



MEDP Monitoring Committee

Monitoring Plan Proposal

December 2023

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Background and justification

1. This monitoring plan is a comprehensive and transparent framework for the operations and procedures of the Monitoring Committee, covering the end-to-end process of relocating individuals from the UK to Rwanda, including an enhanced initial monitoring phase. The plan provides an overview of the Monitoring Committee's (MC) specific activities, monitoring techniques, and the personnel involved. Furthermore, it outlines reporting procedures and describes how the MC intends to operate independently with transparency to ensure accountability.

Objectives:

2. To have an operational monitoring plan that allows the Monitoring Committee independent monitoring, assessment, and reporting on all aspects and activities related to the development and implementation of the Agreement, free from interference by and independent of authorities or other actors.
3. To ensure that the Monitoring Committee effectively supports compliance of the whole Agreement, thereby safeguarding and upholding the fundamental international rights of RIs.

Monitoring

4. Monitoring will need to be agile and in the enhanced initial phase, immediate (in the moment). The MC will use the established monitoring guidelines (Annex 1) to ensure that the monitoring process is both measurable and methodical, to ensure a systematic and rigorous approach.

Pre-Departure Monitoring

5. Pre-Departure monitoring will need to be agile and immediate (in the moment).
6. The MC expects that the initial phase of pre-departure monitoring will focus on the point at which cases are referred to the relevant unit for consideration under the MEDP arrangement. In particular the MC will observe the process of identifying individuals for consideration of relocation and the sharing of information with Rwanda.
7. As a minimum the MC will follow the selection journey of a minimum of 50% of the Relocated Individuals (RIs) during the enhanced period in detail (ideally across a mix of nationalities).
8. Primary focus on: (for detailed observation points see guidelines Annex 1)

- Inadmissibility decisions
 - Human rights decisions
 - Screening for special needs and medical conditions
 - Biodata capture and reporting
 - Complete and accurate handover reports
 - Dip sample review of complaints and the complaint handling process
 - Embarkation in the UK in accordance with the Agreement, Notes Verbales and Standard Operating Procedures.
9. The MC acknowledges the work of other regulators including the Independent Chief Inspector of Borders and Immigration (ICIBI), the Independent Monitoring Body (IMB), and the Charter Flight Monitoring Team (CFMT), specifically in observing conditions within the UK detention estate, and removal from it. The MC will review all annual reports pertaining to the detention of people referred to the MEDP in 2022, and specifically focus on areas highlighted as being in conflict with inadmissibility and suitability policy and guidelines.
10. The MC acknowledges that the other regulators (ICIBI, IMB) are responsible for observing that RIs are supported in detention and prepared for their removal to Rwanda (legal representation, health and medical, cultural awareness etc). The MC will review weekly any reporting pertaining to detention of RIs during the enhanced period.

Initial Monitoring Phase Upon Relocation to Rwanda (3 months intensive monitoring)

11. The MC acknowledges the importance of agile and immediate monitoring at the commencement of operations under the Agreement to ensure it is being implemented in line with assurances and the welfare and rights of Relocated Individuals are safeguarded.
12. To promptly identify in real time, and subsequently address and respond to any shortcomings and identify areas for improvement, the MC will implement an intensive monitoring and reporting process during the initial three months (this may be extended). In the initial phase, the MC will place particular emphasis on monitoring asylum procedures, asylum case assessments, and any asylum decisions made in this timeframe. The MC will ensure that decisions are objective and based on a legally sound foundation in accordance with international laws and convention.
13. The MC will also oversee the conditions related to the arrival and accommodation of the RIs. In particular, the MC will pay attention to matters of safety, health, and healthcare, as well as the well-being of vulnerable individuals.

14. The MC will closely monitor whether sufficient information is provided to RIs at various stages in the process. This will ensure that RIs understand their rights, opportunities, and obligations.
15. The primary focus during the enhanced phase will be on: (for detailed observation points see guidelines (Annex 1))
- Asylum procedures and quality of decisions
 - Personal safety and security & health care services
 - Accommodation facilities
 - Access to legal advice and representation and interpretation
 - Living conditions
 - Data Management
 - Training & Support

Appeal Monitoring

16. The right to appeal an asylum decision in fact and law is enshrined in the Rwandan laws and regulations and is compatible with international law and obligations.
17. The MC acknowledges the importance of assuring that court procedures are simple and user friendly so as to be of real use to those who seek redressal of their grievances. The procedures should provide for access to legal assistance right from the inception and also facilities to assist with translation, and other procedural matters to make the right to appeal effective and efficient.
18. The MC will closely monitor whether sufficient information is provided to RIs at various stages in the process. This will ensure that RIs understand their rights, opportunities, and obligations.
19. Primary focus on: (for detailed observation points see guidelines (Annex 1))
- Appeal procedures
 - Appeal information
 - Representation

Monitoring tools and methods.

