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# Review of asylum processing Rwanda: interview notes (Annex A)

Version 1.0

May 2022

Archived

# Preface

## Purpose

Country policy and information notes (CPINs) provide country of origin information (COI) on the most common and/or more complex issues arising in protection claims in the UK. We currently have around 150 published on the [Gov.Uk](https://www.gov.uk) website covering around 40 countries.

CPINs include information from a wide range of sources including media outlets; local, national and international organisations; and the Foreign, and Commonwealth and Development Office, in order to comply with our domestic and international obligations.

Where possible, we conduct primary research in countries of origin to fill information gaps we have identified through data analysis which cannot be addressed through desk-based research.

This annex contains the notes of interviews and tours of sites during two visits to Rwanda (in January 2022 and March 2022).

The inclusion of a source is not, however, necessarily an endorsement of it or any view(s) expressed.

It must be read in conjunction with the assessment and separate country information reports:

- Review of asylum processing Rwanda: assessment
- Review of asylum processing Rwanda: country information on general human rights in Rwanda and;
- Review of asylum processing Rwanda: notes of interviews

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# Annex A – notes from sources

## A1. Meetings with Rwandan Government officials, 18 January 2022 and 22 March 2022

Ministry of Emergency Management/Single Protect Implementation Unit Coordinator

Director of Visa and Permits, DGIE

Director of Response and Recovery Unit MINEMA

Another Senior Official from MINEMA

Permanent Secretary of Ministry of Foreign Affairs and International Cooperation

Retired colonel and Special Advisor/Immigration Ops

[Two in the meeting are members of the RSD committee]

### Information from:

- Law related to refugee management
- Prime Minister's order relating to functioning of the National Refugee Status Determination Committee (RSDC)
- Members working and collaboration agreement

### Member institutes working and collaborating on Refugee status determination (RSD):

- Office of the Prime Minister (Chair)
- National Commission for Human Rights (NCHR) – V/Chair
- Ministry of Emergency Management (MINEMA) – Secretariat
- Ministry of Foreign Affairs and International Cooperation (MINAFFET)
- Ministry of Defense (MoD)
- Ministry of Justice (MINIJUST)
- Ministry of Local Government (MINALOC)
- Ministry of Health (MoH)
- Ministry of Interior (MININTER)
- Ministry of Environment (MoE)
- Directorate General of Immigration and Emigration (DGIE)

### Asylum process

Information provided by MINAFFET and by **Director of Response and Recovery Unit MINEMA**:

The eligibility and protection office in MINEMA does day-to-day management. Scope of the Refugee Status Determination Committee (RSDC) is to take decisions on

applications for refugee status and decisions on revocation of the RSD according to international laws.

For example, where an applicant faced terrorist charges, the committee could take the decision to revoke.

How the RSDC functions:

- The process begins at the airport/border (first dealing with immigration.) which is entry clearance and preliminary processing.
- DGIE receives file and provides a preliminary analysis of the application. DGIE submits the application to RSDC.
- Once files are received, the MINEMA Eligibility and Protection Office ensures all information is received. If something is missing, further information can be requested to be submitted by the applicant. The RSDC can request to meet the applicant to verify information (in a 20-40 min interview).
- A meeting with RSDC is organised within 2-3 weeks of receipt of the application to decide the claim.

**Q - Are all claimants interviewed or are some claims decided on paper?**

A - Depending on the case, a claimant may be called for additional interview. A decision can also be taken based on the available information

**Q - Making a claim - Initial registration of claim – where? How? What information does a person receive about how the asylum system works?**

**A - Director of Response and Recovery Unit MINEMA**

A) A person receives information at the first application point during first reception with DGIE. The officer who receives the person will provide the initial information.

B) For the first level claim: they are provided information on their right to/how to claim. This can take place during the interview with RSDC or during the handover of the notification. For example information about further level of appeal, support from NGOs/UNHCR frameworks and where they can get legal assistance etc.

C) for the second level of claim – rights and responsibilities of submitting an appeal to the High Court and gaining assistance, this information would be provided when the first decision notification was handed over.

**Colonel and Special Advisor on Migration** - Once an asylum seeker is in the country the local authorities on the ground take them to immigration. They don't process them. There are immigration offices at all borders and throughout RWA. So that is when the formal process starts.

**Q- How long does that take?**

**A - Colonel and Special Advisor on Immigration** - When received by the local authority (LA) they are taken to immigration which starts the process. This is usually straightaway but if they arrive at night for example, they will be accommodated by

the LA.

**Q Is someone interviewed by DGIE then taken to the transit centre?**

**A – Director of Response and Recovery Unit MINEMA** - If someone enters the border and claims asylum, the LA reports the person to the nearest immigration centre. Temporary resident permit is issued. The LA reports immediately to the reception centre, transit centre or camp. In that period the process continues as per the RSD. They can appeal etc.

**Q - Do they have a choice to go to transit, reception, urban or camp?**

**A- Director of Response and Recovery Unit MINEMA:** Yes, within the structures or outside of the refugee camp if the person can sustain themselves.

**A - Colonel and Special Adviser on Immigration** - they are received by the LA (they are responsible for catering for vulnerable people). They may stay over-night for example. They have offices where they can sustain them, they can stay with family or open a shelter.

**Q - Are the applicants interviewed once by immigration?**

Once the applicant arrives at immigration, the immigration officers do preliminary interviews. Then they are registered and get the temporary resident permit.

**A- Colonel and Special Advisor on Migration.** There are two points of contact. Preliminary interview is just registering basic information and issuing the temporary residence permit so the applicant can stay legally. That is then passed on to DGIE and they can do a subsequent interview. However, if they have enough information from immigration, then the RSDC can use that. The RSDC can also ask for more information from the person, within the 3 months

**Q - Are meetings with the RSDC set on regular dates? Are they on an individual basis or group consideration?**

**A- Director of Response and Recovery Unit MINEMA** - The law dictates that the RSDC must meet twice a quarter but there is provision to meet on a weekly basis if we have many cases. If cases are similar, we can group them together. For example, applicants from the same country or similar claim type. This makes it easier to make decisions.

We may ask the Ministry of Foreign Affairs to obtain additional information.

Decisions are taken by consensus. If necessary, we can move to vote but this is in only a few cases, the majority [of the time] we are able to form a consensus. An additional meeting can be added if we need to further discuss to reach a consensus.

If necessary additional institutions can be invited to the RSDC meeting to advise/provide info ie UNHCR. They are unable to vote/make a decision, but can attend an advisory capacity. For example, on a country where there is not much information or the decision is more difficult, they can link us with officers in that country to obtain information to assist the decision-making process.

We try to avoid pending cases – this only occurs where we lack information and need more time.

**Q - Do claimants have access to interpreters?**

Yes, when necessary

**A - Director of Response and Recovery Unit MINEMA** Most of the time we collaborate with UNHCR. If someone on the committee doesn't speak Arabic etc then we will get an interpreter but most of our asylum seekers are from countries surrounding ours so we usually speak one of the languages.

**Q - What legal advice and support does an asylum seeker get throughout the process? Is the availability of legal representation and/or advice through NGOs clearly communicated to claimants?**

**A – Director of Response and Recovery Unit MINEMA** Legal assistance is provided for the 2<sup>nd</sup> level claim. Up to now there have been no cases of an asylum seeker having a lawyer before the RSDC decision because the initial decisions are based on analysis of facts and explanations provided by the asylum seeker. For cases submitted to the High Court we have an implementing partner (NGO) so if there is a need to provide legal assistance, that NGO would be able to provide help. The information on legal assistance is provided during the handing over of the notification of the first level decision.

**Q - Are they allowed to have a LA at first level claim if they want one or allowed to request one?**

**A - Director of Response and Recovery Unit MINEMA** No, only at the level where a case goes before the court. There is no legal assistance for appeal to the minister.

**Q-What role, if any, do NGOs or CSOs play in the process or in supporting individual applicants?**

**A -** NGO pays for legal assistance.

**Q - Is there any monitoring of legal advice/interpreter quality?**

**A -** We have not had a complaint. We have an interpreter for the applicant and one for the government.

**Q - Does the applicant have the right to correct what has been recorded by the govt ie correct translation errors that occurred in interviews?**

**A -** Most of the cases are from surrounding countries so we share languages and there is no language barrier. Arabic/Amharic/Tigrinya we have high quality interpreters (collaborating with UNHCR). No cases where we have had that, but we would be able to give the applicant a second chance to verify what had been said if necessary.

**A - Senior Official DGIE** The person interviewing the asylum seeker takes notes, the script is not necessarily given to them but you make notes and may clarify facts.



The applicant approves what you have captured. At a later stage you can speak to them again on the phone or write for subsequent interview to clarify points.

**Q - If you require a person to come for an interview or to provide more information do they get help to get to the RSDC? ie transfer or bus fare.**

**A - Director of Response and Recovery Unit MINEMA** If someone is in the camp we send a bus to the camp to collect them. Or if mass claims we can go to the camp, especially for children etc then the RSD committee can move.

**Q -On giving the person the decision – to what extent do you given reasons for decisions?**

**A - Senior Official from MINAFFET** We may explain the decision. The applicant will then be able to expand on anything they didn't mention for the appeal. We always communicate the decision to the applicant.

**Q - There is reference in the UNHCR statistics to 'closed cases' – can you clarify what that means?**

**A -** When someone applies for asylum we communicate that to UNHCR. We have a shared system. Once the decision is taken that is communicated to DGIE, UNHCR and the national documentation agency. UNHCR either close the case or confirm status and issue the refugee documents. If refused and the person chooses not to appeal, then it is closed. It means the process of taking the decision is finished and applicant is satisfied of the process outcome.

#### **Timeframes:**

Information provided by MINAFFET and the **Director of Response and Recovery Unit MINEMA:**

Timelines for key stages of the process are:

- Submission of application files by DGIE: within 15 days
- **Decision by RSDC:** within 45 calendar days (can be made sooner, sometimes 5 or 10 days)
- **Notification of the decision:** Within 10 days the committee to communicate to the applicant. Provided by a letter in one of the 3 official languages of RWA – English French or Kinyarwanda
- **Appeal:** within 30 days
- Appeal decision: within 30 days

The RSDC Committee makes the decision after analysis of the case.

**Q- what is the composition of the RSDC?**

Senior Official MINEMA - Committee are senior officers across ministries.

**Q- Does everyone on the committee have to attend to make the decision or is there a minimum amount?** Senior Official MINEMA - There is a core number

provided by law. For example, if there are 11 people on the committee at least 7 should attend. We can always call a second meeting.

**Q - Targets in process? Any stats on how long it takes you to make those decisions. Do you monitor the process?**

**Director of Response and Recovery Unit MINEMA:** The timelines are the limit. When they receive the application from DGIE it takes between 2 -3 weeks to organise the meeting and make a decision. If the applicant wants to appeal, they usually do it immediately rather than at the 30 days.

We don't have someone responsible for monitoring those targets, but there is someone who sets meetings, chases missing information to keep on track. If we are not able to complete on target that forms a strong basis for appeal to the 2<sup>nd</sup> level. For example, if it took 6 months that is a strong reason for the court to revoke the decision of RSDC.

**RSDC – capacity**

MINEMA ensures continuous capacity for effective RSD process – refresher training is provided every year for RSDC members and officers from MINEMA and DGIE.

Two officers in the Eligibility and Protection office have also benefited from professional training on Eligibility in a specialised centre (Italy) during the last 4 years.

The RSDC has decided cases from a variety of nationalities in the last 3 years (DRC, Burundi, Eritrea, Ethiopia, Sudan, South Sudan, Cameroon, Chad, Syria, Lebanon).

The readiness of RSDC to handle a potential increased number of applications would be achieved through increasing the number of RSDC sittings and to group similar cases together.

**Appeals**

When rejected, the applicant asylum seeker can make an appeal to the Minister in charge of Emergency Management. She/he submits a letter appealing the RSDC decision. In this case the Minister assigns a special team to assess the decision taken by RSDC for confirmation or revocation. From the departments of Ministry of Foreign affairs or the PM's ministry legal dept, not those part of the RSDC. The team is not fixed it depends on the case. The minister gathers a team with the capacity and experience to consider and analyse the case.

The asylum seeker has a second level appeal option provided by the law to submit the case to the High Court.

**Q – is there a set number of people in the appeal team?**

**Director of Response and Recovery Unit MINEMA:** No. It depends how many appeals there are and what needs to be re-assessed. May be 9 different government ministries to assess. People are chosen who have the knowledge/ability and can consider/challenge the decision of the RSDC. The minister may appoint one of the

RSDC members to provide information on the basis of the decision. That team makes the decision (recommendation) and then that decision goes to the minister to finally decide.

**Q- is the judicial consideration/decision at appeal independent from the RSDC?**

**A** – There is no connection between the RSD proceedings and the high court proceedings. One of the government officials from the MoJ presents to the court. The same would apply to asylum seekers.

**Q- When a person appeals do they have to give the reasons or detailed reasons why appealing?**

**A-** The applicant can, but they can also just appeal without providing detail and that is sufficient to go forward.

**A - Colonel and Special Advisor on Immigration-** There is a legal right to appeal, and to be not happy with the decision is enough.

**Figures from 2019 –**

Refugee status granted: 44 cases comprised of 62 individuals

Refugee status rejected – 64 cases comprised of 124 individuals

Pending: 2 cases comprised of 3 individuals

Missing : 2

Number of appeals : 24

Number of appeals change of decisions 2

Number to High court 0 [law was promulgated only last year by official gazette. This will increase the rights of applicants]

**Documents**

The government provides 3 types of documents:

- Temporary residents permit - rights: allows them to stay in the country legally and obtain assistance from UNHCR.
- Refugee ID [name, DOB, photo, expiry, place] looks like a national ID card and provides these rights: apply for job, reg for health insurance, telephone card, bank, marriage, insurance, college, business, driving permit
- Refugee travel doc [looks like a passport] allows travel abroad

**Q When does the temporary residents permit expire?**

**A - Director of Response and Recovery Unit MINEMA** - It is valid for 3 months, the same period as the timeframe for deciding the case. If the decision is delayed, it can be renewed for another 3 months.

**Q Does the applicant have to ask for the extension or is it automatic?**

**A- Director of Response and Recovery Unit MINEMA** - There is not another application.

When the applicant has a pending appeal it is a given right that he can stay in country until the case is decided. That is provided in law, even beyond the initial 3 months where necessary.

