



Home Office

Country Information Note

Rwanda: Asylum system

Version 4.0

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1. Glossary

1.1.1 Common abbreviations used in this Country Information Note 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
CIN	Country Information Note
CPIT	Country Policy and Information Team
DGIE	Directorate General of Immigration and Emigration
DRC	Democratic Republic of Congo
ECtHR	European Court of Human Rights
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
MEDP-CU	MEDP-Coordination Unit
MINEMA	Ministry in Charge of Emergency Management
NCHR	National Commission for Human Rights
NGO	Non-governmental organisation
RI	Relocated Individual
RSD	Refugee Status Determination (process/procedure)
RSDC	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
VoT	Victims of trafficking

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2. About this note

- 2.1.1 This Country Information Note (CIN) contains publicly available country information about the asylum system in Rwanda which has been gathered, collated and analysed in line with the [Section updated: 30 April 2024](#)

3. Training of decision makers and others involved in the RSD process

- 3.1.1 The treaty, Annex B, Part 2, paragraph 3.3.1 states that members of the First Instance Body ‘shall be appointed on the basis that they are appropriately trained to take a decision on asylum and Humanitarian Protection Claims in accordance with the Refugee Convention and humanitarian protection law.’
- 3.1.2 The treaty, Annex B, Part 2, paragraph 4.4 states ‘All judges [on the Appeal Tribunal] who are not of Rwandan nationality shall receive training on Rwandan law and judicial practice, and all judges shall, as necessary, receive training on asylum and humanitarian law and practice ...’
- 3.1.3 A statement made by the Home Secretary to the UK Parliament on 25 April 2024 noted that training ‘has already been delivered to existing members of the Rwandan judiciary, including by the International Association for Refugee and Migration Judges.’
- 3.1.4 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 3. The training was delivered to officials from DGIE and MINEMA, and members of the judiciary and Rwanda Bar Association, among others. Full details of who received the training are included in Annex 1.
- 3.1.5 The manual includes sections which cover the understanding and application of the Refugee Convention, including:
- principle of non-refoulement
 - imputed convention grounds
 - sur place claims
 - membership of a particular social group
 - interviewing asylum applicants
 - dealing with vulnerable claimants
 - persecution on the basis of sexual orientation or gender identity
- 3.1.6 The Home Secretary’s statement to Parliament on 25 April 2024 noted, in the context of the provision of training in relation to safeguarding vulnerable persons: ‘The delivery of training has already begun, with training provided by the Office of the Children’s Champion – the Home Office’s children and vulnerable adult safeguarding experts – for accommodation officers and protection officers conducted from 16 to 22 of April [2024] and training for asylum caseworkers from 23 to 26 of April [2024].’

In UNHCR's submissions in the case of AAA, the first witness statement of Mr Bottinick (UNHCR LB 1), dated 9 June 2022, observed:

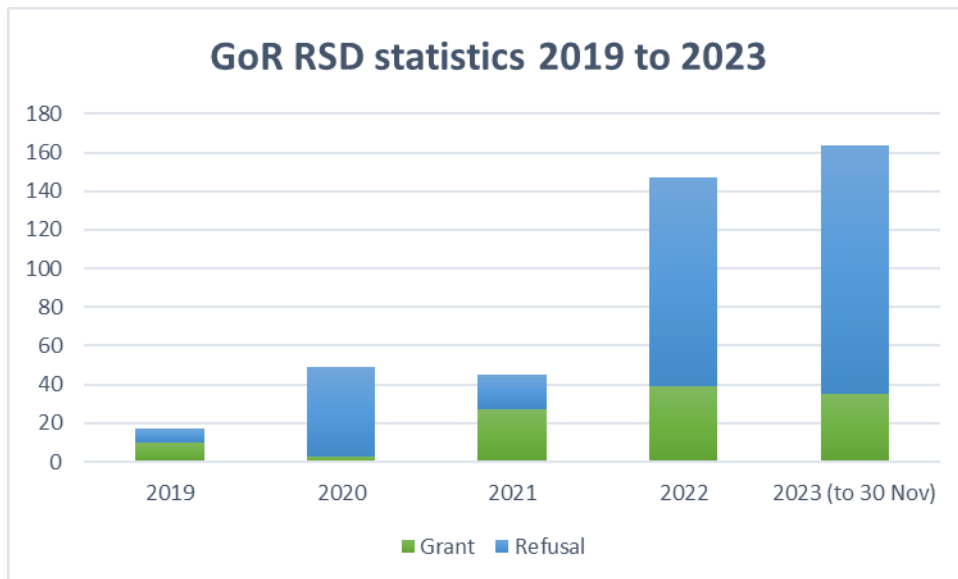
4. **'UNHCR notes that whilst Rwanda has generously provided safe haven to refugees for decades and has made efforts to build the capacity of its asylum system, its national asylum system is still nascent. In UNHCR's assessment, there is a serious risk that the burden of processing the asylum claims 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.'**

4.1 As part of its role as Intervener in the case of AAA, the 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.'

4.1.1 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 RSDC since 2019. The data in Mr Bottinick's third witness statement provided the number of cases – of which the UNHCR was aware – considered by the RSDC between the start of 2020 and 21 June 2022. CPIT has compiled a table below 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 the 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	49	45	73	167
UNHCR	n/a	n/a	n/a	156

4.1.2 CPIT has summarised the GoR data in the graph below, which indicates a trend of an increasing number of cases considered over the period 2019 to November 2023:



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Nationality

In a June 2022 statement following the announcement of the MEDP, the 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 countries.’

- 4.2 [UNHCR’s court submissions in the case of AAA, dated 19 August 2022, suggested that the Rwandan asylum system had a ‘... bias against Middle Eastern cases including refusals on unspecified “security” grounds and anomalously high rejection rates.’](#)
- 4.2.1 Mr Bottnick’s third witness statement provided a table 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).’
- 4.2.2 The table from Mr Bottnick’s third witness statement, showing the number of cases considered by the RSDC between the start of 2020 and 21 June 2022, split by nationality, is provided below:

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.

4.2.3

4.2.4

4.2.5

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 table is provided below.

COUNTRIES	2023 /30th November		TOTAL	
	GRANT	REJECT	GRANT	REJECT
DRC	0	9	10	14
BURUNDI	21	1	16	81
SOUTH SUDAN	0	0	1	0
CAMEROON	0	0	0	1

KENYA					0	1	0	0	0	2	0	3
CAR					1	0	1	0	0	1	3	1
AFGHANISTAN					0	0	1	1	4	1	5	3
CAMBODIA					0	0	2	0	0	0	2	1
ERITREA					4	5	0	5	4	1	10	15
SUDAN					0	2	0	1	1	11	1	17
ETHIOPIA					0	0	6	1	10	1	16	3
SYRIA					0	0	0	0	0	0	0	1
LEBANON					0	0	0	0	0	0	0	1
PALESTINE					1	0	0	0	0	0	1	0
NIGERIA					0	0	0	2	0	2	0	4
YEMEN					0	0	0	2	0	0	0	2
EGYPT					0	0	1	0	0	0	1	0
UGANDA					0	0	0	0	0	1	0	1
TOTAL					27	18	39	108	35	129	138	308

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4.2.92 Middle East cases

4.2.93 CPIT has compiled a table to compare the GoR and UNHCR statistics for the period 2020 to 2022, with a focus on people from countries/territories in the Middle East (Egypt, Lebanon, Occupied Palestinian Territories, Syria and Yemen) plus Afghanistan, considered by the RSDC.

Number of cases considered by RSDC (by source and nationality) between 2020 and 2022	GoR	UNHCR
--	-----	-------

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

4.2.94 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.

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

The GoR also provided statistics for 2023 (up to and including 30 November) – see the table below. (The number of cases granted protection is given in square brackets):

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

4.2.96 The treaty, Article 3(1), contains a 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.’

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Lesbian, gay, bisexual, trans and intersex (LGBTI) cases

4.3 In response to written questions submitted by UKHO of 11 December 2023, the GoR 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:

4.3.1 in April 2022 a transgender claimant was granted refugee status

4.3.2 since April 2022, 3 LGBTI claimants were offered an opportunity to conduct interviews but left the country before the conduct of the interview. One other claimant was refused protection

4.3.3 Given that there were only 2 cases decided, no patterns can be identified, nor reliable conclusions drawn, about how Rwandan decision-makers approach such claims.