20. The MC will use the established monitoring guidelines (Annex 1) to ensure that the monitoring process is both measurable and methodical, thereby diminishing the risk of missing essential elements.

21. The monitoring will be a flexible and agile process and the MC activities, methods and procedures will be adjusted according to the developments of the project.

Timeline (activities in the initial phase)

22. The MC's initial monitoring activities are scheduled daily for enhanced monitoring phase over the first three months (Annex 2). During the initial phase, a series of meetings with relevant authorities, organisations, and individuals are planned. The meetings, timing, and location will be confirmed and agreed upon in advance.
23. The MC will be allocated transportation and working space in both the UK and Rwanda, which will allow the Committee to operate independently and autonomously.

Monitoring teams (and justification for initial enhanced phase of monitoring)

24. In accordance with the Agreement, there will be an enhanced intense initial monitoring period for a minimum period of three months (from the date removal decisions commence in the United Kingdom), where monitoring shall take place daily, to ensure rapid identification and response to any shortcomings. This will encompass both pre-departure and post-arrival monitoring.
25. For the enhanced phase, a minimum of two MC members, will actively be engaged in the monitoring.
26. This enhanced phase will be reviewed by the MC members prior to the end of the three-month period with a view to extend the phase in three month intervals, up to twelve months, if required. The principle of the enhanced phase is to ensure that the first RIs going through the end-to-end process are fully covered by monitoring activities.
27. Each month, within the twelve months post the initial enhanced monitoring phase, members (minimum one member) of the UK MC will conduct a monitoring and evaluation mission to Rwanda. The MC will assess activities and effectiveness while upholding a direct and productive collaboration among the involved partners.
28. It will continue to monitor compliance with the Agreement for the entire relocation process from the beginning, and the conditions it will report on will include the initial screening, reception conditions, accommodation, processing of asylum claims, humanitarian protection or grant of permanent residence and treatment and support of RIs at all times, including after final determination of status and for

up to 5 years after relocation in line with the duration of integration support provided for those who chose to remain in Rwanda.

Support Team

29. The support team should consist of specialised professionals with diverse backgrounds to ensure comprehensive monitoring across all areas are conducted. The team members should have general understanding of the rights applicable to asylum seekers and refugees, and they should have knowledge of/experience in monitoring and working with international standards. They will be directly tasked by the MC to deliver requirements of this monitoring plan as agreed by the MC.
30. It would be expected that the ST would comprise of individuals with a range of appropriate levels of expertise in the following fields:
- Legal:
 - Social and health
 - Accommodation:
 - IT/Data Security:
 - Complaint handling:

Enhanced Monitoring Phase

31. The MC will ensure that there is a daily presence of the Support Team on the ground through this first enhanced phase. For the enhanced phase, a minimum of two MC members, will actively be engaged in the monitoring.

Continued monitoring plan

32. The Support Team (ST) may support the MC, under explicit direction of the MC, with the daily on-site monitoring. In the wake of the initial enhanced phase, the MC would draw up a blueprint for daily on-site monitoring and reporting by the support team, who will act as the eyes and ears of the MC. The ST shall follow a quarterly monitoring plan which will be developed by the MC (although the ST may evolve their activity plan monthly in consultation with the MC). The MC will seek and obtain information from the ST as and when considered necessary.

Monitoring tools and methods

33. The ST will use the monitoring guidelines and specific subject related checklists. The guidelines will ensure a systematic and consistent monitoring which is measurable quantitative and qualitative. The ST's monitoring activities are flexible and will adjust according to the development and specific situation on the ground. In instances the ST encounters challenges or are obstructed in monitoring activities, they shall immediately inform the MC.

Reporting mechanisms

34. *Government of Rwanda Coordination Unit (CU)/MC meetings:* During the initial enhanced phase, the MC and CU representatives will arrange weekly meetings to assess status of progress and activities. The meetings will give opportunity for the MC/CU to discuss observations, individual cases and share ideas for improvement.
35. *Internal MC meetings:* The weekly meetings will allow the MC members to independently discuss observations, specific incidents, and appropriate action. To ensure workflow, transparency and accountability minutes will be taken.
36. *Situation reports:* the MC will prepare and submit weekly situation reports for the JC with updates on current activities and developments during the enhanced monitoring phase. The situations reports will address all issues the MC considers relevant, including suggestions and advice.
37. Hereafter the MC will submit monthly situation reports to the JC for the first year of operation.
38. *Quarterly reporting:* As stated in the MC Terms of Reference the MC will produce a formal written report for the JC on a quarterly basis over the first 2 years, setting out its findings and making any recommendations.
39. For the purposes of transparency, following notification to the JC, the MC will publish reports as it sees fit on its findings, but at least once a year it will produce a summary report for publication.
40. **Emergency reporting:** *In emergency or urgent situations the MC will swiftly respond and report to JC co-chairs by telephone. This includes decisions made during the refugee status determination process as well as, more generally, incidents impacting the general health, safety and wellbeing of a Relocated Individual/s, including immediate threat to life and acute safeguarding concerns.*

Annex 1 Monitoring Guidelines

Background and purpose

The monitoring guidelines are established to ensure that the operational monitoring process of the overall arrangement is both quantifiable and systematic, thereby diminishing the risk of missing essential components. The guidelines will be adjusted based on the specific developments of the implementation. The guidelines will ensure effectiveness, accountability, and transparency in various stages of Monitoring Committees work and activities.