**Q - Does the applicant have to ask for the extension or is it automatic?**

**A-** No, the law is applied automatically.

**Q - Do they have to pay for the Refugee ID or travel document?**

**A - Senior official DGIE.** They do not pay for the refugee ID, the travel document they do.

After Refugee status is given and ID/travel doc. Same rights

**Q - Do refugees have an opportunity to apply for citizenship?**

**A – Senior Official from DGIE** Not explicitly provided in law on nationality.

**Q Do they have to be here for a certain amount of time?**

**A -** There are a set of pathways and options. E.g. time spent in country or through marriage.

**Colonel and Special Advisor on immigration** - refugees after a certain time they can apply for naturalisation.

**Can there be a denial of Residence permit for example due to criminality?**

**A –** There is a very short interview with immigration just to register in the asylum system and enable access to assistance. When the DGIE deems it necessary, they schedule another interview. However, whatever the findings, they cannot revoke the temporary residence permit,

**Has the RSDC ever had to revoke?**

**A - Senior Official MINEMA-** Before 2019 we had to comply with the law to accept those who requested their status to be closed.

In terms of revocation possibly 1 case back in 2017 [double check].

**Colonel and Special Adviser on Immigration** – refugees are subject to the laws of Rwanda for crimes committed here.

**Accommodation and support**

**Q- Within the 3 months when they have temp residence permit where do they live?**

**A - Director of Response and Recovery Unit MINEMA:** The asylum seeker has choice between living in transit/reception centre/refugee camp or urban area.

**Q- Are there examples where urban refugees move to camps?** If they cannot sustain themselves, they can move to a camp. It also works the other way, they can move out of the camp too.

**A - Senior Official from MINEMA** – There are 5 refugee camps and 2 reception centres which are open for asylum seekers and refugees.

Last year there were 39 people who went from urban area to camp

In Kigali this year there were 9841 refugees residing and sustaining themselves. Some have a job in the city. If they lose their job and cannot sustain themselves, then they can leave the city and go to the camp for assistance.

**Q - Refugees that do go to camps, can they move back to the urban area?**

**A - Senior Official from MINEMA** UNHCR provide support in camps. There are also refugees in camps who have jobs and support themselves. Assistance is provided on level of income [means tested]. So refugees who have business but live in the refugee camp won't have the same level of assistance as those who don't.

**Q - What support do urban refugees receive?**

Access to livelihood opportunities, medical insurance, protection – if victim of crime there is assistance from the government, NGO, UNHCR

**Q - Support during the process – when an applicant first arrives in RWA where do they live? Do they get any support or do they have to live in a camp?**

**A – Senior Official MINAFFET** There is always an option to immediately go to the camp. For neighbouring countries, that is the reason we have established transit centres. Transit centres and reception centres provide immediate assistance. There will always be some arrangement for transportation to transit centres and we ensure no harm to asylum seekers.

**Q- Would the government provide assistance to remain in the city if an asylum seeker wanted to reside there?**

**A –** The options are camps, transit centres or reception centres. When in the camp, the person is not restricted to remain there, they can look for other accommodation options. They can request to move to urban areas if they can support themselves, but this does not happen in many cases.

**Q - The number of people moved from urban areas to camps is there data on reasons why/gender/nationality split/?**

**A - Senior Official from MINAFFET** Yes, we do have that data.

### **Freedom of movement**

**Q - What freedom of movement do asylum seekers and refugees have? Is there a distinction between the two groups? Are there any restrictions on freedom of movement? E.g. locations of travel, limits on time spent away (If yes, what are the restrictions and why are they in place?)**

Refugees and asylum seekers have freedom of movement, there are no restrictions. If in a camp management at the camp should be informed that you will be out of the camp but there is no restriction.

### **Failed asylum seekers, detention and deportation.**

#### **What happens to those whose decision is refused at appeal?**

Some failed asylum seekers choose to remain in Rwanda and obtain different types of residence permits that suits their purpose of stay. Others return home voluntarily or move to third country.

During the initial interview with DGIE, another option on remaining may be provided. So, if their reason for coming isn't for protection they can be given a work permit for example.

#### **Q- If they decide to apply for an alternative status, do they have to withdraw their application for refugee status?**

**A – Senior Official from DGIE** The first step is to register as an asylum seeker. In the even that is withdrawn by the applicant, he will have to submit a new application for a different status of choice. You cannot have 2 status applications running at once.

**A -Colonel and Special Advisor on Immigration-** Being refused asylum does not exclude you from another type of status. A person may be an economic migrant. If you are a failed asylum seeker you can choose to go home or reside at one of the camps.

#### **Q If a person is a failed asylum seeker, do they have less rights?**

**A -Colonel and Special Advisor on Immigration-** The right to work is provided by the law for asylum seekers or refugees. You don't have any disadvantage you can work as a migrant, failed asylum seeker or refugee the rights are all the same.

#### **Q - Do you forcibly remove failed asylum seekers?**

Not really. Most are from neighbouring countries so they can return or apply to stay in Rwanda. But for example, if they can't get a job they may wish to go back home.

#### **Q - Are asylum seekers detained or deported?**

**A - Director of Response and Recovery Unit MINEMA -** there is no detention of someone who is a failed asylum seeker and no detention to return. Some failed asylum seekers have been assisted to return home.

**Q - Is that a legal obligation or a choice not to detain?** It depends. There is no restriction in law to detain a person including a refugee who has committed a crime.

### **Socio-economic inclusion of Refugees in Rwanda**

**Information provided by Ministry of Foreign Affairs and International Cooperation - Ministry of Emergency Management/Single Protect**



## Implementation Unit Coordinator

There are around 127,112 refugees from various nationalities. Congolese make up 60.67% of the total population while Burundians make up 38.98% and less than 1% are from other nationalities including Eritrea, South Sudan, Ethiopia, etc. 127,112 The majority of refugees (90%) are accommodated in camps

Urban refugees considered as self-reliant make up 10%. Living in camp/urban relies on choice/ability for refugee to sustain themselves.

Most of the urban refugees live in Kigali city with a good number of them living in Huye and Nyamata and very few in other cities (Muhanga, Rubavu, Musanze and Rusizi).

Kigali - 9841

Huye - 842

Nyamata - 2299

Camps are mixed nationalities. Although newest camp hosts majority Burundi.

### **Q Does a person choose their camp?**

**A** – It depends on their arrival and availability. They don't have a choice they go where settlement is available. UNHCR provide in-camp support.

The Government of Rwanda and other partners are trying to provide support. Starting from 2018 the Government of Rwanda have a development plan with UNHCR to support both urban and camp refugees.

Urban refugees do not receive humanitarian assistance. The 2019 Livelihoods assessment field surveys has shown their source of income as follows:

50% of their income generated from businesses;

25% from other jobs and the remaining portion coming from remittances (11%) and other sources (13.7%)

### **Q- Do you know the value of average income for a refugee and how that compares to a RWA citizen?**

MINEMA can provide stats.

### **Health support –**

The Government of Rwanda has included the urban refugees into National Community Health based insurance (CBHI-MUSA) to support urban refugees to access to health care services

Currently, 9863 urban refugees and refugee students are enrolled to community health insurance and can benefit from health services through the health scheme. UNHCR pay for urban refugee health insurance.

Other support provided is – General protection, SGBV prevention and response, child protection.

Refugees are assisted in legal services (Birth registration, legal assistance) and have access to legal documentation (IDs, Marriage certificates), the same as camp based refugees.

Joint Strategy on Economic Inclusion of Refugees and Host Communities 2021-2024  
The strategic plan aspires to ensure the high quality standards of life of refugees and their host communities by improving their socio-economic inclusion through the proper education, documentation and access to livelihoods opportunities. To date, MINEMA is implementing a World Bank funded project aiming at improving access to basic services and economic opportunities for refugees and host communities. The Matching Grant is provided to Refugees and it serves as an incentive, and aims to improve access to finance and reduce collateral needs on the case of Refugees. Granted to urban and camp based refugees.

**Q- Urban refugees get no govt support – how easy is it for them to get a job?**

**A -Senior Official from MINEMA–** The job market is open for competition and a refugee has the right to work.

**Q Are urban refugees entitled to health insurance –**

**A Senior Official from MINEMA** they have to enrol in health insurance and UNHCR pay for that. Refugees themselves don't pay.

**The programme you have discussed, how do you decide who is eligible?**

**A Senior Official from MINEMA [2]** - Everyone in the urban areas is eligible to this support. The advisors (NGOs) are approaching the communities. We have a 'right to work campaign' by MINEMA and refugees in urban areas have the conditions of the programme explained. Conditions to enter the scheme are:

- Either the refugee can apply for financial support for their own business or a business in the host communities must employ refugees to be eligible.
- They have to work with the financial institutions.

**Q - Any job?**

**A – Senior Official from MINEMA** - Yes everyone is considered, but they have to fulfil the financial institution conditions. If the jobs to be provided to refugees are sustainable jobs then govt don't object.

**Q - If someone can't sustain themselves, they go to camp. If RWA citizen cannot support themselves what happens?**

**A – Colonel and Special Adviser on Immigration** - it is the responsibility of the local authority to care for the most vulnerable. The government has housing projects, offer jobs. Various systems to provide for those who cannot support themselves.

**Q Do you have anything similar to humanitarian protection?**

When you analyse a case you look at all the reasons including safety on return.



**How many cases are considered in a typical RSDC meeting?** DGIE unable to provide that information at present **How frequently do meetings take place?** 2 x per quarter, unless need to meet more frequently.

**What information do the committee receive to help them make their decision? General background country information? Specific documents from claimants' files? Legal submissions?** The committee receive the initial written application from the claimant. The claimant then attends a meeting with DGIE during which the basis of claim is obtained from the claimant. The DGIE then pulls together a summary of the case, which is passed to the Eligibility Officer (EO). The EO may speak to the claimant again to obtain more information, if there are gaps in the information provided by DGIE. All the information is placed in a file and passed to the RSD committee to consider

**Do claimants have access to interpreters/translators?** Claimants are able to arrange their own interpreters to attend the meetings with DGIE, the EO, and the RSDC if required. Interpreters are not provided. However, most claimants speak either English, Kinyarwanda or Swahili or French, therefore there is no need for them to arrange an interpreter. If the claimant speaks another language (Arabic given as an example) they are free to arrange their own interpreters.

### **MINEMA meeting 22 March 2022**

Summary of responses provided by the Eligibility Officer

#### **Do you hold individual casefiles for each claimant and their dependants?**

Information relates to the principal applicant. However, the file contains information on all dependants linked to the claim.

End-to-end paperwork: the EO showed the HO team examples of documents taken from case files and stated they were:

- a written application for asylum;
- a DGIE summary of a case;
- a decision outcome: Dated 8<sup>th</sup> June 2020;
- a written appeal to the Minister of Immigration: Dated 1<sup>st</sup> July 2020;
- a ministerial appeal outcome: Dated 3<sup>rd</sup> August 2020;
- a temporary residence permit; and
- a refugee identity card.

Due to privacy concerns, timing, language barriers and the scope of experience of the MINEMA official, the HO team were unable to obtain further detail from the source on the substance of the documents.

### **DGIE and MINEMA meeting 22<sup>nd</sup> March 2022**

### **When is it possible for a person to work like a Rwandan national?**

There is a difference between jobseeker visa and work permit. An asylum seeker can apply for jobseeker visa if they have a passport and they have a job offer. Asylum seeker cannot apply for a visa unless they have police clearance. Once granted refugee status, they can work. Otherwise asylum seeker cannot work.

### **Is it only UNHCR that provides interpreters?**

DGIE don't need a lot of interpreters, so they are normally provided by UNHCR. They have experience and they supply services (also applicable to legal assistance). If a relative can interpret for the person they are invited to come to the Committee, for example Swahili interpreters. It's more difficult for example if Arabic is needed.

### **In addition to the reasons provided by the person, does the RSD Committee look at independent information such as country of origin information (COI)?**

The committee is not obligated to decide the case at the first sitting. They might need further information from other sources – or from the applicant and they can invite any other person to give extra information. If DGIE feel they've missed some information, they can request a further meeting with the individual. There is no limit on number of meetings. The Committee see the person's claim letter and case file taken from (2<sup>nd</sup>) DGIE meeting.

For example, the minister of foreign affairs (Minaffet) use information from his own Ministry/foreign offices to verify the information the applicant has given. But the Committee doesn't always rely on independent information.

### **How does the Committee make decisions?**

By consensus, usually everyone agrees. Once the decision is made the EO notifies the applicant in writing/ by phone/ in person and of timescales to appeal. If the applicant is not satisfied with the decision, they can appeal.

### **If rejected are reasons given?**

No details relating to each & every piece of information given by the applicant are given. No, it's not a very detailed explanation.

### **If someone appeals to the minister, what is required at point of appeal?**

The appellant has to come up with more credible evidence in order to substantiate their claim, they will have been told that what you gave the committee wasn't clear. They may even have an idea where the gaps [in evidence] were.

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## **A2. Meeting at Gashora Transit Centre, 18 January 2022**

**Present: Manager of the centre, Head of Projects MINEMA, Senior Official from DGIE, 4 representatives from the Home Office.**

### **Manager- Overview of Gashora**

Since 2019 the centre has hosted people from Libya under the Emergency Transit Mechanism (ETM). 824 people have been received into the system and 462 have been resettled over-seas.

Apart from the legal/processing side we:

- Handle trauma issues with partner organisations
- Provide mental health and psychosocial support
- Medical, for example, vaccinations, prescriptions
- Accommodation (small houses)
- Food (3 meals a day)

We consider different aspects such as gender, nationality, age, and specific needs for example disability, when considering accommodation and how we house people together. Because it is a transit centre, and they are passing through, we go through their cases individually to see how they can best be supported for the future.

In terms of resettlement, most movement is from here to European countries or Canada. UNHCR process the cases and decide on the asylum case and eligibility for resettlement.

Most of the asylum seekers here are young people, average age 23 years, so it is important to start training to provide for long term solutions/their futures. This helps them to have purpose and gain skills. We have a driving school for example. We have language classes in Kinyarwanda, English and French, also training in domestic electricals.

We also see how they can help the local community to aid cultural integration and encourage interaction. For example, they work with the local community to clean streets alongside Rwandans (practise commonly known as Umuganda).