4.3.4 The treaty, Article 3(1), contains a provision that ‘The Parties agree that the obligations in this Agreement shall be met in respect of all Relocated Individuals ... without discrimination.’

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4.3.6 Section updated: 30 April 2024

4.3.7 [Complaints and monitoring](#)

4.3.8 [Monitoring Committee and Joint Committee](#)

4.3.9 The treaty 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:

4.3.10 Article 15 states:

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

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

4.3.13 ‘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;

- 4.3.14 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;
- 4.3.15 c. making recommendations to the Joint Committee.'

For more information on the Monitoring Committee and Joint Committee see Members of the Monitoring Committee, Monitoring Committee Terms of Reference and Joint Committee Terms of Reference

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4.4 [Monitoring of RSD process and provision of support to RIs](#)

- 4.4.1 The treaty, Article 15(7) states: '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.'
- 4.4.2 The treaty, Article 14(1)(a), allows the Monitoring Committee to inspect RIs' accommodation.
- 4.4.3 Article 14 also provides 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;
 - '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.'
- 4.4.4 The Refugee Appeal Tribunal SOP sets out that asylum appeal judges will be periodically invited, and able at any time, to give their opinion on the effectiveness of the decision-making and appeals systems to relevant monitoring bodies and experts.

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4.5 [Complaints process](#)

- 4.5.1 The treaty, Article 15(9), states:

‘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.’

- 4.5.2 The treaty, Annex A, Part 1, Section 5, states that RIs will be provided with ‘information regarding the procedure for lodging a complaint about their accommodation and the delivery of other support’ and ‘information regarding how to make a confidential complaint to the Monitoring Committee.’
- 4.5.3 The treaty, Annex A, Part 3, Section 15 states: ‘Arrangements shall be made so that a Relocated Individual may lodge a complaint about their accommodation and the delivery of other support with the representative of the Government of Rwanda who is responsible for handling such complaints. Any such complaint shall be recorded and, once resolved, that entry shall be updated with the details of how it was resolved.’
- 4.5.4 The complaints process covers complaints in relation to legal representation (Annex B, Part 3, paragraph 8.2).
- 4.5.5 A statement made by the Home Secretary to the UK Parliament on 25 April 2024 noted, in the context of establishing an independent complaints process:

‘A complaints system has been established which allows members of the Monitoring Committee to confidentially, through encrypted credentials, receive and respond to complaints (including a translation service to address complaints by individuals who are unable to write in English). This system does not run on either UK or Rwanda government systems and cannot be accessed by any individual of either government to retain confidentiality and is built to security specifications in line with UK domestic requirements. The system has been made available to the Monitoring Committee to manage directly and is suitable for any Relocated Individuals or their representatives to lodge confidential complaints regarding any aspect of the relocation process. All 8 members of the Monitoring Committee have been trained on this complaints system.’

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- 4.5.6 Research methodology.
- 4.5.7 The CIN forms part of the evidence base to assist caseworkers when making decisions about whether it is safe to relocate an individual from the UK to the Republic of Rwanda (Rwanda) under the terms of the [Migration and Economic Development Partnership with Rwanda \(MEDP\)](#).
- 4.5.8 The [Safety of Rwanda \(Asylum and Immigration\) Act 2024 \(SORA 2024\)](#) provides that: 'Every decision-maker must conclusively treat the Republic of Rwanda as a safe country' (section 2(1)).
- 4.5.9 However, [SORA 2024](#) does not prevent decision makers from considering whether Rwanda, '... is a safe country for the person in question, based on compelling evidence relating specifically to the person's particular individual circumstances (rather than on the grounds that the Republic of Rwanda is not a safe country in general)' (section 4(1)(a)).
- 4.5.10 When considering whether a person's particular individual circumstances meet the requirements of section 4(1)(a) see the guidance [Safety of Rwanda](#).
- 4.5.11 This CIN must be read together with other Country Policy and Information Team (CPIT) products:
- [Country Information Note – Rwanda: Medical and healthcare](#)
 - [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](#)
- 4.5.12 This CIN must also be read together with other Home Office guidance:
- [Safety of Rwanda](#)
 - [Inadmissibility: safe third country cases](#)
 - [Considering Human Rights Claims](#)
 - [Medical claims under Articles 3 and 8 of the European Convention on Human Rights \(ECHR\)](#)
- 4.5.13 This CIN must be read together with other related information:
- [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 \(Asylum and Immigration\) Act 2024](#)

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5. Asylum/refugee law

5.1 International and regional law

5.1.1 Relevant Conventions signed by Rwanda¹.

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 and the 1961 Convention on the Reduction of Statelessness	2006

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5.2 National asylum/refugee law:

5.2.1 Article 28 of the Constitution of the Republic of Rwanda (2003, amended 2015) recognises the right of refugees to seek asylum².

5.2.2 On 19 April 2024, Rwanda enacted legislation which sets out a new RSD process and which replaces the preceding system, under which initial decisions were made by the Refugee Status Determination Committee (RSDC). The new RSD process is set out in 3 pieces of legislation:

- Law N° 042/2024 of 19/04/2024 governing refugees and applicants for refugee status in Rwanda³
- Law N° 041/2024 of 19/04/2024 amending Law N° 30/2018 of 02/06/2018 determining the jurisdiction of courts⁴
- Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal for refugees and applicants for refugee status⁵

5.2.3 CPIT has summarised the main elements of the 2024 asylum law in the table below:

Law	Main points
Law N° 042/2024 of 19/04/2024 governing refugees and applicants for refugee status in Rwanda ⁶	Sets out: <ul style="list-style-type: none">• Responsibilities of the first-instance decision-making body• RSD stages, procedures and timelines

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

² GoR, '[Constitution of the Republic of Rwanda revised in 2015](#)', 24 December 2015

³ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

⁴ GoR, '[Law N° 041/2024 of 19/04/2024...determining the jurisdiction of courts](#)', 19 April 2024

⁵ GoR, '[Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...](#)', 19 April 2024

⁶ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

	<ul style="list-style-type: none"> • Right of appeal • Asylum seekers' and refugees' rights and obligations
Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal for refugees and applicants for refugee status ⁷	<p>Sets out:</p> <ul style="list-style-type: none"> • Composition and duties of the Appeal Tribunal • Procedure and timeline for submitting an appeal to the Tribunal
Law N° 041/2024 of 19/04/2024 amending Law N° 30/2018 of 02/06/2018 determining the jurisdiction of courts ⁸	<p>Sets out:</p> <ul style="list-style-type: none"> • Right of Appeal to the High Court

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

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5.3 Bilateral agreements

5.3.1 In April 2022, the UK and Rwanda announced the Migration and Economic Development Partnership (MEDP), which provides for the relocation to Rwanda of individuals who arrived in the UK through an illegal and dangerous route on or after 1 January 2022, and who do not have the right to remain in the UK⁹. The MEDP is underpinned by the Agreement for the Provision of an Asylum Partnership to Strengthen Shared International Commitments on the Protection of Refugees and Migrants (the treaty). The treaty sets out the procedures, safeguards, services and support for Relocated Individuals (RIs) in Rwanda, including access to Rwanda's Refugee Status Determination (RSD) process¹⁰. The treaty was ratified on 25 April 2024¹¹. The treaty obligations are legally binding under international law¹².

