



Home Office

Country Information Note

Rwanda: Asylum system

Version 2.1

January 2024

Contents

Country information on Rwanda’s asylum system	5
1. About this note.....	5
2. Glossary	5
3. Refugee demographics.....	6
3.1 Persons seeking refuge in Rwanda.....	6
3.2 Rwandan refugees returning to Rwanda.....	7
3.3 Emergency Transit Mechanism (ETM).....	8
4. Asylum/refugee law	8
5. Government position on refugees and asylum seekers.....	12
5.1 Government agencies	12
5.2 GoR Commitments.....	12
5.3 Partnerships	13
6. Asylum process	16
6.1 Main stages.....	16
6.2 Timelines.....	17
6.3 Complaints about delays or timeframes not being met.....	19
6.4 Initial contact and registration of asylum claim	19
7. The Refugee Status Determination Committee (RSDC).....	24
7.1 Membership of the RSDC.....	24
7.2 Function of the RSDC	25
7.3 Decision-making process	25
7.4 Capacity	28
7.5 Capability.....	29
8. Information and assistance in the asylum process	31
8.1 Data handling	31
8.2 Information provided to asylum seekers.....	32
8.3 Safeguarding.....	34
8.4 Legal representation.....	36
8.5 Use of interpreters/translators	40
9. Notification of decisions and appeals.....	43
9.1 Notification of decisions.....	43
9.2 Ineligibility / revocation of refugee status.....	45
9.3 Challenging a negative decision.....	46
10. Documentation for asylum seekers and refugees.....	50
11. Recognition and appeal rates	53

11.1 RSDC cases	53
11.2 'Middle Eastern' cases	55
11.3 LGBTI cases.....	56
11.4 Appeal outcomes.....	57
12. Alternative routes to remain in Rwanda.....	58
13. Immigration detention and deportation	60
14. Refoulement	62
15. Transfer of asylum seekers from Israel.....	66
15.1 Background to the Israel agreement	66
15.2 Details of arrangement	67
15.3 Cessation of arrangement	70
15.4 Numbers and characteristics of transferees	71
15.5 Departure from Israel	73
15.6 Reasons for leaving Israel.....	74
15.7 Status and experience in third country	75
15.8 Follow-up of transferees in third country	79
16. Accommodation for asylum seekers and refugees	83
16.1 Asylum seekers	83
16.2 Camp-based refugees	83
16.3 Urban refugees.....	84
16.4 Emergency Transit Mechanism (ETM)	85
17. Accommodation for persons relocated from the UK	87
17.1 Long-term accommodation.....	87
17.2 Kinigi Integrated Development Program Model Village	87
17.3 Karama model village	87
17.4 Gahanga housing project	88
17.5 Temporary accommodation.....	88
18. Refugee rights: access to public services, support and employment.....	89
18.1 Concerns or complaints about support provisions.....	89
18.2 Humanitarian and financial assistance	90
18.3 Education	91
18.4 Health	91
18.5 Right to work	94
18.6 Justice and protection	99
18.7 Freedom of movement within the country.....	102
18.8 Freedom to travel out of, and return to, Rwanda	103

18.9 Citizenship.....	104
Research methodology.....	105
Bibliography	106
Sources cited	106
Sources consulted but not cited.....	114
Version control and feedback	117
Feedback to the Home Office	117
Independent Advisory Group on Country Information.....	117

Country information on Rwanda's asylum system

Section updated: 11 December 2023

1. About this note

- 1.1.1 This Country Information Note (CIN) contains publicly available country information about the asylum system in Rwanda. It has been gathered, collated and analysed in line with the [Research methodology](#).
- 1.1.2 The CIN forms part of the evidence base for the Home Office's assessment of whether Rwanda can be considered safe for persons relocated from the UK (Relocated Individuals).
- 1.1.3 The CIN should be read together with:
- [Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Rwanda for the provision of an asylum partnership to strengthen shared international commitments on the protection of refugees and migrants \(the Treaty\)](#)
 - [Safety of Rwanda \(Asylum and Immigration\) Proposed Draft Bill](#)
 - [Country Information Note – Rwanda: Human rights](#)
 - [Country Information Note – Rwanda: Annex 1 \(Government of Rwanda \(GoR\) evidence\)](#)
 - [Country Information Note – Rwanda: Annex 2 \(UNHCR evidence\)](#)
 - [Country Information Note – Rwanda: Annex 3 \(Other material\)](#)

[Back to Contents](#)

Section updated: 11 December 2023

2. Glossary

2.1.1 Common acronyms or terms used in this CIN are set out below.

AAA	The case of 'R (AAA) and others v SSHD' heard in the Administrative Court and on appeal to the Court of Appeal and Supreme Court
DGIE	(Rwandan) Directorate General of Immigration and Emigration
DRC	Democratic Republic of Congo
ETM	Emergency Transit Mechanism
GoR	Government of Rwanda
LAF	Legal Aid Forum
LGBTI	Lesbian, Gay, Bisexual, Trans and Intersex (persons)
MEDP	Migration and Economic Development Partnership

MINEMA	(Rwandan) Ministry in Charge of Emergency Management
NCHR	(Rwandan) National Commission for Human Rights
NGO	Non-Governmental Organisation
RSD	Refugee Status Determination (process/procedure)
RSDC	(Rwandan) Refugee Status Determination Committee
SOPs	Standard Operating Procedures
UKHO	United Kingdom Home Office
UNDP	United Nations Development Program
UNHCR	United Nations High Commission for Refugees
UPR	Universal Periodic Review

[Back to Contents](#)

Section updated: 11 December 2023

3. Refugee demographics

3.1 Persons seeking refuge in Rwanda

- 3.1.1 UNHCR's July 2020 submission to the UN's Universal Periodic Review (UPR) of Rwanda stated: 'Since the 1990s, Rwanda has maintained an open door policy towards refugee influxes from the neighbouring countries.'¹
- 3.1.2 As of 30 September 2023, the UNHCR reported that the total 'population of concern' – including asylum seekers and refugees – was 134,749 consisting of 62.2% from the Democratic Republic of Congo (DRC), 37.2% from Burundi, 0.2% from Eritrea and 0.3% 'Other'. Children (from birth to age 17) made up 49.1% of the population².
- 3.1.3 Many of the refugees from the DRC arrived during the 1990s as a result of conflicts in the Great Lakes Region. Burundian refugees began arriving in 2015 when the country's political situation deteriorated. Voluntary repatriation of Burundian refugees began in August 2020, with 30,000 Burundians repatriated as of June 2021³.
- 3.1.4 UNHCR noted that the majority are 'prima facie' refugees⁴. In other words, refugee status has been awarded on 'the basis of readily apparent, objective circumstances in the country of origin' which, usually, apply to a group as a whole. This approach is favoured over individual refugee status determination in situations where the assessment of individual claims is impractical or unnecessary, either due to the volume of people seeking refuge or where the similar situation of members of a group is apparent⁵.
- 3.1.5 While Burundian and DRC refugees have historically been granted on a prima facie basis, according to the UNHCR, this approach no longer applies.

¹ UNHCR, '[Submission by the UNHCR for the Office of the High ...](#)' (page 2), July 2020

² UNHCR, '[Operational data portal: Rwanda](#)', 31 October 2023

³ UNHCR, '[Mapping thematic area-wise data for Rwanda](#)' (page 3), 30 June 2022

⁴ UNHCR, '[Submission by the UNHCR for the Office of the High ...](#)' (page 4), July 2020

⁵ UNHCR, '[Guidelines on International Protection ...](#)' (page 2), 24 June 2015

In a submission made by UNHCR in its role as Intervener in the case of AAA, the second witness statement of Lawrence Bottinick – a UNHCR representative in the UK – dated 26 June 2022, noted: ‘Since August 2020, the Government of Rwanda has made no further grants of prima facie status.’⁶

3.1.6 A January 2023 UNHCR report noted: ‘Most refugees currently living in Rwanda were previously registered on a prima facie basis. All new asylum-seekers, regardless of country of origin, now go through Refugee Status Determination (RSD) by the [Government of Rwanda] GoR.’⁷

3.1.7 As of 31 October 2023, UNHCR reported ‘Out of the total refugee population 91 per cent live across the five refugee camps of Kigeme, Kiziba, Mugombwa, Nyabiheke and Mahama as well as the Emergency Transit Mechanism (ETM).’ The rest of the refugee population reside in Kigali (Urban area), Nkamira (Transit centre) and Nyamata (Urban area)⁸.

See sections [Camp-based refugees](#) and [Urban refugees](#)

3.1.8 A UNHCR snapshot dated 31 December 2021, indicated that the majority of urban refugees were Burundian (90%), with Congolese constituting 9.3% and other nationalities 0.7%⁹. CPIT could not find a more recent breakdown of the nationalities of urban refugees in the sources consulted (see [Bibliography](#)).

[Back to Contents](#)

3.2 Rwandan refugees returning to Rwanda

3.2.1 According to the 2021 US Department of State (USSD) human rights report, in 2015 the UNHCR recommended the invocation of the ‘ceased circumstances’ clause for Rwandans who had fled the country between 1959 and 1998. As per the Refugee Convention, the cessation clause is applied when there have been durable changes in a refugee’s country of origin, with the result that they no longer have a well-founded fear of persecution. Approximately 3.5 million Rwandans have returned to the country since the late 1990s. The Rwandan government worked with UNHCR and other organisations to assist the returnees, most of whom resettled in their districts of origin¹⁰. The cessation clause was not mentioned in the USSD human rights report covering events in 2022¹¹.

3.2.2 In July 2022, the Rwandan government’s Ministry in Charge of Emergency Management (MINEMA), which amongst other things oversees the management of asylum seekers and refugees, noted: ‘For the last five years, Rwanda received 15,643 [Rwandan] returnees mainly from the DRC and both Governments worked on the readiness to facilitate safe and dignified return in close collaboration with the UNHCR...’¹²

⁶ Annex 2, [‘A8: Second witness statement of Lawrence Bottinick’](#), 26 June 2022

⁷ UNHCR, [‘Rwanda Refugee Response Plan January to December 2023’](#), (page 7), 1 January 2023

⁸ UNHCR, [‘Operational data portal: Rwanda’](#), 31 October 2023

⁹ UNHCR, [‘Rwanda: population statistics, December 2021’](#), no date

¹⁰ USSD, [‘2021 Country reports on human rights practices: Rwanda’](#) (section 2F), 12 April 2022

¹¹ USSD, [‘2022 Country reports on human rights practices: Rwanda’](#), 20 March 2023

¹² MINEMA, [‘More Rwandans have voluntarily returned from the DRC’](#), 7 July 2022

3.3 Emergency Transit Mechanism (ETM)

- 3.3.1 In September 2019, Rwanda signed an agreement with the UNHCR and the African Union to receive refugees and asylum seekers evacuated from Libya¹³. Under the Emergency Transit Mechanism (ETM), the UNHCR conducts refugee status determinations and issues documentation which enables refugees and asylum seekers to access services while they wait for an outcome. Possible outcomes include: resettlement to a third country, return to country of origin, return to a country where asylum had been granted, or local integration in Rwanda¹⁴.
- 3.3.2 During a UK Home Office (UKHO) visit to the ETM Centre at Gashora on 18 January 2022, the centre manager explained that the existing capacity of Gashora was 380 but the plan was to increase capacity to 700¹⁵. An October 2023 UNHCR ETM update recorded 527 asylum seekers at Gashora¹⁶.
- 3.3.3 On the 9 February 2023 the European Union announced a €22 million support package to the UNHCR to operate the ETM until 2026¹⁷.
- 3.3.4 UNHCR's October 2023 ETM factsheet noted that since its inception '... a total of 1,737 have been evacuated from Libya in 14 evacuation flights. They came from 10 countries, including Eritrea, Sudan, South Sudan, Somalia, Ethiopia, Nigeria, Chad, Cameroon, Guinea, and Mali... 1,252 people have departed the ETM, resettled to third countries including Norway, Sweden, Canada, France, Belgium, the Netherlands, Finland, and the USA'¹⁸

Section updated: 11 December 2023

4. Asylum/refugee law

4.1.1 Relevant Conventions signed by Rwanda¹⁹:

International refugee law	Ratification/ Accession
1951 Convention relating to the Status of Refugees (and its 1967 Protocol)	1980
The Organisation of African Unity Convention Governing the Specific Aspects to the Problems of the Refugees in Africa	1979
African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the "Kampala Convention")	2012
1954 Convention relating to the Status of Stateless Persons	2006

¹³ MINEMA, '[Fourth group of refugees and asylum seekers from Libya safely arrived in ...](#)', no date

¹⁴ Altai Consulting, '[EUTF monitoring and learning system HoA 2020 yearly ...](#)' (page 42), June 2021

¹⁵ Annex 3, '[A1. Meeting at Gashora Transit Centre](#)', 18 January 2022

¹⁶ UNHCR, '[Emergency Transit Mechanism: Rwanda](#)', 31 October 2023

¹⁷ UNHCR, '[European Union increases support to... Emergency Transit Mechanism...](#)', 9 Feb 2023

¹⁸ UNHCR, '[Emergency Transit Mechanism: Rwanda](#)', 31 October 2023

¹⁹ UNHCR, '[Submission by the UNHCR for the Office of the High ...](#)' (page 1), July 2020

and the 1961 Convention on the Reduction of Statelessness	
---	--

4.1.2 National asylum/refugee law:

Law	Main points
Constitution of the Republic of Rwanda (2003, amended 2015), Article 28 ²⁰	Recognises the right of refugees to seek asylum
Law No 13 ter/2014 of 21/05/2014 relating to refugees ²¹	Sets out: <ul style="list-style-type: none"> Refugee status determination (RSD) procedures and timelines Refugees' rights and obligations
No 112/03 of 19/06/2015 Prime Minister's Order determining the organisation and functioning of the National Refugee Status Determination Committee (NRSDC) and benefits granted to its members ²²	Sets out: <ul style="list-style-type: none"> Composition and duties of the Refugee Status Determination Committee (RSDC)
Ministerial Instructions No 02/2016 Determining the Management of Refugees and Refugee Camps ²³	Sets out: <ul style="list-style-type: none"> Rules for living in camps Responsibilities of government and stakeholders
No 30/2018 of 02/06/2018 Law determining the jurisdiction of courts ²⁴	Sets out: <ul style="list-style-type: none"> Right of Appeal to High Court

4.1.3 UNHCR's July 2020 submission to the Universal Period Review (UPR) stated:

'The 2014 Law relating to Refugees, is fully compliant with international standards and sufficiently details the [Refugee Status Determination] RSD procedures. The PM [Prime Minister's] Order frames not only the composition of the [National Refugee Status Determination Committee] NRSDC [also known as the RSDC], but also contains provisions outlining access to the asylum procedure. While the legal framework is progressive, its implementation appears challenging in practice.

'The NRSDC's capacity needs to be built, with currently only one eligibility officer assessing all of the cases. UNHCR, despite its observatory role, is

²⁰ GoR, '[Constitution of the Republic of Rwanda revised in 2015](#)', 24 December 2015

²¹ GoR, '[Official Gazette number 26 of 30/06/2014](#)' (pages 71 to 93), 30 June 2014

²² GoR, '[Official Gazette number 26 of 29/06/2015](#)' (pages 3 to 12), 19 June 2015

²³ GoR, '[Ministerial Instructions No. 02/2016 Determining the Management of ...](#)', 1 June 2016

²⁴ GoR, '[Official Gazette No. Special of 02/06/2018](#)' (Article 47), 2 June 2018

often not invited to attend the RSD- reviewing panel discussions. Basis of the RSD decisions, particularly rejection, are not know or properly explained including to the asylum seekers. Furthermore, the practice of appeal decisions being taken by the Minister of MINEMA poses questions as to the independency [sic] of the appeal process and could further result in bottlenecks once a larger number of applications needs to be processed. Moreover, Article 8 of the Law relating to Refugees states that the “local authority to whom the asylum seeker reports shall take him/her to the nearest immigration and emigration office within twelve (12) hours”. The Immigration Authority (DGIE) shall register the asylum seeker, grant temporary residence permit valid for 3 months and then submit the case to the Secretariat of the NRSDC within 15 days. In case the DGIE fails to submit the asylum application within the specified period, the NRSDC can take a decision upon request by the Minister (Article 8(2)) of the PM Order). To date and despite the provisions in the PM Order, the NRSDC has never taken up a case that had not been referred by the immigration service and this despite intense and repeated advocacy by UNHCR at the level of the Minister of MINEMA. Some asylum seekers, i.e. [lesbian, gay, bisexual, trans and intersex] LGBTI asylum seekers, continue to face challenges upon submission of their asylum requests to the immigration service, who verbally rejects their applications. UNHCR is concerned that such practices are subjecting asylum seekers to harsh living conditions as well as placing them at risk of detention and deportation.’²⁵

4.1.4 According to an April 2021 UNHCR report: ‘Rwanda has adhered to all major international conventions and human rights instruments, including the 1951 Convention relating to the Status of Refugees and its Protocols and the 1969 OAU Convention on specific aspects of refugee problems in Africa.’²⁶

4.1.5 However, in UNHCR’s submissions in the case of AAA, the second witness statement of Mr Bottinick, dated 26 June 2022, stated:

‘As concerns Rwandan legislation, UNHCR has already indicated to the Court that, although UNHCR had not identified that gap before the present litigation, it agrees with the Claimants that there is a protection gap in the definition of Refugee Convention Grounds at Article 7(1) of the 2014 law. The definition of political opinion (“political opinion different from the political line of the country of his/ her nationality”) creates a serious protection gap for those risking persecution for reasons of imputed rather than actual political opinion and for those at risk from non-state agents.’²⁷

4.1.6 Mr Bottinick noted further UNHCR concerns about the Rwandan authorities understanding of the applicability of the Refugee Convention:

‘... UNHCR has serious concerns about decisions which indicate that Rwandan decision-makers do not understand the concept of refugees sur place. UNHCR is aware of several cases from 2021-2022 where it was suggested to asylum seekers that they were not “genuine refugees” as they had been able to obtain a visa or make other stay arrangements prior to

²⁵ UNHCR, ‘[Submission by the UNHCR for the Office of the High ...](#)’ (pages 4 to 5), July 2020

²⁶ UNHCR, ‘[Rwanda country refugee response plan January to ...](#)’ (page 10), 19 April 2021

²⁷ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (para 82), 26 June 2022

seeking asylum.

‘There was difficulty for UNHCR staff, in UNHCR’s training for Rwandan decision-makers in late 2021, in explaining to decision-makers the concept of particular social group; this is a complex area of refugee law that inexperienced decision-makers often struggle with.

‘It is unlikely, in UNHCR’s view, that fundamental concepts developed in the particular context of sexual orientation and gender identity and expression claims, such as the right of LGBTIQ+ asylum seekers not to have to hide their identity in order to avoid persecution (per HJ (Iran) v Secretary of State for the Home 2010 1 AC 596) will be understood and applied correctly within an asylum system with little experience or training in such types of claims. These concerns are heightened by the consistent refusal of DGIE to register asylum claims by LGBTIQ+ individuals...

‘UNHCR has similar concerns about analogous protections to those in HJ Iran arising out of religious belief or political opinion (RT (Zimbabwe) v Secretary of State for the Home Department [2013] 1 AC 152). It can be difficult for decision-makers, to understand that an individual can not be denied refugee status on the basis that they could hide a fundamental aspect of their identity protected by the Convention, such as their sexual orientation, gender identity, ethnicity, religion or political opinion.’²⁸

For information on laws and conventions relating to general human rights see [Country Information Note – Rwanda: Human rights](#)

For information on grant/ refusal rates for the RSDC, both in general and in relation to LGBTI claims, see [Recognition and appeal rates](#)

- 4.1.7 In response to written questions submitted by UKHO, the GoR provided details of a 5-day training course delivered between 20 and 24 November 2023. The training was delivered through a collaboration between UKHO technical experts and the Rwandan Institute of Legal Practice and Development (ILPD). The manual used to deliver the training is provided in Annex 3²⁹. The manual includes sections which cover the definition and application of the Refugee Convention, including references to imputed convention grounds, sur place claims and membership of a particular social group. Details of who received the training are included in Annex 1³⁰.
- 4.1.8 In the event the Treaty is ratified, Paragraph 3 of Annex B, Part 2 contains provisions for Rwanda to move to a case worker model when deciding claims. Under this model, for the first 6 months, Rwanda’s decision-making body – the ‘First Instance Body’ – will consider advice from a seconded independent expert prior to making a decision to refuse a claim³¹.

[Back to Contents](#)

Section updated: 11 December 2023

²⁸ Annex 2, ‘[A8: Second witness statement of Lawrence...](#)’ (paragraphs 83 to 86), 26 June 2022

²⁹ Annex 3, ‘[A10. ILPD and MoJ – Refugee law and RSD process training manual](#)’ October 2022

³⁰ Annex 1, ‘[A4. GoR response to written questions submitted by UKHO](#)’, 11 December 2023

³¹ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

5. Government position on refugees and asylum seekers

5.1 Government agencies

5.1.1 MINEMA is the principal agency responsible for refugees and asylum seekers^{32 33}.

See [Commitments](#)

5.1.2 Other government departments and bodies involved in the refugee/asylum seeker response are the Ministry of Foreign Affairs and International Cooperation (MINAFFET), the Directorate of Immigration/Emigration (DGIE), the National Identification Agency (NIDA), and the Refugee Status Determination Committee (RSDC)³⁴

See [Refugee Status Determination Committee](#) and [Asylum process](#)

[Back to Contents](#)

5.2 GoR Commitments

5.2.1 In 2016, GoR made 4 commitments with regards to refugees:

- to facilitate camp-based refugees to move from assistance programmes in to work (see [Right to work](#))
- to issue valid refugee ID cards to all eligible persons (see [Documentation for asylum seekers and refugees](#))
- to integrate refugee students into the national education system (see [Education](#))
- to provide urban refugees access to the national health insurance system³⁵ (see [Health](#))

5.2.2 In March 2021, the UNHCR reported that Rwanda was on track to fulfil 3 of the 4 commitments (on documentation, education, and health) and continued to work towards the commitment of making refugees self-reliant³⁶.

5.2.3 At the Global Refugee Forum (GRF) in December 2019, Rwanda made an additional 9 pledges to improve the situation of refugees, building on the commitments made in 2016 around providing valid refugee identity cards, integrating refugee students into national education systems and ensuring urban refugees have the opportunity to buy into national health insurance systems³⁷.

5.2.4 In January 2021, the UN's Rwanda country team provided an update on the country's progress towards meeting the additional pledges. The UN described progress on the 2016 commitments as 'impressive' and commented: 'Despite the challenges of COVID-19 – an unprecedented pandemic, all nine [additional] pledges have on-going activities... Rwanda is determined to fulfil its pledges, assisted by UNHCR, donors, and other

³² MINEMA, '[Refugee management](#)', no date

³³ MINEMA, '[Statement by the Minister in charge of emergency management ...](#)', 20 June 2020

³⁴ UNHCR, '[UNHCR Rwanda fact sheet March 2021](#)' (page 2), 26 March 2021

³⁵ UNHCR, '[An overview of how the Global Compact on Refugees is being turned ...](#)', 15 March 2021

³⁶ UNHCR, '[An overview of how the Global Compact on Refugees is being turned ...](#)', 15 March 2021

³⁷ UN Rwanda, '[Rwanda: 1000 hills and a big heart](#)', 15 January 2021

stakeholders. One of the key objectives of the GRF was to expand funding sources, to support countries like Rwanda who are making an inclusive and laudable effort to help refugees access national services.³⁸

- 5.2.5 In December 2021, UNHCR’s Kigali-based representative, Nayana Bose, said: “ Rwanda has done an excellent job integrating refugees in the national education system, including urban refugees in the national community-based health insurance plan, providing them with national ID cards and offering them livelihoods opportunities.”³⁹
- 5.2.6 UNHCR’s 2023 Rwanda refugee response plan noted: ‘At the GRF in 2019, the Government of Rwanda made 17 pledges in areas of health, education, livelihoods, documentation, energy, statelessness, and environment, of which three are fulfilled and 14 are in process. In addition, pledges towards supporting Rwanda were made by a range of states, private sector actors, UN Agencies, and NGOs.’⁴⁰

[Back to Contents](#)

5.3 Partnerships

- 5.3.1 The 2022 USSD human rights report noted: ‘The [Rwandan] government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, and asylum seekers, as well as other persons of concern.’⁴¹
- 5.3.2 The UNHCR’s Rwanda fact sheet, March 2021, noted that: ‘The Government of Rwanda (GoR), through MINEMA, leads the refugee response in the country with UNHCR and partners providing direct operational support, capacity development, and technical advice to the local authorities.’⁴²
- 5.3.3 At a meeting with UKHO on 21 March 2022, a representative of UNHCR stated: ‘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.’⁴³
- 5.3.4 At the same meeting on 21 March 2022, a representative of UNHCR stated: ‘UNHCR is here to support the asylum process in order to fulfil [Rwanda’s] international obligations. The Government appreciates what [it] means to be a refugee... 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

³⁸ UN Rwanda, ‘[Rwanda: 1000 hills and a big heart](#)’, 15 January 2021

³⁹ UNHCR, ‘[A new approach to refugee integration bears fruit in Rwanda](#)’, 14 December 2021

⁴⁰ UNHCR, ‘[Rwanda Refugee Response Plan: January to December 2023](#)’, 1 January 2023

⁴¹ USSD, ‘[2022 Country reports on human rights practices: Rwanda](#)’ (section 2E), 20 March 2023

⁴² UNHCR, ‘[UNHCR Rwanda fact sheet March 2021](#)’ (page 2), 26 March 2021

⁴³ Annex 2, ‘[A1. Meeting with UNHCR](#)’, 21 March 2022

observatory role in the process.¹⁴⁴

- 5.3.5 According to an August 2023 UNHCR operational update, ‘...UNHCR works directly with seven [non-government organisation] NGO partners in implementing key activities to assist both the refugee population and Rwandan host communities. To further strengthen the implementation of the Global Compact on Refugees, UNHCR maintains close collaboration with key government institutions, ministries, operational partners, and the private sector working with refugees in Rwanda.’¹⁴⁵
- 5.3.6 The UNHCR High Commissioner visited Rwanda in April 2021 and praised the Rwandan government for its response to refugees and asylum-seekers. In May 2021, following the eruption of Mount Nyiragongo volcano in the DRC, the Rwandan government provided support to 8,000 Congolese who crossed the border¹⁴⁶.
- 5.3.7 As part of the ETM partnership, the UNHCR upgraded the Gashora Transit Centre, including the health facilities, sanitation and accommodation units. Facilities and services include mental health support, legal assistance and employment training¹⁴⁷. See also [Emergency Transit Mechanism \(ETM\)](#)
- 5.3.8 Since 2010, the International Organisation for Migration (IOM) has assisted the resettlement of more than 30,000 refugees from Rwanda. IOM ‘facilitates interviews by resettlement countries, health assessments, screening and referral, pre-departure cultural orientation, and the safe transport and reception in the country of final destination’ through the resettlement programme¹⁴⁸.
- 5.3.9 In May 2019, Rwanda received US\$60 [£47.7¹⁴⁹] million funding from the World Bank to improve access to services and economic opportunities for refugees and host communities in the 6 districts that host refugee camps¹⁵⁰. The funded project – the Socio-Economic Inclusion of Refugees and Host Communities Project (also called the Jya Mbere Project) – is intended to upgrade schools, health facilities, roads and water/ sanitation systems. The project would also provide access to finance to promote entrepreneurship, skills training for refugees, and strengthen social relations between refugees and host communities¹⁵¹.
- 5.3.10 In June 2021, the World Bank approved an additional US\$20 [£15.9¹⁵²] million dollars of funding for the project. The World Bank estimated that since it began in 2019, Jya Mbere had improved access to services such as health, education and clean water to over 450,000 Rwandans and refugees¹⁵³. An update from December 2022 reported ‘Under this project, 250 new classrooms have been constructed across districts hosting refugee

¹⁴⁴ Annex 2, ‘[A1. Meeting with UNHCR](#)’, 21 March 2022

¹⁴⁵ UNHCR, ‘[Operational update: Rwanda August 2023](#)’, 15 Sep 2023

¹⁴⁶ UNHCR, ‘[Operational Update: April - June 2021](#)’, 28 July 2021

¹⁴⁷ Altai Consulting, ‘[EUTF monitoring and learning system HoA 2020 yearly ...](#)’ (page 42), June 2021

¹⁴⁸ IOM, ‘[Over 30,000 Refugees Resettled from Rwanda](#)’, 8 November 2023

¹⁴⁹ Xe.com, ‘[60,000,000 USD to GBP - Convert US Dollars to British Pounds](#)’, 6 December 2023

¹⁵⁰ MINEMA, ‘[Jya Mbere project launches construction of classrooms](#)’, no date

¹⁵¹ MINEMA, ‘[Jya Mbere project/Socio-economic inclusion of refugees ...](#)’ (page 6 to 7), March 2021

¹⁵² Xe.com, ‘[20,000,000 USD to GBP - Convert US Dollars to British Pounds](#)’, 6 December 2023

¹⁵³ World Bank, ‘[World Bank supports improved basic services...](#)’, 23 June 2021

camps and host communities namely Kirehe, Gatsibo, Nyamagabe, Gisagara and Gicumbi.’ The same source noted that the project will phase out in 2026⁵⁴.

- 5.3.11 On 1 August 2023, Inter Press Service (IPS) reported that following the Taliban’s return to power in Afghanistan in 2021, the School for Leadership Afghanistan (SOLA), an all-girls boarding school, relocated 250 members of the school community (including more than 100 girls) to Rwanda. Rwanda was one of several African countries that agreed to temporarily host evacuated Afghans. SOLA continues to operate in Rwanda and admitted an additional 27 Afghan girls in 2022⁵⁵.
- 5.3.12 On 1 August 2023, the New Times, a Rwandan English language online media organisation, reported that over 200 Sudanese medical students from the University of Medical Sciences and Technology (UMST) were relocating to the University of Rwanda to finish their studies due to the closure of universities in Sudan as a result of the civil war. Of the 200 students, 133 are Sudanese, with others from Nigeria, France, Canada, USA, India, Jordan and Ireland. The article did not provide information on the residence status given to students⁵⁶.
- 5.3.13 On 22 November 2023, The New Times provided an update that a second group of over 150 students from UMST were to arrive in Rwanda on 24 November 2023. The article stated that negotiations were ongoing between UMST, Rwanda’s Higher Education Council and other stakeholders to move the UMST campus to Rwanda, with the potential to relocate more than 7,000 students⁵⁷.
- 5.3.14 UNHCR criticised GoR’s involvement in an arrangement to transfer asylum seekers to Rwanda from Israel. In his witness statement for the case of AAA, Mr Bottinick stated ‘The situation asylum seekers found in Rwanda was completely different to what they had been promised by the Israeli authorities,’⁵⁸. The UNHCR’s written observations for the same case in September 2023 noted ‘...persons transferred under the Israel-Rwanda TCTA [Third Country Transfer Agreement] were routinely and clandestinely expelled from Rwanda (including some from the airport upon their arrival), prevented from making asylum claims, and subjected to grossly intimidating treatment (threats of deportation, and overnight visits both by unknown agents and by individuals recognised as DGIE officials)’⁵⁹
- See also [Transfer of asylum seekers from Israel](#)
- 5.3.15 On 5 December 2023, KT Press reported the signing of the UK-Rwanda Treaty. The article quoted Rwanda’s Minister of Foreign Affairs and Cooperation, Dr Vincent Biruta: “‘This partnership reflects Rwanda’s

⁵⁴ MINEMA, ‘[Minister Kayisire Solange inaugurated 73 new classrooms](#)’, 8 December 2022

⁵⁵ IPS, ‘[Afghan Girls, Women Deprived of Education, Find Hope in Africa](#)’, 1 August 2023

⁵⁶ The New Times, ‘[Over 200 Sudanese medical students to complete...](#)’, 1 August 2023

⁵⁷ The New Times, ‘[Sudan’s top medical varsity plans relocation to Rwanda](#)’, 22 November 2023

⁵⁸ Annex 2, ‘[A8: Second Witness Statement of Lawrence Bottinick](#)’ (paragraph 124), 26 June 2022

⁵⁹ Annex 2, ‘[A10: UNHCR written observations in the Supreme Court](#)’, 18 Sept 2023

commitment to protecting vulnerable people and our country's track record in welcoming and hosting refugees and migrants from around the world...".⁶⁰

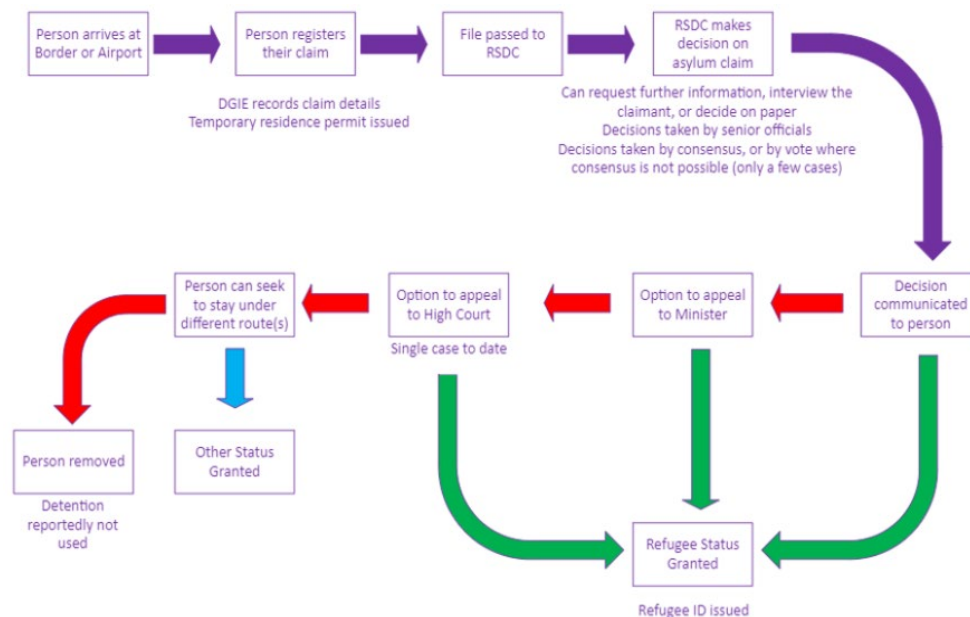
[Back to Contents](#)

Section updated: 11 December 2023

6. Asylum process

6.1 Main stages

6.1.1 Based upon information gathered during UKHO meetings with Rwandan government officials on 18 January 2022⁶¹ and 22 March 2022⁶², CPIT has summarised the main stages of the Refugee Status Determination (RSD) process in the diagram below:



6.1.2 The GoR – with the UK's assistance – have codified their Standard Operating Procedures (SOPs) to:

- set out how the current asylum system works in practice for all asylum seekers
- set out additional procedures, specific to Relocated Individuals, which show how the asylum system will work in practice under the MEDP
- ensure those involved in the GoR's RSD process work to the same, understood processing system; and
- provide a more transparent explanation of the asylum system.

