), are seen as lawless environments. They are characterized by a lack of structure, rules and norms.

But, based [on our study](#) with South Sudanese refugees in northern Uganda, we bring a different story. We show there are a lot of rules and

regulations that people abide by in the settlements. These include South Sudanese customary norms, Ugandan law and international human rights promoted by implementing agencies.

We also found that refugees invested a great amount of effort in solving disputes among themselves, and with surrounding host community members.

This isn't exclusive to this geography. Earlier research, for instance in camps in [Nepal](#) and in [Zambia](#) already described the existence of dispute resolution by refugees alongside other actors, such as host state authorities and humanitarian actors.

When it comes to dispute resolution in Ugandan settlements, there are many different programs and courses organized by agencies within and around the settlements. These include the introduction of [community policing](#), [peace promoters](#) and radio talkshows.

We argue, however, that more attention is needed to also support existing structures within [refugee](#) communities: to mediate disputes in ways more familiar to them. Though the added value of resolution efforts by customary authorities [is acknowledged](#), they're not officially recognized by humanitarian partners. Investing in and supporting mediation techniques by formal and informal leaders could prove highly valuable.

Patchwork regulation

More than [800,000 South Sudanese refugees](#) have remained on Ugandan soil after fleeing the violence that erupted in their newly independent nation at the end of 2013.

In [Adjumani district](#), for example, the population has doubled over the

past seven years since refugees arrived. This puts heavy pressure on the meager resources and facilities, a situation that is rife with potential conflict and tension.

Overall, life in the settlement is regulated by a patchwork of local practices and norms, Ugandan law and international "best practices" introduced by the implementing agencies.

We conducted more than 100 interviews with South Sudanese refugee leaders, chiefs, elders, host community members, NGO representatives and Ugandan authorities. The interviews took place in the Adjumani district, northern Uganda, specifically the Boroli and Alere settlements. We wanted to examine which disputes occur within and around the settlements and which actors intervene to mediate and solve them.

From these discussions, we came to the conclusion that the settlements were far from lawless places.

When a dispute occurred, we found that a variety of different actors get involved. These included individuals from within the refugee community, from the greater society, Ugandan authorities, implementing agencies—such as Lutheran World Federation and Danish Refugee Council—and refugee leaders.

Refugee leaders, either elected representatives or chiefs and elders of particular communities, played an important role. Depending on the nature of the case, it was handled individually, or settled in local courts created for the purpose.

We found that mediation efforts covered a wide range of disputes. These included marital disagreements, defusing communal tensions and dissatisfaction towards official authorities.

Take the case of Elizabeth, a South Sudanese refugee living in Alere refugee [settlement](#), northern Uganda. One day she found that the crops she had planted to feed her family had been destroyed by cattle. Devastated, she went to report the matter to the chief. After she'd explained her story, the chief started an investigation along with other respected elders of the community. Soon, the owner of the cattle was found and Elizabeth was compensated for her loss.

The role played by mediators

The [ability of refugees to](#) govern themselves are too often underestimated or undermined by external actors.

We found, in fact, that [refugee-led resolution systems](#) were indispensable in the camps.

Being accessible and, most importantly, familiar to the refugees, the refugee leaders provided an important forum where cases—such as the payment of dowry and divorce, fighting and minor thefts—could be mediated and solved.

There were, however, also some downsides. Refugee leaders, for example, tended to go beyond their authority. They sometimes tried to resolve conflicts that were too serious to handle without the involvement of the Ugandan authorities, such as rape cases.

Another problem was that, given the patchwork of how things are regulated, refugee leaders were sometimes put in a difficult position when it came to making decisions. Which practices had been applied in the past? Which solutions were accepted in the new environment?

We found that refugees recognized and respected Ugandan law. But a number of South Sudanese practices and values, were considered too

important to let go of particularly as most refugees envisaged "going home" at some point. For example, they may cross the border into South Sudan to enact customs that are strictly monitored in the Ugandan settlements, such as early age marriages.

We found that they were imperfect in other ways too. Similar to other [informal justice systems](#), they are dominated by men, with little or no representation of women and young people. Also, verdicts are focused on the security and interests of the community as a whole, instead of individual victims. This raises questions about their legitimacy.

Next steps

The refugee leaders playing a mediating role were also not funded. Formal representatives work on a voluntary basis, barely able to take care of themselves.

Given the indispensable nature of their mediation work, we argue it is crucial that refugees leaders are better supported in their role. Concretely, official authorities, such as the Ugandan government, UN refugee agency and implementing partners could foresee more training in resolution techniques and host state law.

Fundamentally, refugee leaders complained that they are only seen as "beneficiaries," instead of stakeholders. Including community leaders into dialogs with the official authorities would enhance understanding at both sides. It would provide refugees with a better understanding of host state law and camp regulations. But more importantly, it would clarify underlying dynamics in dispute resolution for the agencies as well.

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