5.3.2 The treaty, Article 3(6), states 'Under the constitution of Rwanda this Agreement shall become domestic law in Rwanda upon ratification.'¹³

See also [Partnerships](#)

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⁷ GoR, '[Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...](#)', 19 April 2024

⁸ GoR, '[Law N° 041/2024 of 19/04/2024...determining the jurisdiction of courts](#)', 19 April 2024

⁹ UKG, '[Safety of Rwanda \(Asylum and Immigration Bill\): Policy statement](#)', 11 January 2024

¹⁰ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹¹ UKG, '[UK-Rwanda treaty completes ratification process](#)', 25 April 2024

¹² UKG, '[Safety of Rwanda \(Asylum and Immigration Bill\): Policy statement](#)', 11 January 2024

¹³ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

5.4 Protection status

5.4.1 Article 3 of Law N° 042/2024 of 19/04/2024 governing refugees and applicants for refugee status in Rwanda states:

‘A person is eligible for refugee status if –

‘(a) he or she has a well-founded fear of persecution due to his or her race, religion, nationality, membership of a particular social group or political opinion or other reasons relating to the protection of his or her life and he or she cannot obtain protection from the country he or she is fleeing; or

(b) he or she leaves his or her place of habitual residence in order to seek refugee status in another place outside his or her country of origin or nationality due to an external occupation or events seriously disturbing public order of the part or the whole country.’¹⁴

5.4.2 Article 4 of the Law N° 042/2024 of 19/04/2024 sets out the ‘Grounds for refugee status ineligibility’¹⁵.

5.4.3 The treaty Article 10(2) states:

‘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... 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 ...’¹⁶

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6. Refugee demographics

6.1 Persons seeking refuge in Rwanda

6.1.1 The 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.’¹⁷

6.1.2 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 population¹⁸.

6.1.3 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

¹⁴ GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

¹⁵ GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

¹⁶ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

¹⁷ UNHCR, ‘[Submission by the UNHCR for the Office of the High ...](#)’ (page 2), July 2020

¹⁸ UNHCR, ‘[Operational data portal: Rwanda](#)’, 31 October 2023

Burundians repatriated as of June 2021¹⁹.

- 6.1.4 The UNHCR noted that the majority are ‘prima facie’ refugees²⁰. 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 apparent²¹.
- 6.1.5 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.’²²

For information on the number and nationality of claimants considered under Rwanda’s RSD process since 2019 see [Asylum claim numbers and outcomes](#).

- 6.1.6 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)²³.

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6.2 Emergency Transit Mechanism (ETM)

- 6.2.1 In September 2019, Rwanda signed an agreement with the UNHCR and the African Union to receive refugees and asylum seekers evacuated from Libya²⁴. 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 Rwanda²⁵.
- 6.2.2 An October 2023 UNHCR ETM update recorded 527 asylum seekers at Gashora²⁶.
- 6.2.3 On the 9 February 2023 the European Union announced a €22 million (around £20 million²⁷) support package to the UNHCR to operate the ETM until 2026²⁸.
- 6.2.4 The UNHCR’s October 2023 ETM factsheet noted that since its inception ‘...

¹⁹ UNHCR, ‘[Mapping thematic area-wise data for Rwanda](#)’ (page 3), 30 June 2022

²⁰ UNHCR, ‘[Submission by the UNHCR for the Office of the High ...](#)’ (page 4), July 2020

²¹ UNHCR, ‘[Guidelines on International Protection ...](#)’ (page 2), 24 June 2015

²² UNHCR, ‘[Rwanda Refugee Response Plan January to December 2023](#)’, (page 7), 1 January 2023

²³ UNHCR, ‘[Operational data portal: Rwanda](#)’, 31 October 2023

²⁴ MINEMA, ‘[Fourth group of refugees and asylum seekers from Libya safely arrived in ...](#)’, no date

²⁵ Altai Consulting, ‘[EUTF monitoring and learning system HoA 2020 yearly ...](#)’ (page 42), June 2021

²⁶ UNHCR, ‘[Emergency Transit Mechanism: Rwanda](#)’, 31 October 2023

²⁷ Xe.com, [Euro to GBP conversion](#), 26 April 2024

²⁸ UNHCR, ‘[European Union increases support to... Emergency Transit Mechanism...](#)’, 9 Feb 2023

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.²⁹

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7. Government position on refugees and asylum seekers

7.1 Government agencies

- 7.1.1 The Ministry in Charge of Emergency Management (MINEMA) is the principal agency responsible for refugees and asylum seekers^{30 31}.
- 7.1.2 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)³²

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7.2 Partnerships

- 7.2.1 The 2023 USSD human rights report noted: 'The 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.'³³
- 7.2.2 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.'³⁴
- 7.2.3 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.'³⁵
- 7.2.4 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

²⁹ UNHCR, '[Emergency Transit Mechanism: Rwanda](#)', 31 October 2023

³⁰ MINEMA, '[Refugee management](#)', no date

³¹ MINEMA, '[Statement by the Minister in charge of emergency management ...](#)', 20 June 2020

³² UNHCR, '[UNHCR Rwanda fact sheet March 2021](#)' (page 2), 26 March 2021

³³ USSD, '[2023 Country reports on human rights practices: Rwanda](#)' (section 2E), 25 April 2024

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

³⁵ UNHCR, '[Operational update: Rwanda August 2023](#)', 15 Sep 2023

DRC, the Rwandan government provided support to 8,000 Congolese who crossed the border³⁶.

- 7.2.5 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 programme³⁷.
- 7.2.6 In May 2019, Rwanda received US\$60 [£47.7³⁸] 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 camps³⁹. The project – the Socio-Economic Inclusion of Refugees and Host Communities Project (also called the Jya Mbere Project) – was 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 communities⁴⁰.
- 7.2.7 In June 2021, the World Bank approved an additional US\$20 [£15.9⁴¹] 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 refugees⁴². An update from December 2022 reported 'Under this project, 250 new classrooms have been constructed across districts hosting refugee camps and host communities namely Kirehe, Gatsibo, Nyamagabe, Gisagara and Gicumbi.' The same source noted that the project will phase out in 2026⁴³.
- 7.2.8 On 1 August 2023, Inter Press Service (IPS), a non-profit international news and information provider, 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 2022⁴⁴.
- 7.2.9 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

³⁶ UNHCR, '[Operational Update: April - June 2021](#)', 28 July 2021

³⁷ IOM, '[Over 30,000 Refugees Resettled from Rwanda](#)', 8 November 2023

³⁸ Xe.com, '[60,000,000 USD to GBP - Convert US Dollars to British Pounds](#)', 6 December 2023

³⁹ MINEMA, '[Jya Mbere project launches construction of classrooms](#)', no date

⁴⁰ MINEMA, '[Jya Mbere project/Socio-economic inclusion of refugees ...](#)' (pages 6 to 7), March 2021

⁴¹ Xe.com, '[20,000,000 USD to GBP - Convert US Dollars to British Pounds](#)', 6 December 2023

⁴² World Bank, '[World Bank supports improved basic services...](#)', 23 June 2021

⁴³ MINEMA, '[Minister Kayisire Solange inaugurated 73 new classrooms](#)', 8 December 2022

⁴⁴ IPS, '[Afghan Girls, Women Deprived of Education, Find Hope in Africa](#)', 1 August 2023

Sudanese, with others from Nigeria, France, Canada, USA, India, Jordan and Ireland⁴⁵.