6.1.3 GoR SOPs plus other operational documents such as templates are included in full at Annex 1. Operational documents which apply to all asylum seekers are:

- Refugee Status Determination Committee, SOPs, May 2023⁶³

⁶⁰ KT Press, '[UK, Rwanda sign treaty to reinforce \[MEDP\]...](#)', 5 December 2023

⁶¹ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

⁶² Annex 1, '[A2. Home Office meeting with MINEMA](#)', 22 March 2022

⁶³ Annex 1, '[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)', May 2023

- Manual on Refugee Status Appeal Process, May 2017⁶⁴
- Asylum Proceeding Before the Court of Law, September 2023⁶⁵
- Asylum and Humanitarian Protection Processing, SOPs, May 2023⁶⁶
- Asylum interview template, May 2023⁶⁷
- Asylum seeker registration form, May 2023⁶⁸
- Notification of RSDC decision (letter template), 13 July 2022 and 6 January 2023⁶⁹

6.1.4 In addition to the documents listed above, 3 prospective SOPs are also included in Annex 1. These additional SOPs will apply specifically to Relocated Individuals in the event the Treaty is ratified:

- Reception and accommodation facilities, September 2023⁷⁰
- Health services to Relocated Individuals under UK-Rwanda MEDP, May 2023⁷¹
- Identifying and safeguarding vulnerable persons, May 2023⁷²

[Back to Contents](#)

6.2 Timelines

6.2.1 The [Law N° 13ter/2014 of 21/05/2014 Relating to Refugees](#) sets out the timeline for refugee applications⁷³. This is summarised in the table below:

Stage	Time period
Asylum seeker (AS) reports to the local authority	Not applicable
Local authority takes AS to nearest Directorate General of Immigration and Emigration (DGIE) office	Within 12 hours
DGIE office registers the AS	Within 24 hours
DGIE submits the applicant's file to the RSDC	Within 15 days
RSDC considers the case and makes a decision	Within 45 days
RSDC notifies the AS of the decision	Within 10 days
Option for AS to appeal to the Minister	Within 30 days
Minister to decide on the appeal	Within 1 month

⁶⁴ Annex 1, '[A6. GoR, Manual on Refugee Status Appeal Process](#)', May 2017

⁶⁵ Annex 1, '[A7. GoR, Asylum Proceeding Before the Court of Law](#)', Sept 2023

⁶⁶ Annex 1, '[A8. GoR, Asylum and HP Processing, Standard Operating Procedures](#)', May 2023

⁶⁷ Annex 1, '[A9. GoR, Asylum interview template](#)', May 2023

⁶⁸ Annex 1, '[A10. GoR, Asylum seeker registration form](#)', May 2023

⁶⁹ Annex 1, '[A11 GoR, Notification of RSDC decision](#)', 6 January 2023 and 13 July 2022.

⁷⁰ Annex 1, '[A12. GoR, Prospective Standard Operating Procedures on reception...](#)', Sept 2023

⁷¹ Annex 1, '[A13. GoR, Prospective Standard Operating Procedures on Health services...](#)', May 2023

⁷² Annex 1, '[A14. GoR, Prospective Standard Operating Procedures Identifying...](#)', May 2023.

⁷³ GoR, '[Official Gazette number 26 of 30/06/2014](#)' (Articles 8 to 11, pages 81 to 83), 30 June 2014

6.2.2 An additional stage was subsequently added to the process following the introduction of a right of appeal to the High Court in 2018.

See [Challenging a negative decision](#)

6.2.3 The 2021 USSD human rights report noted ‘significant delays’ in the process for making individual refugee status determinations and that the committee with responsibility for making decisions on individual cases (the RSDC) ‘met infrequently’⁷⁴. The 2022 USSD human rights report also mentioned the RSD committee’s role in deciding individual refugee claims but contained no reference to delays in the RSD process nor to the frequency of RSDC meetings⁷⁵.

6.2.4 At a meeting between UKHO and the Rwandan government on 18 January 2022, UKHO officials asked whether there is any monitoring of the timelines or the RSD process generally. The Director of Response and Recovery Unit at MINEMA explained: ‘We don’t have someone responsible for monitoring those targets, but there is someone who sets meetings, chases missing information to keep on track.’⁷⁶

6.2.5 At a meeting with UKHO officials on 21 March 2022, UNHCR explained:

‘There are two weeks (15 days) for the DGIE to pass the application to ... RSDC... [The RSDC] 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.

‘... due to the shifting of the policy from Prima Facie [consideration] to individual recognition, there are some bottle neck[s] at DGIE and NRSDC to comply with the timeframe.’⁷⁷

See [Recognition and appeal rates](#)

6.2.6 The RSD SOPs, dated May 2023, confirmed the timeframes as set out in the [Law N° 13ter/2014 of 21/05/2014 Relating to Refugees](#), from the date the DGIE submits the applicant’s file to the RSDC (within 15 days) to the consideration of refugee status by the RSDC (within 45 days)⁷⁸. In addition, the Manual on Refugee Status Appeal Process states that an appeal to the Minister must be made within 30 days of receipt of the RSDC decision and that the Minister shall give a written reply on the appeal to the appellant within 7 days of receipt of the recommendations by the appeal panel⁷⁹.

6.2.7 In regard to the right of appeal to the High Court, the GoR’s Asylum Proceeding Before the Court of Law stated that upon receipt of the Minister’s decision an applicant has 6 months to file a further appeal to the Court⁸⁰.

See also [Challenging a negative decision](#)

⁷⁴ USSD, ‘[2021 Country reports on human rights practices: Rwanda](#)’ (section 2F), 12 Apr 2022

⁷⁵ USSD, ‘[2022 Country reports on human rights practices: Rwanda](#)’ (section 2E), 20 March 2023

⁷⁶ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

⁷⁷ Annex 2, ‘[A1. Meeting with UNHCR](#)’, 21 March 2022

⁷⁸ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

⁷⁹ Annex 1, ‘[A6. GoR Manual on Refugee Status Appeal Process](#)’, May 2017

⁸⁰ Annex 1, ‘[A7. GoR, Asylum Proceeding Before the Court of Law](#)’, Sept 2023

6.3 Complaints about delays or timeframes not being met

- 6.3.1 In a meeting between the UKHO and The Legal Aid Forum (LAF) on 21 March 2022, a LAF representative explained: '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.'⁸¹
- 6.3.2 However, a representative of UNHCR told the UKHO on 21 March 2022 that '... there is no way for a refugee to complain about [the RSD] process.'⁸²
- 6.3.3 In an article published on 19 December 2022, the BBC interviewed an asylum seeker who reported delays to the processing of his claim: "The authorities don't say no, but everything is 'tomorrow', or 'come back next month'. It's been almost one year that they haven't given it to me."⁸³
- 6.3.4 In the event the Treaty is ratified, Article 5 of Part 1 of Annex A contains specific provisions on how Relocated Individuals can (a) make a complaint about their accommodation or other support, and (b) make a confidential complaint to the Monitoring Committee. Article 14 of Part 5 also explicitly sets out that the Joint Committee shall ensure that the Monitoring Committee has unfettered access to records of all complaints made by Relocated Individuals and their outcomes⁸⁴.

6.4 Initial contact and registration of asylum claim

- 6.4.1 According to the [Law N° 13ter/2014 of 21/05/2014 Relating to Refugees](#) the DGIE is responsible for registering asylum seekers and for granting temporary residence permits which are valid for 3 months⁸⁵.
- 6.4.2 During the meeting between UKHO officials and the GoR on 18 January 2022, the Director of Response and Recovery Unit MINEMA explained: 'If someone enters the border and claims asylum, the LA [Local Authority] reports the person to the nearest immigration centre. [A] Temporary resident permit is [then] issued.'⁸⁶

See [Documentation for asylum seekers and refugees](#)

- 6.4.3 UKHO officials also asked about interviews of asylum seekers and the Colonel and Special Advisor on Migration explained: '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.'⁸⁷

⁸¹ Annex 3, '[A6. Meeting with Legal Aid Forum \(LAF\)](#)', 21 March 2022

⁸² Annex 3, '[A6. Meeting with Legal Aid Forum \(LAF\)](#)', 21 March 2022

⁸³ BBC, '[Rwanda asylum seekers: "Fighting to survive"](#)', 19 December 2022

⁸⁴ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

⁸⁵ GoR, '[Official Gazette number 26 of 30/06/2014](#)' (pages 81 to 82), 30 June 2014

⁸⁶ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

⁸⁷ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

- 6.4.4 In written observations to the Supreme Court in the case of AAA, dated 18 September 2023 (updated 27 September 2023), UNHCR commented: ‘The DGIE (a subdivision of Rwanda’s National Intelligence and Security Service) conducts the initial, and in many cases only, interviews with asylum claimants. These interviews are brief, and offer asylum-seekers no adequate opportunity to explain an asylum claim, respond to potentially adverse points, or provide more than minimal documentation.’⁸⁸
- 6.4.5 The second witness statement of Mr Bottinick, a UNHCR representative in the UK, in the case of AAA, dated 26 June 2022, stated: ‘The DGIE will, in UNHCR’s experience, interview the asylum seeker in the majority of cases. However, UNHCR is aware of at least five cases where individuals submitted written applications for asylum through the DGIE outside Kigali and those individuals were never interviewed before their claims were refused.’⁸⁹
- 6.4.6 Additionally, Mr Bottinick set out the UNHCR’s concerns around the interview process which UNHCR did not consider to be fair. ‘The procedure before the DGIE lacks transparency, breaches confidentiality and violates procedural... fairness which continues to give rise to a serious risk of refoulement for those that the DGIE does not refer to the RSDC.’ Reasons for this include:
- brevity of interviews and the lack of opportunity for applicants to state their case
 - DGIE interviewing officers do not alert asylum seekers to address problems in their claims
 - lawyers or other observers are not allowed to attend interviews
 - the DGIE does not usually provide translators but may contact one of the UNHCR’s partner organisations for an interpreter and permits applicants to provide their own interpreters
 - asylum seekers are not provided with a transcript or recording of their interview
 - the DGIE’s recommendations about the case are not shared with the asylum seeker
 - the DGIE may not respect the asylum seeker’s confidentiality and background checks with the authorities of the person’s country of origin may be undertaken in some cases
 - over the last 5 years there had been reports that LGBTIQ+ asylum seekers were not able to register their claims because these have been rejected verbally by the DGIE
 - denial of access to in-country processes⁹⁰
- 6.4.7 In his third witness statement in the case of AAA, dated 27 July 2022, Mr Bottinick observed:

⁸⁸ Annex 2, ‘[A10: UNHCR written observations in the Supreme Court](#)’, 18 Sept 2023

⁸⁹ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (paragraph 36), 26 June 2022

⁹⁰ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (paragraph 41), 26 June 2022

'In relation to the DGIE stage [of processing of cases], the GoR Email states that "The interview is recorded electronically and at the end of the interview, the asylum seeker is presented with a written record (...). The asylum seeker verifies the information and can confirm the record with a signature or can amend the record by correcting the information or providing more information." UNHCR has not seen any instances of this (either providing a written record to the asylum seeker and/or providing them with an opportunity to correct the record or give further information). A UNHCR staff member and a UNHCR interpreter were requested to provide interpretation services at interviews at the DGIE on 29 June and 20 July 2022. There was no indication that the interviews were being recorded. No transcript or summary of the interview was presented (in writing or verbally) to the applicant for confirmation/clarification at the end of the interview.'⁹¹

- 6.4.8 In his second witness statement in the case of AAA, dated 26 June 2022, Mr Bottinick noted: 'In Rwandan law, the DGIE reviews the case of the asylum seeker and may grant a temporary resident permit, referring the refugee status application to the RSDC 15 days later. However, the DGIE in fact operates as a far more substantive screening stage. The DGIE plays a gatekeeping role by deciding whether or not to refer individual claims to the RSDC.'⁹²
- 6.4.9 Similarly, in his third witness statement, dated 27 July 2022 (updated 3 August 2022), Mr Bottinick stated: '... the DGIE operates a de facto gatekeeping role by deciding whether or not to refer individual claims to the RSDC, and... a significant proportion of claims (whether made at the airport or inside Rwanda) are not admitted by the DGIE and progressed to the RSDC.'⁹³
- 6.4.10 UNHCR's 'Annual Results Report' for Rwanda, dated 28 April 2023, covering events in 2022, recorded the 'proportion of refugees and asylum seekers registered on an individual basis' in 2022 as 99.31%.⁹⁴
- 6.4.11 An April 2021 UNHCR report noted that although Rwanda was committed to respecting its international obligations '... access to the asylum continues to remain challenging for individuals other than prima facie recognitions. In 2021, efforts must continue to build MINEMA and the RSD Committee's capacity via continued cooperation and advocacy... The national asylum process for new asylum seekers remains cumbersome. In contrast, the provision of documentation for asylum seekers is delayed/denied causing protection risks to this vulnerable population who cannot access basic services.'⁹⁵
- 6.4.12 In its July 2020 submission to the UPR, the UNHCR raised concerns that, 'Some asylum seekers, i.e. [lesbian, gay, bisexual, trans and intersex] LGBTI asylum seekers, continue to face challenges upon submission of their

⁹¹ Annex 2, '[A9: Third Witness Statement of Lawrence Bottinick](#)' (paragraph 29a), 27 July 2022

⁹² Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)' (paragraph 38), 26 June 2022

⁹³ Annex 2, '[A9: Third Witness Statement of Lawrence Bottinick](#)', 27 July 2022

⁹⁴ UNHCR, '[Annual results report 2022 Rwanda](#)' (page 9), 28 April 2023

⁹⁵ UNHCR, '[Rwanda country refugee response plan January to ...](#)' (pages 10 and 11), 19 April 2021

asylum requests to the immigration service, who verbally rejects their applications.’⁹⁶

6.4.13 In a meeting between UKHO and UNHCR on 21 March 2022, a representative commented:

‘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...

‘[UNHCR are] 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 [Directorate General of Immigration and Emigration] if there is any asylum seeker approaching DGIE for asylum, we can only track asylum seekers who approach our office or legal aid partners.’⁹⁷

6.4.14 The second witness statement of Mr Bottinick in the case of AAA, dated 26 June 2022, stated, noting the wider context of difficulties in accessing the asylum process, that:

‘Indeed, further access to the RSDC procedure is blocked where the DGIE does not refer a case to the RSDC. Article 8 of the 2015 Prime Ministerial Order provides that if the DGIE fails to submit the application to the RSDC within the required period of 15 days, the RSDC "can take a decision upon request by the Minister". However, despite the provisions in the Order and advocacy by UNHCR, to date, the RSDC has, to UNHCR’s knowledge, never taken up a case that had not been referred by the DGIE.

‘UNHCR is aware of two LGBTI cases where the DGIE informed the applicants verbally that they would not be issued with residence permits. Both applicants sought to appeal, in writing, to MIDIMAR (predecessor of MINEMA), specifically referring to DGIE’s refusal to transfer their cases to RSDC, and were informed that under the 2014 Law they could not appeal because their applications had not yet been submitted to the RSDC for adjudication.’⁹⁸

6.4.15 UNHCR provided no date for the 2 cases. However, MIDIMAR was renamed as MINEMA in October 2018⁹⁹.

6.4.16 Later in the same statement, Mr Bottinick commented: ‘In the last few months, UNHCR became aware of two cases where LGBTIQ+ individuals were allowed to progress their claims at the RSDC. The sample is too small and too recent to draw any conclusions as to whether Rwandan practices toward LGBTIQ+ asylum seekers have altered.’¹⁰⁰

6.4.17 HRW’s report covering the events of 2022 stated: ‘Human Rights Watch

⁹⁶ UNHCR, ‘[Submission by the UNHCR for the Office of the High ...](#)’ (page 5), July 2020

⁹⁷ Annex 2, ‘[A1: Meeting with UNHCR](#)’, 21 March 2022

⁹⁸ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’, 26 June 2022

⁹⁹ MINEMA & World Bank, ‘[Rwanda: Economic activity and opportunity...](#)’ (page 9), 23 May 2019

¹⁰⁰ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’, 26 June 2022

received information that Rwanda rejected asylum claims from individuals persecuted for their sexual orientation or gender identity in their home country.’ The report provided no further detail about the number or circumstances of rejected claimants, or the source of the information¹⁰¹.

- 6.4.18 Mr Bottinick’s third witness statement also noted: ‘UNHCR has not seen any instances [during DGIE interviews] of... (either providing a written record to the asylum seeker and/or providing them with an opportunity to correct the record or give further information).’¹⁰²
- 6.4.19 The Asylum and HP Processing SOPs, dated May 2023, noted that a person seeking asylum may present themselves to any border official, police officer or other GoR official to request asylum or HP. The asylum seeker is then directed to the DGIE to make a written application for asylum¹⁰³.
- 6.4.20 The Asylum and Humanitarian Protection (HP) Processing SOPs stated that a temporary residence permit, valid for 3 months, is issued upon registration of an asylum claim and can be renewed for a further 3 months if it expires and the applicant was still waiting for an asylum or appeal decision¹⁰⁴.
- 6.4.21 The RSD and Asylum and HP Processing SOPs described the role of the DGIE in the initial asylum application process, noting that at the time the asylum claim is registered the DGIE schedules an interview. The applicant must be informed of their rights to an interpreter and legal assistance, and how to access such services, which are allowed throughout the asylum process. After the interview, the applicant may review and amend the transcript if necessary. The Immigration Officer prepares a summary of the case (which is not a decision nor a recommendation of refugee status) and submits this, along with the interview transcript and any documents provided by the applicant, to the RSDC within 15 days of the initial interview^{105 106}.
- 6.4.22 A GoR template of the asylum seeker registration form, dated May 2023, is included at Annex 1. The form captures an asylum seeker’s personal details, travel history and brief reasons for claiming asylum¹⁰⁷.
- 6.4.23 A GoR template of the asylum interview form, dated May 2023, is included at Annex 1. The template provides guidance on interview preparation and suggested interview questions¹⁰⁸.
- 6.4.24 A prospective SoP on identifying and safeguarding vulnerable persons, dated May 2023, which will apply specifically to Relocated Individuals in the event the Treaty is ratified, sets out the process for identifying vulnerable Relocated Individuals and referring them for safeguarding support¹⁰⁹.

¹⁰¹ HRW, [‘World Report 2023: Rwanda – events of 2022’](#), 13 January 2023

¹⁰² Annex 2, [‘A9: Third Witness Statement of Lawrence Bottinick’](#), 27 July 2022

¹⁰³ Annex 1, [‘A8. GoR, Asylum and HP Processing, Standard Operating Procedures’](#), May 2023

¹⁰⁴ Annex 1, [‘A8. GoR, Asylum and HP Processing, Standard Operating Procedures’](#), May 2023

¹⁰⁵ Annex 1, [‘A5. GoR, Refugee Status Determination, Standard Operating Procedures’](#), May 2023

¹⁰⁶ Annex 1, [‘A8. GoR, Asylum and HP Processing, Standard Operating Procedures’](#), May 2023

¹⁰⁷ Annex 1, [‘A10. Asylum seeker registration form’](#), May 2023

¹⁰⁸ Annex 1, [‘A9. GoR, Asylum interview template’](#), May 2023

¹⁰⁹ Annex 1, [‘A14. GoR, Prospective SoPs identifying and safeguarding vulnerable...’](#), May 2023

6.4.25 The prospective SoP on safeguarding states that one category of Vulnerable Person may be individuals at higher risk because of their gender identity and/or sexual orientation, such as LGBT individuals¹¹⁰.

See also [Safeguarding](#)

6.4.26 In the event the Treaty is ratified, Article 9 of Part 3 contains a specific requirement to, at all times, treat each Relocated Individual, and process their claim for asylum, in accordance with the Refugee Convention and the Treaty, and process their Humanitarian Protection Claim in accordance with the Treaty. Article 3 of Part 2 of Annex B also provides specific requirements for those involved in the decision making on the person's claim. Article 14 of Part 5 explicitly sets out that the Joint Committee shall ensure that the Monitoring Committee has unfettered access to:

'd. the Records held in relation to Relocated Individuals at all stages of the relocation process from the initial screening by the United Kingdom up to and including the asylum process as well as Records of decisions taken about them;

'e. Records of those granted or refused refugee status and of appeals raised against refusals of refugee status and their outcome;

'f. Records of any procedures that directly impact Relocated Individuals...

'h. interviews, hearings and appeals proceedings of Relocated Individuals or interviews, hearings and appeals proceedings of individuals whose claim is being assessed under the same rules, laws or procedures as Relocated Individuals.'¹¹¹

6.4.27 For more information about safeguarding of Relocated Individuals, see [Safeguarding](#), for asylum application outcomes, see [Recognition and appeal rates](#); and for LGBTI persons in Rwanda, see the [Country Information Note Rwanda: human rights](#).

[Back to Contents](#)

Section updated: 11 December 2023

7. The Refugee Status Determination Committee (RSDC)

7.1 Membership of the RSDC

7.1.1 The RSDC was established under Article 3 of the [Law N° 13ter/2014 of 21/05/2014 Relating to Refugees](#)¹¹².

7.1.2 The RSD SOPs described the composition of the RSDC, noting that its members came from the following institutions:

- the Prime Minister's Office
- Ministry in charge of refugees
- Ministry in charge of foreign affairs

¹¹⁰ Annex 1, '[A14. GoR, Prospective SoPs identifying and safeguarding...](#)' (para 1), May 2023

¹¹¹ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹¹² GoR, '[Official Gazette number 26 of 30/06/2014](#)' (page 71), 30 June 2014

- Ministry in charge of local government
- Ministry in charge of justice
- Ministry in charge of defence forces
- Ministry in charge of natural resources
- Ministry in charge of internal security
- Ministry in charge of health
- National Intelligence and Security Services and
- the National Human Rights Commission¹¹³.

7.1.3 The second witness statement of Mr Bottinick, in the case of AAA, dated 26 June 2022, stated: ‘The RSDC’s members are high-level functionaries (Director and Director General level) from 11 ministries and institutions...’¹¹⁴

[Back to Contents](#)

7.2 Function of the RSDC

7.2.1 At the 18 January 2022 meeting with the UKHO, an official from the Ministry of Foreign Affairs and International Cooperation (MINAFFET) and the Director of Response and Recovery Unit at MINEMA observed: ‘[The] 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.’¹¹⁵

7.2.2 The RSD SOPs noted that the RSDC was responsible for considering and deciding asylum and humanitarian applications, and revoking refugee status, in accordance with the Refugee Convention and relevant national laws¹¹⁶. The RSDC must also submit an activity programme and report to the Minister (in MINEMA), annually or when required¹¹⁷.

[Back to Contents](#)

7.3 Decision-making process

7.3.1 At a meeting with UKHO officials in January 2022, GoR officials from MINAFFET and MINEMA explained: ‘Once files are received [from DGIE], 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).’¹¹⁸

7.3.2 When asked by UKHO officials whether all claimants are interviewed or if some claims are decided on paper, a senior Rwandan government official clarified: ‘Depending on the case, a claimant may be called for additional

¹¹³ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹¹⁴ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’, 26 June 2022

¹¹⁵ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

¹¹⁶ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹¹⁷ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹¹⁸ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

interview. A decision can also be taken bas[ed]... on the available information [on file].'¹¹⁹

- 7.3.3 The second witness statement of Mr Bottinick, in the case of AAA, dated 26 June 2022, stated: 'The RSDC can make a decision on the papers available or invite the asylum seeker to a panel interview. UNHCR understands that interviews are undertaken in a minority of cases. It is not clear to UNHCR according to what criteria or by whom decisions are made as to whether or not an individual should be interviewed by the RSDC.'¹²⁰
- 7.3.4 UKHO officials asked GoR officials in January 2022 whether everyone on the RSDC had to attend to make the decision. A senior official from MINEMA explained: '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.'¹²¹
- 7.3.5 The Director of Response and Recovery Unit at MINEMA explained at the meeting with the UKHO in January 2022:
- '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 i.e. UNHCR. They are unable to vote/make a decision but can attend [in] 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.'¹²²
- 7.3.6 However, at a meeting with UKHO officials on 21 March 2022, UNHCR commented: '[The UNHCR is] 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.'¹²³
- 7.3.7 Mr Bottinick's third witness statement noted: 'In relation to the RSDC stage... UNHCR has never seen any minutes of RSDC interviews being shared with asylum seekers or attached to their decision letters, including in the latest batch of decisions it received on 21 July 2022.'¹²⁴
- 7.3.8 Mr Bottinick in his second witness statement of 26 June 2022 noted: 'In UNHCR's understanding, where asylum claims are refused without an RSDC interview, asylum seekers are not invited to, and have no opportunity to, provide any further information before the RSDC makes its decision as

¹¹⁹ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

¹²⁰ Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)', 26 June 2022

¹²¹ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

¹²² Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

¹²³ Annex 2, '[A1. Meeting with UNHCR](#)', 21 March 2022

¹²⁴ Annex 2, '[A9: Third Witness Statement of Lawrence Bottinick](#)', 27 July 2022

they are not even aware that a decision is being taken on their claim.’¹²⁵

7.3.9 Mr Bottinick’s second witness statement also noted:

‘... DGIE officers, on more than one occasion, have verbally informed UNHCR that, where a case is referred to the RSDC, the DGIE produces a report for the RSDC which contains a recommendation for grant or refusal based on their internal assessment of the claim, despite not having conducted any form of RSD interview or assessment. To UNHCR’s knowledge, asylum seekers are not informed of that recommendation at any stage.’¹²⁶

7.3.10 The Asylum and HP Processing SOPs describe DGIE’s role and note that the Immigration Officer prepares a summary of the case (which is not a decision nor a recommendation of refugee status) and submits this, along with the interview transcript and any documents provided by the applicant, to the RSDC within 15 days of the initial interview¹²⁷.

7.3.11 The RSD SOPs describe the role of the RSDC in the decision-making process. Within 45 days of receiving the asylum application from the DGIE, the RSDC meets to consider the claim. The RSDC may request additional information from the applicant, which can include a further interview conducted by the RSDC. An interview must be conducted if, on initial assessment of the claim, the RSDC is considering refusing refugee status. The RSDC relies on any documentation and supporting evidence they have requested or which has been provided by the applicant, and on ‘up-to-date and accurate’ country information¹²⁸. If the applicant requests additional time to submit information, they shall be given ‘a reasonable amount of time’ to provide it¹²⁹.

7.3.12 The RSD SOPs state that RSDC decisions on asylum applications are made by consensus, or by a two-thirds majority of members at the meeting if consensus is not reached. If a two-thirds majority cannot be reached, the Chair makes the final decision¹³⁰. The RSD SOPs state that the RSDC ‘... may invite in its meetings (including interviews) the agency of United Nations for Refugees in Rwanda, or any other person or organ from whom or which it may seek advice on certain issues on the agenda. The invitee may give his/her opinion but shall not be allowed to vote.’¹³¹

7.3.13 In the event the Treaty is ratified, Article 3 of Part 2 of Annex B contains specific provisions on the asylum decision-making process for Relocated Individuals¹³².

[Back to Contents](#)

¹²⁵ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (paragraph 59), 26 June 2022

¹²⁶ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (paragraph 40), 26 June 2022

¹²⁷ Annex 1, ‘[A8. GoR, Asylum and HP Processing, Standard Operating Procedures](#)’, May 2023

¹²⁸ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹²⁹ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹³⁰ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹³¹ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹³² UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

7.4 Capacity

- 7.4.1 During the January 2022 meeting with the UKHO, GoR officials discussed the RSDC's capacity: '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, and 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.'¹³³
- 7.4.2 At the meeting UKHO officials asked about the regularity of RSDC meetings and whether claims are considered individually or as a group. The Director of Response and Recovery Unit at MINEMA explained: '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.'¹³⁴
- 7.4.3 Article 7 of the law determining the organisation and functioning of the RSDC states: 'The [RSD] Committee shall hold its meeting at least twice (2) in a quarter and whenever it is considered necessary.'¹³⁵ The RSD SOPs also noted that the RSDC meets at least twice every quarter, or when required, for the purpose of RSD¹³⁶.
- 7.4.4 In its July 2020 submission to the UPR, the UNHCR commented: 'The NRSDC's capacity needs to be built, with currently only one eligibility officer assessing all of the cases.'¹³⁷
- 7.4.5 In UNHCR's submissions in the case of AAA, the first witness statement of Mr Bottinick (UNHCR LB 1), dated 9 June 2022, observed:

'UNHCR notes that whilst Rwanda has generously provided safe haven to refugees for decades and has made efforts to build the capacity of its asylum system, its national asylum system is still nascent. In UNHCR's assessment, there is a serious risk that the burden of processing the asylum claims of new arrivals from the UK could further overstretch the capacity of the Rwandan national asylum system, thereby undermining its ability to provide protection for all those who seek asylum. In comparison, the UK national asylum system is highly developed and well capacitated to consider asylum claims.'¹³⁸
- 7.4.6 In a response of 11 December 2023 to written questions submitted by UKHO, the GoR provided data on the number of cases considered by the RSDC¹³⁹. This data has been summarised by CPIT in the graph below, which indicates a trend of an increasing number of cases considered over the period 2019 to November 2023.

¹³³ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

¹³⁴ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

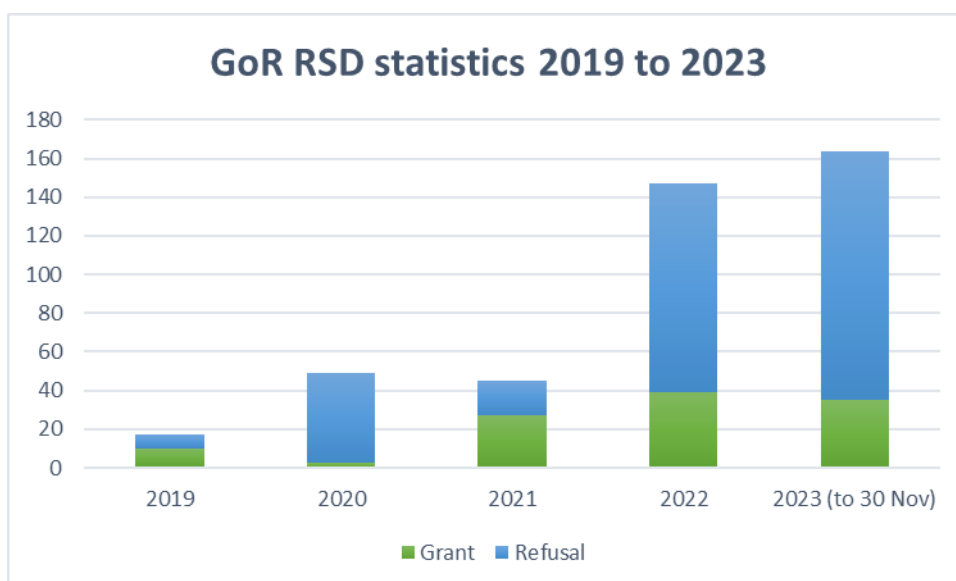
¹³⁵ GoR, '[Official Gazette number 26 of 29/06/2015](#)' (Article 7), 19 June 2015

¹³⁶ Annex 1, '[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)', May 2023

¹³⁷ UNHCR, '[Submission by the UNHCR for the Office of the High ...](#)' (page 4), July 2020

¹³⁸ Annex 2, '[A5: First witness statement of Lawrence Bottinick](#)' (para 11), 9 June 2022

¹³⁹ Annex 1, '[A4. GoR response to written questions submitted by UKHO](#)', 11 December 2023



7.4.7 The data in Mr Bottnick’s third witness statement provided the number of cases – of which UNHCR was aware – considered by the RSDC between the start of 2020 and 21 June 2022¹⁴⁰. CPIT has compiled a table to compare the GoR and UNHCR statistics for the period 2020 to 21 June 2022. (To allow comparison, an approximation has been used to represent GoR’s part-year data for 2022. This approximation is one half of GoR’s recorded 147 cases during 2022.) The table indicates that the number of RSDC cases recorded by GoR is broadly consistent with the number of cases recorded by UNHCR. UNHCR-recorded cases represent 93% of GoR-recorded cases.

Number of cases considered by RSDC (by source)	2020	2021	Mid-point 2022	Total
GoR ¹⁴¹	49	45	73	167
UNHCR ¹⁴²	n/a	n/a	n/a	156

7.4.8 In the event the Treaty is ratified, Article 4 of Part 2 sets out the arrangements for the timing and number of requests the UK may make, and the arrangements for the GoR agreeing to such requests¹⁴³.

See also Recognition and appeal rates - [RSDC cases](#)

[Back to Contents](#)

7.5 Capability

7.5.1 During a March 2022 meeting with the UKHO, the UNHCR representative said: ‘... there are gaps to implementation of RSDC (mainly lack of capacity, turnover of RSDC members [is] extremely high, some may not have right background/training) but the Rwandan government don’t always agree with

¹⁴⁰ Annex 2, ‘[A9: Third Witness Statement of Lawrence Bottinick](#)’, 27 July 2022

¹⁴¹ Annex 1, ‘[A4: GoR response to written questions submitted by UKHO](#)’, 11 December 2023

¹⁴² Annex 2, ‘[A9: Third Witness Statement of Lawrence Bottinick](#)’, 27 July 2022

¹⁴³ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

the support offered [by UNHCR], for instance more Eligibility Officers to expedite the process and avoid backlog, or more consistent training for the panel members...'¹⁴⁴

7.5.2 The UNHCR representative added: '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.'¹⁴⁵

7.5.3 The December 2021 training was also referenced by UNHCR in its submissions in the case of AAA. The second witness statement of Mr Bottinick, dated 26 June 2022, commented: 'In UNHCR's view, this short (and truncated) one-off workshop cannot be considered adequate training to ensure fair RSD decision making, especially for training participants with little or no prior knowledge and experience of refugee law. RSDC members still at the end of the training lacked by some distance the requisite knowledge and skills to make fair, reliable RSD decisions.'¹⁴⁶

7.5.4 The second witness statement of Mr Bottinick added: '... the lack of specialisation of RSDC members undermines the quality and integrity of the procedure. These concerns are aggravated by the lack of adequate training and relevant knowledge of the committee members on interviewing techniques; assessment of credibility; assessment of country conditions; the applicable legal principles; or the type of legal analysis required to reach an accurate and lawful decision.'¹⁴⁷

7.5.5 Mr Bottinick also made a number of observations about the UNHCR's concerns relating to the eligibility officer's role:

'UNHCR is also concerned about the lack of clarity about the eligibility officer's role. As far as UNHCR understands, the officer is tasked with a coordination role to receive screened-in applications from DGIE and preparing a case file for the RSDC to consider but officially has no decision-making authority.

'UNHCR is aware of cases where the eligibility officer undertook an interview with the asylum seeker prior to the decision by the RSDC. It is not clear to UNHCR how or why cases are selected for interview with the eligibility officer. UNHCR has not seen any clear pattern for selection. UNHCR has not seen any interview transcripts or notes prepared by the eligibility officer and is not aware of these being shared with asylum seekers prior to the decision-making stage at the RSDC. UNHCR has never been invited to or attended an interview between the eligibility officer and an asylum seeker.