After they have been here for a while, we see they start recovering from the trauma they have encountered, and the programmes we provide help them with this and in gaining skills. They might be able to start their own business for example.

**Q – The process is designed to be short term. What is the average length of stay here?**

**A—** Some cases are quicker than others it depends on the country of settlement. Up to 8 months for resettlement.

**Q - UNHCR decide the asylum claims is that correct?** UNHCR meet with the case processor. Refugee status determination (RSD) is decided by UNHCR and is only on the basis to enable resettlement out of RWA, not to remain in RWA.

The answer is yes, The cases processor from UNHCR/RSD team meet with an asylum seeker through interview. The outcome of this encounter decides on way forward weather [sic] the candidate fulfils criteria to be eligible and later resettled into third country or otherwise.

**Q - Is the operational side run by/with the government of RWA?**

**A -** On operational side, Government of RWA cooperate with UNHCR, while case processing on refugee status is by UNHCR. For resettlement, countries have their own criteria and sometimes they take a percentage. Then UNHCR will submit the resettlement request to other countries if the initial country doesn't take them all.

**Q- Who provides the training for driving?**

**A -** Training for Driving, trainers and materials used in this process are provided by a partner, World Vision, an international NGO

**Q Can you clarify the split in responsibilities of the RWA government and NGOs at Gashora? –**

**A- Manager** It is the Ministry in charge of Emergency Management (MINEMA), together with UNHCR. UNHCR manages and co-ordinates the centre alongside the ministry. The partners operationalise support and cover different sectors. We have 6 international organisations including 'ADRA', 'Africa Humanitarian Action' and 'German Humanitarian Assistance' [this NGO doesn't exist in ETM]. 'World Vision' works in 3 sectors WASH, education, and training on how to manage finances etc. ADRA provides the food and distribution. The partner who deals with child protection and SGBV is 'Alight'. 'Humanity and Inclusion' provides mental health and psycho-social support. Legal support is provided by a local NGO and 'Prison Fellowship Rwanda'.

We also work with the International Committee of Red Cross (ICRC) who also assist with family reunification

Refugees are taken to Kigali for a medical check-up before resettlement. [This service is provided] by another partner who is IOM.

**Senior official from MINEMA –** On the role of UNHCR, they have responsibility for management. It comes from them not the Government of RWA and they (UNHCR) outsource to the implementing partners. They are hired by UNHCR with government of RWA.

**Q – can you clarify who pays for what?**

**A –** The Govt. provides the funds, but UNHCR administers them.

**Q - If one of the residents has a complaint or a problem who do they speak to?**

**A - Manager -** They speak to us or MINEMA. We are the first people who they speak to. If there are legal issues they can go to the legal partners. We offer conflict resolution if they have problems here. Most of the issues we have, there are the appropriate channels to deal with it. We have a phone line and they can write letters to a letter drop box or there is social media and an office on site. Sometimes we have communication issues due to language barriers, so the partners have some translators amongst their staff.

**Q - Do you then pass the complaint on? How is the complaint resolved?**

**A- Manager** - It depends on the nature of the problem. It might be about a service, for example if it's about food we meet with the partner providing food. There is a food committee and a WASH committee to take forward. Some can be resolved within the community. If it is a legal problem for example a fight, we escalate to the relevant people. If it's medical, we escalate it to the medical people. Every partner has to try and resolve their relevant issue.

**Q - Does anyone independently monitor complaints for example UNHCR?**

**A - Manager** The operation is run by GoR, UNHCR and the partners. UNHCR provides the technical support and the monitoring of everyday activities with the camp manager and partners to see how services can be improved. Every year we sign an implementation agreement with UNHCR, partners and the government to enable monitoring and improvement. There are 2 monitoring periods a year agreed with UNHCR. So, throughout this various level of involvement, UNHCR, has an opportunity on monitoring.

**Q - Is there security in the transit camp?**

**Manager** - There are not many cases where we have had problems, only a few, things that happen in a normal community. People who are here are young people and may get drunk. So far it has never reached any level that has caused a problem.

**Q-If someone is behaving inappropriately or threatening how is that handled?**

**A-Manager** - We try to negotiate or bring them round. They are in the host community and community committees intervene but if it goes beyond that, the law applies and are the same laws as RWA citizens.

**Q- What is the capacity of the transit centre?**

**A- Manager** - 380 persons, the plan is to increase the project capacity to 700

**Q - What happens to those who are not resettled?**

**A - Manager** ETM allows people to transit here. The outstanding people remain in case processing. They may also say they want to return home.

**Senior Official from MINEMA** – we find a solution for those individuals who are not resettled through an MoU between the AU, the Government of RWA and UNHCR.

**Senior Official from DGIE**– once applicants realise they may not end up in Europe, they might not proceed with resettlement. People have 3 choices:

- 1) resettlement
- 2) return to their own country - repatriation
- 3) local integration. If someone wants to remain in RWA, they can.

**Q – Are there any cases of ETM transferees choosing to remain in RWA?**

**A - Senior Official in DGIE** Not aware of any cases where someone has wished to remain in RWA.

**Q - Freedom of movement – are those accommodated in Gashora free to go/leave?**

**A - Manager** – Yes they have right to free movement some might go to Kigali for example, they just notify us and they go.

**Q - If they abscond is that a criminal offence?**

They have to just inform management. We have not had anyone who hasn't come back.

**Manager** – These people have potentially been detained in Libya, and they feel at home here, they have a bond, it is a safe place compared to where they have come from. They also don't have the financial capacity to abscond. We have never experienced someone not coming back. We do advise them about cultural/language when they go out to help them.

**Q - Do they get information on this?**

**A- Manager** – they can phone us.

**Q -Out of everyone that works here, can you give an approximate figure as to who are RWA government officials, who are UNHCR and who are partner organisations?**

**A - Manager** – I have not got exact numbers, but most are local RWA. The majority of partner staff are RWA. We can share statistics. [Statistics provided on 15 Feb 2022: The figure are all staff are 137 and nationals are 83]

The HO team were given a tour of Gashora and told the following information from the Manager and the staff who worked there:

ADRA co-ordinate the kitchen. Asylum seekers/refugees can help cook. They get 3 meals a day. They take it in turn to cook their national dishes. Residents participate in a food committee and feedback to the partner organisation their likes and dislikes. Food is prepared by paid staff of the partner organisation.

Photographs of Gashora kitchen facilities and food stores:







There is a new Health Centre under construction. In the existing health centre, there are 32 staff comprised of 1 doctor, 6 clinical nurses, lab technicians, assistants and an ambulance. They also have use of 5 translators. The facility has mental health services (1 psychiatric nurse), maternity, nutrition, pharmacy and immunisations. Ability to do a number of tests and investigations on site such as bloods, renal, malaria, Covid tests, HIV tests. More serious things such as CT scans, x-rays and neurological care are done in Kigali. They can admit inpatients and if serious, refer to the District Hospital or Kigali.



Photograph of Gashora Health Clinic:



Most regular conditions encountered are upper respiratory infections, dental decay, skin problems and gastritis (minor/routine). The centre usually has the capacity for 20-25 patients but there have been times when 60 were seen, if there are lots of arrivals. There is health screening of all arrivals, for example, nutrition, communicable diseases, vaccinations, including Covid. Covid positive cases are isolated at the isolation facility photographed:



Tour and photographs of existing accommodation:





A resident told us it was good at Gashora, he was from Libya and was awaiting re-settlement to Canada. He had undergone all health checks and was waiting for his flight.

The residents who showed us their room did not wish to have inside their accommodation and property photographed.

There is a new accommodation block due to be completed in the next few months, with 3 floors, 10 rooms on each floor, 4 beds in each room.



Tour of accommodation under construction:



Other facilities pointed out to us by staff and subsequently photographed were:



Offices:





Handwashing facilities:



Washrooms:



Archived

### **A3. Kepler University, meeting on campus 19 January 2022**

Present – **CEO, Staff member at University, 5 graduates from Kepler, Senior Official from MINAFFET, Senior Official from DGIE, 4 representatives from the Home Office.**

In the request of the source, we have agreed not to publish the notes at the current time.

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### **A4. Isange One Stop Centre, meeting at the hospital 19 January 2022**

Present - **Senior Official MINEMA, MINAFFET, Manager and Co-ordinator IOSC, 2 colleagues from IOSC, 4 representatives from the Home Office.**

Overview provided by **Manager and Co-ordinator IOSC**

Centre manages victims of Gender-based violence (GBV) and child abuse (CA) in general, not specifically asylum seekers or refugees. One stop centre model with a holistic approach.

Est 2009 in this hospital as a response to GBV. Multi-sectoral (ministries of justice, health and institutions such as Rwanda Investigation Bureau (RIB) and police) are involved. It is a multi-disciplinary approach providing a comprehensive service of different experts from different disciplines, such as doctors, psychologists, counsellors, investigators and legal support from MoJ under one roof – 24/7 and is free (to the victim, as is paid by the govt and partners).

Keeping services together in one place:

- Address the multiple needs of victims (risk of pregnancy/STD resulting from sexual violence, health, social needs)
- Provide comprehensive services
- Reduces risk of losing evidence – if the victim has to move around hospital to police etc
- Reduces re-victimisation. If moving and having to re-tell the story
- Reduces risk of victims giving up (if for example, they had to travel long distances between different service providers).
- Basic services under one roof

No single institution can effectively manage GBV and CA.

Services provided - Investigations, psychosocial, counselling, medical treatment, medical legal examination, temporary shelter.

Operational framework exists to move a victim through the process: reception (referral) – investigation (judicial support) – medical (examination/treatment) – psychosocial support – safe room (temp shelter) - counsellors.

44 IOSC in all 30 districts, all district hospitals, referral and specialised hospitals.



Mobile van (1) with a investigators room, Dr's room etc.

Refugee camps tend to be close to the hospitals to access services. One Stops are not in refugee camps, but the mobile van can go there.

Victims of GBV and CA can be men/women, boys/girls.

Impact of single location – timely comprehensive support, reduction in re-victimisation, prevention of infection/unwanted pregnancies.

IOSC is for anyone who has experienced GBV and child abuse (male and female). Service covers both RWA nationals and non-nationals.

**Q – You provide services for men do they access the service and are you aware of how many are male refugees?**

**A-** 361 victims from Mahama camp (not just men), these do not reflect the actual numbers.

**Q - What sort of things are required when they come? Are status docs or insurance needed to access services?**

**A -** In general we ask for ID and where the person is from, relationship and this is all done at the reception

**Q - If a person doesn't have any ID does it stop access?**

**A-** If they don't have ID, usually someone knows them. Treatment is first and verification of ID later. The one service that might be an issue is the termination of pregnancy, especially if a minor. But it is rare that no one has ID or we are not able to identify.

**Do you get referrals into the centre from other people/organisations?**

**A -** We get referrals from friends, community, schools, employers (anyone can refer). The entry point is free.

At exit the referral onward will depend on where they are based and the circumstances of their case. We use existing community structures to provide services (ie counselling).

We carry out home visits and follow-up phone calls to monitor progress of cases.

**What is the Dr/patient ratio?**

**A -** There is one ratio according to MoH. But the MoH doctor/patient ratio doesn't apply to Isange. We receive 10 to 12 victims per day. There is one permanent full time Dr and cover when they are not present. There is a Dr available 24/7.

**Q - Psycho social support – how many people access?**

**A-** Every person should receive psycho-social support but sometimes, for example, if one victim's session takes 2 to 3 hours, then we may not have enough counsellors. Some sessions can be hours long. The concept is to provide for every person that

comes to the centre, but we are also able to do referrals to counsellors in the community.

**Q- What about victims who cannot speak Kinyarwanda/French/English language?**

A-We can struggle with unofficial languages or sign languages.

**Q- Do you offer training on awareness of the impact of SGBV?**

A - Awareness campaigns are run in the community and we are working with different partners about how to access services and the services victims can get. We have phone lines. We are working with different partners to achieve this. Different awareness programs are run by different ministries.

In terms of staff training, we have a programme that runs every year, to maintain standards. We have a training manual.

**Q - Partner organisations – do you partner with WHO or Red Cross or UNHCR?**

A - We work with UNHCR on training awareness campaigns and psycho-social services.

**Q- You provide temporary shelter but what happens if a woman doesn't want to go home ever?**

A-We have not experienced that circumstance. We have a safe space at the centre which is based on immediate security. We have safe houses that can be used for long term accommodation, until the woman starts to be self-reliant.

The longest we have had someone stay in a safe house is 3 months. We had a victim of child abuse who came and she stayed in the safe room before she was relocated with her parents to another district. She would have been victimised in the community by the perpetrators.

A person can stay in a safe house for as long as they still have the problem. Once there is not a problem it becomes the problem of the state to care for that person.

[Tour of facility] We have a children's counselling room, medical-legal examination room, children's interview room, adult counselling room. Samples are taken on site.

Isange safe room:



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#### A5. Harambee Youth Employment Accelerator, meeting at their premises in Kigali 19 January 2022

- Work with the Ministry
- Funded by Mastercard

Present in the meeting: **Regional Manager, Accounts Manager, Senior Official from MINAFFET, Senior Official from DGIE and 4 representatives from the UK Home Office.**

**Regional Manager**– provided overview of Harambee. 3.5 years ago it was founded to boost access to the tourism and hospitality space but the scope has expanded since then. There was also the need for skills development for young people in the area. Last few years we have worked on:

- 1) English acceleration
- 2) Micro enterprise skills and development i.e. earning through self-employment. RWA is still developing the formal sector and there isn't enough work for those young people. We tell people they can start earning money, build businesses etc. We provide training and motivation for them to earn for themselves. We encourage peer story sharing to highlight what can be achieved.

We have delivered these through different means, incl. via a WhatsApp Chat Bot.

We have a 12,000 network of young people we have supported with different

interventions. We are trying to reach more people outside Kigali and more women. We hope to double our network by the end of 2022, Covid has meant that we are able to reach more people online.

**Accounts Manager**– We are developing people’s English skills to increase their employability as English is a key skill valued by employers. English issues with the population, a lot understand English, but fluency and spoken English is a challenge, and that is what some employers want.

In 2021 and 2022 we have worked with organisations such as Tek Experts who are looking to recruit. We help to improve English levels to move people along the pipeline and into employment. We improve the students’ English to match employers’ needs.