- 7.2.10 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 students⁴⁶.
- 7.2.11 The UNHCR has 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 Lawrence Bottinick – a UNHCR representative in the UK – stated ‘The situation asylum seekers found in Rwanda was completely different to what they had been promised by the Israeli authorities’⁴⁷. 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).’⁴⁸
- 7.2.12 On 5 December 2023, KT Press, a Rwandan English language news and information website, 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 commitment to protecting vulnerable people and our country’s track record in welcoming and hosting refugees and migrants from around the world...”⁴⁹

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8. RSD process

8.1 Law and procedures

- 8.1.1 The treaty, Article 9(1), states ‘In the case of a Relocated Individual who raises an asylum or Humanitarian Protection Claim once they are in Rwanda, Rwanda shall ensure that at all times it shall treat each Relocated Individual, and process their claim for asylum, in accordance with the Refugee Convention and this Agreement, and process their Humanitarian Protection Claim in accordance with this Agreement.’⁵⁰
- 8.1.2 A statement made by the Home Secretary to the UK Parliament on 25 April 2024 noted, in the context of the work of UK officials and the GoR to support delivery of the MEDP, ‘This ongoing assurance work involves updating Standard Operating Procedures (SOPs). These detail how various aspects

⁴⁵ The New Times, [‘Over 200 Sudanese medical students to complete...’](#), 1 August 2023

⁴⁶ The New Times, [‘Sudan’s top medical varsity plans relocation to Rwanda’](#), 22 November 2023

⁴⁷ Annex 2, [‘Second Witness Statement of Lawrence Bottinick’](#) (paragraph 124), 26 June 2022

⁴⁸ Annex 2, [‘UNHCR written observations in the Supreme Court’](#), 18 Sept 2023

⁴⁹ KT Press, [‘UK, Rwanda sign treaty to reinforce \[MEDP\]...’](#), 5 December 2023

⁵⁰ UKG, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

of the end-to-end relocation process should operate in practice ... Final SOPs will be published as part of the updated Country Information Note prior to the commencement of operational decision-making on relocations.⁵¹

8.1.3 The 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:

- asylum and humanitarian protection decision making SOPs, 20 April 2024⁵²
- Refugee Appeal Tribunal SOPs, 20 April 2024⁵³
- asylum interview template, no date⁵⁴
- asylum seeker registration form, May 2023⁵⁵
- notification of RSD decision (letter template)

8.1.4 In addition to the documents listed above, additional SOPs are included in Annex 1 which apply specifically to RIs:

- reception and accommodation facilities, April 2024⁵⁶
- health services to be provided to Relocated Individuals under the MEDP (provisional), April 2024⁵⁷
- identifying and safeguarding vulnerable persons under the MEDP, April 2024⁵⁸

8.1.5 For information on the complaint and monitoring process in relation to the RSD process see [Complaints and monitoring](#)

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8.2 Timelines

8.2.1 Law N° 042/2024 of 19/04/2024 governing refugees and applicants for refugee status and Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal set out the timeline for RSD decisions. CPIT has summarised the information in the table below:

Law	Stage	Time period
Article 8(1) [Law N° 042/2024 of 19/04/2024] ⁵⁹	Registration of the asylum or humanitarian protection claim	Within 7 days after entry into Rwandan territory

⁵¹ UKHO, '[Statement concerning the agreement between UKG and GoR...](#)', 25 April 2024

⁵² Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)', 20 April 2024

⁵³ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)', 20 April 2024

⁵⁴ Annex 1, '[GoR, Asylum interview template](#)', no date

⁵⁵ Annex 1, '[GoR, Asylum seeker registration form](#)', May 2023

⁵⁶ Annex 1, '[GoR, Standard Operating Procedures on reception...](#)', April 2024

⁵⁷ Annex 1, '[GoR, Provisional Standard Operating Procedure on Health services...](#)', April 2024

⁵⁸ Annex 1, '[GoR, Standard Operating Procedures Identifying...](#)', April 2024

⁵⁹ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

Article 12(5) [Law N° 042/2024 of 19/04/2024] ⁶⁰	Initial decision by the First Instance Body	Within 6 months from date of receipt of the application
Article 13 [Law N° 042/2024 of 19/04/2024] ⁶¹	Initial decision communicated to applicant	Within 7 days from the date of the initial decision
Article 12(2) [Presidential Order N° 051/01 of 19/04/2024] ⁶²	Submission of appeal to the Appeal Tribunal	Within 30 days from the notification of the initial decision
Article 13(1) [Presidential Order N° 051/01 of 19/04/2024] ⁶³	Decision by Appeal Tribunal	Within 6 months of referral
Article 13(2) [Presidential Order N° 051/01 of 19/04/2024] ⁶⁴	Appeal Tribunal decision communicated to appellant	Within 7 days of the date of the decision
Article 16(1) [Law N° 042/2024 of 19/04/2024] ⁶⁵	Appeal to the Competent Court	Within 30 days from the date of the Appeal Tribunal's decision

8.2.2 The Asylum and Humanitarian Protection Decision Making SOP sets out a requirement for DGIE to provide reasons to the applicant if the timeframe for reaching an initial decision extends beyond 6 months of receipt of a protection claim⁶⁶.

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8.3 Registration

8.3.1 The treaty, Article 8(3) states: 'Rwanda shall provide Relocated Individuals arriving under the terms of this Agreement with information detailing how to raise a claim for asylum or humanitarian protection upon arrival and shall provide adequate opportunity to raise such a claim.'⁶⁷

8.3.2 The treaty, Annex B, Part 2, paragraph 2.1.1 states a RI shall 'have the opportunity to make an asylum claim and/or Humanitarian Protection Claim.'⁶⁸

⁶⁰ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

⁶¹ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

⁶² GoR, '[Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...](#)', 19 April 2024

⁶³ GoR, '[Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...](#)', 19 April 2024

⁶⁴ GoR, '[Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...](#)', 19 April 2024

⁶⁵ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

⁶⁶ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 6), 20 April 2024

⁶⁷ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

⁶⁸ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

- 8.3.3 Article 8 of Law N° 042/2024 of 19/04/2024 sets out that an applicant for refugee status must be on Rwandan territory and register their claim within 7 days after entry. Applicants for refugee status submit a written application to the DGIE alongside any evidence in support of their application⁶⁹.
- 8.3.4 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 asylum⁷⁰.
- 8.3.5 The Asylum and Humanitarian Protection Decision Making SOP sets out that the DGIE shall be responsible for the registration, recording, and processing of international protection claims. For an applicant to make an international protection claim they must be located in Rwanda and apply to the DGIE in writing at the earliest opportunity⁷¹. However, a person may submit an international protection claim at any time, for example, where there is a change to his or her personal circumstances, or to the country-of-origin situation⁷².
- 8.3.6 The SOP sets out that an individual 'may present to any border, police, or other Government of Rwanda official to request asylum' and the relevant official must refer the individual to apply for asylum or humanitarian protection at the DGIE⁷³.
- 8.3.7 The SOP also sets out that upon receiving written reasons for an international protection claim, the DGIE must register the claim immediately and inform the applicant about the asylum process in a language that he or she understands⁷⁴.

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8.4 Interview

- 8.4.1 The treaty, Annex B, Part 2, Section 3 sets out:
- the RI will have an opportunity to 'attend an interview, explain their application in person and answer any questions the First Instance Body [initial decision-making body] may have.' (paragraph 3.4.2)
 - any interview by the First Instance Body will 'be transcribed or electronically recorded in full and, if the interview is transcribed, the Relocated Individual shall be given the opportunity to review and, if necessary, correct the transcript' (paragraph 3.5.1). A copy of the interview will be provided to the RI on request (paragraph 3.6)
 - the interview will be conducted by a competent and appropriately trained official and 'allow the Relocated Individual to present the grounds for their application in a comprehensive manner'. This includes taking into account the 'applicant's cultural origin, gender, sexual orientation,

⁶⁹ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

⁷⁰ Annex 1, '[Asylum seeker registration form](#)', May 2023

⁷¹ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 2,3), 20 April 2024

⁷² Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 6), 20 April 2024

⁷³ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 6), 20 April 2024

⁷⁴ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 6), 20 April 2024

gender identity or vulnerability’ and ‘be in the presence of an interpreter’ (paragraph 3.5.2)

- ‘Arrangements shall be made to allow expert bodies to attend interviews by invitation and with the consent of a Relocated Individual’ (paragraph 3.8)⁷⁵

8.4.2 The treaty, Annex B, Part 3, Section 5 sets out ‘A legal representative shall be able to attend with a Relocated Individual and may assist and advise the Relocated Individual throughout any interview by the First Instance Body. Legal representatives shall be allowed to make written submissions on behalf of a Relocated Individual at any point prior to the First Instance Body making a Decision and these representations shall be taken into account by the relevant decision-maker before reaching a Decision.’⁷⁶

8.4.3 The Treaty Annex B, Part 3 sets out that ‘Each Relocated Individual shall be permitted to seek legal advice or other counsel, at all stages of the asylum application process.’⁷⁷ For more information see [Legal representation](#).