'UNHCR understands that the eligibility officer is responsible, at minimum, for gathering additional information prior to passing the person's file to the RSDC. UNHCR has not seen examples of such files and to the best of UNHCR's knowledge, nor do asylum claimants see these. As I explain in further detail below, the eligibility officer participated in a short UNHCR

¹⁴⁴ Annex 2, '[A1: Meeting with UNHCR](#)', 21 March 2022

¹⁴⁵ Annex 2, '[A1: Meeting with UNHCR](#)', 21 March 2022

¹⁴⁶ Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)', 26 June 2022

¹⁴⁷ Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)', 26 June 2022

training in December 2021. UNHCR has concerns that the eligibility officer does not have expertise in the tasks necessary to undertake fair refugee status interviews and determinations, including the ability to handle sensitive cases such as claims based on gender based violence. The eligibility officer also lacks knowledge regarding assessing the credibility of a claim; or how to carry out country of origin information research. The eligibility officer is francophone – when communicating in English with UNHCR staff, there are considerable problems of mutual unintelligibility. This raises concerns over communications in interviews with anglophone (or partially anglophone) asylum seekers. Replacement of the current eligibility officer by another would not remedy the fundamental problem. Rather, UNHCR is concerned by the arbitrariness that arises out of a single individual playing such a pivotal, but unclear role in the RSD process.’¹⁴⁸

7.5.6 In response to written questions submitted by UKHO, the GoR provided details of a 5-day training course delivered between 20 and 24 November 2023. The training was delivered through a collaboration between UKHO technical experts and the Rwandan Institute of Legal Practice and Development (ILPD). The manual used to deliver the training is provided in Annex 3¹⁴⁹. The manual includes sections which cover: the understanding and application of the refugee convention; interviewing asylum applicants; and dealing with vulnerable claimants. Details of who received the training are included at Annex 1¹⁵⁰.

7.5.7 In the event the Treaty is ratified, Paragraph 3 of Annex B, Part 2 contains provisions for Rwanda to move to a case worker model when deciding claims. Under this model, for the first 6 months, Rwanda’s decision-making body – the ‘First Instance Body’ – will consider advice from a seconded independent expert prior to making a decision to refuse a claim.¹⁵¹

See also [Legal representation](#) and [Use of interpreters/translators](#)

[Back to Contents](#)

Section updated: 8 January 2024

8. Information and assistance in the asylum process

8.1 Data handling

8.1.1 In his third witness statement of 27 July 2022 in the case of AAA, Mr Bottinick noted:

‘The GoR Response... indicates that it is “standard practice in RSD” to “cross-check with embassies” (the Response does not specify which embassies) including to “gather background information on the applicant.” The GoR Response appears consistent with UNHCR’s concerns over breaches of confidentiality in the Rwandan RSD procedure. However, the GoR Email states that “This background information refers to the RSDC seeking information about a specific event/situation in the asylum seeker’s

¹⁴⁸ Annex 2, ‘[A8: Second witness statement of Lawrence...](#)’ (paragraphs 43 to 46), 26 June 2022

¹⁴⁹ Annex 3, ‘[A10. ILPD and MoJ – Refugee law and RSD process training manual](#)’ October 2022

¹⁵⁰ Annex 1, ‘[A4. GoR response to written questions submitted by UKHO](#)’, 11 December 2023

¹⁵¹ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

country of origin” from Rwandan embassies in those countries. As I explained in LB2 §41h, UNHCR remains concerned that asylum seekers’ confidentiality is not respected. If confidentiality is not respected, that is a very serious flaw in the Rwandan RSD process. This would place the family members and associates of asylum seekers, left in the country of origin, at serious risk of reprisals and of abuses of fundamental rights. A practice of cross-checking with countries of origin also risks asylum claims being rejected on a flawed basis (because checks with national authorities may, intentionally on the part of the national authorities or not, yield inaccurate information, of which the asylum seeker is moreover unaware). Where asylum seekers are aware that confidentiality within the system is not assured, that is liable to inhibit full disclosure of the basis for an asylum claim, further undermining the fairness and effectiveness of the system.’¹⁵²

- 8.1.2 The UNHCR’s written observations in AAA, dated 19 August 2022, added: ‘UNHCR is concerned that the Rwandan authorities “‘cross-check’ with embassies of asylum seekers’ countries of origin before making a decision”. The GoR’s Response was that checks with (unspecified) Embassies are “standard practice in RSD: one member of RSDC is from the Ministry of Foreign Affairs. The Ministry liaises with Embassies to gather background information on the applicant and/or to gather country information”. The GoR subsequently stated that “[t]his background information refers to the RSDC seeking information about a specific event/situation in the asylum seeker’s country of origin” from Rwandan embassies in those countries.’¹⁵³
- 8.1.3 In the event the Treaty is ratified, Annex C contains specific provisions around the transfer, handling and processing of personal – including sensitive – data of actual or prospective Relocated Individuals¹⁵⁴.

[Back to Contents](#)

8.2 Information provided to asylum seekers

- 8.2.1 During the meeting with the GoR on 18 January 2022, UKHO officials asked what information an asylum seeker receives during the registration of his/her claim about how the asylum system works. The Director of Response and Recovery Unit MINEMA explained:
- ‘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.
 - ‘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.
 - ‘For the second level of claim – rights and responsibilities of submitting an appeal to the High Court and gaining assistance, this information

¹⁵² Annex 2, ‘[A9: Third Witness Statement of Lawrence Bottinick](#)’ (paragraph 23), 27 July 2022

¹⁵³ Annex 2, ‘[A2: UNHCR Written Observations in the Divisional Court](#)’ (para 18(3)), 19 August 2022

¹⁵⁴ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

would be provided when the first decision notification was handed over.¹⁵⁵

8.2.2 In a meeting between UKHO and the GoR on 22 March 2022, a MINEMA official showed the UKHO 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 8th June 2020
- a written appeal to the Minister of Immigration: Dated 1st July 2020
- a ministerial appeal outcome: Dated 3rd August 2020
- a temporary residence permit
- a refugee identity card¹⁵⁶

8.2.3 Due to privacy concerns, timing, language barriers and the scope of experience of the MINEMA official, the UKHO team were unable to obtain further detail from the source on the substance of the documents¹⁵⁷.

8.2.4 In his second witness statement in the case of AAA of 26 June 2022, Mr Bottinick observed: 'To UNHCR's knowledge, the Rwandan Government publishes no materials in any language which explain to asylum-seekers the process for making and progressing an asylum claim.'¹⁵⁸

8.2.5 The Asylum and HP Processing SOPs state that, upon registration of the asylum claim with the DGIE, the applicant is informed of their right to legal assistance and an interpreter¹⁵⁹. The RSD SOPs stated that these rights are reiterated by the RSDC when an interview is scheduled. At the interview, the RSDC mandate is explained to the asylum seeker¹⁶⁰.

8.2.6 A prospective SOP on reception and accommodation facilities, which will apply specifically to Relocated Individuals in the event the Treaty is ratified, sets out that the MEDP-CU shall be responsible for making information about the Rwandan asylum process available to Relocated Individuals at accommodation facilities (including access to interpretation and translation services) and to connect Relocated Individuals with legal representatives or organisations who can assist with their claims, legal processes, and appeals¹⁶¹.

See also [Use of interpreters/translators](#)

[Back to Contents](#)

¹⁵⁵ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

¹⁵⁶ Annex 1, '[A2. Home Office meeting with MINEMA](#)', 22 March 2022

¹⁵⁷ Annex 1, '[A2. Home Office meeting with MINEMA](#)', 22 March 2022

¹⁵⁸ Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)' (paragraph 27), 26 June 2022

¹⁵⁹ Annex 1, '[A8. GoR, Asylum and HP Processing, Standard Operating Procedures](#)', May 2023

¹⁶⁰ Annex 1, '[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)', May 2023

¹⁶¹ Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

8.3 Safeguarding

- 8.3.1 The prospective SOP on safeguarding has as an objective ‘To set up mechanisms that can quickly identify and refer individuals as Vulnerable Persons particularly those who are less visible to the authorities, in cooperation with communities and their structures.’¹⁶²
- 8.3.2 It further stated that Relocated Individuals can be vulnerable because of their past experiences and/or their personal characteristics. It notes Vulnerable Persons can be identified at any stage in either the RSD or integration process and states officials should have regard for physical and psychological signs that indicate vulnerability. The prospective SOP noted the importance of treating those who disclose vulnerabilities sympathetically and without judgment, and recommends use of an interpreter¹⁶³.
- 8.3.3 The prospective SOP on safeguarding stated that when a Vulnerable Person is identified, the individual must be referred to services to protect and safeguard their welfare as soon as possible, obtaining the person’s consent where possible. Where a staff member assesses that a safeguarding referral is appropriate, they should first contact the relevant MEDP-CU Protection Team. An individual can escalate a case to the relevant Protection Team, which enables it to be managed by trained and qualified staff¹⁶⁴.
- 8.3.4 The same prospective SOP stated that upon receiving a referral, a Protection Officer will arrange an interview with the individual within a reasonable timeframe taking account the nature of the vulnerability. Adjustments can be made such as provision of an interpreter and access for wheelchair users, as well as adjustments relating to vulnerabilities, such as provision of same-sex interviews¹⁶⁵.
- 8.3.5 The Protection Team may put further support in place, if possible with the informed consent of the individual, and may discuss a six-month plan of support with the individual, including a reassessment to discuss ongoing support needs¹⁶⁶.
- 8.3.6 The prospective SOP on safeguarding stated training will be available to all officials in the RSD process and will be regularly updated. It noted that both staff and volunteers will be trained to identify different types of abuse and to follow the appropriate procedures when abuse is disclosed or detected¹⁶⁷.
- 8.3.7 The same prospective SOP stated that information relating to a vulnerable individual will be stored with appropriate safeguards, and consent will be obtained for sharing it except in specific circumstances where sharing without consent is deemed to be in the best interests of the Vulnerable Person¹⁶⁸.

¹⁶² Annex 1, [‘A14. GoR, Prospective SoPs identifying and safeguarding...’](#) (para 3), May 2023

¹⁶³ Annex 1, [‘A14. GoR, Prospective SoPs identifying and safeguarding...’](#) (para 4, 7), May 2023

¹⁶⁴ Annex 1, [‘A14. GoR, Prospective SoPs identifying and safeguarding...’](#) (para 1, 4, 9), May 2023

¹⁶⁵ Annex 1, [‘A14. GoR, Prospective SoPs identifying and safeguarding...’](#) (para 10, 11), May 2023

¹⁶⁶ Annex 1, [‘A14. GoR, Prospective SoPs identifying and safeguarding...’](#) (para 24), May 2023

¹⁶⁷ Annex 1, [‘A14. GoR, Prospective SoPs identifying and safeguarding...’](#) (para 25), May 2023

¹⁶⁸ Annex 1, [‘A14. GoR, Prospective SoPs identifying and safeguarding...’](#) (para 26 to 28), May 2023

8.3.8 In the event that the Treaty is ratified, there are general provisions that will assist in the identification of, and support available for, vulnerable persons. These include in Part 2:

‘Article 5: Reception in the United Kingdom and provision of information

‘2. Upon requesting the transfer of a Relocated Individual, the United Kingdom shall provide Rwanda with Information that is necessary to enable Rwanda to make decisions on whether to accept the Relocated Individual... [which may include]

‘a. any special needs that the Relocated Individual may have that shall need to be accommodated in Rwanda;

‘b. any health issues it is necessary for Rwanda to know before receiving the Relocated Individual...’

‘Article 6: The process of relocation to Rwanda

‘1. After a Relocated Individual has been accepted for transfer, the United Kingdom shall provide further information where possible on each case for the purposes of assisting Rwanda to plan and make positive arrangements for the safe transfer and reception of Relocated Individuals...

‘2. This information shall include... any known physical or mental health conditions that could need ongoing treatment or support, any special dietary requirements, outcome of any decision in the United Kingdom as to whether the individual is or is likely to be a victim of trafficking.’¹⁶⁹

8.3.9 Once in Rwanda, the Treaty makes general provision for the appropriate treatment of each Relocated Individual:

‘Article 8: Reception arrangements and accommodation

‘1. Upon arrival, Rwanda shall provide each Relocated Individual with accommodation and support that is adequate to ensure the health, security and wellbeing of the Relocated Individual. In particular, Rwanda shall ensure that each Relocated Individual is provided with or has access to (as appropriate) the accommodation and support set out in Part 1 of Annex A without delay following their arrival in Rwanda.’¹⁷⁰

8.3.10 The Treaty also acknowledges the need to take into account any vulnerabilities as part of the asylum interview process. Part 3 - General, Part 2, section 3. Decision making, states at paragraph 3.5:

‘Any interview of a Relocated Individual by the First Instance Body shall... be conducted under conditions which allow the Relocated Individual to present the grounds for their application in a comprehensive manner, in particular... the person who conducts the interview shall be competent and appropriately trained to take account of the personal and general circumstances

¹⁶⁹ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

¹⁷⁰ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

surrounding the application, including the applicant's cultural origin, gender, sexual orientation, gender identity or vulnerability...'¹⁷¹

- 8.3.11 The Treaty also makes specific provision for victims of modern slavery under Part 3, Article 13, stating:

'Rwanda shall have regard to information provided about a Relocated Individual relating to any special needs that may arise as a result of their being a victim of modern slavery or human trafficking, and shall take all necessary steps to ensure that these needs are accommodated.

'For the purposes of Article 13(1), Rwanda agrees to treat as a victim of modern slavery and human trafficking a Relocated Individual who has received a positive reasonable grounds decision made by the United Kingdom (in those cases where the United Kingdom is not obliged to make a conclusive grounds decision prior to removal).'¹⁷²

- 8.3.12 With regards to the management of sensitive information, the Treaty puts in place general safeguards to ensure the appropriate handling of personal information in Part 6 and Annex C. In particular, part 4 of Annex C states: 'Processing of sensitive data shall only take place where appropriate safeguards exist to guard against the risk of unwarranted prejudicial impact from the processing of such data, in particular against unlawful discrimination.'¹⁷³

[Back to Contents](#)

8.4 Legal representation

- 8.4.1 For information about the judicial system, including independence and fair trial, see [Rwanda, Country Information Note: Human rights](#).
- 8.4.2 Article 12 of the Ministerial Instructions determining the management of refugees and refugee camps sets out 'Refugees' rights and freedoms', including, 'Access to justice and legal representation'. The terminology used throughout the document is 'refugee' and asylum seekers are not specifically mentioned¹⁷⁴.
- 8.4.3 During the meeting with the Rwandan government on 18 January 2022, UKHO officials asked about the availability of legal advice and support for asylum seekers during the RSD process. The Director of Response and Recovery Unit at MINEMA explained: 'For cases submitted to the High Court [on appeal] we have an implementing partner (NGO) so if there is a need to provide legal assistance, that NGO would be able to provide help...'¹⁷⁵
- 8.4.4 In an undated entry on its website, UNHCR-Rwanda provided information on the availability of legal assistance: 'Refugees, asylum seekers, stateless persons or other displaced populations are able to receive legal assistance through UNHCR Rwanda's partner Prison Fellowship Rwanda (PFR). Response services provided... Information and support on access to asylum

¹⁷¹ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹⁷² UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹⁷³ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹⁷⁴ GoR, '[Ministerial Instructions No. 02/2016 Determining the ...](#)' (Article 12), 1 June 2016

¹⁷⁵ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

and the refugee status determination procedure.’¹⁷⁶

8.4.5 Legal Aid Forum (LAF) described itself as ‘... the leading non-state legal aid provider in Rwanda, composed of 38 national and international NGOs, professional bodies, universities, Legal Aid Clinics and faith-based initiatives’.¹⁷⁷ At a meeting between UKHO and LAF on 21 March 2022, LAF noted: ‘There is no funding from government for [legal representation].’¹⁷⁸

8.4.6 At a meeting with the UKHO in January 2022, Rwandan Government officials reported that legal assistance is paid for by the NGO¹⁷⁹.

8.4.7 At a meeting with UKHO officials on 21 March 2022, UNHCR explained:

‘UNHCR partners with 2 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 [RSDC], they can’t bring a lawyer. Asylum seekers are interviewed by the panel... One asylum seeker vs a panel of 10. Sometimes less than 1 hour deliberation...

‘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.’¹⁸⁰

8.4.8 LAF explained at the meeting with the UKHO on 21 March 2022:

‘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 [asylum seekers] 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. [LAF] 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

¹⁷⁶ UNHCR, ‘[Help: Rwanda legal assistance](#)’, no date

¹⁷⁷ LAF, ‘[About us](#)’, no date

¹⁷⁸ Annex 3, ‘[A6. Meeting with LAF](#)’, 21 March 2022

¹⁷⁹ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

¹⁸⁰ Annex 2, ‘[A1. Meeting with UNHCR](#)’, 21 March 2022

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...

'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 [Rwandan] government don't inform their own citizens of their rights if they are arrested.'¹⁸¹

- 8.4.9 And: '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.'¹⁸²
- 8.4.10 The LAF representative was unable to provide details of how many asylum seekers LAF had assisted with their claims¹⁸³.
- 8.4.11 The second witness statement of Mr Bottinick, in the case of AAA, dated 26 June 2022, stated: '... the Government of Rwanda does not provide access to free legal assistance for appeals from the RSDC to the Minister. In limited cases, UNHCR's partner organisations do help with preparing and lodging appeal documents.'¹⁸⁴
- 8.4.12 The third witness statement of Mr Bottinick, dated 27 July 2022 (updated 3 August 2022), stated: '... to UNHCR's knowledge, currently only one legal officer at PFR [Prison Fellowship Reform, 'UNHCR's NGO partner, [who are] assigned to provide legal counseling on asylum procedures.'¹⁸⁵] regularly provides assistance on the Rwandan RSD process (with the backup of a lawyer)... and that LAF's current involvement in the RSD process is minimal.'¹⁸⁶
- 8.4.13 In written observations to the Supreme Court in the case of AAA, dated 18 September 2023 (updated 27 September 2023), UNHCR commented: 'The DGIE refers asylum claims to the RSDC for determination, and such determinations may then be reviewed by MINEMA. At none of these stages is an asylum-seeker entitled to make representations through a lawyer.'¹⁸⁷
- 8.4.14 UNHCR's written observations added: 'The GoR suggested that certain NGOs could provide legal assistance at the DGIE, RSDC and MINEMA stages. However, the relevant NGOs lack capacity to do so.'¹⁸⁸
- 8.4.15 UNHCR's 'Annual Results Report' for Rwanda, dated 28 April 2023, covering events in 2022, stated: 'UNHCR and Prison Fellowship Rwanda provided legal counselling on how to apply for asylum for 428 (out of 465 total cases in 2022).'189

¹⁸¹ Annex 3, ['A6: Meeting with LAF'](#), 21 March 2022

¹⁸² Annex 3, ['A6: Meeting with LAF'](#), 21 March 2022

¹⁸³ Annex 3, ['A6: Meeting with LAF'](#), 21 March 2022

¹⁸⁴ Annex 2, ['A8: Second witness statement of Lawrence Bottinick'](#), 26 June 2022

¹⁸⁵ UNHCR, ['Asylum Procedure in Rwanda'](#), no date

¹⁸⁶ Annex 2, ['A9: Third Witness Statement of Lawrence Bottinick'](#), 27 July 2022

¹⁸⁷ Annex 2, ['A10: UNHCR written observations in the Supreme Court'](#), 18 Sept 2023

¹⁸⁸ Annex 2, ['A10: UNHCR written observations in the Supreme Court'](#), 18 Sept 2023

¹⁸⁹ UNHCR, ['Annual results report 2022 Rwanda'](#) (page 10), 28 April 2023

- 8.4.16 The RSD SOPs stated that ‘The applicant is permitted to seek legal advice or other counsel at all stages of the asylum application process, from a Bar Association lawyer [or a non-governmental or multilateral organisation] providing that support, free of charge.’¹⁹⁰
- 8.4.17 As noted in the Asylum and HP Processing SOPs, an asylum seeker is entitled to legal counsel during the asylum registration, interview and appeal process. The same SOPs stated that information is provided on how to access legal counsel, and that such counsel may assist and advise the applicant during ‘any interview conducted by an immigration officer.’ Legal advice may be obtained from a Bar Association lawyer or a non-governmental or multilateral organisation providing that support¹⁹¹.
- 8.4.18 The RSD SOPs stated that prior to an interview with the RSDC, protection staff from the ministry in charge of refugees will ensure the asylum seeker has access to counselling or legal assistance to help them ‘... understand the process, gather relevant documents or evidence and prepare her/his case.’¹⁹² Legal counsel may consult and advise the asylum seeker during the RSDC interview¹⁹³. A copy of the asylum transcript is provided to both the asylum seeker and the legal assistant. The SOPs did not define the difference between legal counsel and legal assistance¹⁹⁴.
- 8.4.19 The Manual on Refugee Status Appeal Process stated that, when an asylum seeker is invited to interview after filing an appeal to MINEMA, they are reminded of their right to legal counsel, who will have the opportunity to make oral or written submissions to the Minister¹⁹⁵.
- 8.4.20 The GoR manual on Asylum Proceeding Before the Court of Law stated that, when appealing to the High Court, ‘A claimant has a right to legal representation at all stages of the proceedings. Legal Representatives may consult with and advise the applicant and may make representations and submissions on behalf of the applicant to the court.’¹⁹⁶
- See also [Challenging a negative decision](#)
- 8.4.21 On 1 March 2023, the Ministry of Justice (MINIJUST) signed an agreement with the Rwanda Bar Association to provide legal assistance to asylum seekers relocated under the MEDP at all appeal stages of their asylum claims. The agreement stipulates that MINEMA shall provide facilitation fees to cover all administrative and court fees required for all steps of the case. The agreement also sets out monitoring and reporting requirements and establishes a Monitoring and Evaluation Committee to oversee the program. The agreement is included at A15 in Annex 1¹⁹⁷.
- 8.4.22 In response to written questions submitted by UKHO, the GoR provided information on the availability of lawyers able to advise and represent asylum

¹⁹⁰ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹⁹¹ Annex 1, ‘[A8. GoR, Asylum and HP Processing, Standard Operating Procedures](#)’, May 2023

¹⁹² Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹⁹³ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹⁹⁴ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

¹⁹⁵ Annex 1, ‘[A6. GoR Manual on Refugee Status Appeal Process](#)’, May 2017

¹⁹⁶ Annex 1, ‘[A7. GoR, Asylum Proceeding Before the Court of Law](#)’, Sept 2023

¹⁹⁷ Annex 1, ‘[A15. Agreement on Provision of Legal Aid for Asylum Seekers...](#)’, 1 March 2023

seekers: 'As of now [11 December 2023] the [Rwanda Bar Association] RBA is counting 1318 Senior advocates and 360 Intern Advocates. All of them are able to advise /represent asylum seekers. Only members of Rwanda Bar Association are allowed to represent/ advise asylum seekers. This includes members of local NGOs such as LAF and Prison Fellowship.'¹⁹⁸

- 8.4.23 In the event the Treaty is ratified, Articles 5 and 6 of Part 3 of Annex B contains specific provisions on the availability of legal assistance throughout the RSD procedure (including appeals) for Relocated Individuals¹⁹⁹.

[Back to Contents](#)

8.5 Use of interpreters/translators

- 8.5.1 Rwandan government officials explained in a meeting with the UKHO on 18 January 2022 that claimants have access to interpreters when necessary. The Director of Response and Recovery Unit at MINEMA explained: '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.'²⁰⁰
- 8.5.2 During the same meeting, UKHO officials asked whether applicants have the right to correct what has been recorded by the government during interviews, in other words to correct any translation errors. A senior government official explained: 'Most of the cases are from surrounding countries so we share languages and there is no language barrier. [For] Arabic/Amharic/Tigrinya we have high quality interpreters (collaborating with UNHCR)... but we would be able to give the applicant a second chance to verify what had been said if necessary.'²⁰¹
- 8.5.3 Another senior official added: '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.'²⁰²
- 8.5.4 In a later meeting between HO and the GoR on 22 March 2022, a DGIE official was asked about access to interpreters and explained 'Claimants are able to arrange their own interpreters to attend the meetings with DGIE, the EO [Eligibility Officer], 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.'²⁰³
- 8.5.5 In a meeting between HO and the GoR on 22 March 2022, an official from DGIE also explained: 'DGIE don't need a lot of interpreters, so they are

¹⁹⁸ Annex 1, '[A4. GoR response to written questions submitted by UKHO](#)', 11 December 2023

¹⁹⁹ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁰⁰ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

²⁰¹ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

²⁰² Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

²⁰³ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

normally provided by UNHCR... If a relative can interpret for the person they are invited to come to the [RSD] Committee, for example Swahili interpreters. It's more difficult for example if Arabic is needed.'²⁰⁴

- 8.5.6 At a meeting with UKHO officials on 21 March 2022, a representative of UNHCR explained: 'Asylum seekers are interviewed by the panel [RSDC]. Only interpreter assistance is allowed for asylum seekers who do not speak English, Kinyarwanda or French.'²⁰⁵
- 8.5.7 The UNHCR's written observations, dated August 2022, in the case of AAA also commented on the availability of interpreters: 'Rwanda has limited experience of processing claims with professional interpreters, the majority of refugees now in Rwanda speak one of the country's three official languages. Where interpretation is necessary, the GoR currently does not provide a professional interpreter if an asylum seeker is able to speak even a little of one of the official languages or if they can bring a community or family member to act as an informal interpreter.'²⁰⁶
- 8.5.8 In his second witness statement in the case of AAA, dated 9 July 2022, Mr Bottinick noted:
- 'The DGIE does not provide its own interpreters. In UNHCR's understanding, if the asylum claimant can speak some of one of Rwanda's three official languages (English, French, Kinyarwanda) or if someone is available to unofficially interpret, no interpreter will be contacted. However, in some instances when the applicant cannot provide their own interpreter, the DGIE has contacted one of UNHCR's partner organisations to ask if they can send an interpreter to the DGIE (and on occasion the partner organisation will in turn ask UNHCR to 'loan' one of its own interpreters from the ETM). In other cases the individual will bring a member of their community or family to interpret [sic] for them. The use of informal interpreters or interviews between people who only partially understand each other introduces a significant risk of oral evidence being misunderstood or contaminated, in UNHCR's experience.'²⁰⁷
- 8.5.9 Mr Bottinick also noted: 'Professional interpreters are rarely used for RSDC or eligibility officer interviews. In the rare instances that an interpreter was used, questions were addressed to interpreters instead of asylum seekers.'²⁰⁸
- 8.5.10 Mr Bottinick further observed in his third witness statement of 27 July 2022:
- '... the SSHD has confirmed that "it will be for the Government of Rwanda, rather than the UK, to inform relocated individuals, on arrival, of the translation services in Rwanda", that "the Government of Rwanda will inform relocated individuals of the availability of translation support via a combination of in-person translators and, where unavailable, the big word" (the translation service used by the SSHD in the UK) and that "The

²⁰⁴ Annex 1, '[A3 Home Office meetings with DGIE and MINEMA](#)', 22 March 2022

²⁰⁵ Annex 2, '[A1. Meeting with UNHCR](#)', 21 March 2022

²⁰⁶ Annex 2, '[A2: UNHCR Written Observations in the Divisional Court](#)' (para 18(13)), 19 August 2022

²⁰⁷ Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)' (paragraph 41d), 26 June 2022

²⁰⁸ Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)' (paragraph 60), 26 June 2022

Government of Rwanda have informed the Home Office that primarily remote translation will be provided via ordinary telephone calls.” Unfortunately, the provision of remote interpretation, especially over the phone, via the Big Word, does not address UNHCR’s concerns over appropriate access to interpreters, for the following reasons:

‘a) A number of officials involved with the RSD process, at all levels, do not speak fluent English... English-speaking interpreters provided remotely from the UK would not be able to assist decision makers who do not have a fluent understanding of English; nor could they ensure that the asylum seekers understand everything which is said by the RSDC in languages other than English.

‘b) It appears that it will be at the GoR’s discretion to decide whether an interpreter is needed. I have already explained in LB2 that the use of professional interpreters during the RSD process in Rwanda is rare, and if the asylum seekers can speak some of Rwanda’s three official languages or someone is available to unofficially interpret, no interpreter will be contacted...’²⁰⁹

- 8.5.11 The Asylum and HP Processing SOPs state that an asylum seeker is permitted to have an interpreter during the asylum registration, interview and appeal process and that ‘All written correspondence and information that an applicant receives concerning their claim and the asylum process is translated by an appropriate interpreter, free of charge, if they require it to understand.’²¹⁰ During the RSDC interview, an interpreter will be provided if the asylum seeker does not speak any of the official languages of Rwanda²¹¹.
- 8.5.12 The Manual on Refugee Status Appeal Process states that, when appealing to MINEMA, the appellant is entitled to an interpreter during the appeal interview if they do not speak any of the official languages of Rwanda. If necessary, the written decision of the Minister should be translated by an interpreter²¹².
- 8.5.13 If appealing to the High Court, an interpreter may be used by the appellant to make their plea, or for support in filing a case or understanding the court proceedings. Submissions to the court must be in Kinyarwanda and any other supporting documents must be translated if they are not in one of Rwanda’s official languages²¹³.

See also [Challenging a negative decision](#)

- 8.5.14 In the event the Treaty is ratified, Article 7 of Part 3 of Annex B contains specific provisions on the availability of translators/interpreters throughout the RSD procedure (including appeals) for Relocated Individuals²¹⁴.

[Back to Contents](#)

²⁰⁹ Annex 2, ‘[A9: Third Witness Statement of Lawrence Bottinick](#)’ (paragraph 35), 27 July 2022

²¹⁰ Annex 1, ‘[A8. GoR, Asylum and HP Processing, Standard Operating Procedures](#)’, May 2023

²¹¹ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

²¹² Annex 1, ‘[A6. GoR, Manual on Refugee Status Appeal Process](#)’, May 2017

²¹³ Annex 1, ‘[A7. GoR, Asylum Proceeding Before the Court of Law](#)’, Sept 2023

²¹⁴ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

9. Notification of decisions and appeals

9.1 Notification of decisions

- 9.1.1 The [Law N° 13ter/2014 of 21/05/2014 Relating to Refugees states](#): ‘The decision of the Refugee Status Determination Committee shall set out the reasons for granting or refusing to grant refugee status.’ The law also states that the applicant will be notified of the decision in writing²¹⁵.
- 9.1.2 During a meeting with UKHO on 18 January 2022, a Rwandan government official advised that applicants receive notification of the RSDC’s decision, ‘... by a letter in one of the 3 official languages of Rwanda – English, French or Kinyarwanda.’²¹⁶
- 9.1.3 During the meeting with the Rwandan government on 18 January 2022, UKHO officials asked to what extent the RSDC provides reasons for its decisions. A Senior Official from MINAFFET explained: ‘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.’²¹⁷
- 9.1.4 In a meeting between UKHO and the Rwandan government on 22 March 2022, a DGIE official explained: ‘Once the decision is made, the EO [Eligibility Officer] 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.’²¹⁸
- 9.1.5 On refused cases, the official added: ‘No details relating to each and every piece of information given by the applicant are given [in the reasons for refusal]. No, it’s not a very detailed explanation.’²¹⁹
- 9.1.6 In a meeting between UKHO and LAF on 21 March 2022, a LAF representative was unsure whether all claimants were provided with reasons for the decision²²⁰.
- 9.1.7 According to UNHCR’s July 2020 submission to the UPR, the reasons for ‘... the RSD decisions, particularly rejection, are not known or properly explained including to the asylum seekers.’²²¹
- 9.1.8 At a meeting with UKHO officials on 21 March 2022, UNHCR explained: ‘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

²¹⁵ GoR, ‘[Official Gazette number 26 of 30/06/2014](#)’ (Articles 9 and 10, page 82), 30 June 2014

²¹⁶ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

²¹⁷ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

²¹⁸ Annex 1, ‘[A3. Home Office meeting with DGIE and MINEMA](#)’, 22 March 2022

²¹⁹ Annex 1, ‘[A3. Home Office meeting with DGIE and MINEMA](#)’, 22 March 2022

²²⁰ Annex 3, ‘[A6. Meeting with LAF](#)’, 21 March 2022

²²¹ UNHCR, ‘[Submission by the UNHCR for the Office of the High ...](#)’ (page 4), July 2020

difficult or impossible to exercise in practice.’²²²

- 9.1.9 In his second witness statement in the case of AAA, dated 26 June 2022, Mr Bottinick expressed UNHCR concerns about the process of notifying applicants about outcomes and onward appeal:

‘Article 9 of the 2014 Law provides that “The decision of the Refugee Status Determination Committee shall set out the reasons for granting or refusing to grant refugee status.” However:

‘a. RSDC refusals are not always notified to asylum seekers. In two cases in the last week (mid-June 2022), MINEMA sent UNHCR copies of RSDC refusals. UNHCR then contacted the asylum seekers to inquire if they needed assistance for an appeal application: they were unaware that their claim was rejected or that they could appeal.

‘b. Where a written RSDC decision is provided, this is in one of Rwanda’s three official languages. UNHCR is not aware of written decisions (from the RSDC or indeed any other decision-making body in Rwanda’s RSDC process) being translated for asylum-seekers.

‘c. In none of the 116 written RSDC decisions which UNHCR has seen (because they were provided by either individual asylum seekers, or our legal partners, or MINEMA’s eligibility officer) were reasons set out in sufficient detail to allow the asylum seeker to understand why their claim has been rejected and in most instances, no reasons at all were supplied for refusals by the RSDC.

‘d. The standard rejection template seen by UNHCR states “We regret to inform you that the Refugee Status requested was not granted because you don’t meet the eligibility criteria and the reasons you provided during the interview are not pertinent”. Of the 50 rejection letters seen by UNHCR this year 36 have this standard text. No further reasons or explanation are given in any of those 36 letters. I exhibit as LB3 a rejection letter containing the sample wording. It is representative of the other 35 decisions which UNHCR has seen which are in materially identical terms.

‘e. Even in the 14 cases where the briefest of reasons were provided, there was no, or no detailed reference to information provided by the asylum seeker and, as I have already said, the reasons were in UNHCR’s view too cursory to enable an effective appeal. Thus, for example, in an Eritrean case (where the individual’s former country of asylum was Ethiopia) the RSDC’s reasons were limited to stating that “We regret to inform you that the refugee status requested was not granted because you are not meeting the eligibility criteria and the reasons why you fled your country of asylum (Ethiopia) are not for protection”...

‘f. UNHCR is not aware of any cases where asylum seekers were provided additional reasons for refusal verbally.’²²³

- 9.1.10 The RSD SOPs state that notification letters of the decision are prepared by the RSDC secretariat. The secretariat is responsible for inviting the applicant

²²² Annex 2, [‘A1. Meeting with UNHCR’](#), 21 March 2022

²²³ Annex 2, [‘A8: Second witness statement of Lawrence Bottinick’](#) (paragraph 61), 26 June 2022

to collect their written decision, which the Chairperson of the RSDC shall provide within 10 days of the decision being made. Written notice of said decision will be recorded in one of the official languages of Rwanda. If required, the notice will be translated in writing to a language the applicant understands, free of charge. The decision will include ‘detailed reasons for the decision in both fact and law.’ If the applicant’s claim is refused, the written decision will explain the rights of appeal and how to do this. The appeal rights and process are also explained when the applicant collects their decision letter, with an interpreter present if required²²⁴.

See also [Challenging a negative decision](#)

9.1.11 GoR template grant and refusal letters, dated 6 January 2023 and 13 July 2022, respectively, are in Annex 1²²⁵. The template refusal letter contains sections on:

- Basis of claim
- Evidence considered
- Credibility
- Sufficiency of protection and internal relocation
- Next steps and appeal

9.1.12 The RSD SOPs also state that relevant institutions will be informed of the RSDC decision, including: the Ministry in charge of Refugees, the DGIE, UNHCR and the National Identification Agency²²⁶.