Pre-flight Observation Mission

Prior to the transfer of cohort RIs from UK to Rwanda the MC will test and evaluate the guidelines. This will give the opportunity to identify and address possible shortcomings to ascertain its operational efficiency and thereby addressing possible challenges or deficiencies prior to operational implementation.

Monitoring of Pre-departure activities

Objective: *to observe operational procedures and steps prior to departure are compliant with international law and conventions.*

- Indicators: A signed/approved removal decision.
- Indicators: Special needs and medical conditions of RI's are accurately captured.
- Indicators: All other biodata is correctly captured.
- Indicators: Relevant personal documents are to be transferred with the RI
- Verification: Review inadmissibility decision to assure decision making process has been followed.
- Verification: Review UK initial screening information
- Verification: Review if the screening and decision is correctly captured,
- Verification: Confirm all documentation is included.

Handover Report

Objective: *To ensure that a complete handover report is established prior to the transfer of RI's*

- Indicator: Data privacy and security to protect individuals' sensitive information are respected.
- Indicator: A complete handover report is prepared.
- Indicator: UK data is transferred and recorded correctly in the MEDP Coordination Unit/DGIE system.
- Verification: Review handover report

The transfer of RI's from UK to Rwanda

Objective: *To ensure that transfers are conducted in accordance with international law and conventions governing the transfer of individuals between states.*

- Indicator: Transfers are conducted with a focus on humanity, integrity, and respect for the RI.
- Indicators: Medical staff and security/safety personal are present during the flights.
- Indicators: Any incidents which take place during the flight are recorded and if appropriate shared with the Government of Rwanda flight representative.
- Indicators: Interpreters speaking required languages are present at flights.
- Verification: Physical monitoring of the transfer process.
- Verification: Review operational plan (SOPs).

Arrival in Kigali & transport to accommodation

Objective: *to monitor arrivals of RIs at the airport & transport to the accommodation facilities (Hope Hostel) is well organised.*

- Indicator: Movement plan is established (from airport to accommodation facilities).
- Indicator: RIs are properly informed.

- Indicator: Logistics e.g., transport, medical staff, other staff are present at arrival.
- Indicator: Vehicles (ambulances, and buses) are ready.
- Verification: Review movement plan,
- Verification: Observe first arrivals.

Monitoring of accommodation facilities

Objective: *To oversee that accommodation facilities, adhere to international and national laws as well as best practices, ensuring the safety, dignity, and well-being of RI.*

Safety and Security

- Indicator: Operational emergency plans are established, including clear guidelines for action and collaboration with local authorities (hospitals, fire department and law enforcement).
- Indicator: Limited and controlled access to premises, only authorised individuals can enter the accommodation facilities.
- Indicator: Premises have either entrance gates, key card systems, or security personnel.
- Indicator: Staff has been trained in handling security issues, conflict resolution, and emergency situations.
- Indicator: CCTV cameras and security systems to monitor areas within premises areas.
- Indicator: Lockable doors and windows to ensure personal and RIs safety and privacy.
- Indicator: Adequate lighting at the accommodation premises.
- Verification: Review SOPs and emergency plans,
- Verification: Visit accommodation facilities

- Verification: Meet responsible managers.

Living Space

- Indicator: Sufficient living space to ensure reasonable comfort and privacy.
- Indicator: Separate sleeping areas for families and single individuals.
- Indicator: Regular cleaning and maintenance of shared areas and facilities.
- Indicator: Separate facilities for bathing and toileting.
- Indicator: Health and hygiene conditions meet international standards and best practices.
- Indicator: Access to communication facilities, including phones and internet.
- Indicator: Opportunities for recreational activities and social interaction.
- Verification: Visit accommodation facilities.
- Verification: Review SOPs
- Verification: Interview daily supervisors/site managers.
- Verification: Interview RIs if possible

Healthcare services

- Indicator: Operational emergency and health care procedures are established.
- Indicator: Access to medical and psychological support.
- Indicator: Basic medical facilities and staff are always available at accommodation sites.
- Verification: Review emergency and health care SOP's.
- Verification: Visit/see medical facilities at site.
- Verification meet/interview medical staff.