We run the ‘Speak English’ an acceleration programme. This year we have looked at ways to institutionalise it. The program is designed for youth with a B1 score on the Common European Framework for Reference (CEFR) scale, to accelerate them to a B2 level (the BPO industry requirement). By the time they finish with us around 70% have the higher qualification. We are working with the University of Rwanda, college of Science and Technology and businesses. There has been an impact and students have been able to improve their English to secure jobs – we’ve seen c.57% (190 people) shifted their English level. It is something we have to push with employers.

**Regional Manager**– we try to work directly with employers to match the young person to the job advertised. We do some advocacy for young people to try and lower the barriers for young people to access jobs.

**Q – English is a key skill, is there a particular sector where this applies?**

**A - Accounts Manager**– mainly hospitality, tourism and financial and the BPO sectors. They are the growth sectors.

**Q – how many refugees/asylum seekers are within the 12,000 network of young people you assist?**

**A- Regional Manager**- We don’t collect that data

**Q - How would a refugee hear about your work/services?**

**A – Regional Manager**- Word of mouth, about 60% are reached this way. But we also have govt. partners, Facebook adverts. It is a small country, so people tend to hear about things through friends and family.

**Accounts Manager**– our services are free so it makes it accessible to everyone within the youth range (18-35). No other education level or skill is required to access the services.

**Q – Are you oversubscribed?**

**A –Regional Manager**- no not generally although the English instruction does have a limit as you have to come to the centre and therefore it self-selects to some extent.

**Q – in the programmes with a cap on numbers, is there an application process?**

**A – Regional Manager** People can apply through our website. There are barriers that young people face such as the technology, the digital literacy to get online or the data/funds to do so

**Q – How would someone facing those technological barriers access you?**

That's the work we do with the Ministry of Youth and Culture. In more rural areas that would be how a person would access or find about us in the Ministry of Youth centres that are distributed through other towns.

**Q – Do you monitor the success of your cohort in terms of employability?**

**A – Regional Manager** Yes. It depends on the program as to how, but 55% uplifted their income and 34% created income. We also provide practical support that's harder to quantify (e.g. writing a CV; dressing for and preparing for interviews – we also offer 'mock' interviews here).

**Accounts Manager**– Graduates are sent a survey to find out about their employment/earnings. We follow up with them.

**Q – those that choose the path of self-employment, is it correct you provide the skills and advice to start a business but not the funding?**

**A – Regional Manager**- Yes, that's right. Other partners do that. Our aim is to get people from doing nothing to something, not necessarily producing entrepreneurs. We encourage people to use their own networks to work.

**Q – Do people come to you because they want to be in the tourism and hospitality sectors or that they just want a job?**

**A – Regional Manager** More of the latter. They want to get a job, earn money, and access support or training. Their job requirements are largely not sector specific.

**Q – How easy is it to start your own business?**

**A – Regional Manager** Very easy. It can take less than 24 hrs to get a permit. We also provide information on the steps to take to register the business and the tax to be paid etc. Sometimes the youth we work with just need the information.

**Q – Do you know the specific documents needed to start a business and whether that applies to refugees?**

**A - Senior Official from MINAFFET** – There is no restriction, they have to follow the same regulations as RWA citizens. There is no discrimination based on nationality, status etc. For refugees there may be support for business (as do RWA citizens). Inkomoko are supporting small businesses and refugee businesses. They work with the host community and employ refugees etc.

**Q - What types of companies come to you looking for staff?**

**A - Accounts Manager-** Banking, Tech, Trade and commerce, security, all sectors really. As long as they have work that young people can do we take them.

**Regional Manager**– there are skills overlap for example most business require English and ‘soft’ skills (i.e. how to speak to and negotiate with clients – behavioural things).

**Q - Would you say the employment market is buoyant even despite Covid?**

**A - Regional Manager** people don’t tend to graduate and get a job for life. People go in and out of employment and change jobs. We are trying to understand what different pathways to employment look like for young people. It is difficult to put a finite amount of time that a person stays in a job. My estimate for the informal sector would be 3-6 months before changing job. In the formal sector the strong labour laws enable a longer tenure, so perhaps a few years, but the formal sector makes up only a small part of the labour market.

**Q – Do you provide any specific/targeted trainings for as/refugees**

**A – Regional Manager**– no, mainly because there are other organisations that specifically provide those services. But anyone can ask for our support/services. Unemployment rate for 18-35 is approximately 20%.

**Q - To what extent do you think employers draw a distinction between refugees/asylum seekers and RWA citizens in the job market?**

**A – Regional Manager** it depends on the job, not having the Kinyarwanda language may prevent someone from getting a job, but likely only very local jobs. The govt encourages opportunities for refugees. Goes back to us advocating for young people.

**Accounts Manager**– I think this distinction might be seen in micro enterprises. For example, selling small goods, or work in people’s homes. If they don’t speak Kinyarwanda but speak English, other, different opportunities are opened. We don’t keep statistics on numbers of students who are asylum seekers or refugees

**Regional Manager-** There are other languages that are useful business languages such as Swahili and French. Refugees are very resourceful and will learn languages if they need to.

**Q What types of company come to you to recruit?**

A range. Hospitality, tourism, finance, tech.

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## **A6. Visit to Kinigi Integrated Development Program (IDP) Model Village (Musanze) 20 January 2022**

**Present: Mayor of Musanze, 2 Senior MINEMA officials, Senior DGIE official, Headteacher of Model Village school, 4 HO officials**

**Presentation and tour of the complex by Mayor:**



The Rwandan government's IDP is designed to promote affordable housing, decent settlement and self-reliance. Construction of the Model Village (MV) started in November 2020. The inauguration of the MV was on 4<sup>th</sup> July 2021 (to coincide with Liberation Day which is a day of celebration). Construction of the MV took place in association with the Rwandan Defence Force (RDF).

### **Components of MV:**

1. Apartments – housing 144 families (680 people) moved from informal settlements.
2. Schools – nursery, primary, secondary
3. Kinigi Health Centre (the old original Health Centre has been renovated and expanded by the addition of new buildings)
4. Art Craft Centre, providing carpentry and welding services to promote job creation. Occupants of the MV are able to develop their skills and it helps them in income generation.
5. Livestock – cows, sheep, chickens, other small livestock
6. A new road was built to connect Kinigi to the MV complex

### **Apartments:**

4 blocks of 24 3-bed apartments, 90sqm, 96 households

2 blocks of 24 2-bed apartments, 65sqm, 48 households

Apartments are fully occupied. Each apartment also has a living area, kitchen, bathroom. All equipment in the house is provided for the occupant e.g. furniture.

**Q** If someone wanted to leave the project, for example, a student going to university, and moved out of their apartment, would they be replaced?

**A** [Mayor] most students would be living with their family so the family would remain in the property.

**Q** Do residents pay rent?

**A** [Mayor] 100% gift to occupant. It is their property, they own them. They are provided with papers. They are advised not to sell so they don't become a burden on the government.

**Q** Why were the residents relocated?

**A** [Mayor] It is Rwandan government policy to move from informal settlement to formal settlement.

**Q** Do they bring their belongings with them?

**A** [Mayor] Residents sell previous belongings. Apartments come fully furnished.

Photograph of the outside of apartment blocks:



### **Visit to apartment**

**Mayor:** TV and furniture inside. If families have more children we have provided a sofa that can be converted during the night [into a bed]. Bedroom for the kids, bedroom for visitors, bathroom and kitchen. They usually have means to afford gas use for cooking, but in case one happens to be in shortage of means, we have provided alternative [cooking facilities] outside with charcoal

**Q** Where do they wash clothes?

**A** [Mayor] There is a communal wash-room and clothes line outside



Photograph of outdoor alternative cooking area:



Bedrooms in 3-bedroom apartment:



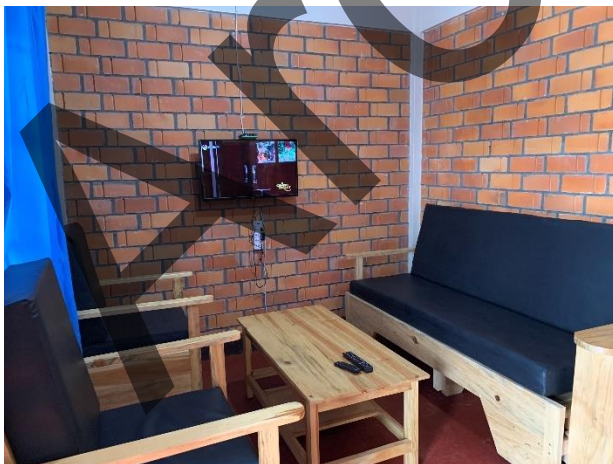
One of 2 bathrooms in the 3-bedroom apartment:



Kitchen:



Living area (with sofa bed):



## **Kinigi Health Centre:**

Services include:

- Outpatient services (consultation, pharmacy, laboratory and admin)
- minor surgery, health, education, ophthalmology, maternity, HIV counselling

Ward capacity allows hospitalisation of 26 patients.

### **Visit to Health Centre**

**Mayor:** The buildings with red roofs are the old health centre with a lack of space. There are different [new] blocks, pharmacy, maternity, hospitalisation, consultation, administration, etc

**Q** How many doctors are on site?

**A [Mayor]** We have no permanent doctors we have only permanent nurses, but we have visiting doctors.

**Q** How many nurses are there?

**A [Nurse on site]** 10 nurses, we have 3 lab staff technicians and 1 dentist technician, 1 mental health officer, 2 social workers and 1 community health worker. Staff in total is 26, we have 16 officers for admin duties.

**Mayor:** there is a permanent Covid 19 testing site. Apart from specific services, the medical services are usually not free. We have community health insurance. Household pay insurance and when they come they pay a fee, 10% of total cost, 90% is covered by insurance.

**Senior MINEMA official:** everyone has CBHI, paying 10% of cost is not a big deal.

**Mayor:** All civil servants contribute 0.3% of salary to the scheme. For community [non civil servants] cost is 3000 RWF per head of family per year. Civil service contribution is added to community contribution to assist cost of payment. Contribution of 3000 RWF is managed by the Rwanda Social Security Board, the community pay through mobile money payment on phone, enter ID and make payment. Civil servants contribute to a different scheme.

Photographs of the health centre:





**School:**

The original school was renovated, and new buildings added. Includes classrooms, admin block, dining area, 2 smart classroom, 2 laboratories, staff room, play area (basketball, football, volleyball and handball).

The ECD caters for around 200 children, has 6 classrooms, office, sleeping rooms, and a kitchen.

**Headteacher:** There are 186 children and each class has 30 to 35 children. The children come from the MV and other villages. The first class is 3-years old. Each age group has 2 rooms, total of 62 children for each level. Children are here from

7am to 5pm, breakfast and lunch is provided. Parents are at work.

Photograph of school:



#### **Support facilities:**

1. Livestock sheds – 102 cows, 54 goats, 90 sheep. We've provided a space where relocated people can bring their livestock with them and maintain their original lifestyle.
2. Poultry farm – we've provided 8000 cages with 8000 hens (6500-7000 eggs per day). All 144 households are members of a cooperative who manage the poultry farm. Each household has rights/shares to income generated by the farm.
3. Agakiro is the Arts/Craft centre – 30 welders and 60 carpenters
4. Gardens for growing vegetables

#### **Visit to gardens and poultry farm:**

**Mayor:** The gardens are shared by the whole community, vegetables are mainly consumed at home. Produce from the poultry farm is sold. There is a meeting room for the cooperative.

**Q** How far away was the original village?

**A [Mayor]** There were several villages but all in the same sector. Villages are not far, some 10 minutes, some 20 minutes away. They [the residents] farm and start to come back at 3pm.

**Q** Have there been any problems on the complex? Anything that doesn't work?

**A [Mayor]** Some of them had no utilities in their original place and are adjusting, for example, paying water bills might be beyond the capacity of some. We are hoping



with this project to support them with their income, will help so they are not struggling.

**Q** When you designed the livestock facilities how much did you work with the community to see what they wanted?

**A [Mayor]** the project was conceived for them, there was no consultation.

Photograph of vegetable farming area:



Photograph of livestock farming area:



**Visit to carpentry/welding site**

[pointed out some finished furniture waiting to be taken to market.]

**Q** Do you train them or are they already carpenters and welders?

**A [Mayor]** They are already carpenters and welders who work here but students

come here for internships.

**Q** Does the Arts/culture centre provide skills other than carpentry and welding?

**A [Mayor]** No, we have started with two options. We have technical/vocational schools for learning. Carpentry and welding are used to build furniture for the housing and to market.

Photograph of the carpentry centre:



**Occupants of village are benefited by:**

1. Decent housing and settlement, improved living conditions
2. Easy access to health and education
3. Plots for agricultural activities
4. Income generation poultry project
5. Job creation
  - Expansion of school has meant new teachers have been recruited
  - Arts/craft centre employs welders and carpenters
  - Cleaners and security guards employed for apartments
6. 1500 to 2000 of the labour force during construction were enrolled in a saving and pension scheme
7. Access to infrastructure and utilities e.g. roads, water
8. Social cohesion among community

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## **A7. Meeting with Legal Aid Forum (LAF), 21 March 2022**

### **General Support and Information provided to asylum seekers**

What information is provided depends on the point of entry. Rwanda has porous borders. Some people come with visas (e.g. tourist/ student) then claim asylum when the visa runs out.

The representative did not know if there are leaflets available at the border to explain the asylum process, but Immigration staff at the borders are told what to say. The law says that they have to explain. There is information on the Rwandan government's website.

### **Legal advice and support provided to Asylum seekers**

LAF are involved when a person submits an in-country claim for asylum, when their asylum claim is already under consideration, before they begin the process, or at the Appeal stage.

Some are referred to LAF via UNHCR and others self-refer. Not all asylum seekers are referred to LAF, but those with 'issues' with their asylum claims do.

Asylum seekers contact LAF through a LAF hotline, through other people or through the LAF website. There is information about LAF on its website or people hear about the organisation through word of mouth. Asylum seekers can walk into LAF. They try to help everyone, if they can.

LAF advises asylum seekers how to apply for asylum and helps with the asylum process, such as detailing how long each stage should take, asylum seekers' rights, introduction to immigration, lodge written application. It also works with the camps. It is the only organisation that provides legal aid to asylum seekers.

LAF will accompany asylum seekers to the Immigration office to submit their application for asylum but have been told not to keep calling as 'the application is being dealt with'.

The representative was unable to provide details of how many asylum seekers LAF had assisted with their claims and would need to check this information.