9.1.13 In the event the Treaty is ratified, Article 3 of Part 2 of Annex B contains specific requirements about decision making and conveying of that decision to the Relocated Individual. For example, Article 3.10 sets out that RIs shall be notified in writing of the decision that has been taken on their claim; and Article 3.11 sets out the languages that must be used, that detailed reasons for the decision in both fact and law must be given; as well as details on how to challenge a negative decision.²²⁷

[Back to Contents](#)

9.2 Ineligibility / revocation of refugee status

9.2.1 By law, a person granted refugee status on a prima facie basis may have his/her status revoked by the RSDC for reasons of territorial integrity and national security²²⁸. The RSD SOPs reiterate this position on revocation of refugee status²²⁹.

9.2.2 During the meeting with the Rwandan government on 18 January 2022, a UKHO official asked whether the RSDC had ever had to revoke status. A senior official from MINEMA advised: ‘In terms of revocation possibly 1 case back in 2017...’ The Colonel and Special Adviser on Immigration added:

²²⁴ Annex 1, ‘[A5. GoR, Refugee Status Determination Standard Operating Procedures](#)’, May 2023

²²⁵ Annex 1, ‘[A11. GoR, Notification of RSDC decision](#)’, 6 January 2023 and 13 July 2022

²²⁶ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

²²⁷ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

²²⁸ GoR, ‘[Official Gazette 26 of 30/06/2014](#)’ (Article 16, page 86), 30 June 2014

²²⁹ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

'Refugees are subject to the laws of Rwanda for crimes committed here.'²³⁰

9.2.3 Grounds for ineligibility include prosecution 'for any felony other than a political crime before [the applicant] takes refuge in Rwanda.'²³¹

9.2.4 In his second witness statement in the case of AAA of 26 June 2022, Mr Bottinick observed:

'UNHCR is also concerned that Rwandan decision-makers may interpret and apply the exclusion provisions of the Refugee Convention without the necessary consideration of individual responsibility or of the seriousness or nature of crimes a person is alleged to have committed. While it is very difficult to discern the reasoning underpinning RSDC letters, in two of the letters analysed for this statement, there appeared to be a (potentially erroneous) attempt to exclude an individual from Refugee Convention protection. In one Burundian case, the RSDC stated that: 'refugee status requested was not re-granted because of your participation in rebel groups.' and in another: "We regret to inform you that the refugee status requested was not granted because you are not meeting the eligibility criteria and you escaped justice"' (emphases added).²³²

9.2.5 The RSD SOPs also cited the grounds for ineligibility, noting that a person is not eligible for refugee status if there is 'strong evidence' showing that they have:

'... committed a crime against peace, war crime, crime of genocide and other crimes against humanity as defined by international conventions ratified by Rwanda

'... committed acts contrary to the main purposes and principles of the United Nations Refugee Convention (1951) and the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)

'[been] prosecuted for any felony other than a political crime or one for being a member of a particular social group before he/she takes refuge in Rwanda. The definition of 'felony' is provided by Article 17 of the Rwandan Penal Code, Law N°68/2018 OF 30/08/2018 Determining Offences and Penalties in General, which states that a felony is: an offence punishable under the law by a principal penalty of imprisonment for a term of more than five (5) years or by life imprisonment.'²³³

[Back to Contents](#)

9.3 Challenging a negative decision

9.3.1 The [Law N° 13ter/2014 of 21/05/2014 Relating to Refugees states](#):

'If a person applying for refugee status is not satisfied with the decision of the Refugee Status Determination Committee, he/she may appeal to the Minister [of MINEMA] within a period of thirty (30) days from the date he/she was notified of the decision. The Minister to whom the appeal is made shall

²³⁰ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

²³¹ GoR, '[Official Gazette number 26 of 30/06/2014](#)' (Article 14, page 85), 30 June 2014

²³² Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)' (paragraph 88), 26 June 2022

²³³ Annex 1, '[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)', May 2023

decide thereon within one (1) month. In case of appeal, the refugee status applicant shall continue to have the right to stay in Rwanda until the Minister decides on the appeal.’²³⁴

- 9.3.2 Under legislation enacted in June 2018, the Rwandan High Court adjudicates cases relating to asylum applications [Law No. 30/2018 of 02/06/2018, Article 47](#)²³⁵.
- 9.3.3 At a meeting with the HO in January 2022 a senior Rwandan government official explained the process of appeal to the Minister: ‘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... 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.’²³⁶
- 9.3.4 UKHO officials asked whether the judicial consideration/decision at appeal is independent from the RSDC. A senior Rwandan government official explained: ‘There is no connection between the RSD proceedings and the high court proceedings.’²³⁷
- 9.3.5 UKHO officials asked whether claimants need to give reasons why they are appealing a negative decision. The Colonel and Special Advisor on Immigration explained: ‘There is a legal right to appeal, and to be not happy with the decision is enough.’²³⁸
- 9.3.6 At a later meeting with the government of Rwanda on 22 March 2022, a UKHO official asked what information needs to be provided for an appeal. A DGIE official responded: ‘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.’²³⁹
- 9.3.7 In a meeting between the UKHO and LAF on 21 March 2022, a LAF representative explained:
- ‘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... 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 [legal representation].’²⁴⁰ (see [Legal representation](#))

²³⁴ GoR, ‘[Official Gazette number 26 of 30/06/2014](#)’ (Article 11, page 83), 30 June 2014

²³⁵ GoR, ‘[Official Gazette No. Special of 02/06/2018](#)’, 2 June 2018

²³⁶ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

²³⁷ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

²³⁸ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

²³⁹ Annex 1, ‘[A3. Home Office meeting with DGIE and MINEMA](#)’, 22 March 2022

²⁴⁰ Annex 3, ‘[A6. Meeting with LAF](#)’, 21 March 2022

- 9.3.8 UNHCR commented on the appeals (ministerial review) process in July 2020 as part of their submission to the UPR: ‘... the practice of appeal decisions being taken by the Minister of MINEMA poses questions as to the independency [sic] of the appeal process and could further result in bottlenecks once a larger number of applications needs to be processed.’²⁴¹
- 9.3.9 UNHCR raised the same concern during a meeting with UKHO officials on 21 March 2022, commenting: ‘The structure [of appeals] could be better. The [Ministerial] appeal is addressed to MINEMA, which is part of the NRSDC panel, so there is a question about independence.’²⁴²
- 9.3.10 In his second witness statement of 26 June 2022, Mr Bottinick commented: ‘... UNHCR is concerned that MINEMA too does not give reasons for refusal. I exhibit as LB6 an example of a MINEMA refusal letter which informs the asylum seeker that their appeal is dismissed ‘considering the information /proof you provided which were not neither [sic] satisfactory nor pertinent to convince the above mentioned Committee, based on the report of the appeal panel which reexamined your case, I regret to inform you that the decision taken by the Refugee Status Determination Committee rejecting your application for refugee status remains unchanged.’²⁴³
- 9.3.11 Also in his second witness statement, Mr Bottinick set out the UNHCR’s concerns about the appeal process:
- ‘Article 47 of the 2018 law provides that “The High Court also adjudicates cases relating to the applications for asylum”. Although that legislation was enacted on 2 June 2018, to the best of UNHCR’s information, no appeal (or ‘adjudication’) by the High Court in an RSD case has ever occurred. That there are no known cases is consistent with the information set out in the Home Office, Review of asylum processing, Rwanda: assessment (v1.0, May 2022) at §2.3.3.
- ‘The jurisdiction of the High Court in the RSD process is not clear (Article 47 does not refer to an appeal and appears under a heading “Ordinary jurisdiction of the High Court at first instance”).
- ‘The procedure for any appeal (or “adjudication”) by the High Court in the RSDC process is also unclear. UNHCR is aware of no guidance or application form issued to or available to asylum seekers concerning how to approach the High Court.
- ‘Much as for the lower level, in UNHCR’s view, the lack of written reasons in rejections from RSDC and MINEMA impedes any effective appeal to the High Court.
- ‘In addition, to the best of UNHCR’s knowledge, asylum seekers are not informed by MINEMA of any right of appeal to the High Court. The sample decision letter I referred to at §73 above makes no reference to the High Court. At this level, the Rwandan Government does not, to the best of UNHCR’s knowledge, enclose any further document copying out the relevant

²⁴¹ UNHCR, ‘[Submission by the UNHCR for the Office of the High ...](#)’ (page 4), July 2020

²⁴² Annex 2, ‘[A1. Meeting with UNHCR](#)’, 21 March 2022

²⁴³ Annex 2, ‘[A8: Second witness statement of Lawrence...](#)’, 26 June 2022

statutory provisions.’²⁴⁴

- 9.3.12 The RSD SOPs and the Manual on Refugee Status Appeal Process state that, on receipt of a negative decision, an asylum seeker is informed in writing and in person (with an interpreter present if necessary), on how to appeal to the Minister²⁴⁵ ²⁴⁶. The RSDC’s written notice refusing asylum states that an appeal must be made in writing and submitted by email or in hard copy to MINEMA within 30 days of receiving notification of the decision. Eligibility Officers at MINEMA will also describe the process of appeal to the asylum seeker when they receive the decision in person²⁴⁷. If required, MINEMA officials can support the appellant to file an appeal²⁴⁸.
- 9.3.13 The Ministerial appeal process is set out in the Manual on Refugee Status Appeal Process²⁴⁹. When appealing to the Minister, the appellant must submit their appeal letter setting out their ‘reasons for appeal and/or new elements or evidence if relevant.’ The appellant must also provide a copy of the RSDC decision letter²⁵⁰. The Minister will appoint, at their own discretion, ‘appropriate staff to handle the appeal’ who will ‘review the appellant’s case, review the RSDC’s decision, [and] check the compliance to laws and procedures related to refugee status determination.’ If the Minister is minded to refuse the application, the appellant will be given the opportunity to attend an interview to explain their application, accompanied by their legal counsel and, if required, an interpreter²⁵¹.
- 9.3.14 At the appeal interview, the appellant will be given the opportunity to present their case to establish that they have a well-founded fear of persecution. After analysing the case, the appeal review panel will make recommendations to the Minister who will consider the panel’s proposals and ‘take a decision accordingly if they are satisfactory or request the panel re-review the case.’ The decision will be made ‘... solely on the basis of the evidence before the Minister and solely by reference to the provisions and principles of the Refugee Convention and humanitarian protection law.’²⁵²
- 9.3.15 The Asylum Proceeding Before the Court of Law SOPs state that appeals to the High Court should be submitted in writing (enclosing a copy of the RSDC decision, the Minister’s appeal decision and any other evidence the appellant wants to include) through the Integrated Electronic Case Management System (IECMS) within 6 months of receiving the Minister’s decision. Appeals outside this time limit will be considered on a case-by-case basis²⁵³. The same SOPs noted that court administrative fees of 40,000 Rwandan Francs [about £25²⁵⁴] apply, but may be waived ‘in accordance with

²⁴⁴ Annex 2, ‘[A8: Second witness statement of Lawrence...](#)’ (paragraphs 76 to 80), 26 June 2022

²⁴⁵ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

²⁴⁶ Annex 1, ‘[A6. GoR, Manual on Refugee Status Appeal Process](#)’, May 2017

²⁴⁷ Annex 1, ‘[A6. GoR, Manual on Refugee Status Appeal Process](#)’, May 2017

²⁴⁸ Annex 1, ‘[A6. GoR, Manual on Refugee Status Appeal Process](#)’, May 2017

²⁴⁹ Annex 1, ‘[A6. GoR, Manual on Refugee Status Appeal Process](#)’, May 2017

²⁵⁰ Annex 1, ‘[A6. GoR, Manual on Refugee Status Appeal Process](#)’, May 2017

²⁵¹ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

²⁵² Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

²⁵³ Annex 1, ‘[A7. GoR, Asylum Proceeding Before the Court of Law](#)’, Sept 2023

²⁵⁴ Xe.com, ‘[40,000 RWF to GBP - Rwandan Francs to British Pounds](#)’, 6 December 2023

applicable law.’²⁵⁵

9.3.16 On the possibility of making further representations, Mr Bottinick in his second witness statement of 26 June 2022 in the case of AAA noted: ‘UNHCR is also aware of no mechanism by which a person whose claim has been rejected under the RSD procedure can make a further asylum claim in Rwanda on the basis of fresh evidence or changed circumstances.’²⁵⁶

9.3.17 The RSD SOPs state, in regard to making a fresh claim, that:

‘An applicant shall have the opportunity to make a fresh asylum or humanitarian protection claim, where an earlier claim has been refused, in the event that:

(a) they have new evidence that was not previously considered by the RSDC; or

(b) their personal circumstances have changed in a material way or the circumstances in their country of origin have changed, such that they have new grounds for seeking protection in respect of their country of origin.’²⁵⁷

9.3.18 On 5 December 2023, KT Press reported on the signing of the UK-Rwanda treaty: ‘... [GoR’s Minister of Foreign Affairs and Cooperation, Dr Biruta] pointed out that new treaty will... see the introduction of a new appeals tribunal, to be established under Rwandan law and overseen by two co-presidents, one Rwandan and one drawn from another Commonwealth country, and a panel of judges from various nationalities, who will hear appeals in the event an applicant’s asylum claim is turned down.’²⁵⁸

9.3.19 In the event the Treaty is ratified, Article 4 of Part 2 of Annex B contains specific provisions on the appeals process for Relocated Individuals. Article 2.1.4 of Part 2 of Annex B provides for the opportunity to make a fresh claim (when an earlier claim has been refused on final determination)²⁵⁹.

See [Recognition and appeal rates](#)

[Back to Contents](#)

Section updated: 8 January 2024

10. Documentation for asylum seekers and refugees

10.1.1 During the meeting between the Rwandan government and UKHO officials on 18 January 2022, the following information was provided on the 3 types of documents issued to asylum seekers and refugees and the associated rights:

- ‘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

²⁵⁵ Annex 1, ‘[A7. GoR, Asylum Proceeding Before the Court of Law](#)’, Sept 2023

²⁵⁶ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (paragraph 87), 26 June 2022

²⁵⁷ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

²⁵⁸ KT Press, ‘[UK, Rwanda sign treaty to reinforce migration...](#)’, 5 December 2023

²⁵⁹ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

card and provides these rights: apply for job, register for health insurance, telephone card, bank, marriage, insurance, college, business, driving permit

- 'Refugee travel doc[ument] [looks like a passport] allows travel abroad.'²⁶⁰

- 10.1.2 At the same meeting, a senior official from DGIE explained that there is no charge for the refugee ID, but there is a charge for the travel document²⁶¹.
- 10.1.3 UKHO officials asked about the validity of the temporary resident permit. The Director of Response and Recovery Unit at MINEMA explained: '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.'²⁶²
- 10.1.4 When UKHO officials asked about the process for extending temporary resident permits, a second senior Rwandan official explained: '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. The law [regarding extension of the permit] is applied automatically.'²⁶³
- 10.1.5 The UNHCR noted that an application form for a refugee ID is submitted to MINEMA, supported by a proof of registration document. Applicants are then notified by the National Identification Agency (NIDA) to arrange for biometrics to be taken²⁶⁴.
- 10.1.6 The UNHCR observed in a July 2020 submission to the UPR that refugee ID cards allow access to bank accounts, mobile SIM cards and business registration²⁶⁵.
- 10.1.7 At a meeting between UKHO and UNHCR on 21 March 2022, UNHCR commented: '[The] Government is keen to make sure everyone has a valid refugee ID. Proof of registration – [is a] standard doc[ument] – [which refugees] need to carry around if [they]... don't have ID. Anyone not carrying an ID card is considered "illegal". [Refugees] need [an] ID card to get a job, [access] medical services, education, a SIM card and/or to use mobile money etc.'²⁶⁶
- 10.1.8 A March 2021 report by the World Bank noted:
- 'Refugees were vocal about wanting an ID that would give similar privileges as the national ID, and cited activities they were unable to do with a refugee ID... While the refugee ID is supposed to confer access to many of the same services as a national ID, many participants cited experiences where that was not the case (e.g. SIM registration), likely due to poor implementation of policy by individual officers or employees. Several refugee participants also cited challenges with registering for IDs in general, mentioning challenges

²⁶⁰ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

²⁶¹ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

²⁶² Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

²⁶³ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

²⁶⁴ UNHCR, '[Help: Rwanda documentation](#)', no date

²⁶⁵ UNHCR, '[Submission by the UNHCR for the Office of the High ...](#)' (page 6), July 2020

²⁶⁶ Annex 2, '[A1. Meeting with UNHCR](#)', 21 March 2022

furnishing documentation, lengthy timelines, and difficulties in getting replacement IDs when necessary.²⁶⁷

10.1.9 A Rwandan government report about the Jya Mbere project in March 2021 noted that refugees aged 16 and above are issued with refugee identity cards. The Rwandan government made a commitment in 2016 to ensure that 100% of refugees would be issued with a refugee identity card by the end of 2017. As of 31 December 2020, 77% of refugees were in possession of refugee IDs, with the government anticipating that it would meet its target by the end of 2021²⁶⁸.

10.1.10 The NCHR conducted monitoring of both urban and camp-based refugees during March 2021 and noted:

'The Ministry in charge of Emergency Management (MINEMA) has informed the Commission that the number of refugees above 16 is 70,356. According to a report by the National Identification Agency (NIDA), 61,725 refugee ID cards have been released. The number of refugees in the database who have been received ID cards is 33,774, which means that there are 27,951 refugees who are supposed to have ID cards but to whom they are not yet issued... During discussions [with NCHR]... held on 24 August 2021, MINEMA said... a task force has been set up to look into the issue of those who do not have refugee cards in each camp.'²⁶⁹

10.1.11 NCHR's annual activity report, monitoring refugees during May 2022, noted '... in all camps, there is a problem related to the delay in granting the identity cards to refugees who have attained the required age or to those whose cards have expired.'²⁷⁰

10.1.12 A September 2022 UNHCR operational update noted:

'At the end of September, the countrywide biometric capturing exercise for refugee IDs was completed. Since July [2022], 4,433 refugees were enrolled in order to receive refugee IDs by the joint team of NIDA, DGIE, MINEMA and UNHCR. In addition, 2,303 refugee ID cards were distributed, and 1,885 national assessments were carried out allowing refugees who previously fraudulently obtained Rwandan IDs to be issued with refugee IDs. Alongside DGIE, UNHCR continued the distribution of refugee ID's for urban refugees in Kigali every Wednesday at Gikondo Community Centre.'²⁷¹

10.1.13 UNHCR's 'Annual Results Report' for Rwanda, dated 28 April 2023, covering events in 2022, stated: 'At the end of 2021, 52% of eligible refugees possessed refugee identity cards. In 2022, UNHCR, Government counterparts and partners made efforts in raising awareness among refugees and asylum seekers on the importance of obtaining refugee identity cards. As a result, the number of refugees issued with identity cards increased to 51,100 or 72% of the 70,700 refugees eligible for ID cards.'²⁷²

²⁶⁷ World Bank, '[People's perspectives on ID and civil registration in Rwanda](#)' (page 17), 24 Mar 2021

²⁶⁸ GoR, '[Jya Mbere project/Socio-economic inclusion of refugees ...](#)' (page 11, table 1), March 2021

²⁶⁹ NCHR, '[Annual activity report, July 2020 to June 2021](#)' (pages 29 to 30), September 2021

²⁷⁰ NCHR, '[Annual activity report, July 2021 to June 2022](#)' (page 38), September 2022

²⁷¹ UNHCR, '[Operational update Rwanda September 2022](#)' (page 2), 15 September 2022

²⁷² UNHCR, '[Annual results report 2022 Rwanda](#)' (page 9), 28 April 2023

- 10.1.14 An August 2023 UNHCR operational update highlighted the continuing work alongside NIDA and DGIE to ‘conduct a biometric enrolment exercise in Kiziba, Kigeme and Mugombwa camps. Through this process the biometrics of refugees were collected and refugee ID cards renewed, distributed or replaced... In September [2023], the exercise will continue in remaining refugee camps in Rwanda.’²⁷³
- 10.1.15 The UNHCR noted in its submission as part of the UPR of Rwanda in July 2020 ‘Civil registration, particularly birth registration, is accessible to refugees in camps and urban areas.’²⁷⁴
- 10.1.16 The Asylum and HP Processing SOPs state that a temporary residence permit, valid for 3 months, is issued upon registration of an asylum claim and can be renewed for a further 3 months if it expires and the applicant was still waiting for an asylum or appeal decision²⁷⁵.
- 10.1.17 The RSD SOPs state that, if a person is granted refugee status, they are entitled to refugee identification documents²⁷⁶.
- 10.1.18 The prospective SoP on reception and accommodation facilities required the MEDP-CU to ensure that Relocated Individuals are provided with proper identity documents or temporary residence permits, to allow them to access protection and other services²⁷⁷.
- 10.1.19 In the event the Treaty is ratified, Article 13.2.2 of Part 2 of Annex A contains a specific requirement that Relocated Individuals will be ‘issued, without delays, with any documentation required to enable their free movement, including identity papers and Travel Documents for the purpose of travel outside of Rwanda’²⁷⁸.

[Back to Contents](#)

Section updated: 11 December 2023

11. Recognition and appeal rates

11.1 RSDC cases

- 11.1.1 At a meeting between UKHO and UNHCR on 21 March 2022, UNHCR commented: ‘...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.’²⁷⁹
- 11.1.2 In a June 2022 statement following the announcement of the MEDP, UNHCR commented: ‘UNHCR has concerns about the impartiality of the RSD Committee’s decision-making, with high rates of rejection observed for asylum applicants originating from both neighbouring and non-African

²⁷³ UNHCR, ‘[Operational update: Rwanda August 2023](#)’, 15 Sep 2023

²⁷⁴ UNHCR, ‘[Submission by the UNHCR for the Office of the High ...](#)’ (page 6), July 2020

²⁷⁵ Annex 1, ‘[A8. GoR, Asylum and HP Processing, Standard Operating Procedures](#)’, May 2023

²⁷⁶ Annex 1, ‘[A5. GoR, Refugee Status Determination, Standard Operating Procedures](#)’, May 2023

²⁷⁷ Annex 1, ‘[A12. GoR Prospective SoP on reception and accommodation facilities](#)’, Sept 2023

²⁷⁸ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

²⁷⁹ Annex 2, ‘[A1. Meeting with UNHCR](#)’, 21 March 2022

countries.’²⁸⁰

- 11.1.3 The Nairobi-based East African news site reported on 15 April 2022: ‘Rwanda on Thursday [14 April] appeared to stoke controversy after a government official [Minister of Foreign Affairs, Dr Vincent Biruta] said the country will not admit refugees from neighbouring countries under a deal with the United Kingdom to host asylum seekers ...Kigali says it will not welcome asylum seekers from countries from [sic] DR Congo, Burundi, Uganda and Tanzania.’²⁸¹
- 11.1.4 The second witness statement of Mr Bottinick, dated 26 June 2022, noted: ‘UNHCR is aware of 333 cases which have been dealt with through Rwanda’s [individual] RSD procedure since 2019.’²⁸²
- 11.1.5 As part of its role as Intervener in the case of AAA, UNHCR prepared RSD statistics for Rwanda. The third witness statement of Mr Bottinick, dated 27 July 2022 (updated 3 August 2022), stated: ‘UNHCR is not provided with comprehensive information concerning asylum claims and outcomes by the GoR. Instead, it has collated data from its knowledge of all of those who have approached UNHCR or its legal aid partners for advice, and from such information as the GoR provides to UNHCR.’²⁸³
- 11.1.6 Mr Bottinick’s third witness statement provided a table²⁸⁴ – covering the period 2020 to 21 June 2022 – which: ‘...sets out UNHCR’s data about all cases of which it was aware which had passed through the RSD process in Rwanda between the start of 2020 and 21 June 2022... The first column sets out the number of asylum claims which have come to UNHCR’s attention as being rejected at DGIE level (that is, where a person sought to make an asylum claim but their claim was not referred by the DGIE to the RSDC).’²⁸⁵

²⁸⁰ UNHCR, ‘[UNHCR analysis of the legality and appropriateness...](#)’ (para 18c), 8 June 2022

²⁸¹ The East African, ‘[Rwanda excludes refugees from neighbouring states in UK deal](#)’, 15 April 2022

²⁸² Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’, 26 June 2022

²⁸³ Annex 2, ‘[A9: Third Witness Statement of Lawrence Bottinick](#)’, 27 July 2022

²⁸⁴ Annex 2, ‘[A9: Third Witness Statement of Lawrence Bottinick](#)’, 27 July 2022

²⁸⁵ Annex 2, ‘[A9: Third Witness Statement of Lawrence Bottinick](#)’, 27 July 2022

Nationality	Number	%	Rejected at DGIE Level Number	Rejected at DGIE %	Processed by RSDC	Processed by RSDC %	Missing/Pending RSDC Decision Number	Missing/Pending RSDC Decision %	Claim Abandoned Number	Claim Abandoned %	Control
Afghanistan	9	2.8%	2*	22%	2	22%	5	56%	0	0%	100%
Burundi	142	44.5%	4	3%	57	41%	79	55%	2	1%	100%
Cameroon	9	2.8%	2	22%	5	56%	2	22%	0	0%	100%
CAR	2	0.6%	0	0%	0	0%	2	100%	0	0%	100%
Chad	3	0.9%	0	0%	0	0%	3	100%	0	0%	100%
DRC	66	20.7%	3	5%	50	76%	13	20%	0	0%	100%
Egypt	2	0.6%	0	0%	1	50%	0	0%	1	50%	100%
Eritrea	22	6.9%	1	5%	18	82%	2	9%	1	5%	100%
Ethiopia	18	5.6%	7	39%	5	28%	6	33%	0	0%	100%
Kenya	2	0.6%	1	50%	1	50%	0	0%	0	0%	100%
Lebanon	1	0.3%	0	0%	1	100%	0	0%	0	0%	100%
Libya	2	0.6%	2*	100%	0	0%	0	0%	0	0%	100%
Nigeria	3	0.9%	0	0%	1	33%	2	67%	0	0%	100%
Palestine	1	0.3%	0	0%	1	100%	0	0%	0	0%	100%
Republic of Congo	1	0.3%	0	0%	1	100%	0	0%	0	0%	100%
Pakistan	1	0.3%	0	0%	0	0%	1	100%	0	0%	100%
Somalia	2	0.6%	0	0%	0	0%	2	100%	0	0%	100%
South Sudan	13	4.1%	0	0%	4	31%	9	69%	0	0%	100%
Sudan	3	0.9%	0	0%	2	67%	1	33%	0	0%	100%
Syria	6	1.9%	1*	17%	3	50%	2	33%	0	0%	100%
Tanzania	1	0.3%	0	0%	0	0%	1	100%	0	0%	100%
Turkey	5	1.6%	3	60%	1	20%	0	0%	1	20%	100%
Uganda	1	0.3%	0	0%	0	0%	1	100%	0	0%	100%
Yemen	4	1.3%	0	0%	3	75%	1	25%	0	0%	100%
Total	319	100.0%	26		156		132		5		
% of total applications				8%		49%		41%		2%	

*Cases rejected at Kigali International Airport. Note that this table does not include the Yemeni national who tried to enter Rwanda through Kigali airport in September 2021. While UNHCR consider it likely this individual was also refused access to asylum procedures by DGIE, UNHCR does not have enough detail to confirm this.

**The data does not include the MINEMA appeal stage. As of 21 June 2022 (the end of the period covered by this data) or indeed 26 June 2022 (the date the second statement of Lawrence Bottinick was finalised) UNHCR was not aware of any appeals to MINEMA which had been allowed.

For an overview of the number of cases considered by the RSDC during the period 2019 to November 2023 – based on data provided to the UKHO by GoR – see section RSDC: [Capacity](#)

11.1.7 The data in Mr Bottinick’s third witness statement provided the number of cases – of which UNHCR was aware – considered by the RSDC between the start of 2020 and 21 June 2022, split by nationality²⁸⁶. Data provided by GoR – in response to written questions submitted by UKHO – also included a breakdown of the nationalities of cases considered by the RSDC. The full table provided by GoR is included at Annex 1²⁸⁷.

[Back to Contents](#)

11.2 ‘Middle Eastern’ cases

11.2.1 CPIT has compiled a table to compare the GoR and UNHCR statistics for the period 2020 to 2022, with a focus on ‘middle-eastern’ nationalities (Afghanistan, Egypt, Lebanon, Palestine, Syria and Yemen) considered by the RSDC.

Number of cases considered by RSDC (by source and nationality) between 2020 and 2022	GoR ²⁸⁸	UNHCR ²⁸⁹
Afghanistan	3 [1]	2
Egypt	1 [1]	1
Lebanon	1 [0]	1

²⁸⁶ Annex 2, ‘[A9: Third Witness Statement of Lawrence Bottinick](#)’, 27 July 2022

²⁸⁷ Annex 1, ‘[A4. GoR response to written questions submitted by UKHO](#)’, 11 December 2023

²⁸⁸ Annex 1, ‘[A4. GoR response to written questions submitted by UKHO](#)’, 11 December 2023

²⁸⁹ Annex 2, ‘[A9: Third Witness Statement of Lawrence Bottinick](#)’, 27 July 2022

Palestine	1 [1]	1
Syria	1 [0]	3
Yemen	2 [0]	3
Total	9 [3]	11

To note: (i) GoR data includes all cases considered in 2022, whereas UNHCR data considers cases only until 21 June 2022. (ii) GoR data considers an application by one family as one case. It is not known whether the UNHCR data relates to the number of cases or the number of individual claimants. (iii) The number of cases granted protection is given in square brackets.

11.2.2 Given the very small numbers of ‘middle-eastern’ cases considered by the RSDC, it is not possible to make a reliable comparison of relative grant/refusal rates by nationality of claimant.

11.2.3 The GoR also provided statistics for 2023 (up to and including 30 November). The number of cases granted protection is given in square brackets.

Number of cases considered by RSDC in 2023	GoR²⁹⁰
Afghanistan	5 [4]
Egypt	0 [0]
Lebanon	0 [0]
Palestine	0 [0]
Syria	0 [0]
Yemen	0 [0]
Total	5 [4]

11.2.4 In the event the Treaty is ratified, Article 3(1) contains an explicit provision that ‘The Parties agree that the obligations in this Agreement shall be met in respect of all Relocated Individuals, regardless of their nationality, and without discrimination’²⁹¹.

[Back to Contents](#)

11.3 LGBTI cases

11.3.1 In his second witness statement of 26 June 2022, Mr Bottinick commented: ‘In the last few months, UNHCR became aware of two cases where LGBTIQ+ individuals were allowed to progress their claims at the RSDC. The sample is too small and too recent to draw any conclusions as to whether Rwandan practices toward LGBTIQ+ asylum seekers have altered.’²⁹²

²⁹⁰ Annex 1, ‘[A4. GoR response to written questions submitted by UKHO](#)’, 11 December 2023

²⁹¹ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

²⁹² Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’, 26 June 2022

- 11.3.2 In response to written questions submitted by UKHO of 11 December 2023, the GoR also provided data on the number of claims based on LGBTI status received between 2019 and 30 November 2023. The GoR response indicated receipt of 5 claims:
- In April 2022 a transgender claimant was granted refugee status,
 - Since April 2022, 3 LGBTI claimants were offered an opportunity to conduct interviews but left the country before the conduct of the interview at RSD. One other claimant was refused protection²⁹³.
- 11.3.3 As Mr Bottinick observes, 2 cases are too few to draw reliable conclusions and identify patterns in the consideration of LGBTI claims.
- 11.3.4 In response to written questions submitted by UKHO, the GoR provided details of a 5-day training course delivered between 20 and 24 November 2023. The training was delivered through a collaboration between UKHO technical experts and the Rwandan Institute of Legal Practice and Development (ILPD). The manual used to deliver the training is provided in Annex 3²⁹⁴. The manual includes sections which cover the understanding and application of the refugee convention, including persecution on the basis of sexual orientation or gender identity. Details of who received the training are included in Annex 1²⁹⁵.
- 11.3.5 In the event the Treaty is ratified, Paragraph 3 of Annex B, Part 2 contains provisions for Rwanda to move to a case worker model when deciding claims. Under this model, for the first 6 months, Rwanda's decision-making body – the 'First Instance Body' – will consider advice from a seconded independent expert prior to making a decision to refuse a claim²⁹⁶.

[Back to Contents](#)

11.4 Appeal outcomes

- 11.4.1 The second witness statement of Mr Bottinick, in the case of AAA, dated 26 June 2022, stated: 'To the best of UNHCR's knowledge, no appeals to the High Court of Rwanda against a refusal of refugee status have ever taken place'²⁹⁷
- 11.4.2 In response to written questions submitted by UKHO, the GoR provided a table showing the number of appeals considered by the Minister in 2022 and 2023 plus the outcome of those appeals. The table is shown in full in Annex 1 and indicates that during the period from January 2022 to November 2023, 125 appeals were lodged and 104 of the appeals were refused while 21 appeals resulted in a grant of asylum²⁹⁸.
- 11.4.3 In response to written questions submitted by UKHO, the GoR also provided information on the number of appeals before the High Court in 2022 and 2023 (up to November) plus the outcome of those appeals. GoR indicated a

²⁹³ Annex 1, '[A4. GoR response to written questions submitted by UKHO](#)', 11 December 2023

²⁹⁴ Annex 3, '[A10. ILPD and MoJ – Refugee law and RSD process training manual](#)' October 2022

²⁹⁵ Annex 1, '[A4. GoR response to written questions submitted by UKHO](#)', 11 December 2023

²⁹⁶ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁹⁷ Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)', 26 June 2022

²⁹⁸ Annex 1, '[A4. GoR response to written questions submitted by UKHO](#)', 11 December 2023

single appeal was lodged to the High Court during this period and the appeal resulted in a grant of asylum. Eight cases were pending as of 11 December 2023²⁹⁹.

[Back to Contents](#)

Section updated: 11 December 2023

12. Alternative routes to remain in Rwanda

- 12.1.1 During the meeting with the Rwandan government on 18 January 2022, UKHO officials asked what happened to those whose asylum decision is refused at appeal. A senior government official explained: ‘Some failed asylum seekers choose to remain in Rwanda and obtain different types of residence permits that suits [sic] their purpose of stay. Others return home voluntarily or move to [a] 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.’³⁰⁰
- 12.1.2 In a meeting between the UKHO and LAF on 21 March 2022, a LAF representative explained: ‘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.’³⁰¹
- 12.1.3 LAF added ‘Some people enter the country via the tourist or student or businessperson visa routes and then claim asylum’.³⁰² LAF explained however that they ‘[h]ave 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.’³⁰³
- 12.1.4 At a meeting with UKHO officials on 21 March 2022, UNHCR commented: ‘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...’
- ‘Some asylum seekers and rejected asylum seekers need a passport to apply for other [immigration] status but this is not always possible; [UNHCR] had not seen many examples of GoR giving waiver for those who don’t have valid passports. There were a few cases though.’³⁰⁴
- 12.1.5 In May 2023, The New Times, a Rwandan English language online media organisation, reported on the aftermath of the Taliban takeover of Afghanistan in August 2021, an event which resulted in the relocation of the pupils and staff of an all-girls school in Kabul to Rwanda. The article did not

²⁹⁹ Annex 1, [‘A4. GoR response to written questions submitted by UKHO’](#), 11 December 2023

³⁰⁰ Annex 1, [‘A1. Home Office meeting with Rwandan Government officials’](#), 18 January 2022

³⁰¹ Annex 3, [‘A6. Meeting with LAF’](#), 21 March 2022

³⁰² Annex 3, [‘A6. Meeting with LAF’](#), 21 March 2022

³⁰³ Annex 3, [‘A6. Meeting with LAF’](#), 21 March 2022

³⁰⁴ Annex 2, [‘A1. Meeting with UNHCR’](#), 21 March 2022

specify the status awarded to the pupils and teachers that enabled them to remain in Rwanda³⁰⁵.