General monitoring at accommodation

- Indicator: Contact information on legal support is accessible.
- Indicator: Accommodation facilities are accessible for private visitors, including legal representatives, local NGOs, and UN organisations.
- Indicator: Established complaints system/ special hours where RI's can raise and discuss issues with staff.
- Indicator: Access to qualified interpreters
- Indicator: Information leaflets, house rules are translated in relevant languages.
- Indicator: Consideration of cultural and religious practices in accommodation arrangements.
- Indicator: RIs are provided with three meals per day.
- Indicator: Food is varied and meet adequate nutritional standards.
- Indicator: Food is considering health-related dietary requirements.
- Indicator: Food meet cultural or religious needs.
- Indicator: Provision for additional food or additional food allowance.
- Indicator: Access to communication PC, sim cards, and internet.
- Indicator: Accommodation facilities are accessible to individuals with disabilities.
- Indicator: Cash allowance, access to bank/debit cards.
- Verification: Review SOP's.
- Verification: Review house rules.
- Verification: Visit accommodation facilities.
- Verification: Review information/orientation material.
- Verification: Interview site management/daily supervisors

- Verification: Meet security personnel, social workers, medical staff, interpreters.
- Verification: Interview RI's (if possible)
- Verification: Meet NGOs (local organisations engaged in support and integration of RIs).

Case Management System

Objective: *To monitor and ensure a functioning case management system is established.*

- Indicator: A case management system capable to assess progress of individual cases, from arrival, registration to final decision and resettlement post final decision is established and operational.
- Indicator: The system can upload, store, and manage personal documents, such as medical documents, information on vulnerabilities, legal paperwork and supporting evidence.
- Indicator: Dates/time for appointments; registration, interviews are captured.
- Indicator: RIs situation in Rwanda post status decision can be ascertained
- Verification: Review and test case management system.
- Verification: Meetings with GoR and CU.
- Verification: Review reports and analytics on caseloads/case flow, and outcomes, timelines, and deadlines.
- Verification: Meeting with relevant staff.
- Verification: IT consultant.

Registration of Relocated Individuals

Objective: *To confirm the accurate registration and collection of data and ensure adherence data policies are followed.*

- Indicator: SOP's on GoR registration procedures.

- Indicator: UK Data is captured by GoR.
- Indicator: Data privacy and security to protect RI's information is respected.
- Indicator: The physical premises (office spaces) meet required standards.
- Indicator: Interpreter is present, RI and interpreter understand each other.
- Indicator: RI's are informed about the purpose of the registration.
- Indicator: RI's are informed about confidentiality and the protection of personal information.
- Indicator: Special needs and vulnerabilities are identified and captured.
- Indicator: Registration data is confirmed by the RI at the end of the registration interview.
- Indicator: RI is informed about following procedures.
- Indicator: Registration information is referred onward according to applicable procedures.
- Verification: Visit registration site.
- Verification: Review registration IT system.
- Verification: Interview registration staff
- Verification: Interview registration managers.

Initial case handling First Instance Body

Objective: *To monitor the overall process and procedures of the First Instance Body*

- Indicator: First Instance Body members have been appropriately trained
- Indicator: Procedural SOP's are established.
- Indicator: RI has been given opportunity to make a written application and provide evidence in support.
- Indicator: RI has been given the opportunity to attend an interview.
- Indicator: Interview guidelines or/and interview templates are in place.

- Indicator: Sufficient qualified interviewing First Instance Body staff are operational.
- Indicator: Interviews are consistent and follows a structure.
- Indicator: First Instance Body is familiar with data privacy and security handling of personal information.
- Indicator: Appropriate physical facilities are in place.
- Indicator: Interpreter is present. RI and interpreter understand each other.
- Indicator: RI is informed about the purpose of the interview.
- Indicator: RIs are informed about the confidentiality and respect of their personal information.
- Indicator. Special needs and vulnerabilities are identified.
- Indicator: At the end of the interview, it is interpreted and verbally communicated to the RI.
- Indicator: Interview is verified, and RI has opportunity to comment on the interview.
- Indicator: All comments are recorded in the interview.
- Indicator: RI is informed about the next steps/ further procedures.
- Indicator: The RI receives a copy of the interview upon written request.
- Verification: Review template/guideline
- Verification: Review interview summaries
- Verification: Meet First Instance Body members
- Verification: Meet management.
- Verification: Meet trainers.
- Verification: Observe Interviews with consent of RI
- Verification: Review interview summaries

Case Assessment & Decision.

- Indicator: The First Instance Body is considering all information relevant to the claim.
- Indicator: RI's claims is objectively and individually examined.
- Indicator: The First Instance Body considers information provided by vulnerable individuals.
- Indicator: All RI's personal experiences, threats, and relevant documentation are assessed.
- Indicator: The First Instance Body is familiar with using country information to evaluate the political, social, and human rights situations in the applicant's home country.
- Indicator: The First Instance Body is familiar with assessing various evidence presented by the applicant.
- Indicator: The First Instance Body is competent to assess credibility of the RI's statements and testimony.
- Indicator: Decisions are consistent, in writing and following a standard template.
- Indicator: Decisions provide a thorough rationale that covers all the issues raised by the RI, which include personal experiences, specific threats, and other incidents mentioned in their asylum application.
- Indicator. Decisions refer to the relevant laws and conventions.
- Indicator: The type of protection status is stated (e.g., refugee status or humanitarian protection).
- Indicator: Decisions give reasons for the legal and practical consequences of granting or denying asylum
- Indicator: Decisions include information on right to appeal, and deadline for filing an appeal.
- Indicator: RI's are informed of the decision, in writing and the decision translated in a language they understand.