LAF also provide information about the country such as how to behave, the telephone number of the police etc.

LAF provide assistance from the very beginning of the asylum process through to the Appeal stage.[For example, LAF assisted 5 Congolese ladies whose asylum claim had been rejected. The ladies had not received a decision on their case in writing, but did so, following an explanation from LAF on the Law and the process which states they were entitled to a written decision.]

There are help desks in many places (for example in universities). If asylum seekers come to our offices, LAF will inform them [of their rights]. Not clear if the Board tell them their rights. The government don't inform their own citizens of their rights if they are arrested.

LAF also provide criminal and civil legal support to refugees.

The representative did not know if 'Immigration' has its own legal department. Immigration tell [asylum seekers] how to apply. Don't consider this legal aid. No legal aid desk from government. Only LAF who started the project with UNHCR to provide information to refugees and asylum seekers.

### **Notification of RSDC decision**

RSDC assesses the application can grant or deny it. [In an example of an individual refusal], LAF was able to access the decision. The committee notifies every applicant of the decision in writing. Then the applicant comes to LAF and decides to go to the court.

Not sure if it's the case for every claimant [that they are given reasons for the decision]. The law says that every applicant must be informed in writing. But the 5 [Congolese] ladies [referred to above] were not informed in writing. LAF told them how to access the written decision. Don't know the situation generally – only talking about the 5 ladies.

### **Appeals**

If an asylum seeker's claim is rejected, the main [appeal] option is the courts. They can go to the courts - by themselves, or with the assistance of LAF. The RSDC doesn't tell them about it so [asylum seekers] might not know.

The appeals process is open to every claim. Even the committee has levels of appeals. Process is: immigration, Minister, then courts – but need to check. Don't think it is the case anymore so might just be the committee and the courts. The court option is always there. Think can appeal to a higher court. Don't know [numbers of appeals]. You need to ask for stats from Rwandan government.

Asylum seekers can apply to a higher court, that cannot be denied.

The applicant provides the same information for an appeal. Don't think they are required to provide any additional information.

There is no funding from government for [representation.]

Legal aid is a finite resource. The Law says only children have access to Legal Aid. LAF are pushing for a legal aid bill.

### **Status and rights of refused Asylum seekers**

If an asylum seeker's claim is rejected, they can apply to stay in the country by transferring their status. If they have employment, they can apply for a work permit, but these opportunities are limited. There is an assumption that an asylum seeker will be destitute, it is deemed strange that a person would then apply to change their status to set up a business, for example. It would be better for that person not to have attempted to gain entry into the country via the asylum route.



Some people enter the country via the tourist or student or businessperson visa routes and then claim asylum.

Have not encountered a situation where a person has been refused and not got a visa – but the same committee determine asylum applications and determine work permit visas.

A person cannot be deported while waiting for an Appeal outcome.

### **Right to work**

By Law, asylum seekers cannot work whilst waiting for their initial decision or an Appeal outcome. It is not possible to work without ID, nor open a Bank account, but some people might work in the informal sector. But most asylum seekers have 'connections' and are supported by relatives or friends.

Asylum seekers are not treated fairly when working in the informal sector.

Refugees are allowed to work but are exploited and not paid the same and find it very hard to find employment. They are often denied Contracts.

### **Detention and deportation**

The possibility for detention is always there (but not for those from East Africa), if the person is considered an illegal immigrant. It is hard to enter Rwanda illegally [because visas are granted at the border.] But a person who remains in the country once their visa has expired is considered an illegal immigrant. That person may be detained and deported if they have not made a claim for asylum, or if they have not submitted an Appeal immediately following a negative asylum decision. Not sure if anyone has been detained.

Can't say how they will be deported. It is obvious that they would be detained pending removal. Can't speak from experience. I guess detention would be at police stations. Can't be taken to prison unless the court decides that you can be imprisoned. This is the position in Rwandan law.

### **Legal support**

UNHCR have partners other than LAF, for example Prison Fellowship, but the LAF representative was not aware of the work that they do.

LAF lawyers are Immigration lawyers who have trained extensively (with the assistance of UNHCR). LAF have 15 Immigration lawyers. There may be others and the Immigration Department has its own Immigration lawyers.

### **Free Movement**

There are no restrictions on movement in urban areas.

There are 6 Refugee camps and people are allowed to move about, but this may not be straightforward. Permission to leave on a daily basis (for example to work), must be obtained from the Camp Manager.



Urban refugees need a document. They are entitled to IDs from 2 years ago. The same ID allows them to work and move freely.

### **Police treatment of refugees and Asylum seekers**

There was an incident in 2018 in the Kiziba camp in the west. There was refugee rioting and the police used force. The case is pending before the court. LAF handled the case first and were involved (representing the refugees). They left the case to a partner in 2020. Police alleged that they were attacked by rioting refugees. Some refugees have been charged with incitement to commit a crime. Not heard of any other incidents since.

The LAF representative was not aware of any asylum seekers or refugees being stopped by the police in the street.

HO officials asked about reports of excessive force being used by the police generally, not solely in respect of asylum seekers or refugees. The LAF representative commented that although the President has declared it should not occur, it is reported. LAF had no cases at present and had not been approached for representation, possibly because there was a degree of acceptance that it could occur.

### **Reporting mistreatment by the police**

Yes, people know they can challenge this [mistreatment by the police]. The law provides for complaints about the police by the aggrieved. Suggest requesting the statistics from the police. The police are challenged a lot and can (and have been) charged with offences. Every police sector has figures of police who have been dismissed on these charges. Big numbers of police officers have been sent away from the police.

### **General position on LGBTQ**

Think that LGBT people can act freely and form associations. This was not the case 5 or 6 years ago (seeing progress). Being LGBT is not criminalised by the law. There is stigma in society, but this is now being talked about or discussed.

The acceptance of the LGBTQ community is something the country has to understand - it's not something to be enforced. It is being discussed. Over 99% of people are religious, but there are statements in support of emerging LGBTQ groups. Rwanda is very lenient, it is more liberal than other neighbouring countries re: LGBT+.

LGBT+ is not officially recognised but people who are LGBT+ are not harassed or mistreated. The government has kept a neutral position.

LAF doesn't know about the difference in treatment of different LGBT+ groups - this is something new, the nuances are yet to be recognised.

[On access to employment or self-employment] UNHCR has been trying to assist, but without Refugee status people can't work. Some are supported by friends. LAF is

limited to legal issues (so do not have a lot of information) but aware of one man who declared his LGBTQ status while working for a Church and was dismissed from his duties.

[On seeking protection from the police] LGBT people can and do complain to the police about their treatment and the police do deal with those cases.

LAF have provided advice to LGBT individuals but because they need assistance, not because they are LGBT. LAF know that they have been aggrieved because of their sexuality. LAF assists because a person's rights have not been respected – for whatever reason.

There are a lot of NGOs that assist LGBTQ people.

### **Complaint mechanisms**

[Re citizens dissatisfied with public services] Rwanda has a lot of complaints mechanisms. There are many structures: the courts (including appeals), the Ombudsman, Committees, NGOs, Family Council. The country is very rich in terms of help. The Government has put many things in place for handling complaints.

For asylum seekers there is country-based mediation or a referral to the Immigration Department. If an asylum seeker wishes to complain about the length of time waiting for a decision or an ID card, they can complain to the Minister by letter but [the question is] whether they know about their rights.

What is written in Law might be different from procedures.

Bureaucracy can also cause issues.

### **NGO registration**

The Registration process is easy and generally okay for NGOs. You need to lodge an application with the Rwandan government and meet certain requirements. The registration process is no more than 30 or 60 days. The registration process does take longer than setting up a business but this is because the government need to do their due diligence e.g. who is funding the NGO. Although it can be bureaucratic - 5 years to set up has been known. But the Government is not so interested in non-profit making organisations.

If it refused, you are given reasons why and you can appeal and apply again. There is a Government proposal to introduce a power to remove directors of NGOs, which LAF is opposing.

LAF indicated to the HO that some NGOs could be refused, depending on the topic or topics it was seeking to represent (e.g. LGBT)

### **NGO operation**

LAF has a very good relationship with Rwandan government. There is a tripartite agreement between LAF, UNHCR and the Rwandan government. In the past, NGOs

were crippled by intrusion by Rwandan government but things keep improving. International and national NGOs who support AS/refugees generally operate freely.

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## **A8. Meeting with UNHCR, 21 March 2022**

### **Overview and UNHCR's view of, and role in, the RSD process**

1. How would you characterise the GoR's management of the asylum system, specifically in relation to their handling of individual asylum claims?
2. In general, are claims processed within the timeframes set out by the Govt?
3. Can you tell us what information asylum seekers receive at each stage of the process?
4. What role does the organisation play in the RSD process in Rwanda?
5. How often is the organisation invited to and/or attend RSDC meetings? Extent of organisation's contributions to RSDC meetings?
6. What legal advice and support does an asylum seeker get throughout the process? Type of assistance and at what stage? Provided by whom?

UNHCR is here to support the asylum process in order to fulfil international obligations. The Government appreciates what [it] means to be a refugee;

[Previously] Rwanda has taken a prima facie approach to Burundians and those from DRC. Since August 2021, the Rwandan government shifted its policy for Burundian refugees to be considered on an individual basis (instead of prima facie), DRC refugees have been going through individual basis recognition for a little longer. No prima facie recognition anymore.

Until recently everyone was received prima facie, now all asylum seekers from DRC & Burundians and other nationalities go in front of RSDC. Asylum-seekers who are not coming from neighbouring countries face high level rejection rate for individual RSD (e.g. asylum-seekers from Middle East).

Minema has an elaborate policy about receipt, asylum, access to shelter, water, sanitation, movement in and out of the camps. But they don't normally dictate where a person stays i.e. whether they live in an urban setting or a camp setting. Camps are free facilities supported by UNHCR.

To apply for asylum, asylum seekers approach the local authorities. They present themselves, and from there they are directed to an immigration officer. Then they lodge their application through the DGIE. After that, they are given a temporary residence permit for 3 months while waiting for NRSDC to determine their status.

For camp refugees who wish to stay in urban area, they could just request a permission to MINEMA and Camp Manager to leave the camp and for what reason.

UNHCR are not involved at all in the NRSDC. The NRSDC is a committee of multiple agencies. Heavy procedure made of many government institutions/departments (including environment, security): the members of NRSDC:

- 1° Prime Minister's Office;
- 2° the Ministry in charge of refugees;
- 3° the Ministry in charge of foreign affairs;
- 4° the Ministry in charge of local government;
- 5° the Ministry in charge of justice;
- 6° the Ministry in charge of defence forces;
- 7° the Ministry in charge of natural resources;
- 8° the Ministry in charge of internal security;
- 9° the Ministry in charge of health;
- 10° the National Intelligence and Security Service;
- 11° the National Human Rights Commission.

The Eligibility officer prepares a brief summary of the case. There is only one eligibility officer for the whole country. The claim is presented to the RSDC.

There are two weeks (15 days) for the DGIE to pass the application to NRSDC. They [the NRSDC] should ideally issue the result within 2 weeks, although that often doesn't happen – it's a slow process, it can take a while to receive results. The process should take 45 days from application to initial decision but sometimes people wait one to two years.

As mentioned, due to the shifting of the policy from Prima Facie to individual recognition, there are some bottle neck at DGIE and NRSDC to comply with the timeframe.

The decision is usually in a written letter. There are two templates: "your claim has been accepted and granted" OR "we regret to inform you that the refugee status requested was not granted because the reasons provided during the interview were not pertinent". No further reasons for the decision are provided, which renders the right to appeal against a negative decision difficult or impossible to exercise in practice.

[UNHCR] try to provide more support to authorities – there are gaps to implementation of RSDC (mainly lack of capacity, turnover of RSDC members extremely high, some may not have right background/training) but the Rwandan government don't always agree with the support offered, for instance more Eligibility Officers to expedite the process and avoid backlog, or more consistent training for the panel members, or to assume our observatory role in the process.

The high turnover rate of appointed members in the RSD Committee further hinders the capacity of the refugee status determination's committee because inexperienced persons or with limited knowledge on international protection are onboarded in the committee. UNHCR cannot provide the support it thinks is needed. UNHCR has the

expertise, the resource, the mandate, and the willingness to support the NRSDC anyway we can. The offers have been made frequently, and so far we only received invitation to conduct joint training for 3 days end of last year.

### **Legal assistance**

UNHCR partners with 2 [other] organisations that help with legal assistance. UNHCR will provide advice/support as early as the person approaches [them] or a partner. UNHCR will refer asylum seekers who approached the office requesting assistance to the partners.

The right of legal representation is not recognised during the RSD procedure but lawyers and legal aid organizations may prepare the application on behalf of the asylum-seekers. Lawyers give legal counselling on the process i.e. explain what is to be expected in the process, documents, and which elements they need to highlight in their claim.

Usually a lawyer will accompany the person to file the application to DGIE – then that's it. During the deliberation of the panel [NRSDC], they can't bring a lawyer. Asylum seekers are interviewed by the [NRSDC] panel. Only interpreter assistance is allowed for asylum seekers who do not speak English, Kinyarwanda or French. One asylum seeker vs a panel of 10. Sometimes less than 1 hour deliberation. [UNHCR] not allowed to be in the room when they have the interview and when they give their decision. [UNHCR] have tried several times to be observers.

If the claim is rejected, they (the lawyer) starts helping again – this time with appeal. Usually the person gives the same (maybe a bit more) detail as the initial application. This is because they don't know why the application was rejected.

Not aware of GoR referring individuals to UNHCR or legal assistance partners.

### **Outcomes on claims**

[Previously] everyone was dealt with as prima facie: only non-Burundian and non-DRC would go through the [RSDC] panel. The number is small – 0.3% other nationalities. There is a tendency to grant asylum to those from neighbouring countries; rejection rates are higher for people from Middle Eastern and other countries. There is a view they should go to neighbouring safe countries – they don't see there is a protection need. Sometimes they also don't see some refugees can be sur place refugees.

### **Applying for asylum**

Rwanda guarantee visa upon arrival (valid for 1 month); some people arrive at airport with the intention to apply for asylum so can't get visa/enter. This process creates challenges for UNHCR, but they are there to help.