- 12.1.6 In the event the Treaty is ratified, Article 10 of Part 4 contains specific requirements about the treatment of all Relocated Individuals (applying to any child who forms part of the family), including those who are not recognised as refugees or having another humanitarian protection need:
- ‘1. For those recognised as refugees by Rwanda, Rwanda shall grant the Relocated Individual refugee status and provide the same level of support and accommodation as a Relocated Individual seeking asylum, integration into society and freedom of movement in accordance with the Refugee Convention. Those recognised as refugees shall be treated in accordance with the Refugee Convention and international and Rwandan laws...
- ‘2. For those who are not recognised as refugees, Rwanda shall consider whether the Relocated Individual has another humanitarian protection need, such that return to their country of origin would result in a real risk of their being subject to inhuman, degrading treatment or torture or a real risk to their life. Where such a protection need exists, Rwanda shall provide treatment consistent with that offered to those recognised as refugees (as set out in Article 10(1)) and permission to remain in Rwanda. Such persons shall be afforded equivalent rights and treatment to those recognised as refugees and shall be treated in accordance with international and Rwandan laws...
- ‘3. No Relocated Individual (even if they do not make an application for asylum or humanitarian protection or whatever the outcome of their applications) shall be removed from Rwanda except to the United Kingdom in accordance with Article 11(1). The Parties shall cooperate to agree an effective system for ensuring that removal contrary to this obligation does not occur, which includes systems (with the consent of the Relocated Individual as appropriate) for returns to the United Kingdom and locating, and regularly monitoring the location of, the Relocated Individual.
- ‘For those Relocated Individuals not falling under Articles 10(1) and 10(2), Rwanda shall:
- ‘a. regularise that person’s immigration status in Rwanda, so as to ensure a right to remain in Rwanda in the form of a permanent residence permit;
- ‘b. provide adequate support and accommodation for the Relocated Individual’s health and security in accordance with Part 1 of Annex A, from arrival in Rwanda until such a time as their status is regularised in accordance with Article 10(4)(a);
- ‘c. once their status is regularised, grant the rights and treatment as set out in Part 2 of Annex A;
- ‘d. grant any Child who forms part of a Family with that Relocated Individual the same status, rights and treatment as the Relocated Individual.’³⁰⁶

³⁰⁵ The New Times, [‘Afghan girls relish “remarkable” reception in Rwanda’](#), 23 May 2023

³⁰⁶ UK Government, [‘UK/Rwanda: Agreement for the Provision of an Asylum...’](#), 6 Dec 2023

13. Immigration detention and deportation

- 13.1.1 During the meeting with the Rwandan government on 18 January 2022, UKHO officials asked whether asylum seekers were detained or deported. The Director of Response and Recovery Unit at MINEMA explained: ‘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.’³⁰⁷
- 13.1.2 An IOM report, Migration Governance Indicators Profile 2021 – Republic of Rwanda, with research and analysis undertaken by The Economist Intelligence Unit, stated:
- ‘Migrant detention is used only as a measure of last resort. The Law on Immigration and Emigration in Rwanda places emphasis on the deportation of migrants who violate immigration laws as opposed to detention, although it mentions that they may be subject to “imprisonment for a term of not less than thirty (30) days and not more than six (6) months”. Moreover, Article 52 of Ministerial Order No. 06/01 Relating to Immigration and Emigration (2019) specifies that “[a] foreigner subject to deportation may be hosted in a specified premise before his or her deportation from Rwanda”. The same order provides for administrative sanctions, such as fines, as an alternative to deportation [the Order does not specifically refer to the detention and deportation of failed asylum seekers³⁰⁸].’³⁰⁹
- 13.1.3 At a meeting with UKHO officials on 21 March 2022, UNHCR commented: ‘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 [an NGO] 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.’³¹⁰
- 13.1.4 At the same meeting, UNHCR commented on the removal of failed asylum seekers:
- ‘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 [the] border by land. UNHCR was aware of at least 2 cases where unsuccessful asylum seekers had been taken directly to the border.’³¹¹

³⁰⁷ Annex 1, [‘A1. Home Office meeting with Rwandan Government officials’](#), 18 January 2022

³⁰⁸ GoR, [‘Official Gazette no.Special of 30/05/2019, Number 06/01 of ...’](#) (Article 52), 30 May 2019

³⁰⁹ IOM, [‘Republic of Rwanda profile 2021: Migration governance indicators’](#) (pages 21 to 22), 2021

³¹⁰ Annex 2, [‘A1. Meeting with UNHCR’](#), 21 March 2022

³¹¹ Annex 2, [‘A1. Meeting with UNHCR’](#), 21 March 2022

- 13.1.5 A LAF representative who met with the HO on 21 March 2022 explained that 'A person cannot be deported while waiting for an Appeal outcome.'³¹²
- 13.1.6 The LAF source expanded:
'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.'³¹³
- 13.1.7 In April 2020 the Global Detention Project published its Rwanda Immigration Detention Data Profile, the most up to date profile at the time of writing of this note. The profile reported that there were no available statistics regarding the number of immigration detainees in Rwanda³¹⁴.
- 13.1.8 In the sources consulted no information could be found to indicate that specific detention facilities exist for illegal migrants or failed asylum-seekers (see [Bibliography](#))
- 13.1.9 NCHR monitored 70 Rwanda Investigation Bureau (RIB) station cells between November 2021 and February 2022 noting there were 3,536 detainees in custody of which 20 (18 men and 2 women) were detained on an Immigration and Emigration Service form. The commission found that those in RIB station custody were imprisoned in a way that complied with the law as they had 'arrest papers provided by the law which are not expired.'³¹⁵
- 13.1.10 The NCHR report did not indicate whether those detained on an 'Immigration and Emigration Service form' were detained for immigration-related offences or if they were immigrants detained for non-immigration-related offences. Additionally, the report did not provide information to indicate whether those detained were legal or illegal migrants, refugees or failed asylum seekers.
- 13.1.11 UNHCR's 'Annual Results Report' for Rwanda, dated 28 April 2023, covering events in 2022, stated:
'In Rwanda, asylum seekers and refugees have legal status, and recognized refugees can access legal employment. This has significantly reduced the risk of detention due to irregular status, which UNHCR greatly appreciates. UNHCR's legal assistance partners have provided legal assistance, representation, and conducted detention monitoring in prisons throughout the country. As a result, UNHCR has not recorded any asylum seekers or

³¹²Annex 3, '[A6. Meeting with LAF](#)', 21 March 2022

³¹³ Annex 3, '[A6. Meeting with LAF](#)', 21 March 2022

³¹⁴ Global Detention Project, '[Rwanda Immigration Detention Data Profile \(2020\)](#)', 20 April 2020

³¹⁵ NCHR, '[Annual activity report: July 2021 – June 2022](#)', September 2022

refugees being detained due to their immigration status inside the country (excluding the airport)...

'There have been three incidents of refoulement at the airport, and the affected individuals have been placed in a non-designated detention facility with restricted access, pending deportation.'³¹⁶

See also [Alternative routes to remain in Rwanda](#)

[Back to Contents](#)

Section updated: 8 January 2024

14. Refoulement

- 14.1.1 The definition of, and protection against, refoulement as set out in [Law N° 13ter/2014 of 21/05/2014 Relating to Refugees](#) is identical to the provisions of the 1951 Refugee Convention³¹⁷.
- 14.1.2 In a June 2020 Refugee Policy Review, published in March 2022, the UNHCR commented: 'Article 21 of the 2014 Refugee Law enshrines the principle of non-refoulement, which is generally respected... UNHCR is not aware of any case of refoulement or unlawful termination of refugee status in the last year.'³¹⁸
- 14.1.3 UNHCR's July 2020 submission to the UPR noted: 'There is a general respect for the principle of non-refoulement and no cases were known to be deported in the past few years.'³¹⁹
- 14.1.4 UNHCR's 'Annual Results Report' for Rwanda, dated 28 April 2023, covering events in 2022, stated: 'Throughout 2022, UNHCR recorded three confirmed cases of indirect refoulement, where individuals were denied access to territory at Kigali International Airport and were subsequently chain refouled to their countries of origin. UNHCR was not allowed access to these individuals at the airport.'³²⁰
- 14.1.5 At a meeting with UKHO officials on 21 March 2022, UNHCR gave an example of 2 Libyan nationals who tried to claim asylum on arrival but were not allowed into Rwanda. According to the representative: '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 [the] next flight out (not detained) but very well treated. They faced challenges in all transit countries until they reached the country of departure.'³²¹
- 14.1.6 At the same meeting, the '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

³¹⁶ UNHCR, '[Annual results report 2022 Rwanda](#)' (pages 13 to 14), 28 April 2023

³¹⁷ UNHCR, '[Submission by the UNHCR for the Office of the High ...](#)' (page 1), July 2020

³¹⁸ UNHCR, '[Refugee policy review framework country summary as at 30 ...](#)' (page 6), 10 March 2022

³¹⁹ UNHCR, '[Submission by the UNHCR for the Office of the High ...](#)' (page 2), July 2020

³²⁰ UNHCR, '[Annual results report 2022 Rwanda](#)', 28 April 2023

³²¹ Annex 2, '[A1. Meeting with UNHCR](#)', 21 March 2022

them.³²² No further detail was provided about the circumstances of the returns.

- 14.1.7 In his second witness statement of 26 June 2022 in the case of AAA, Mr Bottinick described 5 cases of airport refoulement that the UNHCR were aware, noting:

‘In 2021-22 UNHCR has encountered five cases of airport refoulement, all involving individuals from the Middle East and Afghanistan... In all those cases, UNHCR sought to intervene with senior DGIE and MINEMA staff but UNHCR’s intervention failed to prevent refoulement. UNHCR is aware that MINEMA is not prepared to intervene in DGIE’s matters. The five cases were as follows:

‘a. In February 2021, two Libyans tried to claim asylum... in Kigali airport. The individuals were able to contact UNHCR’s office in Kigali and communicate with one of our staff members on WhatsApp. The airport staff did not speak to UNHCR directly (and UNHCR does not have direct contact to officials at the airport). UNHCR contacted the MINEMA Permanent Secretary for support to facilitate the individuals’ access to asylum and to assess their international protection needs. In response, MINEMA stated that the individuals had said that they came to Rwanda for business opportunities and did not meet the requirements for entry to Rwanda. The authorities refused to process the asylum claims on the basis that asylum is “not applicable when entry has already been denied”... On 3 February 2021, UNHCR sent to MINEMA and DGIE a Note Verbale explaining that the individuals were located within the airport and UNHCR was aware of their expressed need for international protection. UNHCR clearly stated removal would be inconsistent with Rwanda’s obligations under the Refugee Convention and the principle of non-refoulement. Despite UNHCR’s efforts, the individuals were removed from Rwanda. (Notes Verbales are confidential diplomatic communications. It is important that they remain confidential and they are therefore not exhibited to this statement.)

‘In UNHCR’s experience, the fact that a person travels to a country of refuge under a visa granted for another purpose is not an indication that they are not in need of international protection.

‘b. On 24 March 2022, two Afghan nationals at Kigali airport were able to contact UNHCR by WhatsApp and email. They told UNHCR that they initially explained that they had arrived on a tourist visa but when they were denied entry, they stated that they were not able to return to Afghanistan as their lives would be in danger because of their profile and the recent collapse of the Afghan government. At least one of them was affiliated with international forces... and, in UNHCR’s view, had on the face of it very strong protection claims (UNHCR advises against any non-voluntary returns to Afghanistan, with work performed by an asylum applicant for international forces as an additional risk factor). UNHCR sent an email to MINEMA’s Permanent Secretary urging facilitation of access to asylum and reminding the government of its position against any non-voluntary returns. Despite

³²² Annex 2, [‘A1. Meeting with UNHCR’](#), 21 March 2022

UNHCR's intervention, the Afghans were prevented from making asylum claims and expelled and eventually refouled to Afghanistan.

'c. On 8 April 2022, UNHCR assisted a Syrian national who also attempted to seek asylum. UNHCR considers that the vast majority of Syrian asylum seekers continue to be in need of international protection and calls on States not to forcibly return Syrian nationals to any part of Syria. The individual was prevented from making his claim and removed from Rwanda, initially to Turkey and then by land to Syria...'³²³

14.1.8 Mr Bottinick referring to the 5 cases of refoulement in his third witness statement of 27 July 2022 observed:

'Neither the fact (if true) that these asylum seekers were in possession of forged passports,.. nor the fact that they originally sought to enter Rwanda on business or visit visas, provides a lawful basis for summarily denying them access to the asylum process. Nor was that conduct rendered lawful by the fact that each of these asylum-seekers was removed to a transit destination (where they have no right to reside) rather than on a direct flight to their country of origin. It is wholly foreseeable that summary removals of asylum seekers to transit countries will result in chain refoulement to the country of origin (as UNHCR knows happened in the cases of the two Afghans and of the Syrian national).'³²⁴

14.1.9 Additionally, Mr Bottinick noted:

'UNHCR is concerned that [of a number of cases forming]... part of a pattern of denial of access to asylum procedures. In preparing this statement, my colleagues in Kigali made me aware of further information held by UNHCR which I consider relevant to the GoR's denials relating to access to Rwanda's asylum system and risk of refoulement. This information relates to at least ten families (a total of at least 29 individuals) who are nationals of the same country referred to immediately above and in LB2 §112. All had sought asylum, many after their government's embassy in Rwanda confiscated or failed to renew their passports. UNHCR is also aware that in at least one instance, an individual's passport was confiscated by the Rwandan authorities at the request of the national authorities of the country of origin. However, none of those asylum claims were referred by the DGIE to the RSDC. This was despite the fact that, in UNHCR's view, given the profile of the individuals they were likely to be in need of international protection. Although a few families subsequently had their residence permits (which they had obtained previously, and on bases other than their asylum claim) extended, many were threatened with expulsion by the GoR. In at least two cases, asylum seekers were specifically threatened with almost imminent refoulement and told that this was occurring at the request of their country of origin: they were told they had to leave Rwanda within 12 hours or face deportation to their country of origin. In those two cases, the asylum seekers managed to leave because they had valid travel documents; one of those was the individual whose passport had been confiscated by the Rwandan authorities; the passport was returned to him immediately before

³²³ Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)' (paragraph 108), 26 June 2022

³²⁴ Annex 2, '[A9: Third Witness Statement of Lawrence Bottinick](#)' (paragraph 15), 27 July 2022

the deadline for his departure, enabling him to leave. Several other families felt compelled to leave Rwanda and seek asylum elsewhere. In UNHCR's view, the DGIE practice of denying these asylum seekers access to the RSD procedure placed them at serious risk of refoulement.³²⁵

14.1.10 UNHCR also referred to the airport incidents in written observations in the case of AAA, dated 23 March 2023. UNHCR mentioned 5 instances at Kigali airport (involving nationals of Libya, Syria and Afghanistan) where an attempt was made to make an asylum claim but the DGIE refused to accept the claim. The asylum claimants were refused entry to Rwanda and removed from the country³²⁶. UNHCR's court submissions suggested that this was indicative of a 'bias against Middle Eastern' claimants³²⁷. See also ['Middle Eastern' cases](#)

14.1.11 In evidence submitted in the case of AAA, (updated on 6 October 2023 for the Supreme Court), UNHCR provided a table³²⁸ which described 74 'instances of refoulement and threatened refoulement'. In the notes to the table, the UNHCR commented: 'The total number [of cases] are likely to be a significant underrepresentation as UNHCR is likely to be unaware of all airport refoulement cases or in-country summary rejections.' CPIT has summarised the cases in the table below (full information is available in Annex 2).

Date	No. of persons	Country of origin	Category
Pre-2020	29	unnamed	DGIE refusal and (in many cases) threatened expulsion and denial of access to asylum procedure
2020 to 2022	3 (minimum)	unnamed	DGIE refusal and expulsion at border
February 2021	2	Libya	Airport refoulement
September 2021	1	Yemen	Airport refoulement
March 2022	2	Afghanistan	Airport refoulement
April 2022	1	Syria	Airport refoulement
May 2022	2 (minimum)	unnamed	DGIE refusal and threatened expulsion (expulsion avoided through UNHCR intervention)

14.1.12 In addition to the examples in the table above, UNHCR also provided examples of Sudanese and Eritrean nationals – transferred to Rwanda under an agreement with Israel – most of whom were then taken to the border with Uganda³²⁹. See also [Transfer of asylum seekers from Israel](#)

³²⁵ Annex 2, '[A9: Third Witness Statement of Lawrence Bottinick](#)' (paragraph 19), 27 July 2022

³²⁶ Annex 2, '[UNHCR Written Observations in the Court of Appeal](#)' (para 10), 23 March 2023

³²⁷ Annex 2, '[A2: UNHCR Written Observations in the Divisional Court](#)' (para 50(2iii)), 19 August 2022

³²⁸ Annex 2, '[A11: UNHCR refoulement table](#)', 6 October 2023

³²⁹ Annex 2, '[A11: UNHCR refoulement table](#)', 6 October 2023

- 14.1.13 In written observations in the case of AAA, dated 18 September 2023 (updated 27 September 2023), UNHCR opined ‘... that there is a real risk of direct and indirect refoulement for those transferred to Rwanda under the UK-Rwanda Arrangement... The assurances and commitments given by the GoR do not suffice to establish an accessible, reliable or fair asylum system in Rwanda.’³³⁰
- 14.1.14 In response to written questions submitted by UKHO, the GoR provided details of a 5-day training course delivered between 20 and 24 November 2023. The training was delivered through a collaboration between UKHO technical experts and the Rwandan Institute of Legal Practice and Development (ILPD). The manual used to deliver the training is provided in Annex 3³³¹. The manual includes sections which cover the understanding and application of the refugee convention, including the principle of non-refoulement. Details of who received the training are included in Annex 1³³².
- 14.1.15 In the event the Treaty is ratified, Paragraph 3 of Annex B, Part 2 contains provisions for Rwanda to move to a case worker model when deciding claims. Under this model, for the first 6 months, Rwanda’s decision-making body – the ‘First Instance Body’ – will consider advice from a seconded independent expert prior to making a decision to refuse a claim.³³³
- 14.1.16 In the event the Treaty is ratified, Article 10 of Part 4 contains an explicit bar on returns/removals (other than to the UK in specific circumstances)³³⁴.

[Back to Contents](#)

Section updated: 11 December 2023

15. Transfer of asylum seekers from Israel

15.1 Background to the Israel agreement

- 15.1.1 In an article which covered Israel’s deportation agreements, published in May 2018, The New Humanitarian reported:

‘Israel’s Africa diplomacy has long been characterized by a large degree of informality and secrecy, and the charade surrounding the transfer of refugees from Israel to Uganda and Rwanda is no exception.

‘In January [2018], Israel announced a plan to force all Sudanese and Eritreans out of the country. Unable to send them back to Eritrea or Sudan, the government planned to step up transfers to Uganda and Rwanda.

‘The history of the transfer deals between Israel and the two East African countries goes back several years. The scheme had largely taken place outside the realms of the law and away from the public’s eye. The Israeli government’s public statements on the deals have been riddled with half-truths.’³³⁵

³³⁰ Annex 2, [‘A10: UNHCR written observations in the Supreme Court’](#), 18 Sept 2023

³³¹ Annex 3, [‘A10. ILPD and MoJ – Refugee law and RSD process training manual’](#) October 2022

³³² Annex 1, [‘A4. GoR response to written questions submitted by UKHO’](#), 11 December 2023

³³³ UK Govt, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

³³⁴ UK Govt, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

³³⁵ The New Humanitarian, [‘How Israel’s secret refugee deals collapsed in the light of ...’](#), 3 May 2018

15.2 Details of arrangement

15.2.1 On 9 July 2013, Israeli online news site Ynet reported:

‘Israel is close to signing a deal with several African countries who will accept tens of thousands of African migrants currently residing in Israel in exchange for a benefits package including security, economic and agricultural aid.

‘According to a senior official, the security aid will include Israeli arms and military knowledge and training...

‘Another Israeli official added that Israel continues to explore the possibility of returning North Sudanese and Eritrean migrants to their home countries.’³³⁶

15.2.2 In October 2016, the Supreme Court of Israel heard a case where the appellants were ‘infiltrators’ appealing against relocation to unspecified third countries. The judge noted: ‘I will not deny that I am not comfortable with the confidentiality of the agreement and the relocation to a third country on the basis of a secret agreement whose provisions are not known to the deportees.’³³⁷

15.2.3 The judge went on to find that:

‘[having] reviewed the agreement signed between the State of Israel and the [unspecified] third country... The agreement includes an explicit undertaking of the third country according to which the deportees will enjoy human rights and freedoms and that the principle of non-refoulement shall be complied with. In addition, the agreement refers to the ability of the deportees to file a request for asylum and to enjoy the status of a refugee, insofar as their application is approved.’³³⁸

15.2.4 The May 2018 New Humanitarian article noted:

‘By May 2014, the Israeli government announced that there were signed deals with two African countries, but neither the names of these countries nor the agreements themselves could be exposed because the countries requested that their identities remain confidential. By then, Israel was sending Sudanese and Eritreans to Uganda and Rwanda on a regular basis.

‘Neither Uganda nor Rwanda officially acknowledged being parties to an agreement with Israel. The scheme operated in an apparently completely informal manner: Israel provided asylum seekers with travel documents, one-way airline tickets and [USD]\$3,500 [£2,782³³⁹] in cash. Upon arrival in East Africa they were allowed out of the airport but were not granted any legal status. From there, they were largely on their own...

‘This year [2018], the Israeli government decided to scale up the removal of asylum seekers. While transfers until then were nominally voluntary, the new

³³⁶ Ynet News, [‘Israel to trade arms for migrants with African countries’](#), 9 July 2013

³³⁷ Supreme Court of Israel, ‘Administrative Appeal 8101/15’ (para 82), 9 October 2016

³³⁸ Supreme Court of Israel, ‘Administrative Appeal 8101/15’ (para 87), 9 October 2016

³³⁹ Xe.com, [‘3,500 USD to GBP - Convert US Dollars to British Pounds’](#), 6 December 2023

plan allowed for coerced deportations under the threat of indefinite detention.’³⁴⁰

- 15.2.5 In a review of the Israeli government’s Voluntary Departure Program (VDP), published in June 2018, the Hotline for Refugees and Migrants (HRM), an advocacy group based in Israel, referred to the Israeli government’s response – dated 2015 – to a legal challenge against the scheme in which: ‘The state [Israel] refused to give details regarding the agreements, such as: what is the status granted in those third countries? Which protections might the deportees expect to be given? And what guarantees were given to the State in order to secure the deportees safety in the “third countries”?’³⁴¹
- 15.2.6 HRM’s 2018 review described a second legal challenge to the VDP, which also took place in 2015: ‘The petitioning organizations stressed that the agreement between Israel and the destination countries is secretive and has never been published, the protections it supposedly guarantees, as well as the given status and length of stay in them, are unclear, and no monitoring mechanism is known of.’³⁴²
- 15.2.7 On 19 November 2017, Ynet reported a statement by Israeli Prime Minister Netanyahu which announced the government’s intention to remove ‘infiltrators’ without their consent. Netanyahu’s statement read: ‘This removal is enabled thanks to an international agreement I achieved, which allows us to remove the 40,000 remaining infiltrators without their consent. This is very important. It will enable us later to make the “Holot” [detention] facility unnecessary.’³⁴³
- 15.2.8 Ynet News continued:
- ‘The proposal by Interior Minister Aryeh Deri and Public Security Minister Gilad Erdan includes a plan to gradually close the [Holot] facility within a few months, provided that the agreement signed with Rwanda goes ahead as planned.
- ‘About a month ago, Netanyahu announced the agreement had been amended to allow Israel to deport illegal migrants to Rwanda even without their consent.
- ‘The agreement was altered following an August [2017] ruling by the High Court of Justice, which determined the State of Israel cannot detain illegal immigrants and asylum seekers who refuse “voluntary departure” for more than 60 days if the agreement with the third party does not allow forced deportation.’³⁴⁴
- 15.2.9 On 20 November 2017, Israeli online news site Haaretz reported:

³⁴⁰ The New Humanitarian, ‘[How Israel’s secret refugee deals collapsed in the light of ...](#)’, 3 May 2018

³⁴¹ HRM, ‘[The “voluntary” departure and Israel’s plan for deportation to third countries](#)’, June 2018

³⁴² HRM, ‘[The “voluntary” departure and Israel’s plan for deportation to third countries](#)’, June 2018

³⁴³ Ynet News, ‘[Government approves closure of Holot facility within 4 months](#)’, 19 November 2017

³⁴⁴ Ynet News, ‘[Government approves closure of Holot facility within 4 months](#)’, 19 November 2017

'Israel will pay the Rwandan government [US]\$5,000 [£3,975³⁴⁵] for every African asylum seeker it accepts from Israel, Channel 10 reported Sunday. A senior government official confirmed the report to Haaretz.

'The Israeli government will additionally continue to pay asylum seekers who voluntarily leave the country a grant of [USD]\$3,500 [£2,782³⁴⁶], as well as the cost of their airlines [sic] tickets out of the country. The agreement with Rwanda had not been made public, and it had not been known what Israel was providing in exchange for Rwanda's agreement to accept the asylum seekers...

'Up to now, Israeli authorities have exerted pressure on Eritrean and Sudanese asylum seekers to leave but have not forcibly expelled them.'³⁴⁷

15.2.10 On 23 November 2017, Rwandan online news site The New Times reported an interview with Rwandan Foreign Affairs minister, Louise Mushikiwabo, during which Ms Mushikiwabo was asked about negotiations between Rwanda and Israel:

'She [Mushikiwabo] said the two countries are yet to reach a conclusion and talks have been going on for a while now.

"We have had discussions with Israel on receiving some of the immigrants and asylum seekers from this part of Africa who would be willing to come to Rwanda. If they are comfortable to come here, we would be willing to accommodate them. How it's done and their livelihoods once they are here are details that have not been concluded yet," the minister said...

"I do not have the numbers but from the discussions with Israel a while back, it had to be something around 10,000 or a bit more than that and we were comfortable with that," Mushikiwabo said.'³⁴⁸

15.2.11 On 1 January 2018, the Israeli government's Population and Immigration Authority published revised details of the voluntary departure scheme. Participants in the scheme were required to leave Israel for their country of origin or to a third country, although no third country was specifically named³⁴⁹.

15.2.12 The Israeli government website stated:

'Illegal immigrants, classified as "Infiltrators" who leave Israel by the end of March 2018 will receive:

- 'A grant of \$[USD] 3,500
- 'A paid flight ticket
- 'Assistance in arranging travel documents.'³⁵⁰

15.2.13 The same Israeli government website stated:

³⁴⁵ Xe.com, '[5,000 USD to GBP - Convert US Dollars to British Pounds](#)', 6 December 2023

³⁴⁶ Xe.com, '[3,500 USD to GBP - Convert US Dollars to British Pounds](#)', 6 December 2023

³⁴⁷ Haaretz, '[Israel to pay Rwanda \\$5,000 for every deported asylum seeker...](#)', 20 November 2017

³⁴⁸ The New Times, '[Rwanda open to host over 30,000 African immigrants ...](#)', 23 November 2017

³⁴⁹ GOI, '[Special track for voluntary departure from Israel of infiltrators](#)', 1 January 2018

³⁵⁰ GOI, '[Special track for voluntary departure from Israel of infiltrators](#)', 1 January 2018

‘Enforcement action will be taken against "infiltrators" that are required by the Population and Immigration Authority to leave the country within a specific timeframe, and fail to leave. Enforcement action will also be taken against their employers.

‘Requests for asylum submitted after January 1, 2018 will not defer the requirement to leave Israel to a third country.

‘On leaving Israel to a third country voluntarily, or otherwise, requests for asylum will be transferred for continued handling accordingly.’³⁵¹

- 15.2.14 The second witness statement of Mr Bottinick, a UNHCR representative, in the case of AAA, dated 26 June 2022, stated: ‘...the Israeli government described the transfer programme to Rwanda as voluntary, asylum seekers initially had a choice of detention, and, in later years, one year in semi-open detention facility in Israel or removal. Those removed were provided with a cash payment of US\$3,500... From January 2018, individuals were subject to detention if they didn’t “consent” to be removed.’³⁵²

[Back to Contents](#)

15.3 Cessation of arrangement

- 15.3.1 On 22 January 2018, the government of Rwanda posted to X (formerly Twitter): ‘In reference to the rumors that have been recently spread in the media, the Government of Rwanda wishes to inform that it has never signed any secret deal with Israel regarding the relocation of African migrants.’³⁵³

- 15.3.2 Haaretz reported on 23 January 2018: ‘Some 2,000 asylum seekers gathered Monday [22 January] before the Rwandan embassy in Israel to protest government efforts to deport them. In recent days, the Population and Immigration Authority has begun telling Eritrean asylum seekers at the Holot detention centre that they must leave for Rwanda or be imprisoned indefinitely at the Saharonim prison.’³⁵⁴

- 15.3.3 On 24 January 2018, in response to the Haaretz article from the previous day, the Rwandan Ambassador to the Netherlands posted to X: ‘Let me be clear: Rwanda will NEVER receive any African migrant who is deported against his/her will. Our « open doors » policy only applies to those who come to Rwanda voluntary [sic], without any form of constraint.’³⁵⁵

- 15.3.4 On 25 January 2018, The East African, a Kenya English language newspaper, reported a post on X from the Israeli PM’s office relating to a meeting between President Kagame and Prime Minister Benjamin Netanyahu:

“Regarding the migrant issue, Prime Minister Netanyahu agreed with President Kagame, who made it clear that he would only accept a process that fully complies with international law”...

³⁵¹ GOI, ‘[Special track for voluntary departure from Israel of infiltrators](#)’, 1 January 2018

³⁵² Annex 2, “[A8: Second witness statement of Lawrence Bottinick](#)”, 26 June 2022

³⁵³ GoR, ‘[X.com](#)’, 22 January 2018

³⁵⁴ Haaretz, ‘[Rwanda denies signing “secret deal with Israel” ...](#)’, 23 January 2018

³⁵⁵ Nduhungirehe, Olivier J P, ‘[X.com](#)’, 24 January 2018

'Rwanda has increasingly come under pressure from immigrants and human rights groups after earlier reports indicated that the country, along with Uganda, had offered to take in 40,000 or so African refugees in Israel. The two countries have since denied being part of the deal.

'Israel has given immigrants, mainly Sudanese and Eritreans, until end of March to leave or they would be jailed or forcibly deported. Those who voluntarily choose to leave will be given between [US]\$3,500 [£2,782³⁵⁶] and \$5,000 [£3,975³⁵⁷], with the recipient government receiving [US]\$5,000 [£3,975³⁵⁸] per migrant, reports on the deal say.

'Mr Kagame's comments come days after his government was forced to respond to African refugees and asylum seekers who staged a protest outside the Rwandan embassy in Tel Aviv urging Kigali not to accept those deported from Israel.

'Rwanda's Minister of Foreign Affairs Ms Louise Mushikiwabo insisted that Rwanda had no such deal with Israel, but said Kigali's "doors remain open" to African immigrants in need of a home.'³⁵⁹

- 15.3.5 Referring to a statement on Facebook in which Prime Minister Netanyahu named Rwanda as one of the 'third party' countries, online news site The Times of Israel reported on 3 April 2018:

"For the past two years I have been working with Rwanda so that it will serve as a third-part [sic] country to absorb the infiltrators expelled there, even without their consent," the prime minister said, explaining that he had been forced to seek out a deal with the UN.

"Rwanda agreed to this and we began deporting people there," Netanyahu continued. "In recent weeks, due to the tremendous pressure on Rwanda from the New Israel Fund and the officials in the European Union, Rwanda backed out of the agreement and refused to accept any more infiltrators from Israel."

'It was the first time any Israeli government official named Rwanda as a "third-party country," confirming widespread reports.'³⁶⁰

[Back to Contents](#)

15.4 Numbers and characteristics of transferees

- 15.4.1 In November 2017, the UNHCR commented: 'From the start of this programme in December 2013 until June 2017, some 4,000 Eritrean and Sudanese were relocated under the Government's "voluntary departure programme" to two African countries, named in media reports as Rwanda and Uganda.'³⁶¹ UNHCR did not specify how many of the 4,000 departees went to each of the 2 countries.

³⁵⁶ Xe.com, '[3,500 USD to GBP - Convert US Dollars to British Pounds](#)', 6 December 2023

³⁵⁷ Xe.com, '[5,000 USD to GBP - Convert US Dollars to British Pounds](#)', 6 December 2023

³⁵⁸ Xe.com, '[5,000 USD to GBP - Convert US Dollars to British Pounds](#)', 6 December 2023

³⁵⁹ The East African, '[Kagame, Netanyahu 'agree' on African deportation from ...](#)', 25 January 2018

³⁶⁰ The Times of Israel, '[Outed by Netanyahu as 'third-party country,' Rwanda...](#)', 3 April 2018

³⁶¹ UNHCR, '[UNHCR concerned over Israel's refugee relocation proposals](#)', 17 November 2017

- 15.4.2 The Israeli government's Population, Immigration and Border Authority (PIBA) publishes quarterly and annual reports including information on the departure of 'infiltrators'. When compiling statistics, PIBA defines 'infiltrators' as: 'Foreigners who entered Israel through the border with Egypt, illegally, and were arrested in the border (when they entered) or inside the Israeli territory (after a while).'³⁶²
- 15.4.3 PIBA data records the number of infiltrators who left Israel as part of the VDP, including the number who returned to their country of origin and the number whose destination was a 'third country', but does not specify how many of those who departed under the scheme had open asylum claims. The reports also do not identify specific 'third countries' so it is not possible to show how many departees went to Rwanda, Uganda or another third country³⁶³.
- 15.4.4 The distinction between 'Third countries' and 'Other countries' isn't explained in the PIBA reports, although other sources refer to the 'Third countries' data as the number of transfers to Rwanda and Uganda. HRM explains the 'Other countries' figures as the 'departure of asylum seekers to Western countries as part of relocation agreements, family unifications or other procedures'³⁶⁴
- 15.4.5 PIBA's annual summary reports have been used by CPIT to compile the table below. Reports for 2018 and 2020 are only available in Hebrew and have not been included.