- Indicator: Decisions are submitted to the RI within a reasonable time, according to domestic procedures, laws, and best practices.
- Indicator: Seconded independent expert is present and accessible for First Instance Body
- Verification: Meet First Instance Body members.
- Verification: Review decisions.
- Verification: Review training records.
- Verification: Meet trainers.
- Verification: Meet seconded independent expert

Appeal Body

Objective: *To ensure the legality of determinations at lower instances, thereby ensuring that RI's final decisions comply with international legal principles and conventions.*

- Indicator: The right to appeal is enshrined in the Rwandan laws and regulations and are clear and transparent.
- Indicator: Information on the appeal process is clearly outlined in rejection decisions / revocation decisions.
- Indicator: Judges on the appeal panel have received relevant training.
- Indicator: The appeal panel conducts a full re-examination of the RIs claim in fact and law.
- Indicator: The RI is invited to make oral submissions if they so wish.
- Indicator: Interpreter is available.
- Indicator: The decisions are reasoned and these should be made available to the appellant.
- Indicator: The independent expert opinion is published
- Indicator: Hearings are transcribed or electronically recorded.
- Indicator: Deadlines are clear and contact information on Rwanda Bar Association could be included.

- Indicator: The appeal process and procedures comply with international human rights laws and relevant conventions.
- Indicator: The RI have the right to legal representation and the system of free legal aid should be a part of the procedures and explained to the RI.
- Verification: Review legislation.
- Verification: Review appeal information.
- Verification: Observe Court hearings.
- Verification: Feedback from judiciary.
- Verification: Meet independent expert.

Legal Representation

Objective: *To oversee that RIs are provided with adequate legal representation at no cost in accordance with international law and convention*

- Indicator: RIs has access to legal advice or other counsel from any non-governmental or multilateral organisation, at any stage of the asylum application process, at their own expense including from an organisation providing that support free of charge as stated in the Agreement.
- Indicator: RIs are appropriately and timely informed on their rights to legal representation.
- Indicator: RI has contact information on Rwanda Bar Association or/and contact to other lawyers, organisation which are able to assist the RI with legal issues. The procedures can draw upon any legal aid programmes in place in Rwanda.
- Verification: The right to legal representation is established in law and is standard in the asylum procedures.
- Verification: Review national legislation.
- Verification: Review asylum procedures.
- Verification: Meet officials (MINEMA, MINIJUST).
- Verification: Meet Rwandan Bar Association. Interview RIs, Meet UNHCR, LAF.

Medical facilities and support for vulnerable Individuals:

Objective: *To ensure RIs has free access to adequate and professional medical and health care, which are at least of standard to Rwandan nationals.*

- Indicator: Detailed operational medical and health plans are established.
- Indicator: Sufficient medical professionals, doctors, nurses, psychologist, and support staff are available.
- Indicator: RI are not charged a fee for access to any necessary health services.
- Indicator: RI has access to emergency inpatient services, including major surgery
- Indicator: RI has access to outpatient services.
- Indicator: RI has access to vaccinations.
- Indicator: RI has access to mental health services.
- Indicator: RI has access to dental care.
- Indicator: Access to pharmacies and prescribed drugs.
- Verification: Review SOP.
- Verification: Review medical operational plans
- Verification: Visit medical facilities which the MEDP Coordination Unit have MoUs with (local hospitals, clinics, dentist).
- Verification: Meet UN organisations, NGOs.
- Verification: Meet/interview RI's if possible.

Training and support

Objective: *To ensure that officials and employees engaged in the asylum decision process have been sufficiently trained.*

- Indicator: Training program and curriculums are established.

- Indicator: Training curriculums specifically address all relevant issues on the Refugee Status Determination process.
- Indicator: Training is specifically directed toward the officials and judiciary participating in the processes and the departments engaged in the asylum decision procedures.
- Indicator: Training is structured, thoughtfully arranged, and sufficient time has been allocated.
- Indicator: Appropriate number of employees/officials has been trained.
- Indicator: The trainers are qualified experts with experience in training staff.
- Indicator: A plan for ongoing or follow-up training on key concepts is scheduled.
- Indicator: Assessments and methods have been established to verify staff comprehension of key training elements.
- Verification: Review training curriculum/materials.
- Verification: Meet trainers.
- Verification: Meet trained employees/officials.