UNHCR gave an example of two Libyans who tried to claim asylum on arrival and were not let into the country. UNHCR escalated whilst the two Libyans remained at the airport. They were ultimately sent back despite UNHCR's efforts – they said they were here for investment (a common route to come to Rwanda) – just kept in airport



lobby for 2 days until next flight out (not detained) but very well treated. They faced challenges in all transit countries until they reached the country of departure.

### **Process concerns**

7. Does the RSDC consider a broad range of nationalities and claim types? Where does the Committee get the information from to consider claims from non-typical nationalities?
8. UNHCR has previously raised concerns that some LGBTQ asylum seekers have faced challenges when attempting to submit asylum claims, can you expand on this?
9. UNHCR has previously expressed concerns that decisions – particularly refusals - are not always properly explained to applicants. Do you have any examples of this? How often does this happen?
10. Does this problem only arise in notification of the initial decision? Are adequate reasons given following Ministers' considerations of appeals?
11. What happens if an asylum seeker is refused? What avenues are open to them?

### **LGBTI+ applicants**

UNHCR has noticed that LGBT asylum seekers have not been able to register their claims. They have to report to the local authorities and are told by the most junior immigration staff that Rwanda is not the place for them, or Rwanda does not deal with such issues. They are given immediate verbal rejection.

There are no laws against [LGBT+]. Rwanda has a conservative culture and nationals also face discrimination: denial to employment and accommodation. Local leaders [are responsible] for facilitating access to services. If the local leader is very conservative [then for an] LGBT person, it would not go well.

UNHCR has not heard of any violence against the LGBTI community. Rwanda is mostly tolerant – have had some LGBT+ [from Uganda] and [UNHCR] provide counselling, financial assistance. Most of the time they [LGBT+] stay in urban areas. There is a network [of LGBT+]. LGBT+ have some difficulties accessing employment and renting accommodation in urban areas – cases of being denied accommodation. There was a recent TV debate addressing issue of social stigma.

UNHCR referred to a report launched on Friday [18 March 2022]. NGOs working on it found that 80% of Rwandan nationals think being gay is unnatural.

UNHCR explained they were currently supporting 3 individual cases by LGBT+ asylum seekers. They had been pending for 2 to 5 months. [Caveated that UNHCR does not see all cases.] UNHCR is not always informed by DGIE if there is any asylum seeker approaching DGIE for asylum, we can only track asylum seekers who approach our office or legal aid partners.

### **Registration and tracking of claims**

Asylum seekers directly approach the Government to register their asylum claim, so UNHCR is not aware of all the claims being made, but it has started to track the

cases it is made aware of. Some asylum seekers fly into the country directly and may not be aware of [the organisation's] presence or location even though Registration is supposed to be a joint process with the Government. Asylum seekers directly approach GoR, GoR won't necessarily inform UNHCR.

Those who had previously been granted on a prima facie basis, now have their biometrics etc. recorded and are added to the database.

UNHCR also has an offline Registration, which helps it to know the nationality and arrival dates of asylum seekers and also to obtain contact details of those entering the country.

It is also carrying out a Verification process (the last one was in 2018/19). Since all asylum seekers now have to go through the RSD process and present before the Committee, there is a risk someone's previous prima facie status will be de-activated if there is no record of them being in Rwanda before the new process began. When [the organisation] identify these people, they are interviewed and are 're-activated' with the government's blessings.

### **Statelessness**

According to the new 2021 nationality law, stateless persons can apply for nationality.

UNHCR is working with government of Rwanda on commitment to eradicate statelessness; lots of people undocumented in border areas. Recently started, multi-year plan. [UNHCR] helping with technical and financial support.

UNHCR works to identify those people who had previously slipped through the cracks, as some are now 'half Rwandan', 'half Burundian' etc where previous marriages have taken place between dual nationalities. The aim is to identify those deemed stateless and to legalise their status and to support them. Hoping they will be recognised. Rwanda being very generous in this area.

### **Refused asylum seekers**

Rejected asylum seekers might, in rare cases, be able to get a residence permit and stay in Rwanda if they have another route (investment, employment, marriage). However, this will not be possible in most cases because usually the person sought asylum as a last resort, for example, cases with no valid passport due to persecution, they cannot apply for another avenue due to lack of formal documentation.

Authorities very keen to ensure all migrants are registered. People 16 and above can obtain an ID card and birth certificates, those in urban setting are enrolled in the national health insurance system – part of the national programs. Good Birth registration rate – c90%. There is birth registration for all children born here. Registered as part of the national system. Rwanda is very advanced in relation to documentation compared to other countries in the region.

Some asylum seekers and rejected asylum seekers need a passport to apply for

other [immigration] status but this is not always possible; [The organisation] had not seen many examples of GoR giving waiver for those who don't have valid passports. There were a few cases though. Recognized refugees could apply for refugee travel document from Govt provided they have valid reason to travel overseas.

Government is keen to make sure everyone has a valid refugee ID. Proof of registration – standard doc – need to carry around if you don't have ID. Anyone not carrying an ID card is considered “illegal”. Need ID card to get a job, medical services, education, a SIM card and/or to use mobile money etc

## **Employment**

The government wishes to encourage, and is committed to increase, self-reliance – an objective for refugees, few joint livelihood projects were initiated to support both the refugees and host communities.

When it comes to the general public, unemployment is still high in Rwanda. There is competition between the local people and refugees, with a tendency to recruit local people. But in terms of the Law, there is free access to work and to purchase properties, land and to start businesses, but the limits in term of opportunity are still present.

Some refugees say pay (for refugees) is not equal to that of nationals with the same job.

90% of refugees are located in camps. Only 9-10% of refugees are located in urban areas, but they may have properties. Refugees have free access to employment, can buy land/property.

Asylum seekers are allowed to bring whatever belongings they have with them when they opt for facilitated voluntarily repatriation - this includes livestock. It is known that during the previous VOLREP convoys, some refugees returned home with 33 cows.

## **Detention, removal and classification of statistics**

12. Are you aware of whether AS are detained at any point during the asylum process? For what reasons might an AS be detained?
13. Are you aware any cases of refused AS being deported? Where are AS detained prior to deportation – general detention centre or immigration detention centre?
14. Stats: Clarification on decision outcomes – i.e. what does a “closed case” mean? What happened to these claims (and claimants)?

## **Detention**

Although UNHCR has a website, [some people are not able to contact] and [UNHCR] has lots of ways for refugees to get hold of them (e.g. WhatsApp). Still get some reports of detention of asylum seekers.

Rwanda has a very clear community structure, and pyramid of community structures: every 250 households is a ‘village’, in a designated Sector in a Province. There is very clear, strong grass roots leadership, meaning any new arrivals to the area can

be easily identified. If someone comes as a new arrival s/he is directed by the community members to get registered with migration and receive asylum seeker certificate this document is an important protection against being detained for illegal stay.

If you do not have a visa, the person has 15 days to present themselves to 'Immigration'. This is in the Immigration Law. UNHCR was aware of one person [asylum seeker] detained in the last year. We are aware (from partner's report) the charge was for immigration related issue, but we are not sure if there are any other charges included. Under Immigration law, persons without a lawful basis for stay can be detained.

## **Removal**

UNHCR believed there was some risk of a person being detained or deported at point of rejection. Few people appeal after rejection. [If someone is refused and they can't get a visa] then there is a risk of being detained or deported. If no valid passport, some are deported.

Most people given 48 hours to leave country but occasional cases where someone 'seized' straight after notification and taken to border by land. UNHCR was aware of at least 2 cases where unsuccessful asylum seekers had been taken directly to the border.

UNHCR talked about *refoulement*, but referenced three Syrian cases where the persons had been rejected in the first instance and on appeal. [UNHCR] felt the Rwandan Government didn't wish to deport them

## **Reconciliation of stats and 'closed' cases**

- 'Closed' cases = departure & deregistration (e.g. receive Rwandan citizenship and therefore no longer require refugee status);
- 'active' cases = asylum seekers are present during the verification exercise
- inactive = absence (i.e. someone who misses verification process)

## **Complaints Process**

15. If an AS wanted to lodge a complaint about the processing of their claim, for example due to delays, how would they go about it? Are you aware of any cases where an asylum seeker has raised a complaint?

UNHCR felt there is no way for a refugee to complain about process.

There are many positive aspects of protection in Rwanda, but in some ways RSD processing could have been done better.

The structure [of appeals] could be better. The appeal is addressed to Minema, which is part of the NRSDC panel, so there is a question about independence.

UNHCR has offered training opportunities including on international refugee law (from San Remo institute) to government lawyers and are always turned down. But in December 2021, its offer was accepted to have joint training for NRSDC.

80% of the Committee are new. Who will be sitting on a particular day is at the discretion of the Committee.

### **Urban versus Camp Refugees**

16. What circumstances lead to a minority of refugees living in urban areas rather than a refugee camp?
17. How does the legal right to work operate in practice? Is the Refugee Identity Card accepted by employers as proof of RTW? What if any barriers are there to a refugee gaining employment? What actions have been taken to ensure that employers know that they can employ asylum seekers and refugees? What is the comparison between urban refugees and camp-based refugees in terms of accessing work?
18. Do urban refugees/AS have any restrictions on their movements? What restrictions? Why are the restrictions in place? Consequences for breaching restrictions? What documentation would an urban refugee/AS need to show in order to exercise freedom of movement?
19. Are you aware of urban refugees or asylum seekers relocating to the refugee camps? Why? Numbers? Specific characteristics or circumstances of the refugees who choose to relocate to the camps?

### **Movement in and out of the refugee camps**

UNHCR felt that some people would stay in urban areas rather than move to camp. Usually they are educated people/ some with small businesses/ people who can afford to rent accommodation (in the more affordable areas) tend to live in urban areas and send their children to public schools.

The concentration/spread of urban refugees not dictated by Government; there is general freedom on where they live.

There was lots of relocation from urban to camps in COVID-times (because of the impact on the economy). People lost jobs, restaurants and bars were closed, the typical employment. With assistance of [UNHCR], Government helped to relocate people to camps. There are free medical and education systems in the camps. It sometimes happens unrelated to COVID. The camp acts as a safety net.

UNHCR explained that camp-based refugees have to obtain travel authorisation to leave a camp, and they normally need to return within 3 months. However, they can re-apply as many times as they like. Some people leave on a daily basis to work with permission. There is no hostility and good coexistence with local communities.

UNHCR added that urban refugees needed to pay the 10% health insurance. It also added that [UNHCR] sometimes pays the 10% to up rate when the POCs can't afford it.

### **Policing, and incident at Kiziba (2018)**

20. Is UNHCR aware of any incidents [other than Kiziba in 2018] where refugees/AS have been arrested or detained for being critical of the Rwandan government?



21. Is UNHCR aware of any reported uses of excessive force by security services or police against refugees in urban settings?
22. Are there any reports of excessive force used by the police / security services against asylum seekers / refugees in general?
23. At what point do asylum seekers who live in urban areas gain access to health care, education and right to work etc?
24. How would you describe the typical living and housing conditions of urban refugees/AS?
25. How would you assess the extent to which urban refugees/AS are able to support themselves financially?
26. What support does UNHCR provide to urban asylum seekers or refugees? Support from any other NGOs? Any instances where urban AS/refugees have approached [the organisation] for assistance? What type of assistance? What happens?
27. Are urban refugees/AS integrated into the community in which they live? What has the Rwandan Govt done to facilitate integration and self-sufficiency of refugees/AS?

UNHCR explained that refugees in all camps are highly dependent on foreign aid. There was a reduction in assistance; refugees in Kiziba camp protesting about food cuts. They marched, a huge number of refugees, to police station. Some violence on the refugee side – throwing stones at the police station. Soldiers shot at refugees, killing about 12 people. Then 66 refugees detained (sentenced 6 months-15 years, charged with unauthorised demonstration, disturbing public order, provocation). Impact still being felt at camp – people were very upset at the length of sentences.

However, [UNHCR] are not aware of any other similar incidents. Occasionally people (1 or 2) sit in front of [UNHCR's] offices, but security remove peacefully. Students demonstrate in secondary school, smashing windows. Now lots of care about how these are handled, refugees also more careful since.

UNHCR also referenced the recent influx from DRC due to volcano in Goma (6,500). They were well received /treated and even escorted by the police. Some people wanted to return, so the GoR helped transporting people in police cars.

UNHCR also added that arrest and detention for unauthorized demonstrations is in the law here and would apply equally to nationals.

### **Integration**

UNHCR described the GoR's policy as generally very progressive. There was a Refugee Comprehensive Response (CRRF) Framework, with lots of focus on refugees inclusion (socio-economic; financial inclusion, access to livelihood.).

Most refugees have mobile phones and can get the necessary documents to open bank accounts, have a sim card, own business if they can afford etc.

Joint activities. Most refugees are from agricultural background – UNHCR/GoR joint project providing land, growing stuff and sharing product.

[Support] shifted from in-kind to cash since 2018. Joint strategy on livelihood was developed by Minema and UNHCR. On the right track but still a lot of investment needed to build on this.

### **Trafficking and SGBV**

28. UNHCR has previously identified young women and girls living in refugee camps in Rwanda as being vulnerable to trafficking. How does the risk of trafficking among urban refugees compare?

29. Is SGBV a concern for urban refugees?

30. What support is available to urban refugees who experience SGBV? Can you provide the details of specific NGOs/ other orgs who provide these services?

The trafficking in camps – The issue that UNHCR felt they were struggling with was regarding girls. Most of them were promised employment in cities and towns. So mostly come as house maids or work in restaurant or bars, and therefore the risk is more trafficking/exploitation within Rwanda rather than cross border or internationally. Some girls don't tell [UNHCR] or even parents that they are leaving the camp. But once abuse happens, they come to [UNHCR]. Believe the risk [of trafficking] is less for urban refugees; they generally have better opportunities, in terms of mobility, socially, financially.

There is less concern for urban refugees, because there are more job opportunities in urban areas, and less risk of trafficking (I believe for SGBV the risk is equal as in urban area). In camps, they normally assign a shelter for every household. However, the plots are small. The difficulty for large families is that older children spend night elsewhere – that's where the risk may be. Urban refugees can report to the office and community centre via walk-in or using the helpline. But if they don't make effort to reach to make complaint, [UNHCR] don't have information about them.

Support by [the organisation] depends on need – financial assistance, health. etc. Depends if can be addressed within [the organisation] or whether needs to be referred to a partner agency e.g. child protection, medical, disability.

UNHCR felt limited in that they can only provide basic services, and therefore there's a gap between what they need and what [the organisation] can offer. Prioritise security, water, food and health services, child protection.