Year	2014	2015	2016	2017	2019
Infiltrators who left Israel under the Voluntary Departure Program	6,414	3,381	3,246	3,375	2,723
Number of departees from:					
Eritrea and Sudan	5,803	3,080	3,019	3,128	2,455
Other African countries	611	301	227	247	268
Destination of ERI / SDN nationals:					
Country of origin	4,710	1,086	836	559	471
Third countries (unspecified)	1,093	1,507	836	674	413
Other countries (unspecified)	0	487	1,347	1,895	1,571
Total	5,803	3,080	3,019	3,128	2,455

365 366 367 368 369

[Back to Contents](#)

³⁶² Gol - PIBA, '[2017 Summary of Statistics of Foreigners in Israel](#)', January 2018

³⁶³ UNHCR Israel, '[PIBA reports](#)', no date

³⁶⁴ HRM, '[The "voluntary" departure and Israel's plan for deportation to third countries](#)', June 2018

³⁶⁵ PIBA, '[2019 Summary of Statistics of Foreigners in Israel](#)', 2020

³⁶⁶ PIBA, '[2017 Summary of Statistics of Foreigners in Israel](#)', January 2018

³⁶⁷ PIBA, '[2016 Summary of Statistics of Foreigners in Israel](#)', 2017

³⁶⁸ PIBA, '[2015 Summary of Statistics of Foreigners in Israel](#)', 2016

³⁶⁹ PIBA, '[2014 Summary of Statistics of Foreigners in Israel](#)', 2015

15.5 Departure from Israel

15.5.1 The remainder of section 15 (below) draws primarily upon 6 sources which have recorded the circumstances and experiences of people who participated in Israel's VDP. The sources and a summary of their methodology is provided below:

(1) HRM and the Aid Organization for Refugees and Asylum Seekers (ASSAF)

In April 2015, HRM and ASSAF published a joint report containing the testimonies of 47 people who had left or were about to leave Israel for either their country of origin or a third country in Africa³⁷⁰.

Of the 47 subjects, 25 interviewees had left Israel for Uganda or Rwanda. However, HRM/ASSAF did not specify how many of the 25 interviewees went to Uganda and Rwanda respectively. In the section of the report titled 'Departure to Rwanda' HRM/ASSAF stated: 'The authors of the present report managed to interview only a few asylum seekers in Rwanda. Those who testified about leaving for Rwanda went on to other destinations immediately. The authors of the present report could not locate a single asylum seeker who found protection and stayed in Rwanda for more than a few days.'³⁷¹

HRM/ASSAF did not quantify how many interviews constitute 'a few'. A review of the relevant section of the report by CPIT identified quotes or testimony from 3 interviewees who departed to Rwanda, plus one individual who contacted HRM independently. It is not possible to say whether 3 or 4 represents the actual number of interviewees or if additional interviews took place which have not been referenced in the report.

HRM published a second report in December 2015 which included testimonies from 8 Eritreans who were sent from Israel to Rwanda³⁷².

(2) Lior Birger, Shahar Shoham and Liat Bolzman

A research project carried out by 2 PhD candidates and an MA student (Birger, Shoham and Bolzman), published in January 2018, was based upon the testimonies of 19 Eritrean men who voluntarily departed Israel in 2016 for Rwanda and Uganda before travelling onwards to Europe. (All of the interviewees resided in Germany or the Netherlands at the time of interview). Of the 19 interviewees, 18 departed to Rwanda and 1 to Uganda³⁷³.

(3) International Refugee Rights Initiative (IRRI)

International Refugee Rights Initiative (IRRI) is a Uganda-based refugee advocacy organisation. IRRI's September 2015 report is based on 22 interviews conducted with departees who left Israel between February

³⁷⁰ HRM and ASSAF, '[Where there is No Free Will](#)', April 2015

³⁷¹ HRM and ASSAF, '[Where there is No Free Will](#)' (page 27), April 2015

³⁷² HRM, '[Deported to the unknown](#)', December 2015

³⁷³ Birger, L., and others, '["Better a prison in Israel than dying on the way": ...](#)', January 2018

2014 and May 2015. Of the 22, 10 interviewees were sent to Rwanda (but then left immediately for Uganda)³⁷⁴.

(4) UNHCR

In a short press briefing on 9 January 2018, a UNHCR spokesperson mentioned that UNHCR staff in Rome had interviewed 80 Eritreans who had made onward journeys from Africa to Europe after they had been relocated by Israel. The countries in Africa that Israel relocated individuals to were not specified. The UNHCR statement provided no detail – for example, quotations – from the individual interviews³⁷⁵.

UNHCR provided more detailed information in the case of AAA. The second witness statement of Mr Bottinick, Exhibit ‘LB7’, an internal summary prepared by UNHCR in May 2016, described the situation of Eritrean and Sudanese nationals relocated from Israel to Rwanda. The document contains information from interviews with Eritrean and Sudanese nationals who reported to UNHCR’s Kigali office³⁷⁶.

(5) Haaretz

A February 2018 article by Israeli online news site Haaretz looked at the circumstances of deportees to Rwanda who then remained in the country. Haaretz’s article is based upon interviews with 6 transferees who remained in Rwanda³⁷⁷.

15.5.2 The second witness statement of Lawrence Bottinick, in the case of AAA, Exhibit ‘LB7’ noted:

‘From mid-February 2014 they [Eritreans] started being released in shifts and taken to the airport in Tel Aviv. No explanation was provided to them, including on their destination. Prior to their release, they were asked to sign a document whose content they did not understand since it was written in Hebrew language nor was any explanation on it given to them. None of them received a sum of 3,500 USD as apparently promised, except the one Eritrean who arrived in Kigali the first week of April. At the airport in Tel Aviv, the Israeli Immigration provided them with the following documents:

- ‘Electronic flight ticket to Rwanda via Istanbul or Addis
- ‘Single Entry Visa Acceptance for one month issued by Immigration of the Republic of Rwanda stating “Holiday” as the purpose of their visit. This document is signed by, the former Director of DG Immigration & Emigration.’³⁷⁸

[Back to Contents](#)

15.6 Reasons for leaving Israel

15.6.1 HRM and ASSAF’s April 2015 report noted: ‘[T]he Israeli authorities use a myriad of methods to coerce asylum seekers to leave Israel, including

³⁷⁴ IRRI, “[I was left with nothing](#)”: “Voluntary” departures of asylum seekers from ...”, September 2015

³⁷⁵ UNHCR, ‘[UNHCR appeals to Israel over forced relocations policy](#)’, 9 January 2018

³⁷⁶ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’, (Exhibit LB7), 26 June 2022

³⁷⁷ Haaretz, ‘[Asylum seekers deported from Israel to Rwanda warn those ...](#)’, 2 February 2018

³⁷⁸ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’, (page 150), 26 June 2022

prolonged imprisonment in Saharonim prison, detention in the Holot detention facility, withholding of status, withholding of work permits, the requirement to frequently renew “Conditional Release” permits, as well as degrading and humiliating treatment at the hands of the authorities.’³⁷⁹

- 15.6.2 IRRI’s September 2015 report noted: ‘[T]he two main factors that push asylum seekers to leave Israel are the country’s detention policy and the inability of asylum seekers to acquire a status that will ensure their rights and give them stability. Almost two thirds of the asylum seekers who were interviewed by IRRI and who have left Israel with the assistance of Israel’s “voluntary return unit” have done so as a result of their detention or upon receiving a detention order.’³⁸⁰
- 15.6.3 Birger, Shoham and Bolzman’s 2018 research project noted:
‘The interviewees corroborated one another when describing the way they left Israel: most said that when they went to renew their temporary residency permit at the Ministry of Interior in Israel, they received a notice that their visa will be renewed only for a month or less, following which they have to choose between two options: incarceration in the Holot Detention Facility or departure to a “third country.” The interviewees described being pressured to leave, pressures that at times included promises about what awaits them in the third country. Most reported that they did not receive detailed information about what awaits them in Rwanda or Uganda. Some of them received general promises that included access to an asylum process and work permits.’³⁸¹
- 15.6.4 For more information on Israel’s Voluntary Departure Program and the Israeli policy of detention or departure, see HRM’s July 2015 report ‘[Rwanda or Saharonim](#)’ and HRW’s September 2014 report ‘[“Make Their Lives Miserable”: Israel’s Coercion of Eritrean and Sudanese Asylum Seekers to Leave Israel](#)’.

[Back to Contents](#)

15.7 Status and experience in third country

- 15.7.1 On 9 September 2014, HRW reported: ‘In late May 2014, Human Rights Watch met with nine Eritreans and a Sudanese national in the Rwandan capital, Kigali, who said they had flown from Israel to Kigali earlier in the month and that on arrival they were simply allowed into the country but given no permit to stay. As of early August [2014], they had not been given any secure immigration status.’³⁸²
- 15.7.2 Based upon 25 testimonies (the combined figure for Rwanda and Uganda), the April 2015 HRM/ASSAF report concluded:
‘[T]estimonies paint a picture of a chaotic and unmonitored transfer procedure: Those departing did not receive any information on their country of destination, were liable to be arrested upon arrival, and faced difficulties

³⁷⁹ HRM and ASSAF, ‘[Where there is No Free Will](#)’ (page 4), April 2015

³⁸⁰ IRRI, ‘[“I was left with nothing”: “Voluntary” departures of asylum ...](#)’ (page 2), September 2015

³⁸¹ Birger, L, and others, ‘[“Better a prison in Israel than dying on the way”: ...](#)’ (page 16), January 2018

³⁸² HRW, ‘[“Make Their Lives Miserable”: Israel’s Coercion...](#)’, 9 September 2014

accessing asylum procedures because their identifying documents were taken away when they arrived.

'Israel's procedure for "Voluntary Return" to third countries does not guarantee that asylum seekers are protected against refoulement to their country of origin or that they have access to basic services and rights. Asylum seekers are not individually assessed prior to transfer, and no regular monitoring or follow-up takes place - all in complete disregard of recommendations by UNHCR.

'In light of the lack of protection and access to rights in the third countries, many of those who leave continue on their journey towards Europe, a journey during which they face arbitrary arrests, demands for ransom, and abuse at the hands of smugglers.'³⁸³

- 15.7.3 IRRI's September 2015 report found, based upon interviews with 10 people who departed Israel for Rwanda:

'[T]hose who chose to leave to Rwanda were given travel documents (an Israeli Laissez Passer, sometimes valid for as little as four days after their departure) and USD 3,500 [£2,782³⁸⁴]. In addition, they received a Rwandan "single entry visa acceptance" letter stipulating that the purpose of their visit in Rwanda was "holiday", and that they may not be employed.

'At the airport in Kigali, Eritreans were received by a person who sent them directly to a small hotel...

'The travel documents that the Eritreans received in Israel were taken from them, as well as the single entry visa acceptance letter. No other papers were given to any of the Eritreans interviewed, leaving most with no valid identity papers or no identity papers at all.

'In the hotel, the Eritreans were given the choice between staying in Rwanda with no documents and going to Uganda. The interviews show that none of the asylum seekers believed that staying in Rwanda with no status or documents was a realistic or viable option. Furthermore, none of the Eritreans who were transferred to Kampala and were interviewed by IRRI knew of anyone who had stayed in Rwanda.'³⁸⁵

- 15.7.4 In relation to departees to both Rwanda and Uganda, the IRRI found: 'Many interviewees felt strongly that they were misled by Israeli officials with regard to the status and support that they would receive in Uganda or Rwanda, and their ability to sustain themselves. Promises of work permits and the ability to start businesses and study stood in stark contrast to the reality in which they have been left without status, unable to find work, and hence unable to support themselves for more than a few months.'³⁸⁶

- 15.7.5 HRM's December 2015 report stated: 'Eight Eritrean citizens testified to being held captive in Kigali and forbidden to leave the place where they were being held, until they were smuggled to Uganda. Six testified to wanting to

³⁸³ HRM and ASSAF, '[Where there is No Free Will](#)' (page 5), April 2015

³⁸⁴ Xe.com, '[3,500 USD to GBP - Convert US Dollars to British Pounds](#)', 6 December 2023

³⁸⁵ IRRI, '["I was left with nothing": "Voluntary" departures of asylum ...](#)' (page 14), September 2015

³⁸⁶ IRRI, '["I was left with nothing": "Voluntary" departures of asylum ...](#)' (page 20), September 2015

stay in Rwanda, but were not allowed to do so and were forced to continue to Uganda. Five testified to having to pay additional fees when they were forcibly smuggled to Uganda, ranging anywhere from [US]\$100-\$250.³⁸⁷

15.7.6 In its concluding observations dated 21 December 2017, the UN's Committee against Torture (UNCAT) expressed concern about: '...Eritreans and South Sudanese relocated from Israel, some of whom have reportedly been forcibly expelled to neighbouring countries.'³⁸⁸ The CAT report provided no further detail about the number or circumstances of alleged forced expulsions.

15.7.7 Birger, Shoham and Bolzman's 2018 research project reported:

'18 of the 19 interviewees left Israel to Rwanda. Their description of what happened upon landing in Rwanda tell a similar story: promptly upon arrival, a man waited for them at the airport, and some described that they did not go through passport control but through a separate line. The man instructed them to get into a vehicle and took them to what they described as a hotel. He ordered them to remain in their rooms and not leave them. All interviewees except one testified that the travel document given to them in Israel, which was valid for just a few days but was the only identifying document in their possession, was taken away from them...

'All the interviewees testified that they stayed in the hotel for only a few days before being smuggled to Uganda. An armed man guarded the hotel. Some of the interviewees reported that they were forced to pay hundreds of dollars for their stay in the hotel. Some also reported that their phones were taken from them. It was evident from the testimonies that the refugees felt scared, pressured and insecure...

'Due to the pressure exerted on them to leave Rwanda, all the interviewees emphasized that they did not have an opportunity to apply for asylum...

'...[T]he interviewees describe their extreme fear of staying in Rwanda without an identifying document or a stay permit...

'In addition, none of the interviewees received a call from Israeli authorities after their departure...

'[T]estimonies outline the operation of a human trafficking and smuggling network, which begins with the officials who pick up the interviewees at the airport in Rwanda. These officials are connected to smugglers who charged the deportees hundreds of dollars for an irregular crossing of the border with Uganda.'³⁸⁹

15.7.8 The UNHCR statement on 9 January 2018 reported:

'All 80 cases involved Eritrean refugees or asylum seekers who were interviewed by UNHCR staff in Rome. Feeling they had no other choice, they travelled many hundreds of kilometers through conflict zones in South Sudan, Sudan and Libya after being relocated by Israel...

³⁸⁷ HRM, '[Deported to the unknown](#)' (page 11), December 2015

³⁸⁸ UNCAT, '[Concluding observations on the second periodic report of Rwanda ...](#)', 21 Dec 2017

³⁸⁹ Birger, L, and others, '[Better a prison in Israel than dying on ...](#)' (page 17 to 19), January 2018

'Most said they had been transferred from Israel to a country in Africa and provided with a lump sum of US\$3,500 dollars [£2,782³⁹⁰]. However, the situation on arrival was different to what most had expected and with little further support provided beyond accommodation on the first night. They reported feeling unsafe, as they were known to have money.'³⁹¹

15.7.9 According to the May 2018 New Humanitarian article most of the transferees from Israel did not stay in the 2 third countries (Uganda and Rwanda): 'With no documentation and an ambiguous position vis-a-vis the local authorities, they felt unsafe and vulnerable to exploitation. Many decided to take their chances and travel to Europe via Sudan, Libya and across the Mediterranean.'³⁹² The New Humanitarian article did not give the number of transferees who were deported to Rwanda nor the number of transferees who then left the country.

15.7.10 A February 2018 article by Haaretz looked at the circumstances of a group of departees to Rwanda who had remained in the country. According to Haaretz, the UNHCR office in Kigali was aware of 9 people who had left Israel for Rwanda and who remained in the country. Haaretz interviewed 6 out of the 9 and reported:

'All six live a meager [sic] existence in Kigali, struggling to survive. Some have lost all hope. The luckier ones have a roof over their heads and money for food. Others depend on the generosity and kindness of friends and local people and the limited help from the UN.

'The authorities in Rwanda do not recognize their right to be there and refuse to grant them residency permits. Lacking official documents, they have frequently been arrested and jailed. They are not fluent in the local language, the culture is foreign to them and finding work is nearly impossible.'³⁹³

15.7.11 The Haaretz article documented transferees' problems obtaining official status from the Rwandan government. Several of the interviewees reported being unable to renew their visas, after which they were referred by the Rwandan authorities to the UNHCR and registered as asylum seekers. Some transferees described living for a period on the cash payment they received from the Israeli government but then struggling to find work or establishing businesses which failed to support them³⁹⁴.

15.7.12 The second witness statement of Mr Bottinick, Exhibit LB7, of June 2022 described the experience of Eritreans who arrived at Kigali Airport:

'... they were taken by Immigration Officers and with no explanation transported to the TECH Hotel in Kigali, where they remained from one to two nights on a pro-bono basis. At the TECH Hotel, all their documents, including the Single Entry Visa Acceptance, were withdrawn by supposedly Immigration. In turn some of them were given an *Attestation d'Immatriculation*. Some of these Eritreans have also reported that the

³⁹⁰ Xe.com, '[3,500 USD to GBP - Convert US Dollars to British Pounds](#)', 6 December 2023

³⁹¹ UNHCR, '[UNHCR appeals to Israel over forced relocations policy](#)', 9 January 2018

³⁹² The New Humanitarian, '[How Israel's secret refugee deals collapsed...](#)', 3 May 2018

³⁹³ Haaretz, '[Asylum seekers deported from Israel to Rwanda warn those ...](#)', 2 February 2018

³⁹⁴ Haaretz, '[Asylum seekers deported from Israel to Rwanda warn those ...](#)', 2 February 2018

Rwanda Immigration has now stopped issuing *Attestation d'Immatriculation* after some of them were allegedly caught at the border in an attempt to cross into Uganda/Tanzania. After their initial staying at the TECH Hotel, they were transferred, so they assert, to some private accommodations in Kigali where they are paying the rental from their own pocket. These accommodations were supposedly found by Immigration.³⁹⁵

- 15.7.13 The second witness statement of Mr Bottinick, Exhibit LB7, documented a number of issues of concern with regards the Eritrean and Sudanese transferees who contacted UNHCR for assistance. These issues included challenges registering as an asylum seeker, lack of humanitarian assistance such as lack of food and shelter and personal security concerns due to arrests from lack of identification documents³⁹⁶.
- 15.7.14 The second witness statement of Mr Bottinick reported: ‘...arrivals to Rwanda were routinely moved clandestinely to Uganda even if they were willing to stay in Rwanda. UNHCR gathered reports from dozens of asylum seekers that on arrival in Rwanda (or, in the case of one flight, on the airport tarmac), their documents were confiscated, and they were taken to a house in Kigali where they were kept under guard. Within a few days they were smuggled to Uganda.’³⁹⁷
- 15.7.15 The second witness statement of Mr Bottinick also noted ‘UNHCR is aware of two individuals who were transferred from Israel to Rwanda and who in 2022 still have no formal status in Rwanda, despite having claimed asylum several years ago.’³⁹⁸

[Back to Contents](#)

15.8 Follow-up of transferees in third country

15.8.1 HRM and ASSAF’s 2015 report noted:

‘Not one of the asylum seekers who left for Uganda or Rwanda and was interviewed for this report [25 interviewees] was asked to leave contact details with Israeli authorities or receiving authorities, and no follow-up conversations were held with them after their departure. Therefore, Israeli authorities have no practical possibility of examining how they were received at their destination, if they were arrested for not having documentation of their identity and status, or if their rights or safety had been injured in any way.’³⁹⁹

- 15.8.2 IRRI’s September 2015 report found: ‘[N]othing in the data collected by IRRI supports the claim that Israeli officials follow up on the situation of transferred asylum seekers. None of the interviewees mentioned being contacted by any Israeli officials after leaving Israel, and none were requested to leave their contact information with any official, whether in Uganda or in Israel.’⁴⁰⁰ (The IRRI makes no mention of monitoring provisions

³⁹⁵ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (page 161), 26 June 2022

³⁹⁶ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (page 152-156), 26 June 2022

³⁹⁷ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (page 135), 26 June 2022

³⁹⁸ Annex 2, ‘[A8: Second witness statement of Lawrence Bottinick](#)’ (page 136), 26 June 2022

³⁹⁹ HRM and ASSAF, ‘[Where there is No Free Will](#)’ (page 25), April 2015

⁴⁰⁰ IRRI, ‘[“I was left with nothing”: “Voluntary” departures of asylum ...](#)’ (page 21), September 2015

in Rwanda since all 10 interviewees who departed to Rwanda then left for Uganda).

- 15.8.3 When considering post-transfer monitoring mechanisms, the October 2016 judgment of the Supreme Court of Israel noted: 'From the data presented by the Respondents – which the Appellants did not contradict – it emerges that from 1 May 2015 to 29 February 2016, 1,298 infiltrators left Israel for the third countries, 1,037 of whom agreed to provide their contact details... Until 29 February 2016, the Population and Immigration Authority tried to contact 759 of those leaving and 283 of them returned its calls.'⁴⁰¹
- 15.8.4 UNHCR commented in November 2017: 'Due to the secrecy surrounding this policy and the lack of transparency concerning its implementation, it has been very difficult for UNHCR to follow up and systematically monitor the situation of people relocated to these African countries.'⁴⁰²
- 15.8.5 HRM's 2018 review commented:
- 'It appears, from the data given during the procedure [the litigation against the VDP policy] by the state [Israel], that almost all of the information received by the state regarding those who left to Rwanda as part of the "voluntary departure" policy was given to it by Rwandan officials, and that Israeli authorities don't actually have any idea about the number of people residing in Rwanda with a permit. The state's representatives conversed via phone call with only a very small number of people (47, according to the information given in October 2016) who were supposedly in Rwanda during the conversation, without truly trying to figure what their situation is. The state admitted that the authorities were unable to contact the rest of the deportees, and that it has no idea regarding their fates.'⁴⁰³ (The legal documentation provided by HRM to support their statements is in Hebrew only.)
- 15.8.6 HRM also noted that in February 2018: '... deputy foreign minister Tzipi Hotovely announced that the agreements are not up to the HCJ's [High Court's] requirements and that Israel has no way to monitor the condition of the deportees and guarantee their safety.'⁴⁰⁴
- 15.8.7 The second witness statement of Mr Bottinick, Exhibit LB7, noted that the Eritreans, Sudanese and South Sudanese who reported to UNHCR's Kigali office stated that once they moved into private accommodation in Kigali, they were left with no information (including why they were moved to Rwanda), no assistance from the GoR, and received random visits/calls from the Rwandan Immigration official who met them on arrival at Kigali Airport⁴⁰⁵.
- 15.8.8 In the event the Treaty is ratified it includes provision for the creation of an independent monitoring committee tasked to review the RSD process in its entirety, which will report to a Joint Committee with representatives from both parties. This is set out in Part 5 – Monitoring and complaints, including:

⁴⁰¹ Supreme Court of Israel, 'Administrative Appeal 8101/15' (para 96), 9 October 2016

⁴⁰² UNHCR, '[UNHCR concerned over Israel's refugee relocation proposals](#)', 17 November 2017

⁴⁰³ HRM, '[The "voluntary" departure and Israel's plan for deportation to third countries](#)', June 2018

⁴⁰⁴ HRM, '[The "voluntary" departure and Israel's plan for deportation to third countries](#)', June 2018

⁴⁰⁵ Annex 2, '[A8: Second witness statement of Lawrence Bottinick](#)' (page 151), 26 June 2022

15.8.9 Article 15 states:

‘1. The Parties shall make arrangements for the formation and maintenance of a Monitoring Committee, throughout the term of this Agreement (including any renewal).

‘2. The Monitoring Committee shall be comprised of persons independent of both Parties.

‘3. The key function of the Monitoring Committee shall be to advise on all steps they consider appropriate to be taken to effectively ensure that the provisions of this Agreement are adhered to in practice, including all steps they consider appropriate to prevent, or assist in the prevention of, those provisions not being adhered to in practice; and to suggest improvements to the processes in this Agreement. The Joint Committee may, by agreement and in consultation with the Monitoring Committee, add to the functions of the Monitoring Committee.

‘4. The Monitoring Committee shall agree its own terms of reference, subject only to additional terms of reference set by the Joint Committee in accordance with Article 16(5). The Monitoring Committee’s terms of reference shall cover the functions of the Monitoring Committee which, in respect of the key function at Article 15(3), shall be:

a. monitoring the entire relocation process from the beginning including the initial screening and decision making in the United Kingdom and the information provided by the United Kingdom to Rwanda and including (with the consent of the Relocated Individual) observing interviews, hearings and appeals in both the United Kingdom and Rwanda;

b. reporting to the Joint Committee (and, following notification to the Joint Committee, publishing reports as they see fit) on its findings as to for example reception conditions, accommodation, processing of asylum claims, treatment and support of Relocated Individuals at all times whilst they remain in Rwanda and the Parties’ implementation of the obligations contained in this Agreement;

c. making recommendations to the Joint Committee.’⁴⁰⁶

15.8.10 Additionally, Article 16 states:

‘6. The Parties shall without delay afford access to all information and inspection facilities (including without notice inspections) that the Monitoring Committee considers is necessary to enable it most effectively to carry out their functions.

‘7. There shall be an enhanced initial monitoring period for a minimum period of 3 (three) months (from the date Relocated Individuals in the United Kingdom start to be notified that they are being removed under this Agreement), where monitoring shall take place daily, to ensure rapid identification of and response to any shortcomings.

⁴⁰⁶ UK Govt, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

'8. The Monitoring Committee shall be able to engage a support team. The support team shall not comprise any individuals who are employees of either Party and, under the guidance of the Monitoring Committee, shall assist the Monitoring Committee fulfil its duties and shall provide a secretariat to the Monitoring Committee.

'9. The Monitoring Committee shall develop a system and process to enable Relocated Individuals and legal representatives to lodge confidential complaints direct to the Monitoring Committee of alleged failures to comply with the obligations in this Agreement (including as to the treatment of a Relocated Individual), or any element of the processing of their asylum claim in accordance with this Agreement. The Monitoring Committee shall have information about other complaints mechanisms inbuilt in both Parties' institutions and shall, where appropriate, refer them back to those mechanisms for resolution.'⁴⁰⁷

15.8.11 Article 14 sets out what the monitoring committee will have access to:

'1. The Joint Committee shall ensure that the Monitoring Committee has unfettered access to the following for the purposes of completing their assessments and reports:

'a. the locations they are required to inspect under their terms of reference, save that a Relocated Individual may refuse them entry to their private accommodation if they do not wish it to be inspected;

'b. relevant officials, employees and agents of both Parties for interview;

'c. any other person they may wish to interview who is willing to be interviewed;

'd. the Records held in relation to Relocated Individuals at all stages of the relocation process from the initial screening by the United Kingdom up to and including the asylum process as well as Records of decisions taken about them;

'e. Records of those granted or refused refugee status and of appeals raised against refusals of refugee status and their outcome;

'f. Records of any procedures that directly impact Relocated Individuals;

'g. Records of all complaints made by Relocated Individuals and their outcomes; and

'h. interviews, hearings and appeals proceedings of Relocated Individuals or interviews, hearings and appeals proceedings of individuals whose claim is being assessed under the same rules, laws or procedures as Relocated Individuals.'⁴⁰⁸

[Back to Contents](#)

Section updated: 11 December 2023

⁴⁰⁷ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

⁴⁰⁸ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

16. Accommodation for asylum seekers and refugees

16.1 Asylum seekers

16.1.1 During the meeting with the Rwandan government on 18 January 2022, UKHO officials asked where asylum seekers live during the 3-month period when they have a temporary residence permit. The Director of Response and Recovery Unit at MINEMA explained: 'The asylum seeker has [the] choice between living in transit/reception centre [a] refugee camp or [an] urban area.' The Director further explained that a person can live outside of the refugee camps in cases where he/she '...can sustain themselves.'⁴⁰⁹

[Back to Contents](#)

16.2 Camp-based refugees

16.2.1 For information about clashes between the state and refugees at Kiziba camp in 2018, see [Rwanda, Country Information Note: Human rights](#).

16.2.2 Article 23 of the Law relating to refugees states that asylum seekers and refugees shall be entitled to settle in a refugee camp⁴¹⁰.

16.2.3 UNHCR data (updated 30 September 2023) provided the following breakdown of the population of the 5 refugee camps in Rwanda.

Refugee camp	Population
Mahama	62,486
Kiziba	16,067
Kigeme	14,708
Nyabiheke	12,626
Mugombwa	11,730

411

16.2.4 An undated UNHCR website page noted 'UNHCR provides and maintains shelter and communal infrastructures for all refugees living in camps in Rwanda... The majority of refugee homes in refugee camps in Rwanda are classified as semi-permanent houses made out of mud-brick walling with iron sheet roofing.'⁴¹²

16.2.5 In March 2021, UNHCR described its provision of 'semi-permanent houses' to 'all refugees living in camps in Rwanda'. UNHCR also described camp infrastructure such as water and drainage systems, access roads and communal spaces such as markets⁴¹³. Housing standards and infrastructure varied by camp, with the UNHCR identifying environmental degradation of the land as an issue in some locations. The UNHCR estimated that at the

⁴⁰⁹ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

⁴¹⁰ GoR, '[Official Gazette 26 of 30/06/2014](#)' (Article 23, page 89), 30 June 2014

⁴¹¹ UNHCR, '[Operational data portal: Rwanda](#)', 30 September 2023

⁴¹² UNHCR, '[Meeting Refugees' Basic Needs](#)', no date

⁴¹³ UNHCR, '[UNHCR Rwanda fact sheet March 2021](#)' (page 4), 26 March 2021

end of 2020, 80% of camp-based refugees had adequate shelters⁴¹⁴.

- 16.2.6 In May 2022, the National Commission for Human Rights (NCHR) conducted ‘... the monitoring of the respect of the rights of refugees inside and outside the camps, the rights of asylum seekers and the rights of migrant workers and members of their families’. It found that the rights of camp-based refugees were respected in terms of access to shelter, food, water, medical care, education and security⁴¹⁵.
- 16.2.7 One of the aims of UNHCR’s 2023 Rwanda refugee response plan is to increase adequacy and accessibility of refugee shelter by constructing new shelters, upgrading temporary shelters to semi-permanent shelters, providing technical support to refugee households for shelter construction and maintenance. These improvements aim to increase living standards and protect refugees against harsh weather conditions⁴¹⁶.

[Back to Contents](#)

16.3 Urban refugees

- 16.3.1 UNHCR statistics updated 31 October 2023 provided the following breakdown of the number and location of refugees living in urban areas.

Urban area	Population
Kigali	8,828
Nyamata	2,047
Total	10,875

417

- 16.3.2 UNHCR noted in 2021, in respect of assistance specifically available for urban refugees, that: ‘... there is one community center in Kigali and one in Huye where UNHCR and implementing partners can meet people of concern and offer a range of services.’⁴¹⁸
- 16.3.3 During the meeting on 18 January 2022, senior Rwandan government officials from MINAFFET and MINEMA noted: ‘Urban refugees considered as self-reliant make up 10% [of the total refugee population]. Living in camp/urban relies on choice/ability for [a] refugee to sustain themselves.’⁴¹⁹
- 16.3.4 During the same meeting, UKHO officials asked if there are instances where urban refugees move to camps. A senior government official explained: ‘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.’⁴²⁰
- 16.3.5 Another senior Rwandan government official added at the same meeting: ‘Last year [2021] there were 39 people who went from [an] urban area to [a]

⁴¹⁴ UNHCR, ‘[Rwanda country refugee response plan January to December ...](#)’ (page 7), 19 April 2021

⁴¹⁵ NCHR, ‘[Annual activity report, July 2021 to June 2022](#)’, (pages 20 to 28), September 2022

⁴¹⁶ UNHCR, ‘[Rwanda Refugee Response Plan: January to December 2023](#)’ (page 21) 1 January 2023

⁴¹⁷ UNHCR, ‘[Operational data portal: Rwanda](#)’, 31 October 2023

⁴¹⁸ UNHCR, ‘[Rwanda - Refugees and asylum-seekers \(urban\)](#)’, 2021

⁴¹⁹ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

⁴²⁰ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

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.⁴²¹

16.3.6 A UKHO official asked whether the government would provide assistance to an asylum seeker if they wanted to remain in the city. A senior government official at the January 2022 meeting explained: ‘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.’⁴²²

16.3.7 At a meeting with UKHO officials on 21 March 2022, UNHCR commented:

‘Usually [urban refugees] 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 [is] 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, the] 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.’⁴²³

16.3.8 During a meeting with UKHO officials on 23 March 2022, [Alight](#), a global non-profit organisation focusing on humanitarian issues, was asked whether they were aware of urban refugees or asylum seekers relocating to the refugee camps and the circumstances why this might happen. Alight replied that, in their experience, the problem is movement in the other direction, ‘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.’⁴²⁴

For more information on Alight see the section NGOs involved with refugees and asylum seekers in [Country Information Note Rwanda: human rights](#).

[Back to Contents](#)

16.4 Emergency Transit Mechanism (ETM)

16.4.1 During a HO visit to the ETM Centre at Gashora on 18 January 2022, the Manager of Gashora provided an overview of the Centre’s operations:

‘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 overseas.

⁴²¹ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

⁴²² Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

⁴²³ Annex 2, ‘[A1. Meeting with UNHCR](#)’, 21 March 2022

⁴²⁴ Annex 3, ‘[A8. Meeting with Alight](#)’, 23 March 2022

'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)...

'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.'⁴²⁵

16.4.2 According to US news agency, AP News, in April 2022, one resident the organisation spoke to in Gashora said refugees in the camp often did not have adequate food or clothing. No other information from other residents was provided on this point in their report⁴²⁶.

16.4.3 A BBC journalist who visited the ETM at Gashora in May 2022 reported: 'At least five refugees at the camp I spoke to laughed when asked if they would want to settle in an African country, including Rwanda... Whilst they all said that Rwanda was a safer and friendlier place to stay, their resolve to eventually live in Europe or North America has far from waned. There is no record of any [ETM] migrant ever asking for asylum in Rwanda.'⁴²⁷

16.4.4 On 8 June 2022, Dr Hazel Cameron, an Academic Researcher at Pearl International Insights provided oral evidence on the MEDP and Human Rights to the UK Parliament Joint Committee on Human Rights. In a field trip to Rwanda in June 2022, Dr Cameron spoke to the manager of the ETM and noted 'A total of 943 people have so far been transferred to Rwanda from Libya... and it has been confirmed that all have been afforded their rights. There has been no suggestion of any breach of their human rights.'⁴²⁸

16.4.5 On 15 June 2022, the Independent reported:

'The refugees have access to televisions, reading material, internet, legal advice and can phone relatives. There is a health centre, a children's playground, a gym and other sports activities like football, volleyball and table tennis... Meanwhile the cafeteria, which provides three meals a day, was offering a cooked lunch including a chicken stew, chips, pasta and vegetables as well as freshly baked bread and watermelon. The refugees are not required to work at the site, which is mostly staffed by locals. They are given a monthly allowance of 50,000RWF (around £40) and can leave the camp as they choose.'⁴²⁹

For further information on Gashora ETM, including the day-to-day running and photographs of the facilities on site, see [Annex 3](#), Meeting at Gashora

⁴²⁵ Annex 3, '[A1. Meeting at Gashora Transit Centre](#)', 18 January 2022

⁴²⁶ AP News, '[For many migrants, the view of Rwanda is often far from rosy](#)', 28 April 2022

⁴²⁷ BBC, '[UK-Rwanda asylum seekers' deal: good news for Kigali hotels](#)', 20 May 2022

⁴²⁸ Joint Committee on Human Rights, '[Oral evidence: The UK-Rwanda Migration ...](#)', 8 June 2022

⁴²⁹ Independent, '[Residents at Rwandan refugee camp seek safety and a future...](#)', 15 June 2022

17. Accommodation for persons relocated from the UK

17.1 Long-term accommodation

- 17.1.1 In the event the Treaty is ratified, Articles 8, 10 and Part 1 of Annex A contain specific provisions on reception, accommodation and support arrangements for Relocated Individuals. Article 14(1) of Part 5 also allows the Monitoring Committee to inspect Relocated Individuals' accommodation⁴³⁰.
- 17.1.2 A prospective SOP on reception and accommodation facilities, which will apply specifically to Relocated Individuals in the event the Treaty is ratified, sets out the process for housing allocation for long-term accommodation facilities that Relocated Individuals will move into after 3 months in reception centres. This process comprises the MEDP-Coordination Unit (MEDP-CU) carrying out an assessment of the needs of each Relocated Individual including factors such as family size, medical conditions, disabilities, personal preferences, and vulnerabilities. It also requires that allocated accommodation meets various criteria including that it is in a safe location, with proximity to essential services, and with consideration afforded to the availability of social support⁴³¹.
- 17.1.3 The remainder of this section provides an overview of 3 accommodation projects:
- Kinigi and Karama Model Villages – these villages do not represent the actual accommodation which would be used to house any Relocated Individuals from the UK. Instead, the 2 projects have been highlighted by the Rwandan government to illustrate the type of accommodation which would be available for Relocated Individuals
 - Gahanga housing project – this development is under construction and is earmarked for use by Relocated Individuals

[Back to Contents](#)

17.2 Kinigi Integrated Development Program Model Village

- 17.2.1 For notes on, and photographs of, the HO visit to Kinigi Integrated Development Program (IDP) Model Village (MV) (Musanze) on 20 January 2022 see [Annex 3, A2. Visit to Kinigi Integrated Development Program \(IDP\) Model Village \(Musanze\), 20 January 2022.](#)

[Back to Contents](#)

17.3 Karama model village

- 17.3.1 The Rwandan Ministry of Defence reported that the Karama model village, in the Nyarugenge district of Kigali, was opened in July 2019. The village

⁴³⁰ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

⁴³¹ Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

accommodates 240 households and comprises of apartment blocks, an Early Childhood Development Centre, a secondary school, poultry farm, health centre, sports facilities and market. The village is connected to road networks and water, waste and electricity systems^{432 433}.