8.4.4 Article 11 of Law N° 042/2024 of 19/04/2024 sets out the conditions for interviews for refugee status. These must:

- ‘be fully transcribed or electronically recorded in full. If the interview is transcribed, the applicant ... is given the opportunity to review and, if necessary ... [correct the transcription]’. A copy of the interview will be provided to the applicant, on written request
- be conducted under conditions that allow the applicant to present their claim in a ‘comprehensive manner’
- ‘take into account the personal and general circumstances surrounding the application, including the applicant’s cultural origin, gender and any other circumstance’
- ‘be conducted by a person of the same gender if the applicant for refugee status so requests, unless there is reason to believe that such a request is based on grounds which are not related to difficulties on the part of the applicant ... to present the grounds of his or her application in a comprehensive manner’
- ‘be conducted in presence of an interpreter who is able to ensure appropriate communication between the applicant ... and the interviewer’ and in the language preferred by applicant⁷⁸

8.4.5 A GoR template of the asylum interview form is included at Annex 1. The template provides guidance on interview preparation and suggested interview questions⁷⁹.

8.4.6 The Asylum and Humanitarian Protection Decision Making SOP sets out that the DGIE shall be responsible for conducting asylum interviews (using

⁷⁵ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

⁷⁶ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

⁷⁷ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

⁷⁸ GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

⁷⁹ Annex 1, ‘[GoR, Asylum interview template](#)’, no date

interpreters where required) to ensure all applicants have the opportunity to explain their protection claims in person⁸⁰.

- 8.4.7 The SOP sets out that interviews will be conducted under conditions that allow the individual to present their application in a comprehensive manner, which includes a trained interviewer who takes into account the personal circumstances of the applicant such as their cultural background, sexual orientation, gender identity, and any vulnerabilities⁸¹. This includes, wherever possible and reasonable, a request for the interview to be conducted by a person of the same sex⁸²
- 8.4.8 The SOP states that ‘Where the DGIE conducts an interview, it should be fully transcribed or electronically recorded and a copy of the interview transcript must be provided to the applicant for review and, if necessary, correction of the transcript. The applicant has the assistance of an interpreter, free of charge, if needed for understanding at any stage.’⁸³
- 8.4.9 The SOP also states that ‘a copy of the interview shall be provided upon written request to the Applicant.’⁸⁴
- 8.4.10 The SOP sets out that a second interview will be conducted, if required⁸⁵.

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8.5 Initial decision

- 8.5.1 The treaty, Annex B, Part 1, paragraph 1.1.2 defines the ‘First Instance Body’ as the body in charge of making the first decision on claims for refugee or humanitarian protection status⁸⁶.
- 8.5.2 The treaty, Annex B, Part 2, paragraph 3.3.3 sets out how, for the first 6 months following the arrival of the first RI ‘the First Instance Body shall, before making a decision to refuse a claim, seek and consider advice from a seconded independent expert.’⁸⁷
- 8.5.3 A statement made by the Home Secretary to the UK Parliament on 25 April 2024 noted, in the context of the appointment of independent experts: ‘We have confirmation in the form of a letter from Rwanda’s Attorney General that the Government of Rwanda has identified suitable candidates and the process for selection is proceeding at pace ... We expect both of these independent expert posts [for the First Instance Body and the Appeal Tribunal] to be filled by no later than 27 May 2024, and will be in place by the time of the first flight.’⁸⁸
- 8.5.4 The treaty, Annex B, Part 2, Section 3, sets out that the First Instance Body, when making a decision, will provide the RI with the opportunity to ‘make a written application and provide evidence in support [of it]; (paragraph 3.4.1)

⁸⁰ Annex 1, ‘[GoR SoP Asylum and Humanitarian Protection Decision Making](#)’ (para 6), 20 April 2024

⁸¹ Annex 1, ‘[GoR SoP Asylum and Humanitarian Protection Decision Making](#)’ (para 6), 20 April 2024

⁸² Annex 1, ‘[GoR SoP Asylum and Humanitarian Protection Decision Making](#)’ (para 6), 20 April 2024

⁸³ Annex 1, ‘[GoR SoP Asylum and Humanitarian Protection Decision Making](#)’ (para 4), 20 April 2024

⁸⁴ Annex 1, ‘[GoR SoP Asylum and Humanitarian Protection Decision Making](#)’ (para 6), 20 April 2024

⁸⁵ Annex 1, ‘[GoR SoP Asylum and Humanitarian Protection Decision Making](#)’ (para 4), 20 April 2024

⁸⁶ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

⁸⁷ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

⁸⁸ UKHO, ‘[Statement concerning the agreement between UKG and GoR...](#)’, 25 April 2024

and 'attend an interview, explain their application in person and answer any questions the First Instance Body may have.' (paragraph 3.4.2). It will also 'obtain up-to-date information as to the general situation prevailing in the country of origin of the Relocated Individual.' (paragraph 3.7)⁸⁹

- 8.5.5 The treaty, Annex B, Part 2, Section 3, states that members of the First Instance Body '... shall make decisions impartially, solely on the basis of evidence before them and by reference to the provisions and principles of the Refugee Convention and humanitarian protection law.' (paragraph 3.3.2)⁹⁰
- 8.5.6 Article 12(1) of Law N° 042/2024 of 19/04/2024 sets out the considerations DGIE takes into account when making RSD decisions:
- '(a) being impartial, relying solely on evidence and provisions and principles of the Refugee Convention and humanitarian protection law;
- '(b) basing on a thorough examination that gives the applicant for refugee status the opportunity –
- '(i) to submit a written application and provide evidence supporting his or her application; and
 - '(ii) to attend interview, explain his or her application in person and answer questions the Organ may have.'⁹¹
- 8.5.7 Article 12(2) of Law N° 042/2024 of 19/04/2024 states that the DGIE '... must obtain up to date information as to the general situation prevailing in the applicant's country of origin and may seek additional information from a person or any other organ.'⁹²
- 8.5.8 The Asylum and Humanitarian Protection Decision Making SOP sets out that the DGIE shall be responsible for ensuring its officials who are involved with the RSD process are appropriately trained. The DGIE is also responsible for assessing when it shall be necessary to consult an independent expert⁹³.
- 8.5.9 The SOP states that an applicant shall be considered eligible for a grant of protection:
- where they have established a well-founded fear of persecution based upon a Refugee Convention ground (race, religion, nationality, membership of a particular social group, and political opinion), or for other reasons relating to the protection of their life; and
 - where the person is unable to avail his or herself of the protection of the country where he/she has a well-founded fear of persecution; or
 - where the person leaves their country of origin, nationality, or habitual residence owing to reasons of external aggression, occupation, foreign

⁸⁹ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

⁹⁰ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

⁹¹ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

⁹² GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

⁹³ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 3), 20 April 2024

domination, or other events that seriously disturb public order in that country⁹⁴

- 8.5.10 The SOP states that ‘An individual will be eligible for Humanitarian Protection when there are substantial reasons to believe that they are at real risk of harm if returned to their country of original or nationality.
- 8.5.11 The SOP notes that ‘The DGIE makes decisions, solely on the basis of evidence and solely by reference to the provisions and principles of the Refugee Convention and humanitarian protection law.’⁹⁵
- 8.5.12 The SOP also sets out that the DGIE accepts that a victim of trafficking may be considered a member of a particular social group and that a confirmed victim of trafficking may therefore qualify for a grant of Refugee status ⁹⁶.
- 8.5.13 The SOP notes that a protection claim will be paused in circumstances where the individual is unable to engage with the RSD process. Such circumstances include a referral to the National Committee on Combatting Trafficking or a safeguarding referral to the Protection Team⁹⁷.
- 8.5.14 For information on the number and outcomes of decisions made under the previous RSD process see [Asylum claim numbers and outcomes](#)

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8.6 Notification of initial decision