UNHCR said there is always a gap between what the refugees want, what they need and what [UNHCR] can provide, but particularly a gap in legal assistance – not enough lawyers, in some locations, only one lawyer deals for all cases in one location including for SGBV. [UNHCR] will prioritize to assist the survivor in this situation.

### **NGO access/support**

31. Can you describe the registration process for NGOs operating in the country who provide support to AS/refugees?

There are plenty of NGOs that support refugees ([UNHCR] have c.12 partner organisations, international/national, with different expertise/purposes). List of

partner organisations - Save the Children, Humanity & Inclusion, ADRA, AHA, GIZ, World Vision, PLAN, Prison Fellowship Rwanda, Legal Aid Foundation, ALIGHT, Rwandan Red Cross, Caritas.

For all partners to work in refugee camp, have to sign tripartite partner agreement (UNHCR, Minema, NGO).

Most [support] focused on camps but some specific NGOs provide support for urban refugees (Save the Children; there is a community centre in Gikondo in Kigali)

There is a camp manager in Minema for each camp (clear refugee program management policy), field officer from UNHCR, representatives from all organisations.

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## **A9. Meeting with National Commission for Human Rights (NCHR), 22 March 2022**

### **Purpose of NCHR**

NCHR is a Constitutional commission provided for by the Rwandan Constitution. Established 1999. Recent amendment in 2018.

It has 3 key mandates

1. Promotion of human rights in Rwanda through sensitisation activities, through research/surveys, through participating in law drafting, providing ideas on draft Bills at governmental level before they go to parliament (Ministries share with the Commission before Bill goes to Parliament, NCHR provides ideas), In the parliament, NCHR provides views to bills under examination so that they consider human rights principles. Promote human rights through training of different stakeholders (law enforcement officers, police, judges, lawyers, prison guards) so they're aware of human rights principles & updates
2. Protection and monitoring of human rights. Carried out through receiving complaints from people about human rights violations and conducting investigations into those complaints received. Conduct monitoring activities e.g. refugee camps, prisons, police custody, psychiatric hospitals.
3. The Commission is the national prevention mechanism against torture, ill-treatment and degrading punishment. NCHR puts this mandate in practice when conducting monitoring. NCHR considers the area of torture - conducts research/dialogues with prisoners and detainees. Talk to families of detainees.

### **Structure of NCHR**

Commission is made up of 7 commissioners. 7 (including the chairperson and the vice chair and another 5). Each commissioner has at least 6 districts where they monitor human rights issues. Rwanda has 30 districts. To share labour internally each Commissioner has 6 districts to follow what is going on with regards to Rwanda.

The 7 commissioners are assisted by a technical team made of 42 technical staff

including lawyers, researchers, educators, sociologists, finance people. Technical team is coordinated by the Secretary General.

Commissioners are permanent, have permanent offices but spend time in the field conducting monitoring – carry out both strategic and technical activities, carry out reports. Commissioners approve reports.

Among the 7 commissioners, each has a specific area of focus e.g rights for refugees, socio-economic rights, children, women – there is a commissioner who is a focal person or who is in charge of those rights.

Representatives at the current meeting can respond to technical issues – would need to speak to commissioner for refugee rights for other issues [this representative is not available at present]

### **People with disabilities**

Q In general, how are disabled people treated in Rwanda?

Every year, NCHR's annual report is published on its website. In that, there is a chapter on observations of respect of rights of disabled persons. NCHR conducted surveys, including different categories of person and how their rights are respected. Can find more details on website. In brief, disabled persons rights are respected, not discriminated against, allowed to participate in every activity, no discrimination in workplace or administration. Election law provides for places for disabled persons in each level of administration (committee at village level – among members of that, needs to be one person representing disabilities: and at every level above that). At national level, National Council for People with Disabilities. [A quota of places] in Parliament have to be for someone representing disabled persons.

Wheelchair accessibility – law provides for this. Building inspection – among checklist, need to be sure accommodates disabled persons

Disabled children and special schools:

Monitoring activities – team monitoring respect of disabled persons' rights, visiting different centres/schools. What we see – different categories of disabilities – some people can learn in schools alongside others (inclusive schools), but also special needs education/schools or centres provide specialist treatment for children with disabilities. Both special and inclusive centres.

Schools provide for variety of disabilities both physical and mental (including neurological e.g. autism).

Some TV programmes are translated into sign language to support people with disabilities.

General treatment [of disabled people is] good, no discrimination, still some issues but there is political will (shown in laws, establishment of institutions like NCHR & National Council for Peoples with Disability) to ensure issues are revealed and addressed. Generally people with disabilities are well treated, though still some

issues with mindsets of parents (who might not take children with disabilities to school) but the Government calls for every child to be taken to school, even if they have disabilities, particularly those with mental disabilities to show parents that even children with disabilities might be taken to school and even if they can't learn maths, they can learn life skills.

The National Council for People with Disabilities advocates for rights, NCHR collaborates with that – campaigns on TV/radio/public gatherings to raise awareness.

Police provide protection where needed. Someone in Miss Rwanda competition couldn't hear/talk – won prize for innovation – lots of support for her. Disabled people have same rights as other people

### **Treatment of non-Rwandans**

If there is area NCHR has not received complaints, it is this one – no one has complained about treatment because they look different. Rwandan society receives everyone, Chinese people work smoothly with Rwandans in construction, people from the West, Europe, America, we cross each other in the workplace, everywhere, do sport/socialise every day. No discrimination here, everyone feels at home. Even see people asking for citizenship because of the climate in Rwanda.

### **Anti-discrimination policies in law**

Anti-discrimination laws in constitution – discrimination here is a crime. Has roots in our history. Aware that Rwanda has a bad history which led to genocide in 1994. So learning from that. Rwanda's constitution and other laws criminalise discrimination whether based on religion, tribe, ethnicity, discrimination is a crime here. The Law provides for that.

### **Institution re employment discrimination**

National Commission for Public Service – handles everything related to work and recruitment in public service. The Ministry of Labour has Labour Inspection directorate – labour inspector in each region, remit includes receiving complaints relating to recruitment and payment issues. When [an organisation] does not do their job as they should, NCHR intervenes. In practice, not much experience of discrimination in the workplace: there can be a difference in treatment but labour law provides for certain requirements (e.g. certain posts need to be Rwandan) but where a post is open to all, there is no discrimination.

Majority of private employers use foreign staff but don't exclude Rwandans, depends on specificity of skills (e.g. majority of chefs in hotels are from Kenya due to the fact that Kenya has an advanced experience in tourism sector). In some schools which follow English programme, majority of teachers are Kenya/Uganda, their teachers are more fluent in English than Rwandans.

In public service, most jobs reserved for Rwandans; some jobs, specific tasks can hire expatriates. A Ministerial order clarifies for specific roles to hire non-Rwandans. Policy is that we give priority to Rwandans. But if there is a need for rare skills we can hire an expatriate. Current CEO of Rwanda Energy board is from Israel;



University of Rwanda chaired by someone from Scotland initially then someone else from UK, currently one Rwandan but assisted by different nationalities.

### **Attitudes to refugees**

Q Any tension due to large refugee population?

No tension – treat them as brothers and sisters, policy of including them in everyday activities – big refugee camp in Eastern Province (Mahama), refugees from Burundi and DRC, their children share schools with Rwandans – can find that situation everywhere. They are allowed to participate in economic activities because given refugee ID, can open bank account. Sometimes don't know who is refugee as all speak the same language (variations on [national language] Kinyarwanda) – e.g. don't need translator for Burundians

Gov asks those who've been here for long time if they want to apply for Rwandan nationality. Don't often apply as some [refugees] think that if they remain refugee they can be transferred to Europe

Other refugees – Eritrea etc – specific centre (Gashora) transit centre for Libya. Don't speak language but feel at home, everywhere in market, learning Kinyarwanda

Q What does society think about RWA efforts with refugees?

Society aware of efforts, done publicly. They share facilities and schools. In Rwandan culture, have value of hospitality – it's in Rwandan DNA – feel happy to help our brothers/sisters. Have had bad history, some Rwandans have been refugees so know what it is like to be refugee – can't deny support to others (as Rwanda has been helped by neighbours in its history)

### **Religious groups**

Q Religious groups – how are minorities treated?

Freedom to worship as they believe, no discrimination. Majority of Rwandans are Christians, also have Muslims, all other religions (Bahae temple, even including animists). Nobody is excluded, no one is denied their worship.

Q Access to places of worship?

[There are] Catholic churches, mosques, temple. Bahae temple, you can find some Indians who worship statues as Gods – freedom of worship.

If there is that group, there is worship. Kigali City masterplan has standards for all buildings – if places of worship fulfil standards, no problem

Rwanda has an institution (Rwanda Governance Board) for religion, if want to create church then apply to this board

### **Women - general**

General treatment [of women] is good, women and children's rights among those NCHR monitor – have seen improvement in situation since creation of NCHR,

reflected in laws/constitution – provides for specific groups' rights (e.g women, children, disabled). Same situation for women as disabled – allowed to be elected, at each administrative level at least 30% of representatives have to be women – in Parliament more than 60% are women, current Rwandan Cabinet 50% women, 5 out of 7 commissioners in NCHR are women. Women's rights respected in every area, though NCHR receives some complaints about rights to property – family law amended to allow women to inherit from parents (in 1999). All children have right to go to school regardless of sex – majority in schools are girls. If violation of rights provided for by existing laws, NCHR intervenes by asking responsible institution to address issue. Male may sell plot of land without consulting wife – violating law – when wife brings this to NCHR, NCHR talks to institution or advises complainant to go to Court

## **SGBV**

Currently seeing situation of teenage pregnancies due to GBV – men with money can incite girls from poor families, buy things for her (watch, mobile phone), girl can be violated. Institutions are in place if those situations arise to punish people responsible. Age of consent is 18 (before that, you are infant)

Isange one stop center is a model created by the Rwanda National Police. Access services (medical, justice etc) in one place.

Q Police response to victims of GBV (including domestic violence)?

If someone assaults you, call number/write email and police will come directly to home. One stop centre in every hospital around country. Sometimes if violated, [the victim] doesn't want people to know – when you call, arrange how can meet in secret places

Q Institutions in place?

Gender Monitoring office, consider specific issues related to GBV; also national women's council, represented from village level and every level above – channel for sharing information on anything re GBV. Among admin structure, responsibility of local leaders to ensure no GBV issue in their area of control.

Police monitor what's going on, they can investigate and come up with a report/action. Minister for Gender can talk more about it.

There is a tradition of a weekly meeting about gender at village level, we call it "parents evening" to share and address issues. We have a traditional court (Abunzi mediators) at local village level e.g. if there is a quarrel between husband and wife, their mandate is to address the issues to see if they can mediate before going to Court. If they fail then it can be escalated [to court].

## **LGBT**

NCHR has not received complaints from that group so far. Some are open about their status – on social media, TV; majority of them are not known – their choice.

The law is not against them, it doesn't talk about them. Not yet something which is a significant issue in society.

Q Could an openly gay person live with their partner in society?

In our society, there is privacy – will not find man and wife being openly affectionate. So those who are gay, you don't see them in the street. So gay people can live in same house but society won't know whether they are gay or not.

Some bars have signs to show LGBT are welcome there.

Q Situation in rural society?

Because of our culture, I can have a female friend and love each other, outside of Rwanda this may be named as 'gay'. In Rwanda we would say 'friends' – no one cares because it's your private life. As example – NCHR representative has a colleague/friend who lives with her female partner for 15 years with no issue – it's a private matter

Q Employment?

Employers don't ask [whether you are gay] when you apply for job, don't consider LGBT matters in recruitment. Look at skills. Related to anti-discrimination law – no one asks others e.g. about religion, sexuality

[NCHR representative is an] Adventist - everyone knows she will not work on sabbath. Everyone respects everyone's religious needs. Same, Muslim can ask permission to go to Prayers on Fridays.

Q Attitudes of parents of LGBT people?

Can't speak for parents – would need to research. Gay is not widespread in culture, something that's emerging – no discrimination from NCHR's perspective. LGBT can express themselves but as the Commission we have not received any complaints from them.

## **Policing**

Q Police and detention – any concerns about use of excessive force?

Sometimes NCHR hear about it in news and conducts an investigation and comes up with recommendations for relevant institutions. It is not something that occurs frequently e.g at the beginning of movement restrictions/curfew in 2020 during COVID (for example if not home in time) police may have used excessive force. A policeman has been charged due to that (see NCHR's report) However this was at the beginning (of Covid restrictions) and NCHR and other institutions intervened and this has been decreasing. When we conduct investigations, we find both sides learn how to conduct themselves in that situation.

People can complain to NCHR if they feel they've been mistreated, there is a toll-free line & electronic complaint management system through which people can send their complaints; NCHR then investigates (not every complaint may be true), advise

concerned party; if NCHR finds a human rights violation, ask institution to address issue.

If someone is arrested & detained, they should be aware of their rights. When go to detention area, there is a checklist of people's rights (e.g. right to silence) – NCHR has asked to put posters etc in cells, working on it. NCHR ask police to tell people about their rights every morning when they go to visit the cell. In the police station, they have a list of advocates including phone numbers so they can ask police to call lawyer. Monitoring is about finding out if [detainees] rights are respected – NCHR speak to detainees etc to ask if family know where they are, do they know their rights, have you been interrogated, do they know why they're here, how many days have they been there, have they been assisted?

During Covid 19, a policeman as mentioned was charged. So no other cases.

### **Complaints mechanisms for people dissatisfied with public service?**

Yes – Rwanda Governance Board. In each institution there is a way to report for a bad service you have received. If the staff didn't do [service] or did it wrongly, you can complain to him or her then action can be taken

Refugees can report issues too.

NCHR doesn't replace other institutions such as the courts, so such issues are reported to court normally. There are institutions available for investigation. Institutions will follow up on complaints and take suspect to court. NCHR [is] there if an institution doesn't do what it's supposed to do. Person can come to NCHR and NCHR will take the issue on his/her behalf.

Monitoring in camps, we ask refugees about issues they might be facing. If issue relating to denial of work, they can speak to NCHR and institutions about that.