[Back to Contents](#)

17.4 Gahanga housing project

- 17.4.1 On 20 March 2023, IGIHE, a Rwanda-based private media company, reported that 528 housing units will be constructed in Gahanga, Kicukiro District, Kigali under the terms of the MEDP⁴³⁴.

[Back to Contents](#)

17.5 Temporary accommodation

- 17.5.1 On 14 April 2022, the BBC reported on accommodation to house around 100 asylum applicants at a time under the MEDP. The article noted that under the arrangement, refugees would have long-term accommodation in Rwanda⁴³⁵.
- 17.5.2 iNews and The Guardian reported on 14 April 2022 that the accommodation for Relocated Individuals would include the former hostel Hope House in the Gasabo district of Kigali. The property comprised of 5 floors, with 50 rooms to house 2 people in each and various communal areas including a dining room, kitchen facilities and bathrooms. The reports noted the plans to expand the accommodation to 150 rooms^{436 437}.
- 17.5.3 On 20 May 2022 the BBC reported the proposed use of a 72-room hotel, just outside of Kigali, plus 102 rooms at the Hallmark Residence in Kigali's Nyarugunga suburb⁴³⁸.
- 17.5.4 The prospective SOP on reception and accommodation facilities describes the guidelines and procedures for efficiently managing reception accommodation facilities while ensuring the wellbeing of Relocated Individuals in a lawful and consistent manner⁴³⁹.
- 17.5.5 The prospective SOP on reception and accommodation facilities sets out the responsibilities of the service provider (the organisation that will oversee the accommodation management), including the responsibility to ensure that reception centres are clean, safe, not over-crowded, lit and ventilated, comfortable, and adequate for the Relocated Individuals' needs, to provide 3 nutritionally adequate and diet-appropriate meals per day (with a meal request form to be provided to Relocated Individuals to identify special

⁴³² MoD, '[President Kagame Inaugurates Karama Model Village ...](#)', 3 July 2019

⁴³³ GoR, 'Kigali informal settlement upgrading projects', 13 January 2022

⁴³⁴ IGIHE, '[Rwanda launches construction of homes for migrants from UK](#)', 20 March 2023

⁴³⁵ BBC, '[One-way ticket to Rwanda for some UK asylum seekers](#)', 14 April 2022

⁴³⁶ iNews, '[Inside the Rwanda centre which will house asylum ...](#)', 14 April 2022

⁴³⁷ The Guardian, '[UK asylum seekers to be housed in no-frills hostel ...](#)', 14 April 2022

⁴³⁸ BBC, '[UK-Rwanda asylum seekers' deal: good news for Kigali hotels](#)', 20 May 2022

⁴³⁹ Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

dietary requirements or communicate any food allergies), and to provide access to clean water⁴⁴⁰.

- 17.5.6 The prospective SOP on reception and accommodation facilities also sets out that the service provider is required to comply with all relevant laws and regulations relating to Relocated Individuals and accommodations, and train accommodation staff on cultural sensitivity, Relocated Individuals' needs, and relevant policies and procedures⁴⁴¹.
- 17.5.7 The prospective SOP on reception and accommodation facilities requires the reception facility service provider to maintain the accommodation, to maintain open and respectful communication with Relocated Individuals to address their concerns and needs and includes a maintenance request to be provided to Relocated Individuals to help ensure that any necessary repairs are addressed promptly⁴⁴².
- 17.5.8 The prospective SOP on reception and accommodation facilities also sets out the responsibilities of the MEDP Coordination Unit (MEDP-CU). This includes the requirement of the MEDP-CU to collaborate with government agencies, NGOs, and service providers to plan and prepare for the arrival of Relocated Individuals, uphold their human rights and dignity throughout their stay in the reception facility, to provide interpretation and translation services, if needed, to regularly monitor the satisfaction of the Relocated Individuals at the reception facilities, and to submit regular reports to the relevant authorities on the status and needs of the Relocated Individuals in the reception facilities⁴⁴³.
- 17.5.9 The same prospective SOP also requires the MEDP-CU to ensure the provision of information regarding the procedure for lodging a complaint about the accommodation and delivery of other support to Relocated Individuals, and to provide multiple channels through which they can submit confidential grievances, to be addressed by designated MEDP-CU staff who will respond to the grievance within 48 hours. The MEDP-CU is also responsible for ensuring the Monitoring Committee have access to reception facilities⁴⁴⁴.

[Back to Contents](#)

Section updated: 8 January 2024

18. Refugee rights: access to public services, support and employment

18.1 Concerns or complaints about support provisions

- 18.1.1 UNHCR's 'Annual Results Report' for Rwanda, dated 28 April 2023, covering events in 2022, stated: 'Asylum seekers and refugees have access to effective feedback and response mechanisms, including hotlines, email, protection desks, and complaint boxes in both camp and urban settings.'⁴⁴⁵

⁴⁴⁰ Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

⁴⁴¹ Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

⁴⁴² Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

⁴⁴³ Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

⁴⁴⁴ Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

⁴⁴⁵ UNHCR, '[Annual results report 2022 Rwanda](#)' (page 14), 28 April 2023

18.1.2 In the event the Treaty is ratified, Article 15 of Part 3 of Annex A contains specific provisions on complaints about accommodation and the delivery of other support for Relocated Individuals. Article 14(1) of Part 5 also allows the Monitoring Committee access to all complaints made by Relocated Individuals⁴⁴⁶.

[Back to Contents](#)

18.2 Humanitarian and financial assistance

18.2.1 In its submission as part of the UPR of Rwanda in July 2020, UNHCR noted that while the majority of camp-based refugees were reliant upon humanitarian support, refugees in urban areas lived largely independently⁴⁴⁷.

18.2.2 In terms of assistance specifically available for urban refugees, UNHCR reported in 2021 the provision of ‘... exceptional financial assistance (EFA) which is targeted to urban refugees in dire need, in order to try and prevent the need for transferring refugees to the camp, where they would be fully dependent on humanitarian aid.’⁴⁴⁸

18.2.3 The UNHCR noted in May 2021 that 13% of camp-based refugees and 6.3% of urban refugees were ‘extremely vulnerable’, had no capacity to engage in income-generating activities and were entirely dependent on external assistance, including humanitarian assistance. The majority of people in this group were elderly, chronically ill or physically challenged and had no active earning member in their household⁴⁴⁹.

18.2.4 During a meeting between UKHO and the Rwandan government on 18 January 2022, a senior official from MINEMA explained: ‘UNHCR provide support in camps. There are also refugees in camps who have jobs and support themselves. Assistance [from UNHCR] 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.’⁴⁵⁰

18.2.5 An August 2023 UNHCR operational update noted:

‘In support of the World Food Programme (WFP) cash assistance for food programme in refugee camps across Rwanda, UNHCR provided lists of refugees in the highly vulnerable and moderately vulnerable categories who are eligible to receive assistance. In total, 88 percent of refugees are classified as highly vulnerable and receive 10,000 RWF [£6.36⁴⁵¹] a month, while 6 percent of refugees are moderately vulnerable and receive 5,000 RWF [£3.18⁴⁵²] a month.’⁴⁵³

⁴⁴⁶ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

⁴⁴⁷ UNHCR, ‘[Submission by the UNHCR for the Office of the High ...](#)’ (page 1), July 2020

⁴⁴⁸ UNHCR, ‘[Rwanda - Refugees and asylum-seekers \(urban\)](#)’, 2021

⁴⁴⁹ MINEMA and UNHCR, ‘[MINEMA and UNHCR joint strategy on economic ...](#)’ (page 10), May 2021

⁴⁵⁰ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

⁴⁵¹ Xe.com, ‘[10,000 RWF to GBP - Convert Rwandan Francs to British Pounds](#)’, 6 December 2023

⁴⁵² Xe.com, ‘[5,000 RWF to GBP - Convert Rwandan Francs to British Pounds](#)’, 6 December 2023

⁴⁵³ UNHCR, ‘[Operational update Rwanda August 2023](#)’ (page 5), 15 September 2023

18.2.6 An October 2023 New Times article reported comments made by the Permanent Secretary of MINEMA on 11 October 2023:

‘Due to budget constraints, refugees in Rwanda will no longer be able to receive some basic services, the UN Refugee Agency (UNHCR) and World Food Programme (WFP) have informed the government of Rwanda.

‘[Permanent Secretary Habinshuti]... said the basic services to decrease include food, hospital referrals as they will be limited to life-saving cases only, cooking energy, assisting support to students attending boarding schools, as well as rehabilitating and maintaining shelters.’⁴⁵⁴

18.2.7 In the event the Treaty is ratified, Articles 8, 10 and Part 1 of Annex A contain specific provisions on reception, accommodation and support arrangements for Relocated Individuals.

[Back to Contents](#)

18.3 Education

18.3.1 In March 2020 the UNHCR noted that the government of Rwanda has ‘committed to integrate refugee children into the national education system. Refugee children study the same national curriculum along with host community children in schools close to the camps.’⁴⁵⁵

18.3.2 As of December 2020, 29,140 refugee students were enrolled in primary schools, 15,121 were enrolled in secondary schools and 100% of refugee pupils had been integrated into the national education system⁴⁵⁶.

18.3.3 UNHCR’s operational update from September 2022 noted: ‘All refugee students in Rwanda are registered in the national education system and continue to benefit from early childhood development (ECD), primary and secondary education.’ UNHCR also described projects to construct new classrooms to alleviate overcrowding in camp-based schools⁴⁵⁷.

18.3.4 In the event the Treaty is ratified, Article 8 of Part 1 of Annex A contains specific provisions on access to education for Relocated Individuals⁴⁵⁸.

[Back to Contents](#)

18.4 Health

18.4.1 In June 2020, the UNHCR noted that the Rwandan government had committed to include urban refugees (and urban refugee students) in the national Community Based Health Insurance scheme (CBHI). The CBHI is normally open to nationals who pay means-tested premiums but – in collaboration with UNHCR – is also available to refugees. The CBHI provides access to primary health services on a par with Rwandan nationals⁴⁵⁹.

18.4.2 In April 2021 UNHCR stated: ‘All refugees in urban settings... have access

⁴⁵⁴ The New Times, ‘[UNHCR, WFP announce decrease in basic services...](#)’, 14 Oct 2023

⁴⁵⁵ UNHCR, ‘[Inclusion of refugees into the Rwandese national education system](#)’, 18 March 2020

⁴⁵⁶ GoR, ‘[Jya Mberere project/Socio-economic inclusion of refugees ...](#)’ (page 11, table 1), March 2021

⁴⁵⁷ UNHCR, ‘[Operational update Rwanda September 2022](#)’ (page 4), 15 September 2022

⁴⁵⁸ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

⁴⁵⁹ UNHCR, ‘[Community-based health insurance for urban refugees ...](#)’, 24 June 2020

to national health insurance.⁴⁶⁰

- 18.4.3 During the meeting between the Rwandan government and UKHO officials on 18 January 2022, senior government officials reported: ‘Currently, 9,863 urban refugees and refugee students are enrolled to community health insurance... UNHCR pay for urban refugee health insurance.’⁴⁶¹
- 18.4.4 Refugees housed in camps receive free primary health care provided through camp-based clinics run by UNHCR⁴⁶². Clinics can refer refugees to district hospitals⁴⁶³.
- 18.4.5 On 8 June 2022, Dr Hazel Cameron provided oral evidence on the MEDP and Human Rights to the UK Parliament Joint Committee on Human Rights: ‘In terms of right to health, those arriving from the UK will be given free universal health insurance. That has been the case with other arrivals in the country. They will also have access to adequacy of healthcare, including mental healthcare, and they will be provided with steering and counselling services on their arrival and throughout their stay in the country.’⁴⁶⁴
- 18.4.6 UNHCR’s operational update from August 2023 noted:
‘UNHCR is managing eight camp-based health care facilities in Rwanda in cooperation with Save the Children and Africa Humanitarian Action (AHA) at the Emergency Transit Mechanism (ETM). The health centres and posts offer a broad range of primary health care services, including laboratory tests and vaccinations. In addition, some services including the provision of TB and HIV medications are provided through district government health centres. On average, 22,000 primary health consultations take place every month at camp-based health centres.’⁴⁶⁵
- 18.4.7 A prospective SOP on medical care, dated May 2023, which will apply specifically to Relocated Individuals in the event the Treaty is ratified, sets out the process for Relocated Individuals to access healthcare services in Rwanda⁴⁶⁶.
- 18.4.8 The prospective SOP on medical care describes the support for Relocated Individuals with known medical needs, stating that information will be shared with the individual’s consent to enable arrangements to be put in place for their needs to be met upon arrival in Rwanda. All Relocated Individuals will be offered an initial health assessment, conducted by qualified doctors and medical personnel. For individuals at risk of self-harm, medical support and safeguards will be put in place. Psychosocial support, with interpretation services, will be available⁴⁶⁷.
- 18.4.9 The prospective SOP on medical care states that Relocated Individuals will have access to preventative and curative primary and secondary healthcare

⁴⁶⁰ UNHCR, ‘[Rwanda country refugee response plan Jan to Dec 2021](#)’ (page 6), 19 April 2021

⁴⁶¹ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

⁴⁶² UNHCR, ‘[Rwanda country refugee response plan Jan to Dec 2021](#)’ (page 6), 19 April 2021

⁴⁶³ UNHCR, ‘[Rwanda country refugee response plan Jan to Dec 2021](#)’ (page 7), 19 April 2021

⁴⁶⁴ Joint Committee on Human Rights, ‘[Oral evidence: The UK-Rwanda Migration ...](#)’, 8 June 2022

⁴⁶⁵ UNHCR, ‘[Operational update Rwanda August 2023](#)’ (page 5), 15 September 2023

⁴⁶⁶ Annex 1, ‘[A13. GoR, Prospective SoPs on Health services to relocated...](#)’, May 2023

⁴⁶⁷ Annex 1, ‘[A13. GoR, Prospective SoPs on Health services to...](#)’ (sections IV to VI, XV), May 2023

services at least of the standard available to Rwandan nationals. It sets out the services covered, including doctor and clinic visits, outpatient services at hospitals and surgical facilities, and hospital emergency room treatment, inpatient treatment and room and board. Other services covered include an eye test and one pair of glasses, and hearing services including hearing aids⁴⁶⁸.

- 18.4.10 The prospective SOP on medical care also sets out items which are not covered, including 'Pregnancy and newborn expenses', treatment for infertility or sexual dysfunction and 'Any modification of the body made to improve psychological, mental or emotional well-being'⁴⁶⁹.
- 18.4.11 The SOPs further noted that referral from primary care will follow the national healthcare system⁴⁷⁰.
- 18.4.12 With regard to mental health services, the prospective SOP on medical care notes that confidential counselling and therapy offered by qualified mental health professionals will be available⁴⁷¹.
- 18.4.13 The prospective SOP on safeguarding notes that mental health services are delivered at four levels – 'community level, primary-level health facility, secondary-level health facility and tertiary (specialised care)' and states that individuals requiring such services will be supported to access them⁴⁷².
- 18.4.14 The prospective SOP on medical care states that preventive care will include immunisation programmes, education about hygiene and disease and provision of anti-malarial medication, mosquito nets and mosquito repellent⁴⁷³.
- 18.4.15 The prospective SOP on medical care notes that the MEDP-CU will lead the coordination, monitoring and evaluation of health services for Relocated Individuals and ensure that they have access to effective healthcare services. It will also arrange interpretation for medical appointments where necessary⁴⁷⁴.
- 18.4.16 Each Relocated Individual will be eligible for health insurance for a period of 5 years, after which insurance benefits will automatically terminate⁴⁷⁵.
- 18.4.17 The prospective SOP on reception and accommodation facilities, in setting out the responsibilities of the MEDP-CU, requires it to arrange for, and coordinate access to, medical services, healthcare facilities, and psychosocial support services where the Relocated Individuals may have experienced trauma or distress. These responsibilities also include the requirement to ensure the availability of 24/7 first aid by appropriately trained on-site staff, to regularly monitor the well-being of Relocated Individuals in reception and accommodation facilities, and the provision of a designated

⁴⁶⁸ Annex 1, '[A13. GoR, Prospective SoPs on Health services to...](#)' (sections VI and IX), May 2023

⁴⁶⁹ Annex 1, '[A13. GoR, Prospective SoPs on Health services to relocated...](#)' (section VI), May 2023

⁴⁷⁰ Annex 1, '[A13. GoR, Prospective SoPs on Health services to relocated...](#)' (section X), May 2023

⁴⁷¹ Annex 1, '[A13. GoR, Prospective SoPs on Health services to relocated...](#)' (section XIV), May 2023

⁴⁷² Annex 1, '[A14. GoR Prospective SoPs on identifying and safeguarding...](#)' (para 21), May 2023

⁴⁷³ Annex 1, '[A13. GoR, Prospective SoPs on Health services to relocated...](#)' (section XV), May 2023

⁴⁷⁴ Annex 1, '[A13. GoR, Prospective SoPs on Health services to relocated...](#)' (section VIII), May 2023

⁴⁷⁵ Annex 1, '[A13. GoR, Prospective SoPs on Health services to relocated...](#)' (section VII), May 2023

room within the reception facility for the provision of psychosocial support services to Relocated Individuals. The SOP also includes an incident report form, to be provided to Relocated Individuals for the reporting of any incidents within the accommodation facility⁴⁷⁶.

18.4.18 The prospective SOP on reception and accommodation facilities also sets out detailed hygiene protocols to be implemented by service providers, to promote the positive health of Relocated Individuals. These include, but are not limited to, maintaining a high standard of cleanliness, ensuring a reliable supply of clean drinking water and proper waste management, measures to prevent vector-borne diseases, ensuring food safety where meals are provided, and promoting good personal hygiene among Relocated Individuals⁴⁷⁷.

18.4.19 The prospective SOP on safeguarding states that Relocated Individuals with certain health conditions will be considered vulnerable and provided with safeguarding support, including those with serious physical or mental health conditions and pregnant women⁴⁷⁸.

18.4.20 In the event the Treaty is ratified, Article 4 of Part 1 of Annex A contains specific provisions on health support for Relocated Individuals.

For more information on vulnerability see [Safeguarding](#), and on healthcare generally, see Healthcare in [Country Information Note – Rwanda: Human rights](#)

[Back to Contents](#)

18.5 Right to work

18.5.1 MINEMA and UNHCR's joint strategy on the economic inclusion of refugees, published in May 2021 (covering the period 2021 to 2024) aims to reduce dependency on humanitarian aid and to increase levels of refugee employment, a government and UNHCR priority. The aim is to ensure that all refugees are self-reliant by 2030⁴⁷⁹.

18.5.2 The same report noted:

'Rwanda... not only allows refugees to work, but also allows refugees to move freely within the country, establish companies, pay taxes, create jobs and in most other ways become part of Rwanda's economy. The fundamental right to work combined with an enabling environment provide refugees with the opportunity de jure to contribute economically to their host society. However, despite the favourable legal environment... some de facto structural challenges have been identified that hinder refugees to become full productive members of the Rwandan society. These challenges and sometimes non-legal barriers include the lack of awareness among some employers about refugees' right to work and the process of hiring refugees, insufficient access to finance for refugee entrepreneurs, limited access to tertiary and vocational education, as well as some other challenges (e.g. lack

⁴⁷⁶ Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

⁴⁷⁷ Annex 1, '[A12. GoR Prospective SoP on reception and accommodation facilities](#)', Sept 2023

⁴⁷⁸ Annex 1, '[A14. GoR Prospective SoPs on identifying and safeguarding...](#)' (para 1), May 2023

⁴⁷⁹ MINEMA and UNHCR, '[MINEMA and UNHCR joint strategy on ...](#)' (page viii and xi), May 2021

of documentation) specific to displaced people.⁴⁸⁰

18.5.3 The 2022 USSD human rights report noted: ‘No laws restrict refugee employment, and the government continued to support employment programs and financial inclusion initiatives benefitting both refugees and their host communities. Many refugees, however, were unable to find local employment.’ The USSD cited a 2019 study by the World Bank which found that employers ‘often were unaware of refugees’ rights with respect to employment.’⁴⁸¹

18.5.4 In 2019 the UNHCR collected data on the sources of income for refugees (split by camp-based refugees and urban refugees) and members of the host community. A review of the data by CPIT indicated:

1) A higher degree of self-reliance among urban refugees than camp refugees (measured by the proportion of income which is derived from employment or self-employment).

2) A comparison of the activities of the host community against the activities of the 2 categories of refugees indicated a closer match between the host community and urban refugees than between the host community and camp-based refugees. The proportion of total income which was derived from all income-generating activities (employment, self-employment and agriculture) was 19% (camp refugees), 75% (urban refugees) and 95% (host community). While urban refugees derived most of their income from self-employment, host-community members derived the majority from agriculture.

Income source	As a percentage of total income		
	Camp	Urban	Host
Cash-based interventions (CBI) (monthly humanitarian assistance received from WFP and UNHCR)	73.7	0	0
Business	8.2	51.2	12.5
Wage employment	4.1	23.8	17.3
Agriculture	6.3	0	64.8
Remittances	0.7	11.3	0
Other	7.0	13.7	5.4
Total	100	100	100

482

To note: the UNHCR data does not provide information on the absolute level of household income of the 3 groups.

18.5.5 UNHCR’s ‘Annual Results Report’ for Rwanda, dated 28 April 2023, covering events in 2022, stated:

⁴⁸⁰ MINEMA and UNHCR, ‘[MINEMA and UNHCR joint strategy on economic ...](#)’ (page 4), May 2021

⁴⁸¹ USSD, ‘[2022 Country reports on human rights practices: Rwanda](#)’ (section 2E), 20 March 2023

⁴⁸² MINEMA and UNHCR, ‘[MINEMA and UNHCR joint strategy on ...](#)’ (table 1, page 8), May 2021

‘...The indicator of unemployment rate is not reported due to lack of realistic data for the Rwanda refugee context...’

Achieving results on reducing the proportion of working-age refugees who are unemployed has been challenging due to limited employment opportunities in the labour market in Rwanda and the limited access to land for farming. There is also a challenge of getting data on refugee employment as some refugees are reluctant to disclose their employment or income status because they are concerned it will affect their eligibility for assistance.

In addition, lack of IDs for some refugees is still a challenge, limiting them to access available employment opportunities and formal financial services to start or expand their own businesses. There is still limited awareness among potential employers about the refugees’ right to work. Some refugees have limited information about their legal right to work and available employment opportunities. Furthermore, the protracted reliance on humanitarian assistance has created a dependency mindset for some refugees.⁴⁸³

18.5.6 A February 2022 UNHCR operational update provided a snapshot of Mahama camp in which 14,314 refugees were engaged in income-generating activities (out of a camp population of 55,907, of which 48% were below 18). In addition, 1,562 persons were provided with support for existing businesses, 464 persons received vocational training and 1,381 persons received entrepreneurship training⁴⁸⁴.

18.5.7 During the meeting between the Rwandan government and UKHO on 18 January 2022, UKHO officials asked how easy it is for an urban refugee to find a job. A senior official from MINEMA replied: ‘The job market is open for competition and a refugee has the right to work.’⁴⁸⁵

18.5.8 Senior Rwandan officials also reported: ‘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... Granted to urban and camp-based refugees.’⁴⁸⁶

18.5.9 A UKHO official asked who is eligible for the scheme and a senior official from MINEMA explained:

‘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.’⁴⁸⁷

⁴⁸³ UNHCR, ‘[Annual results report 2022 Rwanda](#)’ (pages 21 to 22), 28 April 2023

⁴⁸⁴ UNHCR, ‘[Operational update: Rwanda February 2022](#)’, 15 March 2022

⁴⁸⁵ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

⁴⁸⁶ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

⁴⁸⁷ Annex 1, ‘[A1. Home Office meeting with Rwandan Government officials](#)’, 18 January 2022

18.5.10 During a meeting with UKHO officials on 23 March 2022, Alight was asked whether camp-based and urban refugees were able to find work. Alight replied:

‘[The] 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 [sic] refugees the right to work, and refugees are steadily being integrated into the country’s health and education systems.’⁴⁸⁸

18.5.11 At a meeting with UKHO officials on 21 March 2022, UNHCR commented: ‘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.’⁴⁸⁹

18.5.12 On 19 January 2022 a meeting was held between UKHO officials and [Harambee Youth Employment Accelerator](#) (HYEA) at Harambee’s premises in Kigali. Although the organisation does not provide any specific training for asylum seekers or refugees, representatives explained ‘There are other organisations that specifically provide those services. But anyone can ask for our support [and] services.’⁴⁹⁰

18.5.13 The organisation also provided information relating to their work with young people in Rwanda in general. For more information on this, see [Annex 3, A5 Harambee Youth Employment Accelerator, meeting at their premises in Kigali, 19 January 2022](#).

18.5.14 UKHO officials asked HYEA whether employers draw a distinction between refugees and asylum seekers, and Rwandan citizens in the job market. The regional manager of Harambee explained: ‘It depends on the job, not having the Kinyarwanda language may prevent someone from getting a job, but likely only very local jobs. The gov[ernmen]t encourages opportunities for refugees. Goes back to us advocating for young people.’⁴⁹¹

18.5.15 The Harambee accounts manager commented: ‘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.’⁴⁹²

18.5.16 The regional manager of HYEA added: ‘There are other languages that are useful business languages such as Swahili and French. Refugees are very

⁴⁸⁸ Annex 3, ‘[A8. Meeting with Alight](#)’, 23 March 2022

⁴⁸⁹ Annex 2, ‘[A1. Meeting with UNHCR](#)’, 21 March 2022

⁴⁹⁰ Annex 3, ‘[A5. Harambe Youth Employment Accelerator, meeting...](#)’, 19 January 2022

⁴⁹¹ Annex 3, ‘[A5. Harambe Youth Employment Accelerator, meeting...](#)’, 19 January 2022

⁴⁹² Annex 3, ‘[A5. Harambe Youth Employment Accelerator, meeting...](#)’, 19 January 2022

resourceful and will learn languages if they need to.⁴⁹³

18.5.17 UKHO officials asked how easy it is to set up a business and the regional manager explained: ‘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.’⁴⁹⁴

18.5.18 A senior official from MINAFFET at the same meeting noted: ‘There is no restriction [on refugees], 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.’⁴⁹⁵

18.5.19 On an undated website page, Inkomoko described itself as an advisory firm and impact investor which began working with refugees in 2016. The organisation ‘... support[s] small businesses to launch and grow and hire refugee colleagues to work alongside companies for tailored advisory. Inkomoko operates in all five refugee camps in Rwanda: Mahama, Nyabiheke, Kiziba, Kigeme, and Mugombwa.’⁴⁹⁶

18.5.20 In a meeting between the HO and LAF on 21 March 2022, a LAF representative explained:

‘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.’⁴⁹⁷

18.5.21 There is limited anecdotal evidence on the experiences of refugees seeking employment in Rwanda in the sources consulted (see [Bibliography](#)). However, in April 2022, AP News reported the case an Eritrean bakery owner who was grateful Rwanda had given him a ‘chance to thrive over the last 10 years.’⁴⁹⁸ In June 2022, Sky News spoke to 2 refugees, a Burundian male with a market stall in Kigali who was ‘struggling to survive’ on his earnings, and a female café owner from Yemen who described Rwanda as ‘welcoming’ and ‘safe’⁴⁹⁹. In December 2022, the BBC interviewed an Eritrean refugee who arrived in Rwanda in 1998 with money to set up his own business and established a successful supermarket chain⁵⁰⁰.

⁴⁹³ Annex 3, ‘[A5. Harambe Youth Employment Accelerator, meeting...](#)’, 19 January 2022

⁴⁹⁴ Annex 3, ‘[A5. Harambe Youth Employment Accelerator, meeting...](#)’, 19 January 2022

⁴⁹⁵ Annex 3, ‘[A5. Harambe Youth Employment Accelerator, meeting...](#)’, 19 January 2022

⁴⁹⁶ Inkomoko, ‘[What we do: Rwanda](#)’, no date

⁴⁹⁷ Annex 3, ‘[A6. Meeting with LAF](#)’, 21 March 2022

⁴⁹⁸ AP News, ‘[For many migrants, the view of Rwanda is often far from rosy](#)’, 28 April 2022

⁴⁹⁹ Sky News, ‘[Migrant deportation plan: “It’s really hard to get work”; “I don’t feel ...”](#)’, 13 June 2022

⁵⁰⁰ BBC, ‘[Rwanda asylum seekers: “Fighting to survive”](#)’, 19 December 2022

18.5.22 A February 2023 UNHCR operational update noted:

‘There is a favourable policy framework in Rwanda for financial inclusion of refugees... refugee IDs are recognized by financial service providers to open a bank account or register sim cards for mobile money services. Based on the Results Monitoring Survey (RMS) findings, 87% of the refugees have an account at a bank or other financial institution or mobile money service provider. As a result of these opportunities, in 2022, about 1,134 refugees received loans, and 2,236 refugees received cash grants to start / grow their businesses...’⁵⁰¹

18.5.23 To mark World Refugee Day on 20 June 2023, UNHCR in Rwanda held an event with MINEMA, where UNHCR’s Representative in Rwanda, Mrs. Aissatou Ndiaye, said ‘This World Refugee Day, we heard testimonies from refugees who are doctors, entrepreneurs, athletes, artists, and community representatives. From Kiziba refugee camp to Kigali, refugees across Rwanda are thriving. It is our role to ensure that such opportunities reach a wider selection of the refugee population and create increased hope for the future.’⁵⁰²

18.5.24 In the event the Treaty is ratified, Article 13 of Part 2 of Annex A contains specific provisions on employment and self-employment for Relocated Individuals⁵⁰³.

[Back to Contents](#)

18.6 Justice and protection

18.6.1 MINEMA’s 2016 ministerial instructions determining the management of refugees and refugee camps states at Article 4 that ‘A refugee who faces security concern or any other threat can report it to... any other government security organ. Refugees at all times can request the assistance of UNHCR and its legal partners.’⁵⁰⁴

18.6.2 Article 12 of the same ministerial instructions states that refugees have the right to ‘Access to justice and legal representation...’ and ‘To be protected and assisted by the government.’⁵⁰⁵

18.6.3 In a June 2020 Refugee Policy Summary, published in March 2022, the UNHCR commented: ‘Overall, refugees in Rwanda enjoy a conducive protection environment and there is no systematic discrimination or denial of rights targeting refugees based on the grounds mentioned above [ethnic origin, family or ancestry, clan, skin colour or race, sex, region, economic categories, religion or faith, opinion, fortune, cultural differences, language, economic status, physical or mental disability].’⁵⁰⁶

18.6.4 The UNHCR added:

‘In general, refugees enjoy a similar level of security to Rwandan nationals.

⁵⁰¹ UNHCR, ‘[Operational update: Rwanda February 2023](#)’, April 2023

⁵⁰² UNHCR, ‘[On World Refugee Day, UNHCR celebrates refugee inclusion in Rwanda](#)’, 20 June 2023

⁵⁰³ UK Govt, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

⁵⁰⁴ MINEMA, ‘[Ministerial instructions determining the management of...](#)’ (Article 4), June 2016

⁵⁰⁵ MINEMA, ‘[Ministerial instructions determining the ...](#)’ (Articles 12f and 12h), June 2016

⁵⁰⁶ UNHCR, ‘[Refugee policy review framework... as at 30 June 2020](#)’ (page 4), 10 March 2022

MINEMA, in collaboration with the Rwanda National Police (RNP), ensures the security of refugees living in camp settings. Considering the generally high level of safety and security in Rwanda, refugees and asylum-seekers mostly feel secure and do not face serious security concerns. Criminality affects them in much the same way as it affects Rwandan nationals and they enjoy police protection on a par with nationals.⁵⁰⁷

18.6.5 The 2020 USSD human rights report noted: 'Authorities generally provided adequate security and physical protection within refugee camps. The [Rwanda National Police] RNP worked with UNHCR to maintain police posts on the edge of and station police officers in refugee camps. Refugees were free to file complaints at both camp and area police stations. There were no major security incidents at refugee camps during the year.'⁵⁰⁸ The 2021 and 2022 USSD reports contained no updated information^{509 510}.