- 8.6.1 The treaty, Annex B, Part 2, Section 3, contains specific requirements about decisions:
- RIs shall be notified in writing (paragraph 3.10)
 - the decision letter will in one of the official languages of Rwanda and, if required, translated into a language understood by the RI (paragraph 3.11.1)
 - will include detailed reasons in both fact and law (paragraph 3.11.2)
 - if the claim is refused, notify a RI ‘that they have a right to appeal the decision on their claim and provide an explanation of how to do this.’ (paragraph 3.11.3)⁹⁸
- 8.6.2 Article 12(3) of Law N° 042/2024 of 19/04/2024 sets out that the notification of RSD decisions must:
- ‘(a) be written in one of the official languages of Rwanda and, if necessary, translated by a translator into a language that the applicant understands for a perfect understanding;
- ‘(b) indicate in details reasons for its basis, both in fact and in law; and

⁹⁴ Annex 1, [‘GoR SoP Asylum and Humanitarian Protection Decision Making’](#) (para 4), 20 April 2024

⁹⁵ Annex 1, [‘GoR SoP Asylum and Humanitarian Protection Decision Making’](#) (para 6), 20 April 2024

⁹⁶ Annex 1, [‘GoR SoP Asylum and Humanitarian Protection Decision Making’](#) (para 4), 20 April 2024

⁹⁷ Annex 1, [‘GoR SoP Asylum and Humanitarian Protection Decision Making’](#) (para 6), 20 April 2024

⁹⁸ UKG, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

(c) inform the applicant of his or her right to appeal and the procedure to follow [sic], in case of non-granting of refugee status.⁹⁹

8.6.3 Article 13 of Law N° 042/2024 of 19/04/2024 states ‘The Organ [DGIE] notifies the applicant for refugee status in writing of the decision taken on his or her application within seven days from the date the decision is taken.’¹⁰⁰

8.6.4 The SOP states that applicants will receive written notification of the decision, in an official language of Rwanda. If required, the notification will be translated, free of charge, into a language the applicant understands¹⁰¹.

8.6.5 The SOP also states that where the decision is a refusal, the decision notification shall include the detailed factual and legal reasons for the refusal. Refused applicants will be notified of their right of appeal and the process for appealing¹⁰².

8.6.6 The GoR letter template for decision notification is in Annex 1¹⁰³. The template refusal letter contains sections on:

- basis of claim
- evidence considered
- credibility
- sufficiency of protection and internal relocation
- next steps and appeal

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8.7 First appeal to Appeal Tribunal

8.7.1 The treaty, Annex B, Part 1, paragraph 1.1.3 defines the ‘Appeal Body’ as ‘the tribunal or court made up of judges from a mix of nationalities mandated to hear appeals against decisions by the First Instance Body.’¹⁰⁴

8.7.2 The treaty, Annex B, Part 2, paragraph 4.2.1 sets out how for the first 5 years following ratification of the treaty, the Appeal Tribunal ‘shall have one Rwandan and one other Commonwealth national co-president with asylum/humanitarian protection experience.’¹⁰⁵

8.7.3 In addition, for the first 12 months following ratification of the treaty the Appeal Tribunal ‘shall receive and take into account an opinion from an independent expert in asylum and humanitarian protection law before determining any appeal of a decision by the First Instance Body.’¹⁰⁶

⁹⁹ GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

¹⁰⁰ GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

¹⁰¹ Annex 1, ‘[GoR SoP Asylum and Humanitarian Protection Decision...](#)’ (para 4,6), 20 April 2024

¹⁰² Annex 1, ‘[GoR SoP Asylum and Humanitarian Protection Decision...](#)’ (para 4,6), 20 April 2024

¹⁰³ Annex 1, ‘[GoR, Notification of RSD decision](#)’, no date

¹⁰⁴ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

¹⁰⁵ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

¹⁰⁶ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

- 8.7.4 The treaty, Annex B, Part 2, paragraph 4.2.6 sets out that the Appeal Tribunal shall have the jurisdiction to conduct a full re-examination of the RI's claim in fact and law¹⁰⁷.
- 8.7.5 The treaty, Annex B, Part 2, paragraph 4.1.1 states: 'the Relocated Individual and their legal representative will be provided with the opportunity to make written submissions and provide further evidence prior to the hearing.'¹⁰⁸
- 8.7.6 Article 15 of Law N° 042/2024 of 19/04/2024 establishes an Appeal Tribunal. It also states a Presidential Order will determine the organisation and functioning of, and appoint members to, the Appeal Tribunal¹⁰⁹.
- 8.7.7 Article 5 of the Presidential Order N° 051/01 of 19/04/2024 sets out that the Appeal Tribunal is made up of at least 6 members, including 2 Presidents¹¹⁰.
- 8.7.8 Article 6c of the Presidential Order N° 051/01 of 19/04/2024 states that members of the Appeal Tribunal must have knowledge and experience in refugee and humanitarian protection law or immigration law¹¹¹.
- 8.7.9 Article 19(1) of the Presidential Order N° 051/01 of 19/04/2024 states 'The Appeal Tribunal makes its decisions through a bench composed of three persons.'¹¹²
- 8.7.10 A statement made by the Home Secretary to the UK Parliament on 25 April 2024 noted, in the context of the implementation of the new Rwandan asylum legislation: 'We have confirmation in the form of a letter from Rwanda's Attorney General that the co-presidents will be tasked with developing the rules and procedures of the Appeal Tribunal to align with the obligations set forth in the treaty and ordinary law.'¹¹³
- 8.7.11 The Home Secretary's statement added, in the context of the appointment of co-presidents of the Appeal Body, that 2 'individuals have accepted in principle the invitation extended by the Government of Rwanda to serve as co-Presidents of the Tribunal, pending their formal appointment.' The 2 co-presidents are Justice Sam Rugege (Rwandan Co-President) and Michael Clements (Commonwealth Co-President). Biographies of both co-presidents are included in the Home Secretary's statement¹¹⁴.
- 8.7.12 The Refugee Appeal Tribunal SOP sets out that an applicant who receives a negative decision from the First Instance Body shall have, without exception, the right to appeal the decision to the Appeal Tribunal. The Appeal Tribunal will hear the claim and is responsible for reaching a second instance decision¹¹⁵.
- 8.7.13 The SOP sets out that to file an appeal, an applicant must submit an appeal letter to the Appeal Tribunal in an official language of Rwanda (English,

¹⁰⁷ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹⁰⁸ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹⁰⁹ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

¹¹⁰ GoR, '[Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...](#)', 19 April 2024

¹¹¹ GoR, '[Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...](#)', 19 April 2024

¹¹² GoR, '[Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...](#)', 19 April 2024

¹¹³ UKHO, '[Statement concerning the agreement between UKG and GoR...](#)', 25 April 2024

¹¹⁴ UKHO, '[Statement concerning the agreement between UKG and GoR...](#)', 25 April 2024

¹¹⁵ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (introductory para), 20 April 2024

French, or Kinyarwanda). The letter will explain the reasons for the appeal and any new information or evidence (if relevant). A copy of the First Instance Body's decision must also be provided to the Appeal Tribunal. An applicant's legal representative may provide support when filing an appeal. An appeal must be lodged no more than 30 days after the applicant's receipt of the written refusal notification¹¹⁶.