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## **A10. Meeting with Alight, 23 March 2022**

### **Do Alight play any role in the RSD Process in Rwanda?**

No. Alight don't play role in RSD process. Only come across people once processed (by IOM or UNHCR)

### **What support is available to urban refugees who experience SGBV?**

Alight focus on prevention against SGBV case management at the camps. Alight is responsible for providing protection/SGBV services only. Other UNHCR implementing partners provide additional support services including shelter, WASH, Education, Food etc.

Alight support to POCs in Rwanda with provision of services under Health, Nutrition, SGBV prevention and case management, community empowerment and Child Protection in ETM Gashora. For SGBV case management, our referral pathways include safe spaces (both under Alight and also government administered). Alight also tries to run awareness campaigns to advise POCs on how to prevent SGBV and

where to find help when they become victims of domestic violence. Police and Alight medical staff have been trained on how to spot victims of SGBV and how to refer to Alight for assistance.

Alight does provide support to urban based asylum seekers – targeting them with awareness campaigns. Not aware of which organisations are also support urban based asylum seekers. Alight is specifically assigned to provide protection services - other organisations provide support in other areas (medical, food, shelter etc). Asked to ensure protection matters.

Alight SGBV programming is composed of 2 components – awareness (create awareness of rights at household level and different kinds of gender-based violence e.g., sexual, psychosocial, physical, child neglect etc). Alight has a hotline, if you call, someone will revert back to caller immediate and the person will receive services within 24 hours.

Asylum seekers newly arrived into the country are aware of ALIGHT protection services as they pass through transit camps that are inside country borders. Alight usually receives referrals from different stakeholders including those from UNHCR and IOM, who have mandated Alight to oversee issues for target POCs.

Alight uses such occasions as commemoration of international days such International Women's day, day of the child, to convey messages of SGBV prevention.

The police are one of Alight's partners in prevention of SGBV. The police have been trained and are aware of how to manage people who have been sexually abused, including referral of victims to ALIGHT and particularly those who have suffered sexual abuse at the camps and they don't know where to seek assistance.

Alight also receive referrals from health / medical centres at the camp level.

Alight uses existing referral path ways facilitate affected POCs to access to justice, healthcare, housing by refereeing them to appropriate service provider– such services also includes 'safe spaces' for people who prefer not to go home based on survivor centred approach. Refugee Camps also have 'safe spaces', as do urban areas - run by the Ministry of Gender and Family Promotion (MIGEPROF).

There is no discrimination in who can receive support – asylum seekers, refugees and Nationals receive the same support.

### **Is SGBV a particular problem facing refugees/ asylum seekers in Rwanda?**

SGBV happens daily but it's not always being reported, for people to get support.

Yes, it's a concern. Culture of silence in Rwanda, SGBV and child neglect occurs at household level.

Alight thinks SGBV is a particular problem for refugees given their vulnerability.

There is a Culture of silence in this country which Alight is trying to address through



SASA community mobilisation approach<sup>1</sup> – SGBV happening daily at household level but extent to which this is reported is low. Alight adopting integrated approach that is anchored on community-based structure and SASA (Community Activists – live and work in community, responsible for awareness, identifying cases, helping to guide where to seek support they require). GBV is remains problem in RWA – here need extra resources like advocacy and funding - during COVID-19 movement restrictions, only 2 services were permitted to operate (Water/Sanitation & Health Services) – Protection services were not allowed to operate because they are not recognised as a lifesaving activity. Also need resources for sensitisation.

ALIGHT has been advocating to GOR to allow SGBV to be classified as ‘life saving’ service. This would then allow for continuation of provision of SGBV services even in wake of covid-19 movement restrictions.

We also need resources to increase awareness and sensitisation.

How do we break culture of silence? Needs to start from household level, may establishing gender-based clubs at school to raise awareness as kids are good influencers and communicators and would be agents to change at household level/ parents.

Alight works with survivors across RWA nationals, refugees and asylum seekers. In line with Comprehensive Refugee Response Fund CRRF of Rwanda, which requires humanitarian organisation to target 70% refugees & 30% host community. Donors allow Alight flexibility to target refugees in camps and surrounding communities

### **Re SGBV, is there a difference in risk presented to urban vs camp-based refugees?**

Alight hasn't done research on this question, most of our focus is on camp-based programming and what we are that there is an estimate of 400-500 cases recorded on annual basis the camp level), Other than refugee camps Alight is less present elsewhere and hence don't have statistics [for incidents of SGBV among urban refugees].

### **How are cases referred?**

Survivors of SGBV can self-refer, or cases can be referred to ALIGHT from UNHCR or other UNHCR partner orgs or our GBV prevention community activists (CAs).

Big challenges due to covid movement restriction situation. As mitigation measure against the spread of covid-19, MINEMA temporarily stopped Protection services for Refugees and asylum seekers except WASH and Health services.

Alight has Protection services at transit centres located and crossing points at border in . When asylum seekers arrive they will come in contact with IOM or UNHCR who will avail information about services provided by partners including Alight.

Other platforms that Alight uses to create SGBV prevention awareness include

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<sup>1</sup> <https://raisingvoices.org/women/the-sasa-approach/>

community radios, drama groups and platforms like celebration of international days (e.g., IWD).

Police are one of referral pathways for survivors who wish to pursue legal action against SGBV perpetrators. Alight trains service providers on how to handle SGBV in terms of protection, confidentiality and sensitivity.

Health Medical centres can also refer survivors to Alight during screening.

**If someone who has experienced SGBV needs a safe space or a refuge, can they access?**

Camps have safe spaces and are accessible for POCs.

Outside camps, there are GoR also has safe spaces available.

**Are asylum seekers eligible to receive government support – are there any barriers**

Asylum seekers are entitled to provision of same protection services as someone who has been granted refugee status – respect, humanitarian imperative are our key drivers when providing humanitarian assistance as a signatory of The Humanitarian Charter and Minimum Standards in Disaster Response, Alight does not discriminate.

Not aware of any barriers to asylum seekers accessing Gov safe spaces.

**Aside from protection, what other services does Alight provide?**

In urban settings, Alight only offer protection services.

In camps, also have child protection (in ETM Gashora), SGBV services in four camps. Also have Health and Nutrition including inpatient and outpatient services and for complicated cases which cannot be handled at the health centre, Alight will referral secondary health institutions including district hospital and for specialised cases these are referred to hospitals in Kigali). Community outreach services - identification, follow ups of POCs who drop out of nutrition programme. Screening and enrolment of mothers and children under five. Provision of water and sanitation services in Kiziba. Support POCs to engage in income generating activities, train them on financial literacy, provide start-up grants to help. Other cutting-edge activities – recently implemented simple health info management system for pregnant mothers who are required to attend ante natal sessions. Rather than go to clinics physical the IVR system enabled the POCs to dial from the comfort of their phones and listen to the sessions. Also piloting GBV awareness and prevention that was usually done through drama groups and drama contents will be digitised and will be accessible by dialling toll free line and listen to the content.

**You provide protection services for refugees and AS who are survivors of SGBV, however you provide more comprehensive support services for refugees in the camps, why not provide more services to urban based Asylum seekers and refugee?**

Interesting question but we believe that there other service providers appointed by

UNHCR to respond at urban level.

**Can urban refugees receive similar support from any other NGOs?**

YES – other UNHCR implementing partners that work in an urban setting.

Wouldn't know about size or how services are dispensed. You may need to reach out to UNHCR to clarify as they are responsible for allocating different sectors/services to different implementing partner.

**Monitoring orgs have previously identified young women and girls living in refugee camps in R\* as being vulnerable to trafficking / How does the risk of trafficking among urban refugees compare?**

Alight has not come across [trafficking of urban refugees] in this particular matter. Alight has yet to get feedback from community activists that trafficking of urban refugees is a problem.

**Do you provide SGBV services to AS/refugees who are members of the LGBT community?**

silence – we may come across those cases it's not ease to know. Our policy and obligations are very clear, no discrimination against that group but extra measures taken to respect their status and ensure our project design aligns with the needs to this group.

**Do LGBT community have a profile in RWA?**

Not aware of much LGBT profile in RWA. If made aware of LGBT asylum seekers / refugees (both urban and camp based) Alight will adapt, redesign and provide services accordingly.

**Is there any platform to air grievances?**

Yes, Kuja Kuja inline data collection platform, FGDs and meeting with Leaders.

For GBV we have a hot line number

**Are you aware of urban refugees or asylum seekers relocating to the refugee camps? Why? /Specific characteristics or circumstances of the refugees who choose to relocate to the camps?**

No – problem is the other way i.e., refugees moving from camps to urban areas. When refugees move to urban areas, this increases their vulnerabilities to an extent women and girls may result into negative coping mechanisms including transactional sex.

**Is it easy for camp/ non camp based refugees to find work?**

Government of Rwanda pledged to support refugees and host communities under the New York Declaration for Refugees and Migrants known as the Comprehensive Refugee Response Framework (CRRF), and the subsequent Strategic Plan for Refugee Inclusion (2019–2024) has accelerated efforts to increase socioeconomic

inclusion for refugee populations and host communities. In line with this commitment, the Government of Rwanda have accorded refugees the right to work, and refugees are steadily being integrated into the country's health and education systems

### **Do police respond to complaints (harassment / violence) raised by urban refugees and AS]**

Yes

### **Are you aware of any security incidents involving the police and refugees.**

Personally, I have only been in post 1yr 5months and hadn't heard of any incidents involving the police during that time.

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## **A11. Meeting w/ representatives of the LGBT+ community, 5 April 2022**

### **Registration / ability to function for NGOs**

At community level, NGOs activity mainly limited to just awareness raising of human rights as most NGOs still unregistered. This makes it difficult to lobby senior officials/institutions.

Registration process very long; local administrations often know the NGO's field of activity & refuse registration papers. NGOs need to say their purpose is something else (broader human rights) to register. There have been issues with local administrations and/or excessive bureaucracy and organisations have experienced hurdles/delays – one case took 3 years to fully/permanently register.

In general, lots of administrative challenges to register – e.g. circular requirements re corroboration letters (someone says corroboration letter required to register; those responsible for issuing corroboration letter say they only issue them to registered organisations).

May be a challenge for all types of NGO (don't want duplication), but organisations think it's a bit worse for LGBT organisations.

Possible to get registration documents but it's difficult – easier to do so when interacting face to face with someone.

No NGO registered outright as LGBT-focused, though there is awareness of some organisations' work in this space.

Govt as an institution not an issue but individuals in Govt can be obstructive.

If running event, need to inform Local Authorities, observe protocols etc – if not, risk of losing status. One example was given of issues arising from event related to IDAHOBIT, which caused problems for organisation but is now resolved

### **Relationship with other institutions**

LGBT community doesn't currently work much with NHRC – need to think about how to do so best

NHRC or local civil society organisations working on human rights don't often promote LGBT rights specifically; feeling that NHRC not that progressive re LGBT.

NGOs think they need to develop strategies to better engage stakeholders.

Expressed desire to meet with new Minister of Justice to raise their asks/concerns – Feeling that new Minister of Justice more progressive/open to their concerns than last one. Representatives were also keen to raise LGBT+ issues where possible in CHOGM and through other fora.

Most of NGOs efforts have been focused on awareness raising rather than advocacy so far, therefore engagement w/ Government is limited – once focus on advocacy, may see change with those in power.

Starting on strategies to engage Govt but starting from minimal position.

“Strategic silence” from Govt on issues faced by LGBT community – just use standard defence about law prohibiting all forms of discrimination.

Almost unanimous view from NGOs that Govt should be more proactive & comprehensive in terms of human rights/anti-discrimination laws to protect LGBT as a vulnerable community (they currently have Article 16, which is broader).

Pride march took place in 2021 – had to do it differently to initial plans – football match of activists v media, civil society/local admins attended – was successful.

### **Treatment of LGBTI persons generally/Society**

One individual felt there was a big gap in the treatment of LGBT+ community in every field – e.g. health, justice

Health – LGBT community fears to go to hospitals, doctors can have traditional attitudes. Mental health problems widespread – one individual had mental health problems, when finally went to doctor, doctor said they wished she'd come to be helped sooner

LGBT person who gets arrested, is at risk – if police find out, at risk of abuse/mistreatment (torture, beatings) – heard testimonies – LGBT+ people imprisoned in prison within prisons, beaten by guards, paraded around prisons

n.b. Not the case individuals would be arrested due to sexuality, just that they would be at risk once sexuality discovered in prison

One NGO raised example of 4 trans people (members of NGO?) who were HIV negative before they went into prison, pushed into being 'wife' & sex without protection, come back HIV positive

Judges/officials sometimes also not progressive – can be difficult to access justice as a gay person

LGBT people can be blackmailed by others in society – if you don't give me money, I



will accuse you of e.g. rape – risk of imprisonment/punishment

Police as an institution OK, it's individuals which are problem – difficult to say how widespread (no data) but think not common, just case by case

If you report mistreatment of police, no repercussions

2019 one NGO met police commissioners – raised administration of local communities, lack of evidence in response.

Rural v Urban - Rural communities small – everyone knows everything happening on ground. Easier for those in urban areas.

Project w/BHC collecting & documenting HR violations – similar numbers in rural & urban areas but higher numbers of LGBT people in urban areas so rate higher in rural.

Main problem – no specific law protecting LGBT – makes it difficult to do anything (get proper job, raise discrimination issue etc).

Employment COVID being used by employers as pretext to fire people they know are LGBT – can't fire someone purely because they're LGBT (could be reported to Govt) but try to find other excuses.

Govt asks for evidence – if letter firing someone because of LGBT, employer could be arrested.

Examples of people not being allowed to take phone to e.g. record evidence of discrimination in meeting.

One NGO personal experience of discrimination in workplace– colleagues gossiping, raised concerns with boss who did not want the NGO individual to resign.

### **Treatment of LGBTI Asylum Seekers**

In general, attendees didn't have much to raise here. Gave one example - December 2021, Egyptian wanted to go to Netherlands but couldn't – came to Rwanda as he understood one of better countries in East Africa for this (contacted NGO through organisation in Egypt), went to UNHCR, got some help; NGO not sure of latest

2 refugees (1 Burundian and 1 Congolese) recently involved in positive initiative run by NGO – HC presented paralegal certificates to them?

One NGO suggested LGBT asylum seekers may face problems in refugee camps

Scope for organisation specifically focused on LGBT migrants – a refugee potentially looking at that. One example of someone from Uganda identifying as gay who faced lots of challenges claiming asylum, needed lots of lawyers. Otherwise, no one could say much on LGBT asylum seekers having issues with asylum process.

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