Complaints mechanism

Objective: *To ensure RIs have access to lodge complaints, and complaints will accurately be recorded, resolved, and updated with details on outcome.*

- Indicator: An efficient complaint mechanism covering on all matters in the end-to-end process is established and operational.
- Indicator: RI's are aware of their rights to complain and to who/where to lodge complaints.
- Indicator: Complaints are received, reported, and addressed timely.
- Indicator: All complaints are recorded by the Parties or MC if complaint lodged directly to MC.
- Indicator: Complaints can be lodged by legal representatives.

- Indicator: RI's complaints are professionally addressed with respect and understanding.
- Indicator: Priority systems for emergency and serious complaints is established.
- Verification: Review/test complaint mechanism is operational.
- Verification: The MC assess 25 percent of all complaints during the first quarter.
- Verification: The MC assess all serious complaints during the enhanced phase of monitoring.
- Verification: All complaints received directly by the MC are investigated and responded to.
- Verification: The ST record all complaints, including description of actions taken and report in sitreps submitted to the MC.

Data Management:

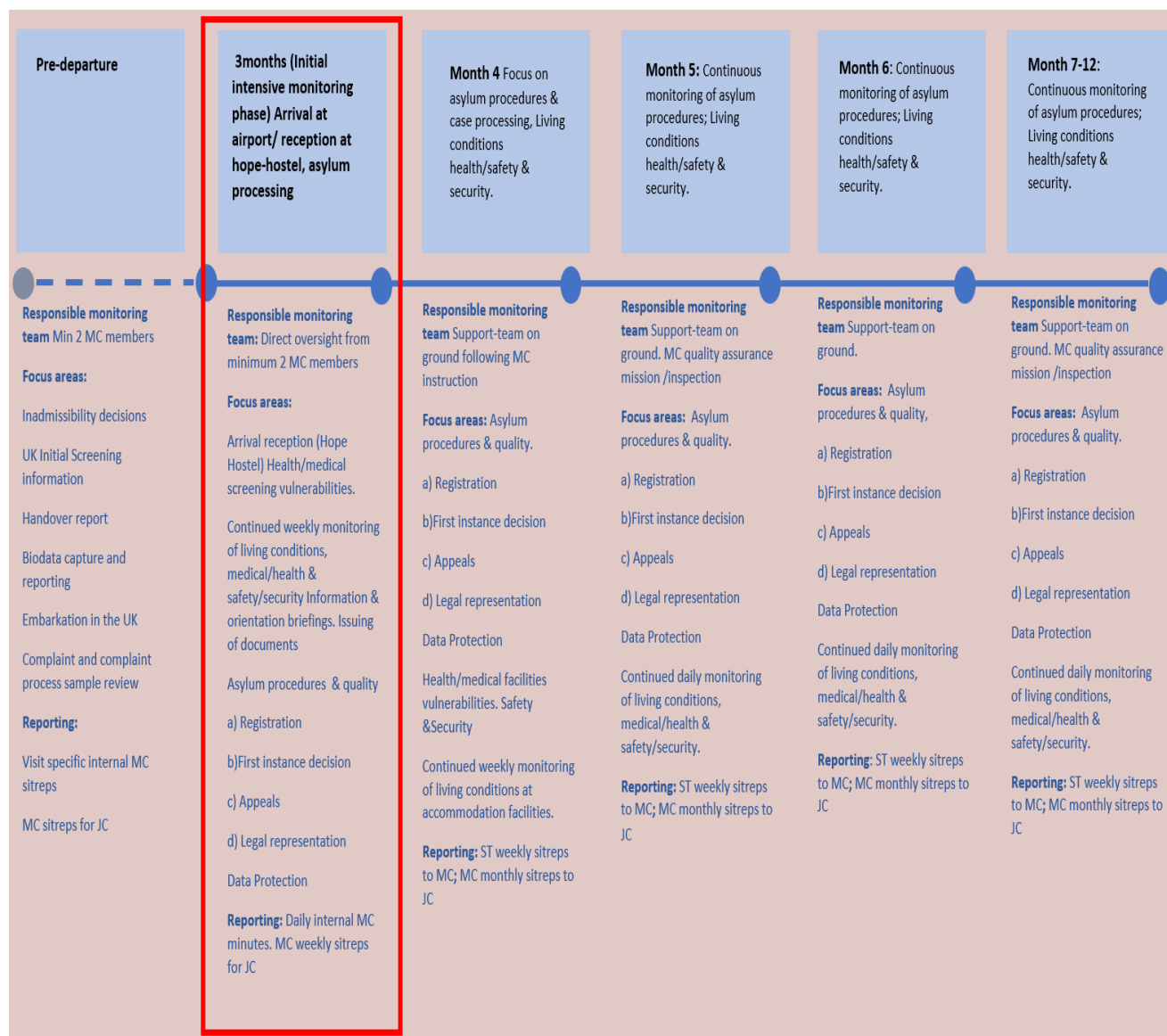
Objective: *To ensure that data handling complies with national and international regulations for data management and protection, as captured in the data protection agreement between the United Kingdom and Government of Rwanda.*

- Indicator: Compliance with Annex C of the Agreement is observed in data handling and data sharing procedures.
- Indicator: RI's are informed at all stages of the purpose of obtaining their data.
- Indicator: RI's are provided with information about their rights concerning their personal data.
- Indicator: Private data handling rules are included in relevant documents.
- Indicator: A responsible data protection officer is appointed.
- Indicator: all staff/officials authorised to have access to are appropriately trained according to the Agreement (Annex C).
- Indicator: Data ownership and responsibilities are well-defined.
- Indicator: Security classification and restrictions, conditions or special handling instructions are adequately marked on all information shared.