- 8.7.14 The Refugee Appeal Tribunal SOP states 'If an applicant requires an interpreter at any stage, an interpreter shall be allowed.'¹¹⁷
- 8.7.15 The SOP states that an appellant whose case is being considered by the Appeal Tribunal will be entitled to the same rights as when their claim was considered by the First Instance Body¹¹⁸.
- 8.7.16 The SOP sets out that the Appeal Tribunal will notify the appellant of the date and time of the hearing. The notification will also set out the appellant's right to an interpreter and/or legal counsel at the hearing¹¹⁹.
- 8.7.17 The SOP sets out that the appellant, or his or her legal representative, may submit written representations, or any new evidence, relating to their appeal prior to the appeal hearing¹²⁰.
- 8.7.18 The SOP sets out that the appellant is entitled to explain his/her appeal in person at the hearing. The appellant's legal counsel can also attend and advocate on his/her behalf¹²¹. An interpreter will be made available, if required and the hearing will be transcribed or recorded¹²².
- 8.7.19 The SOP states that the hearing will be conducted in a way that has regard to the personal circumstances of the appellant such as their cultural background, sexual orientation, gender identity, and any vulnerabilities¹²³.
- 8.7.20 The SOP sets out that the Appeal Tribunal will be made up of judges of mixed nationalities, selected and appointed by 2 co-presidents of the Tribunal. The co-presidents will be a Rwandan and another Commonwealth national, both with asylum/humanitarian protection experience. When hearing an appeal, the Tribunal will comprise of 3 panel judges, one of whom will be a co-president¹²⁴.
- 8.7.21 The SOP sets out that the Tribunal will have the jurisdiction to re-examine the appellant's claim in full¹²⁵ and make its own factual and legal findings via an appropriate procedure to be determined by the Tribunal's co-presidents¹²⁶.
- 8.7.22 The SOP sets out that an appeal hearing shall begin with a review of the introductory points, and that prior to commencing the hearing, the panel of

¹¹⁶ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 2), 20 April 2024

¹¹⁷ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 11), 20 April 2024

¹¹⁸ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (introductory para), 20 April 2024

¹¹⁹ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 4), 20 April 2024

¹²⁰ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 3), 20 April 2024

¹²¹ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 3), 20 April 2024

¹²² Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 5), 20 April 2024

¹²³ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 5), 20 April 2024

¹²⁴ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 1), 20 April 2024

¹²⁵ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 1,5), 20 April 2024

¹²⁶ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 1), 20 April 2024

judges will confirm that the appellant understands the general reasons for the First Instance Body's refusal¹²⁷.

- 8.7.23 The SOP states that the judges will provide the appellant with an opportunity to present their case and will ask the appellant questions to obtain sufficient information to enable the Tribunal to reach a determination. It is for the appellant to establish, to a reasonable degree of likelihood, that they meet the criteria for asylum or humanitarian protection. Evidence in the appeal must be considered in the round¹²⁸.
- 8.7.24 The SOP sets out that, where required by international obligations, the opinion of an independent expert in international protection law will be provided to, and taken into consideration by, the Tribunal. The opinion of the independent expert will be published, where data protection requirements permit¹²⁹.
- 8.7.25 The SOP sets out that the Appeal Tribunal shall reach a decision within 6 months of the referral by consensus, or by a majority, based solely on the evidence placed before it, taking into account the Refugee Convention and humanitarian protection legislation¹³⁰. This includes the First Instance Body's decision and all further evidence provided to the Tribunal by the appellant¹³¹.
- 8.7.26 The SOP sets out that upon reaching a decision, the Appeal Tribunal will make recommendations to the First Instance Body¹³².
- 8.7.27 The Asylum and Humanitarian Protection Decision Making SOP states that the DGIE will be responsible for implementing the Appeal Tribunal's decisions¹³³.
- 8.7.28 The Refugee Appeal Tribunal SOP sets out that the Tribunal will notify the appellant in writing of its decision within 7 days of the decision being made. The decision will be notified in one of the official languages of Rwanda and may be translated by an interpreter, if required, into a language understood by the appellant. The notification will include detailed factual and legal reasons for the decision¹³⁴.
- 8.7.29 If the decision of the Tribunal is to refuse the appeal, the notification will also inform the appellant of his/her right to appeal to the High Court within 30 days of receipt of the Tribunal's decision. The notification will provide information regarding the further appeals process¹³⁵.
- 8.7.30 The SOP sets out that the DGIE will be notified of the appeal decision, and that all documents sent to the appellant relating to the Tribunal's decision will be filed¹³⁶.

¹²⁷ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 5), 20 April 2024

¹²⁸ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 6), 20 April 2024

¹²⁹ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 7), 20 April 2024

¹³⁰ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 8), 20 April 2024

¹³¹ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 3,8), 20 April 2024

¹³² Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 8), 20 April 2024

¹³³ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 3), 20 April 2024

¹³⁴ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 9), 20 April 2024

¹³⁵ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 9), 20 April 2024

¹³⁶ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 9), 20 April 2024

8.8 Second appeal to the competent court

- 8.8.1 The treaty, Annex B, Part 2, paragraph 4.6 states: ‘Any appeals may progress further into the Rwandan judicial system in accordance with the Rwandan constitution, but if the onward appeal court overturns the decision of the Appeal Body, it will remit the matter back to the Appeal Body for a de novo hearing.’¹³⁷
- 8.8.2 The treaty, Annex B, Part 6, paragraph 6.1 states: ‘Should a Relocated Individual wish to appeal their Decision to the Appeal Body or onward appeal court...they shall be provided with legal assistance and representation from a legal professional...free of charge.’¹³⁸
- 8.8.3 Article 16(1) of Law N° 042/2024 of 19/04/2024 sets out that if a person is not satisfied with the decision taken by the Appeal Tribunal, they may file a claim to the competent court within 30 days from the date they were notified of the decision¹³⁹.
- 8.8.4 Article 1(3) of Law N° 041/2024 of 19/04/2024, amending Law N° 30/2018 of 02/06/2018 determining the jurisdiction of courts, states the High Court can try claims decided by the Appeal Tribunal and can either confirm the decision of the Appeal Tribunal or refer the claim back to the Appeal Tribunal for reconsideration. A decision of the High Court is not subject to appeal¹⁴⁰.
- 8.8.5 The Refugee Appeal Tribunal SOP sets out that if a decision of the Appeal Tribunal is overturned by an onward appeal court, the case is referred back to the Appeal Tribunal for a full re-examination hearing¹⁴¹. The appellant is entitled to remain in Rwanda until the date of a final determination by the Appeal Tribunal in his/her case¹⁴².

8.9 Refusal of protection status and alternative routes to remain in Rwanda

- 8.9.1 The treaty, Article 10(4) contains requirements about the treatment of RIs who are not recognised as refugees or as having another humanitarian protection need. For these RIs 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;

¹³⁷ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

¹³⁸ UK Government, ‘[UK/Rwanda: Agreement for the Provision of an Asylum...](#)’, 6 Dec 2023

¹³⁹ GoR, ‘[Law N° 041/2024 of 19/04/2024...determining the jurisdiction of courts](#)’, 19 April 2024

¹⁴⁰ GoR, ‘[Law N° 041/2024 of 19/04/2024...determining the jurisdiction of courts](#)’, 19 April 2024

¹⁴¹ Annex 1, ‘[GoR SoP on the Refugee Appeal Tribunal](#)’ (para 1,10), 20 April 2024

¹⁴² Annex 1, ‘[GoR SoP on the Refugee Appeal Tribunal](#)’ (para 10), 20 April 2024

'd. grant any Child who forms part of a Family with that Relocated Individual the same status, rights and treatment as the Relocated Individual.'¹⁴³

8.9.2 Article 18 of Law N° 042/2024 of 19/04/2024 states that if an applicant is denied refugee status, they may exit the country or apply to stay in Rwanda – without being a refugee – in accordance with relevant legislation¹⁴⁴.

8.9.3 The Asylum and Humanitarian Protection Decision Making SOP states that if the applicant is refused refugee and humanitarian protection status, and does not wish to appeal against the refusal, then the DGIE will consider whether the applicant qualifies for an alternative type of status¹⁴⁵.

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8.10 Fresh claims

8.10.1 The treaty, Annex B, Part 2, paragraph 2.1.4 provides for 'the opportunity to make a fresh claim (when an earlier claim has been refused on final determination).'¹⁴⁶

8.10.2 The Asylum and Humanitarian Protection Decision Making SOP sets out that an applicant may submit a fresh claim for international protection where he/she has new evidence that was not previously considered, or where their personal circumstances, or country-of-origin situation, have materially changed¹⁴⁷. The DGIE is responsible for deciding fresh claims¹⁴⁸.

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8.11 Departures from Rwanda

8.11.1 The treaty, Article 10(3) states:

'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.'¹⁴⁹

8.11.2 The treaty, Article 11(1) and 11(2) states:

'1. The United Kingdom may make a request for the return of a Relocated Individual.