18.6.6 An undated article by UNHCR-Rwanda noted: 'UNHCR has also entered into an agreement with Rwanda National Police for the establishment and/or reconstruction of police posts outside each refugee camp and the agreement to develop a training curriculum for the police. So far, police posts in Gashora, Mahama, Rwakuba, Muyira, Mugombwa, and other relevant sectors have been established or reconstructed.'⁵¹¹

18.6.7 UNHCR-Rwanda provided information on the availability of legal assistance on its website:

'Refugees, asylum seekers, stateless persons or other displaced populations are able to receive legal assistance through UNHCR Rwanda's partner Prison Fellowship Rwanda (PFR). Response services provided:

- 'Provision of legal advice and counseling
- 'Information and support on access to asylum and the refugee status determination procedure
- 'Legal representation, including at Rwanda Investigation Bureau (RIB), prosecution and court level
- 'Birth registration and other documentation for camp-based refugees
- 'Legal assistance for forcibly displaced people and stateless persons in detention, including due to their status or lack thereof.'⁵¹²

18.6.8 Prison Fellowship Rwanda (PFR) noted in an undated entry on its website: 'Since January 2020, PFR in partnership with UNHCR and MINEMA implementing the project entitled "Community Based Protection and Legal Assistance" in refugee camps, Gashora Transit Centre and urban settings of Huye and Kigali...The project ensures access to justice and respect of human rights, providing legal assistance, representation, civil registration and documentation to refugees living in the camps and urban areas.'⁵¹³

⁵⁰⁷ UNHCR, '[Refugee policy review framework... as at 30 June 2020](#)' (page 7), 10 March 2022

⁵⁰⁸ USSD, '[2020 Country reports on human rights practices: Rwanda](#)' (section 2F), 30 March 2021

⁵⁰⁹ USSD, '[2021 Country reports on human rights practices: Rwanda](#)', 12 April 2022

⁵¹⁰ USSD, '[2022 Country reports on human rights practices: Rwanda](#)' (section 2E), 20 March 2023

⁵¹¹ UNHCR, '[Protection](#)', no date

⁵¹² UNHCR, '[Help: Rwanda legal assistance](#)', no date

⁵¹³ PFR, '[Community based protection & Legal aid](#)', no date

- 18.6.9 A May 2021 report by the Ministry of Gender and Family Promotion noted: ‘Concerning access to justice, refugees including women have the right to seek remedies from courts when their rights are at stake. They also have access to free legal services through different actors. For the period under consideration, between 2015 and 2020 a total of 77 asylum seekers gets [sic] free legal aid.’⁵¹⁴
- 18.6.10 At a meeting with UKHO officials on 21 March 2022, LAF commented: ‘LAF also provide criminal and civil legal support to refugees.’⁵¹⁵
- 18.6.11 A September 2022 UNHCR operational update noted: ‘In September, 280 refugees and asylum seekers received legal assistance from UNHCR and partners. Legal counselling was provided through protection desks in operation in both camps and Gikondo Community Center in Kigali.’⁵¹⁶ UNHCR did not specify the reasons legal assistance had been sought.
- 18.6.12 In a survey on legal aid published in June 2023, the NCHR interviewed 357 respondents involved in criminal matters and, of the 190 who benefitted from legal aid in the previous 2 years, 2 were refugees⁵¹⁷.
- 18.6.13 An August 2023 UNHCR operational update stated:
‘UNHCR works in partnership with Prison Fellowship Rwanda (PFR) to provide legal counselling and assistance. Throughout the month, PFR provided legal representation to refugees in 37 criminal cases and 5 civil cases. In addition, at Gikondo Community Centre in Kigali, 27 individuals from Burundi, Sudan, South Sudan and Cameroon were informed about the asylum process in Rwanda and directed to the Rwandan Government to initiate their asylum process.’⁵¹⁸
- 18.6.14 The prospective SOP on reception and accommodation facilities sets out the responsibilities of the reception centre service provider and the MEDP-CU in the event of emergencies, to ensure the safety and wellbeing of Relocated Individuals during unforeseen events (fires, natural disasters, medical crises, security incidents, etc.). The prospective SOP requires that the service provider develops and communicates emergency procedures to Relocated Individuals. The same prospective SOP sets out that it is the responsibility of the MEDP-CU to ensure the safety and security of the Relocated Individuals within the reception centre and accommodation facility, including implementing security measures and emergency response plans. The prospective SOP also provides that a visual evacuation plan for the relevant accommodation facility will be provided and explained to each Relocated Individual. The incident report form within the prospective SOP, also allows for Relocated Individuals to report any conflicts, other protection-related incidents, or breaches of rules within the accommodation facility⁵¹⁹.

⁵¹⁴ MIGEPROF, ‘[Report on CEDAW](#)’ (page 46), May 2021

⁵¹⁵ Annex 3, ‘[A6. Meeting with LAF](#)’, 21 March 2022

⁵¹⁶ UNHCR, ‘[Operational update Rwanda September 2022](#)’ (page 3), 15 September 2022

⁵¹⁷ NCHR, ‘[NCHR Survey on Legal Aid – Final Report](#)’ (pages 29, 34 to 35), June 2023

⁵¹⁸ UNHCR, ‘[Operational update: Rwanda August 2023](#)’, 15 September 2023

⁵¹⁹ Annex 1, ‘[A12. GoR Prospective SoP on reception and accommodation facilities](#)’, Sept 2023

18.6.15 In the event the Treaty is ratified, Article 5 of Part 1 of Annex A contains specific provisions on legal awareness for Relocated Individuals⁵²⁰.

See also [Country Information Note Rwanda: human rights](#) for sections on Access to justice, and Complaint mechanisms available to asylum seekers and/or refugees

[Back to Contents](#)

18.7 Freedom of movement within the country

18.7.1 Article 17 of [Ministerial Instructions No.02/2016 of 1/06/2016 Determining the Management of Refugees and Refugee Camps](#) states:

‘...(k) The movement of refugees outside of the District hosting the refugee camp requires a written authorization by the camp manager;

‘(l) A refugee who wants to spend one night outside the camp should seek the authorization of the camp manager...

‘(p) When exiting the camp, refugees are obliged to move with their refugee card, proof of registration or any other official identification document;

‘(q) Any refugee who is absent from the camp for three (3) consecutive months without authorization of the camp manager will be inactivated in the database of refugees in Rwanda...’⁵²¹

18.7.2 UNHCR’s July 2020 submission to the UPR noted that permissions to leave a refugee camp are valid for a maximum of 3 months⁵²².

18.7.3 In an April 2021 report, UNHCR noted: ‘Refugees registered in camp locations face arrest and detention risks if they move outside the camp without the requisite documents such as refugee IDs or Proof of registration and a letter authorizing their absence from the camp.’⁵²³

18.7.4 The same source added: ‘Urban refugees enjoy more freedom of movement than those in camps who need the authorization to leave camps.’⁵²⁴

18.7.5 During the meeting with the Rwandan government on 18 January 2022, a senior official from MINEMA explained: ‘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.’⁵²⁵

18.7.6 During a meeting between HO and UNHCR on 21 March 2022, the representative explained: ‘...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.’⁵²⁶

18.7.7 Based upon information gathered during a meeting between the HO and

⁵²⁰ UK Govt, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

⁵²¹ MINEMA, [‘Ministerial Instructions No. 02/2016’](#) (Article 17, page 16), 1 June 2016

⁵²² UNHCR, [‘Submission by the UNHCR for the Office of the High ...’](#) (page 6), July 2020

⁵²³ UNHCR, [‘Rwanda country refugee response plan January to December ...’](#) (page 7), 19 April 2021

⁵²⁴ UNHCR, [‘Rwanda country refugee response plan January to ...’](#) (page 10), 19 April 2021

⁵²⁵ Annex 1, [‘A1. Home Office meeting with Rwandan Government officials’](#), 18 January 2022

⁵²⁶ Annex 2, [‘A1. Meeting with UNHCR’](#), 21 March 2022

LAF on 21 March 2022:

'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.'⁵²⁷

18.7.8 The prospective SOP on reception and accommodation facilities sets out a responsibility on the reception facility service provider to ensure that Relocated Individuals will be free to come and go from reception centres⁵²⁸.

18.7.9 In the event the Treaty is ratified, Article 13 of Part 2 of Annex A contains specific provisions on freedom of movement for Relocated Individuals⁵²⁹.

See also the section on Freedom of movement for women in the [Country Information Note Rwanda: human rights](#).

[Back to Contents](#)

18.8 Freedom to travel out of, and return to, Rwanda

18.8.1 Article 4 of [Ministerial Instructions No.02/2016 of 1/06/2016 Determining the Management of Refugees and Refugee Camps](#) states: 'A refugee who returns to the country of origin, loses his/her refugee status. Upon return to Rwanda, a new asylum application needs to be submitted to the concerned authorities to re-assess international protection needs.'⁵³⁰

18.8.2 According to Article 34 of [Ministerial Order No.06/01 of 29/05/2019 relating to Immigration and Emigration](#), refugees can apply for a refugee travel document which entitles the holder to travel in all countries except for his/her country of nationality. The travel document is valid for 5 years⁵³¹.

18.8.3 To obtain a refugee travel document, refugees are required to submit an application form and letter, a recommendation from the camp manager, proof of refugee registration and refugee ID card, photograph and payment of RWF 20,000 [GBP £12.71⁵³²]⁵³³.

18.8.4 In 2018, the Rwandan government launched Machine Readable Refugee Travel Documents (MRTDs) with the aim of helping refugees 'to carry on productive activities across the borders such as business, study, medical treatment or family reunification'.⁵³⁴ As of November 2019, 3,277 MRTDs had been issued to refugees. The MRTD is intended to increase refugees' mobility and self-reliance⁵³⁵.

⁵²⁷ Annex 3, '[A6. Meeting with LAF](#)', 21 March 2022

⁵²⁸ Annex 1, '[A12. GoR Prospective SoPs on reception and accommodation facilities](#)', Sept 2023

⁵²⁹ UK Govt, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

⁵³⁰ MINEMA, '[Ministerial Instructions No. 02/2016](#)' (Article 4, page 6), 1 June 2016

⁵³¹ GoR, '[Official Gazette no. Special of 30/05/2019, Number ...](#)' (Article 34, page 40), 30 May 2019

⁵³² Xe.com, '[20,000 RWF to GBP - Convert Rwandan Francs to British Pounds](#)', 6 December 2023

⁵³³ DGIE, '[Requirements for refugee travel document application](#)', no date

⁵³⁴ UNHCR, '[The Government of Rwanda and the UN Refugee Agency launch the ...](#)', 10 Oct 2018

⁵³⁵ UNHCR, '[Submission by the UNHCR for the Office of the High ...](#)' (page 6), July 2020

[Back to Contents](#)

18.9 Citizenship

- 18.9.1 Refugees can naturalize as Rwanda citizens, in accordance with Rwandan law⁵³⁶.
- 18.9.2 In a meeting between the Rwandan government and UKHO officials on 18 January 2022, the Colonel and Special Advisor on immigration explained: 'Refugees after a certain time... can apply for naturalisation.'⁵³⁷
- 18.9.3 A second senior government official explained: 'There are a set of pathways and options, for example, time spent in country or through marriage.'⁵³⁸

[Back to Contents](#)

⁵³⁶ GoR, '[Official Gazette 26 of 30/06/2014](#)' (Article 19, page 88), 30 June 2014

⁵³⁷ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

⁵³⁸ Annex 1, '[A1. Home Office meeting with Rwandan Government officials](#)', 18 January 2022

Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

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

Each piece of information is referenced in a footnote.

This note is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

[Back to Contents](#)

Bibliography

Sources cited

Altai Consulting, '[EUTF monitoring and learning system HoA 2020 yearly report](#)', June 2021. Last accessed: 6 December 2023

Associated Press (AP) News, '[For many migrants, the view of Rwanda is often far from rosy](#)', 28 April 2022. Last accessed: 25 November 2022

Annex 1, (Government of Rwanda evidence)

['A1. Home Office meeting with Rwandan Government officials'](#), 18 January 2022. Last accessed: 11 December 2023

['A2. Home Office meeting with MINEMA'](#), 22 March 2022. Last accessed: 11 December 2023

['A3 Home Office meetings with DGIE and MINEMA'](#), 22 March 2022. Last accessed: 21 November 2023. Last accessed: 11 December 2023

['A4 Government of Rwanda response to written questions submitted by the Home Office'](#), 11 December 2023.

['A5. Refugee Status Determination Standard Operating Procedures'](#), May 2023. Last accessed: 11 December 2023

['A6. Government of Rwanda, Manual on Refugee Status Appeal Process'](#), May 2017. Last accessed: 11 December 2023

['A7. Government of Rwanda, Asylum Proceeding Before the Court of Law'](#), September 2023. Last accessed: 11 December 2023

['A8. Government of Rwanda, Asylum and Humanitarian Protection Processing, Standard Operating Procedures'](#), May 2023. Last accessed: 11 December 2023

['A9. GoR, Asylum interview template'](#), May 2023. Last accessed: 11 December 2023

['A10. GoR, Asylum seeker registration form'](#), May 2023. Last accessed: 11 December 2023

['A11 GoR, Notification of RSDC decision'](#), 6 January 2023 and 13 July 2022. Last accessed: 11 December 2023

['A12. GoR, Prospective Standard Operating Procedures on reception and accommodation facilities'](#), September 2023. Last accessed: 11 December 2023

['A13. GoR, Prospective Standard Operating Procedures on Health services to relocated individuals under UK-Rwanda MEDP'](#), May 2023. Last accessed: 11 December 2023

['A14. GoR, Prospective Standard Operating Procedures Identifying and safeguarding vulnerable persons under the MEDP'](#), May 2023. Last accessed: 11 December 2023

['A15. Agreement on Provision of Legal Aid for Asylum Seekers Between the](#)

[Ministry of Justice \(MINIJUST\) and the Rwanda Bar Association \(RBA\)](#)', 1 March 2023. Last accessed: 11 December 2023

Annex 2, (UNHCR evidence)

[‘A1. Meeting with UNHCR’](#), 21 March 2022. Last accessed: 21 November 2023

[‘A2: UNHCR Written Observations in the Divisional Court’](#), 19 August 2022. Last accessed: 1 December 2023

[‘A8: UNHCR, Second witness statement of Lawrence Bottinick’](#), 26 June 2022. Last accessed: 30 November 2023

[‘A9: UNHCR, Third Witness Statement of Lawrence Bottinick’](#), 27 July 2022. Last accessed: 21 November 2023

[‘A10: UNHCR written observations in the Supreme Court’](#), 18 Sept 2023. Last accessed: 21 November 2023

[‘A11: UNHCR refoulement table’](#), 6 October 2023. Last accessed: 21 November 2023

Annex 3, (Other material)

[‘A1. Meeting at Gashora Transit Centre’](#), 18 January 2022

[‘A5. Harambe Youth Employment Accelerator, meeting at their premises in Kigali, 19 January 2022’](#), 19 January 2022

[‘A6. Meeting with Legal Aid Forum \(LAF\)’](#), 21 March 2022

[‘A8. Meeting with Alight’](#), 23 March 2022

BBC,

[‘One-way ticket to Rwanda for some UK asylum seekers’](#), 14 April 2022. Last accessed: 25 November 2022

[‘Rwanda asylum seekers: “Fighting to survive”’](#), 19 December 2022. Last accessed: 16 January 2023

[‘UK-Rwanda asylum seekers' deal: good news for Kigali hotels’](#), 20 May 2022. Last accessed: 25 November 2022

Birger, L, Shoham, S and Bolzman, L, [“Better a prison in Israel than dying on the way”: testimonies of refugees who “voluntarily” departed Israel to Rwanda and Uganda and gained protection in Europe’](#), January 2018. Last accessed: 28 November 2022

The East African,

[‘Kagame, Netanyahu 'agree' on African deportation from Israel’](#), 25 January 2018. Last accessed: 28 November 2022

[‘Rwanda excludes refugees from neighbouring states in UK deal’](#), 15 April 2022. Last accessed: 25 November 2022

Global Detention Project, [‘Rwanda Immigration Detention Data Profile \(2020\)’](#), 20 April 2020. Last accessed: 25 November 2022

Government of Israel (GOI), Population, Immigration and Border Authority (PIBA),

[‘2014 Summary of Statistics of Foreigners in Israel’](#), 2015. Last accessed: 30 November 2022

[‘2015 Summary of Statistics of Foreigners in Israel’](#), 2016. Last accessed: 30 November 2022

[‘2016 Summary of Statistics of Foreigners in Israel’](#), 2017. Last accessed: 30 November 2022

[‘2017 Summary of Statistics of Foreigners in Israel’](#), January 2018. Last accessed: 28 November 2022

[‘2019 Summary of Statistics of Foreigners in Israel’](#), 2020. Last accessed: 30 November 2022

[‘Special track for voluntary departure from Israel of infiltrators’](#), 1 January 2018. Last accessed: 28 November 2022

Government of Rwanda (GoR),

[‘Constitution of the Republic of Rwanda revised in 2015’](#) 24 Dec 2015. Last accessed: 25 November 2022

‘Kigali informal settlement upgrading projects’, 13 January 2022 (copy available on request)

[‘Official Gazette number 26 of 30/06/2014’](#), 30 June 2014. Last accessed: 28 November 2022

[‘Official Gazette number 26 of 29/06/2015’](#), 19 June 2015. Last accessed: 25 November 2022

[‘Official Gazette No. Special of 02/06/2018’](#), 2 June 2018. Last accessed: 25 November 2022

[‘Official Gazette no. Special of 30/05/2019, Number 06/01 of 29/05/2019, Ministerial Order relating to Immigration and Emigration’](#), 30 May 2019. Last accessed: 28 November 2022

Government of Rwanda (Author), published by [X.com](#), 22 January 2018. Last accessed: 28 November 2022

Government of Rwanda, Ministry of Gender and Family Promotion (MIGEPROF), [‘Report on CEDAW’](#) (page 7), May 2021. Last accessed: 28 November 2022

Government of Rwanda, Ministry in Charge of Emergency Management (MINEMA),

[‘First group of 493 Burundian refugees voluntarily repatriated’](#), no date. Last accessed: 25 November 2022

[‘Fourth group of refugees and asylum seekers from Libya safely arrived in Rwanda’](#), no date. Last accessed: 25 November 2022

[‘Jya Mbere project launches construction of classrooms’](#), no date. Last accessed: 25 November 2022

[‘Jya Mbere project/Socio-economic inclusion of refugees and host communities project, Quarter 2 progress report, October to December 2020’](#), March 2021. Last accessed: 25 November 2022

[‘MINEMA and UNHCR joint strategy on economic inclusion of refugees and](#)

[host communities in Rwanda 2021 to 2024](#)', May 2021. Last accessed: 25 November 2022

['Ministerial Instructions No 02/2016 of 01/06/2016 Determining the Management of Refugees and Refugee Camps'](#), 1 June 2016. Last accessed: 30 November 2022

['Ministerial Instructions No. 02/2016 Determining the Management of Refugees and Refugee Camps'](#), 1 June 2016. Last accessed: 28 November 2022

['Minister Kayisire Solange inaugurated 73 new classrooms'](#), 8 December 2022. Last accessed: 26 April 2023

['More Rwandans have voluntarily returned from the DRC'](#), 7 July 2022. Last accessed: 25 November 2022

['Refugee management'](#), no date. Last accessed: 25 November 2022

['Statement by the Minister in charge of emergency management on World Refugee Day'](#), 20 June 2020. Last accessed: 25 November 2022

['"We call upon all refugees to work very hard to be self-reliant": Minister Kayisire'](#), 20 June 2022. Last accessed: 25 November 2022

Government of Rwanda, Directorate General of Immigration and Emigration (DGIE), ['Requirements for refugee travel document application'](#), no date. Last accessed: 25 November 2022

Government of Rwanda, Ministry of Defence (MoD), ['President Kagame Inaugurates Karama Model Village to Mark Liberation Day'](#), 3 July 2019. Last accessed: 25 November 2022

Government of Rwanda, Ministry of Finance and Economic Planning (MFEP) and National Institute of Statistics of Rwanda (NISR), ['Fifth Rwanda population and housing census 2022: Main indicators report'](#), Feb 2023. Last accessed: 13 April 2023

The Guardian, ['UK asylum seekers to be housed in no-frills hostel in Rwandan capital'](#), 14 April 2022. Last accessed: 25 November 2022

Haaretz,

['Asylum seekers deported from Israel to Rwanda warn those remaining: "don't come here"'](#), 2 February 2018. Last accessed: 28 November 2022

['Israel to Pay Rwanda \\$5,000 for Every Deported Asylum Seeker It Takes In'](#), 20 November 2017. Last accessed: 28 November 2022

['Rwanda denies signing "secret deal with Israel" to accept deported asylum seekers'](#), 23 January 2018. Last accessed: 28 November 2022

Hotline for Refugees and Migrants (HRM),

['Deported to the unknown'](#), December 2015. Last accessed: 28 November 2022

['Rwanda or Saharanim'](#), July 2015. Last accessed: 30 November 2022

['The "voluntary" departure and Israel's plan for deportation to third countries'](#),

June 2018. Last accessed: 28 November 2022

Hotline for Refugees and Migrants (HRM) and Aid Organization for Refugees and Asylum Seekers (ASSAF), '[Where there is No Free Will](#)', April 2015. Last accessed: 28 November 2022

Human Rights Watch (HRW),

["Make Their Lives Miserable": Israel's Coercion of Eritrean and Sudanese Asylum Seekers to Leave Israel](#)', 9 Sept 2014. Last accessed 28 November 2022

['World Report 2023: Rwanda – events of 2022'](#), 13 January 2023. Last accessed: 5 May 2023

IGIHE, '[Rwanda launches construction of homes for migrants from UK](#)', 20 March 2023. Last accessed: 10 December 2023

Independent, '[Residents at Rwandan refugee camp seek safety and a future for their children](#)', 15 June 2022. Last accessed: 25 November 2022

iNews, '[Inside the Rwanda centre which will house asylum seekers and UK Channel migrants](#)', 14 April 2022. Last accessed: 25 November 2022

Inkomoko, '[What we do: Rwanda](#)', no date. Last accessed: 5 December 2023

International Organization for Migration (IOM),

['Republic of Rwanda profile 2021: Migration governance indicators'](#), 2021. Last accessed: 25 November 2022

['Over 30,000 Refugees Resettled from Rwanda'](#), 8 November 2023. Last accessed: 25 November 2023

International Refugee Rights Initiative (IRRI), ["I was left with nothing": "Voluntary" departures of asylum seekers from Israel to Rwanda and Uganda](#)', September 2015. Last accessed: 28 November 2022

Inter Press Service News Agency (IPS), '[Afghan Girls, Women Deprived of Education, Find Hope in Africa](#)', 1 August 2023. Last accessed: 30 November 2023

KT Press, '[UK, Rwanda sign treaty to reinforce migration and economic development partnership](#)', 5 December 2023. Last accessed: 5 December 2023

Legal Aid Forum (LAF), '[About us](#)', no date. Last accessed: 18 October 2023

National Commission for Human Rights (NCHR),

['Annual activity report, July 2019 to June 2020'](#), no date. Last accessed: 25 November 2022

['Annual activity report, July 2020 to June 2021'](#), September 2021. Last accessed: 25 November 2022

['Annual activity report: July 2021 – June 2022'](#), September 2022. Last accessed: 6 December 2023

['NCHR Survey on Legal Aid – Final Report'](#), June 2023. Last accessed: 4 December 2023

The New Humanitarian, '[How Israel's secret refugee deals collapsed in the light of](#)

[day](#)', 3 May 2018. Last accessed: 28 November 2022

The New Times,

[‘Afghan girls relish “remarkable” reception in Rwanda](#)’, 23 May 2023. Last accessed: 23 May 2023

[‘Gihembe camp closed, refugees fully evacuated](#)’, 18 October 2021. Last accessed: 25 November 2022

[‘Over 200 Sudanese medical students to complete studies in Rwanda](#)’, 1 August 2023. Last accessed: 30 November 2023

[‘Rwanda open to host over 30,000 African immigrants from Libya](#)’, 23 November 2017. Last accessed: 25 November 2022

[‘Sudan's top medical varsity plans relocation to Rwanda](#)’, 22 November 2023. Last accessed: 30 November 2023

[UNHCR, WFP announce decrease in basic services for refugees in Rwanda](#), 14 October 2023. Last accessed: 16 October 2023

Nduhungirehe, Olivier J P, [‘X.com](#)’, 24 January 2018. Last accessed: 28 November 2022

Prison Fellowship Rwanda (PFR), [‘Community based protection & Legal aid](#)’, no date. Last accessed: 18 October 2023.

Supreme Court of Israel, [‘Administrative Appeal 8101/15](#)’ (para 87), 9 October 2016. Last accessed: 1 December 2023

Sky News,

[‘Migrant deportation plan: “It’s really hard to get work”; “I don’t feel safe”; “People here are so welcoming” - What it’s like to be a refugee in Rwanda](#)’, 13 June 2022. Last accessed: 25 November 2022

[‘Rwanda: Inside ‘Hope Guest House’ accommodation for UK Channel migrants](#)’, 14 April 2022. Last accessed: 30 November 2022

The Times of Israel, [‘Outed by Netanyahu as ‘third-party country,’ Rwanda denies migrant agreement](#)’, 3 April 2018. Last accessed: 28 November 2022

UK Government,

[‘PM speech on action to tackle illegal migration](#)’, 14 April 2022. Last accessed: 25 November 2022

[‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership Agreement to Strengthen Shared International Commitments on the Protection of Refugees and Migrants](#)’, 6 December 2023. Last accessed: 6 December 2023

UK Parliament, Joint Committee on Human Rights, [‘Oral evidence: The UK-Rwanda Migration and Economic Development Partnership and Human Rights, HC 293](#)’, 8 June 2022. Last accessed: 25 November 2022

UN Committee Against Torture (UNCAT), [‘Concluding observations on the second periodic report of Rwanda \[CAT/C/RWA/CO/2\]](#)’, 21 December 2017. Last accessed: 25 November 2022

UN High Commissioner for Refugees (UNHCR),

[‘Annual results report 2022 Rwanda’](#), 28 April 2023. Last accessed: 8 January 2024

[‘Asylum Procedure in Rwanda’](#), undated. Last accessed: 6 December 2023

[‘A new approach to refugee integration bears fruit in Rwanda’](#), 14 December 2021. Last accessed: 25 November 2022

[‘An overview of how the Global Compact on Refugees is being turned into action in Rwanda’](#), 15 March 2021. Last accessed: 25 November 2022

[‘Community-based health insurance for urban refugees and refugee students in Rwanda’](#), 24 June 2020. Last accessed: 25 November 2022

[‘Emergency Transit Mechanism: Rwanda’](#), 31 October 2023. Last accessed: 5 December 2023

[‘European Union increases support to people in need of international protection with additional grant of €22 million to UNHCR to operate the Emergency Transit Mechanism in Rwanda until 2026’](#), 9 February 2023. Last accessed: 4 December 2023

[‘The Government of Rwanda and the UN Refugee Agency launch the issuance of Machine Readable Refugee Travel Documents’](#), 10 Oct 2018. Last accessed: 28 November 2022

[‘Guidelines on International Protection No. 11: Prima Facie Recognition of Refugee Status’](#), 24 June 2015. Last accessed: 25 November 2022

[‘Help: Rwanda documentation’](#), no date. Last accessed: 18 October 2023

[‘Help: Rwanda legal assistance’](#), no date. Last accessed: 18 October 2023

[‘Inclusion of refugees into the Rwandese national education system’](#), 18 March 2020. Last accessed: 25 November 2022

[‘Mapping thematic area-wise data for Rwanda’](#), 30 June 2022. Last accessed: 25 November 2022

[‘Meeting Refugees’ Basic Needs’](#), no date. Last accessed: 7 December 2023

[‘On World Refugee Day, UNHCR celebrates refugee inclusion in Rwanda’](#), 20 June 2023. Last accessed: 4 December 2023

[‘Operational data portal: Rwanda’](#), 31 October 2023. Last accessed: 5 December 2023

[‘Operational update: April - June 2021’](#), 28 July 2021. Last accessed: 25 November 2022

[‘Operational update: Rwanda August 2023’](#), 15 September 2023. Last accessed: 18 October 2023

[‘Operational update: Rwanda February 2022’](#), 15 March 2022. Last accessed: 25 November 2022

[‘Operational update: Rwanda February 2023’](#), April 2023. Last accessed: 18 May 2023

[‘Operational update Rwanda September 2022’](#), 15 September 2022. Last accessed: 28 November 2022

[‘Protection’](#), no date. Last accessed: 19 October 2023

[‘Rwanda country refugee response plan January to December 2021’](#), 19 April 2021. Last accessed: 28 November 2022

[‘Refugee data finder’](#), data downloaded 16 November 2022. Last accessed: 25 November 2022

[‘Refugee policy review framework country summary as at 30 June 2020’](#), 10 March 2022. Last accessed: 25 November 2022

[‘Rwanda: population statistics, December 2021’](#), no date. Last accessed: 25 November 2022

[‘Rwanda - Refugees and asylum-seekers \(urban\)’](#), 2021. Last accessed: 12 July 2022. Last accessed: 25 November 2022

[‘Rwanda Refugee Response Plan: January – December 2023’](#), 1 January 2023. Last accessed: 6 December 2023

[‘Submission by the UNHCR for the Office of the High Commissioner for Human Rights’ Compilation Report, Universal Periodic Review: 3rd Cycle, 37th Session, Rwanda’](#), July 2020. Last accessed: 28 November 2022

[‘UNHCR analysis of the legality and appropriateness of the transfer of asylum-seekers under the UK-Rwanda arrangement’](#), 8 June 2022. Last accessed 10 January 2023

[‘UNHCR appeals to Israel over forced relocations policy’](#), 9 January 2018. Last accessed 28 November 2022

[‘UNHCR concerned over Israel’s refugee relocation proposals’](#), 17 November 2017. Last accessed 28 November 2022

[‘UNHCR Rwanda fact sheet March 2021’](#), 26 March 2021. Last accessed: 25 November 2022

[‘Women refugee entrepreneurs are pushing for self-reliance in Rwanda’](#), 8 March 2021. Last accessed: 25 November 2022

UN High Commissioner for Refugees (UNHCR) Israel, [‘PIBA reports’](#), no date. Last accessed: 28 November 2022

UN Rwanda, [‘Rwanda: 1000 hills and a big heart’](#), 15 January 2021. Last accessed: 25 November 2022

US Central Intelligence Agency, World Factbook, [‘Rwanda’](#), 29 November 2023. Last accessed: 30 November 2023

United States Department of State (USSD),

[‘2020 Country Reports on Human Rights Practices: Rwanda’](#), 30 March 2021. Last accessed: 25 November 2022

[‘2021 Country reports on human rights practices: Rwanda’](#), 12 Apr 2022. Last accessed: 25 November 2022

[‘2022 Country reports on human rights practices: Rwanda’](#), 20 March 2023.

Last accessed: 19 April 2023

World Bank,

[‘People’s perspectives on ID and civil registration in Rwanda’](#), 24 Mar 2021. Last accessed: 25 November 2022

[‘World Bank supports improved basic services and economic opportunities for refugees and host communities in Rwanda’](#), 23 June 2021. Last accessed: 25 November 2022

World Food Programme (WFP), [‘WFP welcomes funding from the United States to support refugees in Rwanda’](#), 19 Jan 2023. Last accessed: 24 January 2023

Xe.com,

[‘20,000 RWF to GBP - Convert Rwandan Francs to British Pounds’](#), 6 December 2023. Last accessed: 6 December 2023

[‘40,000 RWF to GBP - Rwandan Francs to British Pounds’](#), 6 December 2023. Last accessed: 6 December 2023

[‘3,500 USD to GBP - Convert US Dollars to British Pounds’](#), 6 December 2023. Last accessed: 6 December 2023

[‘5,000 USD to GBP - Convert US Dollars to British Pounds’](#), 6 December 2023. Last accessed: 6 December 2023

[‘20,000,000 USD to GBP - Convert US Dollars to British Pounds’](#), 6 December 2023. Last accessed: 6 December 2023

[‘60,000,000 USD to GBP - Convert US Dollars to British Pounds’](#), 6 December 2023. Last accessed: 6 December 2023.

[‘10,000 RWF to GBP - Convert Rwandan Francs to British Pounds’](#), 6 December 2023. Last accessed: 6 December 2023

[‘5,000 RWF to GBP - Convert Rwandan Francs to British Pounds’](#), 6 December 2023. Last accessed: 6 December 2023

Ynet News,

[‘Government approves closure of Holot facility within 4 months’](#), 19 November 2017. Last accessed: 28 November 2022

[‘Israel to trade arms for migrants with African countries’](#), 9 July 2013. Last accessed: 28 November 2022

[Back to Contents](#)

Sources consulted but not cited

Al Jazeera, [‘As Denmark votes, I have a question: Am I welcome here?’](#), 1 November 2022. Last accessed: 25 November 2022

All Africa, [‘Rwanda: Justice Minister Vows to Crack Down on Corrupt Officials’](#), 9 July 2020. Last accessed: 1 December 2022

BBC, [‘Rwanda asylum plan: Campaigners’ challenge to be heard on Monday’](#), 11 June 2022. Last accessed: 1 December 2022

Congressional Research Service, [‘Rwanda: In Brief’](#), 23 February 2021. Last

accessed: 1 December 2022

The Conversation, '[Threat of expulsion hangs over thousands of Eritreans who sought refuge in Israel and the US](#)', 23 November 2017. Last accessed: 1 December 2022

Freedom House:

['Freedom in the World 2022 – Rwanda'](#), 28 February 2022. Last accessed: 1 December 2022

['Freedom in the World 2023 - Rwanda'](#), March 2023. Last accessed: 25 April 2023

['Freedom on the Net 2021'](#), 21 September 2021. Last accessed: 1 December 2022

Foreign Policy, '[Inside Israel's Secret Program to Get Rid of African Refugees](#)', 27 June 2017. Last accessed: 1 December 2022

Global Detention Project, '[Rwanda](#)', various dates. Last accessed: 1 December 2022

The Guardian,

['My story proves Rwanda's lack of respect for good governance and human rights'](#), 1 June 2021. Last accessed: 1 December 2022

['Return to the refugee camp: Malawi orders thousands back to "congested" Dzaleka'](#), 25 November 2021. Last accessed: 1 December 2022

['UK Home Office plans second flight to deport asylum seekers to Rwanda'](#), 3 July 2022. Last accessed: 1 December 2022

Human Rights Watch (HRW),

['Still No Answers 2 Years After Rwanda Singer Found Dead'](#), 18 February 2022. Last accessed: 1 December 2022

Institute of Policy Analysis and Research, ([website](#)). Last accessed: 1 December 2022

The Local, '[Denmark suspends asylum centre talks with Rwanda](#)', 25 January 2023. Last accessed: 4 May 2023

Migration Policy Institute (MPI), '[A warm welcome for some: Israel embraces immigration of Jewish diaspora, sharply restricts labor migrants and asylum seekers](#)', 5 June 2020. Last accessed: 1 December 2022

The New Times,

['Kagame promises solution to excessive force by police'](#), 6 September 2020. Last accessed: 1 December 2022

['Kagame, UK Home Secretary discuss migration partnership'](#), 19 March 2023. Last accessed: 13 April 2023

['UK-Rwanda migration deal expanded'](#), 18 March 2023. Last accessed: 13 April 2023

Refugees International, '[Rwanda](#)', various dates. Last accessed: 1 December 2022

UNHCR,

[‘Emergency Transit Mechanism, Rwanda’](#), March 2022. Last accessed: 18 May 2023

[‘Operational update: Rwanda May 2021’](#), 26 June 2021. Last accessed: 25 November 2022

[‘Written evidence to the UK Parliament International Agreements Committee inquiry into the UK-Rwanda Memorandum of Understanding’](#), 21 September 2022. Last accessed: 26 January 2023

[Back to Contents](#)

Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **2.1**
- valid from **10 January 2024**

[Back to Contents](#)

Feedback to the Home Office

Our goal is to provide accurate, reliable and up-to-date COI and clear guidance. We welcome feedback on how to improve our products. If you would like to comment on this note, please email the [Country Policy and Information Team](#).

[Back to Contents](#)

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

Independent Advisory Group on Country Information

Independent Chief Inspector of Borders and Immigration

1st Floor, Clive House

70 Petty France

London

SW1H 9EX

Email: chiefinspector@icibi.gov.uk

Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

[Back to Contents](#)