- Indicator: Clear documentation of data sources, sharing processes, and usage policies.
- Indicator: Data monitoring and auditing mechanisms are established to track access, uses, and modification of data.
- Indicator: IT systems has an efficient intrusion prevention system established.
- Verification: Ongoing IT expert evaluation of the systems.
- Verification: Meet with IT managers/relevant staff to ensure they are familiar with data regulations.
- Verification: Ensure all (SOP's) includes information and consider data handling.
- Verification: The MC will pay special attention to Annex C of the Agreement

DRAFT

Annex 2 Timeline and Summary of Activities



Annex 3 MEDP Monitoring Committee Terms of Reference

Type / nature: an advisory, independent committee.

Purpose

The Monitoring Committee (MC) will be responsible for monitoring the end-to-end relocation of individuals from the UK to Rwanda.

It will provide an independent assessment of compliance with the obligations set out in the Agreement between the government of the United Kingdom of Great Britain and Northern Ireland and the government of the Republic of Rwanda (“the Parties”) for the Provision of an Asylum Partnership to strengthen shared international commitments on the protection of refugees and migrants (“the Agreement”) and the Notes Verbales relating to Operations and Facilitating access to UK based lawyers and courts.

It will also have a key role in advising the Joint Committee (JC) if there are any issues with compliance as well as on steps considered necessary to take to resolve any issues.

The role of the MC shall continue throughout the term of the Agreement, and any extension.

Detail

The MC will be responsible for monitoring the entire end-to-end relocation process from within the United Kingdom and then in Rwanda:

- monitoring compliance with the assurances given in the Agreement and associated Notes Verbales
- reporting the JC on its findings as to, for example, the Parties’ implementation of the obligations in the Agreement, reception conditions, accommodation, processing of asylum claims, treatment and support of Relocated Individuals at all times whilst they remain in Rwanda
- it may publish its reports following notification to the JC
- it is expected to report any significant issues to the JC straight away
- it may provide advice / recommendations to the JC on actions which should be taken to address identified issues
- monitoring complaints handling by the Parties
- developing its own complaints system to allow Relocated Individuals and their legal advisors to make confidential complaints regarding any alleged failure to comply with the obligations in the Agreement (including as to treatment of a

- Relocated Individual) or any element of the processing of their asylum claim in accordance with the Agreement
- the complaints system should work in tandem with existing complaints mechanisms and is not intended duplicate them

And in so doing the Monitoring Committee will be responsible for putting in place real-time enhanced monitoring and reporting for the first three months of the operation of the Agreement. Although this may be extended.

This enhanced phase will ensure that monitoring and reporting takes place in real time so that the MC can rapidly identify, address and respond to any shortcomings or failures to comply with the obligations in the Agreement and identify areas for improvement or urgently escalate issues, prior to any shortcomings or breaches placing a Relocated Individual at real risk of harm. This will include reporting to the JC co-chairs within 24 hours in emergency or urgent situations.

Authority

The MC is formed under Article 15 of the Agreement.

In accordance with Articles 14 and 15 of the Treaty, the MC has unfettered access for the purposes of completing their assessments and reports. This includes the ability to make unannounced visits to accommodation, asylum processing centres and any other locations where documents or information relating to Relocated Individuals, or their claims and appeals is held. The MC will also be able to sit in on interviews by the First Instance Body with the express consent of the individual being interviewed. The MC will also be able to observe hearings before the Appeal Body.

In conducting its duties, the Monitoring Committee shall respect the Parties' domestic laws, including data protection laws.

Membership

In accordance with Article 15 of the Agreement, the MC will be comprised of persons independent of the Parties.

For the purpose of establishing the Committee's initial membership, the Parties will each propose four persons to become committee members. These nominations will be considered and agreed by the co-chairs of the JC.

Monitoring Process

In accordance with Article 15 of the Agreement, the MC will report upon the Parties' compliance with the obligations set out in the Agreement and the commitments in the Notes Verbales.

It will monitor the entire relocation process from the beginning, and the conditions it will report on will include the initial screening, reception conditions, accommodation,

processing of asylum claims, humanitarian protection or grant of permanent residence, as per Article 10 of the Agreement, and treatment and support of RIs at all times, including after final determination of status and for up to 5 years after relocation in line with the duration of integration support provided for those who chose to remain in Rwanda

The MC will carry out its monitoring function largely gathering information through field visits either by members of the MC or by a supporting team acting under the sole direction of the MC.

In accordance with Articles 14 and 15 of the Treaty, the MC will have unfettered access for the purposes of completing assessments and reports.

The MC, or the supporting I team, will be facilitated upon request to access documents and information relevant to the RIs' or their claims.

The details of the information gathering work will be set out in an annual monitoring plan to be agreed with the JC, but as a minimum will assess the Parties' compliance with the assurances in the Agreement and commitments in the Notes Verbales in accordance with the paragraphs above. The JC will agree and set out minimum levels of assurance.

Enhanced Monitoring Phase

The Monitoring Committee will ensure the following minimum levels of assurance during the duration of the enhanced monitoring phase:

- 2 visits to the UK to see the selection process
- observing 2 boarding and 2 disembarkations
- observing 3 induction sessions
- weekly visits to accommodation and reception centres
- monthly visits to health facilities and education
- observing education and language training sessions
- observing interviews
- observing appeal hearings
- reviewing the process and paperwork for all individuals relocated to Rwanda in this phase
- monitoring the status of people relocated to Rwanda (captured through the quarterly reporting process and visits to resettlement areas)
- review a sample of 25% complaints (including all serious incidents)
- investigating all complaints received directly
- interviewing on a voluntary basis a sample of 1 in 10 RIs at various stages of the process

At the end of the enhanced monitoring period, as decided upon review, the MC will continue to monitor compliance with the obligations as below.

General Monitoring

Indicative minimum levels of assurance per year:

- 3 visits to the UK to see the selection process
- observing 3 boardings and 3 disembarkations
- observing 5 induction sessions
- 15 visits to accommodation and reception centres
- 6 visits to health facilities and education
- observing education and language training sessions
- observing interviews
- observing appeal hearings
- reviewing the process and paperwork for 25% of individuals relocated to Rwanda
- monitoring the status of people relocated to Rwanda (captured through the quarterly reporting process and visits to resettlement areas)
- review a sample (10%) of complaints (including a sample of serious incidents)
- investigating all complaints received directly
- interviewing on a voluntary basis a sample of 1 in 10 RIs at various stages of the process (this cohort would expand over time)

Meeting arrangements

The full MC will normally meet formally at least twice a year, but at least four times in the first year that it is established.

During the period of enhanced monitoring the MC will meet in accordance with an agreed action plan to include weekly meetings as required.

Deliverables

The MC will highlight any areas of concern to the co-chairs of the JC within 24 hours in emergency or urgent situations.

During the period of enhanced monitoring the MC will report to the JC in accordance with an agreed action plan to include weekly and bi-weekly reporting as required.

It will otherwise produce formal written report for the JC on a quarterly basis over the first 2 years of the partnership setting out its findings and making any recommendations.

Following notification to the JC, the MC may publish reports as it sees fit on its findings, but at least once a year it will produce a summary report for publication.

Resources and budget

The partnership will allocate to the MC an annual budget.

The MC will have a supporting team appointed to work under the sole direction of the MC.

The support team will not comprise any individuals who are employees of the governments of the United Kingdom or Rwanda.

The support team will be appointed by and work solely for and under the direction of the MC in conducting its role. It is anticipated that the support team may assist the MC with:

- data and information collection and collation
- fieldwork visits – for example, in observing interviews etc
- interviewing RIs
- reviewing samples of complaints made by RIs within the end-to-end process
- receiving and investigating complaints directly from RIs to the MC under its dedicated complaints process
- preparing situation reports to the MC

The support team will also be expected to provide a secretariat function to the MC.

The MC will be fully responsible for the analysis and any findings or recommendations made to the JC.

Review

Under Article 15 of Agreement the MC sets its own terms of reference. It will therefore review the TORs every year. Any amendments to the TORs will require agreement by a majority of the MC members.

The JC will review the MC's TORs on an annual basis and will consider whether additional TORs are required (in accordance with Article 16(5) of the Agreement).

Alongside this, there will be joint assessment by the Joint and Monitoring Committee of whether the TORs have been properly met.

Annex 4 Glossary

CFMT	Charter Flight Monitoring Team
CU	Co-ordination Unit
GoR	Government of Rwanda
ICIBI	Chief Inspector of Borders and Immigration
IMB	Independent Monitoring Body
JC	Joint Committee
LAF	Legal Aid Forum
MC	Monitoring Committee
MEDP	Migration and Economic Development Partnership
MINEMA	Ministry in Charge of Emergency Management
MINIJUST	Ministry of Justice
MoU	Memorandum of Understanding
NGO	Non-Governmental Organisation
NV	Note Verbales
RI	Relocated Individual
SOP	Standard Operating Procedures
ST	Support Team
ToR	Terms of Reference
UK	United Kingdom
UNHCR	United Nations Refugee Agency