'2. Following a request mentioned in Article 11(1), Rwanda shall, with the Relocated Individual's consent ... make the Relocated Individual ... available for return to the United Kingdom and shall provide reasonable assistance, for example with serving documents, interpretation of those documents and informing the United Kingdom of any necessary information for the safe

¹⁴³ UK Government, '[UK/Rwanda: Agreement for the Provision of an Asylum...](#)', 6 Dec 2023

¹⁴⁴ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

¹⁴⁵ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 6), 20 April 2024

¹⁴⁶ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹⁴⁷ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision...](#)' (para 3,6), 20 April 2024

¹⁴⁸ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 3), 20 April 2024

¹⁴⁹ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

transfer to and reception of the Relocated Individual in the United Kingdom.¹⁵⁰

- 8.11.3 The treaty, Article 10(5) states ‘Nothing in this Article requires Rwanda to take steps to prevent a Relocated Individual from leaving Rwanda should the Relocated Individual so wish.’¹⁵¹
- 8.11.4 Article 27 of Law N° 042/2024 of 19/04/2024 covers non-refoulement and states: ‘A refugee or an applicant for refugee status cannot be expelled from Rwanda or deported to a country where his or her life or liberty could be threatened. However, the Organ may expel from the Rwandan territory a person whose refugee status is revoked in the interest of national security and public order.’¹⁵²
- 8.11.5 The Refugee Appeal Tribunal SOP states that the Appeal Tribunal has the jurisdiction to hear an appeal against a decision to revoke asylum or humanitarian protection status¹⁵³.

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8.12 Documentation

- 8.12.1 The treaty, Annex A, Part 2, paragraph 13.2.2, contains a requirement that RIs 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’¹⁵⁴.
- 8.12.2 Article 7(d) of Law N° 042/2024 of 19/04/2024 sets out that the Organ (DGIE) is responsible for issuing temporary residence permits to asylum seekers, and refugee identification cards and travel documents¹⁵⁵.
- 8.12.3 Article 10 of Law N° 042/2024 of 19/04/2024 states that once an applicant has registered a claim for refugee status, a temporary residence permit will be issued which is valid for 3 months and can be renewed if necessary¹⁵⁶.
- 8.12.4 Article 17 of Law N° 042/2024 of 19/04/2024 states that once a person is granted refugee status they will be provided with a registration certificate and – if 16 years old or over – a refugee identification card¹⁵⁷.
- 8.12.5 The SoP on reception and accommodation facilities requires the MEDP-CU, working with the DGIE, to ensure that RIs are provided with identity documents or temporary residence permits, to allow them to access protection and other services¹⁵⁸.
- 8.12.6 The Asylum and Humanitarian Protection Decision Making SOP sets out that when a person registers an international protection claim he/she will be issued with a temporary residence permit. The permit is valid for 3 months, renewable on a rolling 3-monthly basis, until the applicant receives the final

¹⁵⁰ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

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

¹⁵² GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

¹⁵³ Annex 1, ‘[GoR SoP on the Refugee Appeal Tribunal](#)’ (para 1), 20 April 2024

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

¹⁵⁵ GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

¹⁵⁶ GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

¹⁵⁷ GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

¹⁵⁸ Annex 1, ‘[GoR SoP on reception and accommodation facilities](#)’ (section 2.3), April 2024

determination of their claim¹⁵⁹.

8.12.7 The SOP states that a person who is granted refugee status will be provided with a registration certificate and a refugee card¹⁶⁰.

8.12.8 The DGIE is responsible for issuing temporary residence permits to asylum seekers, and refugee identification cards and travel documents to those granted protection by the First Instance Body¹⁶¹. The DGIE is also responsible for issuing refugee documentation if a person is granted refugee status following a decision of the Appeal Tribunal¹⁶².

See also [Freedom of movement within the country](#) and [Freedom to travel out of, and return to, Rwanda](#).

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Section updated: 30 April 2024

9. Information and assistance

For information on the complaint and monitoring procedure in relation to the RSD process see [Complaints and monitoring](#)

9.1 Data handling

9.1.1 The treaty, Annex C, contains specific provisions around the transfer, handling and processing of personal – including sensitive – data of actual or prospective RIs¹⁶³.

9.1.2 Article 7(f) of Law N° 042/2024 of 19/04/2024 states that the Organ (DGIE) will be responsible for protecting information obtained during the RSD process¹⁶⁴.

9.1.3 The Asylum and Humanitarian Protection Decision Making SOP sets out that the DGIE will be responsible for maintaining an asylum database and for ensuring that any information obtained during the RSD process is handled according to the data and confidentiality aspects of the treaty and relevant Rwandan legislation¹⁶⁵.

See also [Safeguarding](#).

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9.2 Safeguarding

a) Treaty provisions

9.2.1 The treaty contains general provisions that will assist in the identification of vulnerable individuals and provision of necessary support. These include:

Article 5(2):

¹⁵⁹ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 6), 20 April 2024

¹⁶⁰ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 6), 20 April 2024

¹⁶¹ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision...](#)' (para 3,6), 20 April 2024

¹⁶² Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 10), 20 April 2024

¹⁶³ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹⁶⁴ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

¹⁶⁵ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 3), 20 April 2024

‘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...’¹⁶⁶

Article 6(1&2):

‘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 ...

‘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.’¹⁶⁷

9.2.2 Once in Rwanda, the treaty makes general provision for the appropriate treatment of each Relocated Individual. Article 8(1) states:

‘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.’¹⁶⁸

9.2.3 The treaty acknowledges the need to take into account any vulnerabilities as part of the asylum interview process. Annex B, paragraph 3.5 states:

‘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 surrounding the application, including the applicant’s cultural origin, gender, sexual orientation, gender identity or vulnerability ...’¹⁶⁹

9.2.4 The treaty also contains specific provisions for Victims of Trafficking (VoT). Article 13(1) states: ‘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.’¹⁷⁰

¹⁶⁶ UKG, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

¹⁶⁷ UKG, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

¹⁶⁸ UKG, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

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

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

9.2.5 With regards to the management of sensitive information, the treaty puts in place general safeguards to ensure the appropriate handling of personal information in Section 6 of Annex C. Section 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.'¹⁷¹

b) **Standard operating procedures**

9.2.6 The SOP on identifying and safeguarding vulnerable persons under the MEDP 'sets out the process for identifying and responding to someone who is considered a Vulnerable Person and to safeguard against abuse or exploitation of Relocated Individuals and those seeking asylum.'¹⁷²

9.2.7 One of the main objectives of the SOP on safeguarding is 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.'¹⁷³

9.2.8 The SOP on safeguarding states that RIs 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 SOP notes the importance of treating those who disclose vulnerabilities sympathetically and without judgment and recommends use of an interpreter¹⁷⁴.

9.2.9 The SOP on safeguarding identifies 8 categories of people who may be considered vulnerable persons:

- persons with serious physical or mental health conditions
- persons with special legal or physical protection needs
- single women and pregnant women
- women-headed households
- victims of Trafficking
- individuals over the age of 60 years
- persons with disabilities
- individuals whose gender identity and/or sexual orientation places them at higher risk of vulnerability, for example LGBT persons¹⁷⁵

For information on access to, and availability of, healthcare for RIs see [Country Information Note Rwanda: Medical and healthcare](#).

9.2.10 The SOP on reception and accommodation facilities sets out that the MEDP-CU shall be responsible for safeguarding issues in accommodation centres

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

¹⁷² Annex 1, '[GoR, SoPs identifying and safeguarding...](#)', (intro), April 2024

¹⁷³ Annex 1, '[GoR, SoPs identifying and safeguarding...](#)', (objectives), April 2024

¹⁷⁴ Annex 1, '[GoR, SoPs identifying and safeguarding...](#)' (intro & para 3 &5), April 2024

¹⁷⁵ Annex 1, '[GoR, SoPs identifying and safeguarding...](#)' (para 2), April 2024

including, where necessary, ensuring access to relevant support and making referrals to the Protection Team¹⁷⁶.

- 9.2.11 The SOP on safeguarding states 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 Protection Team¹⁷⁷.
- 9.2.12 The SOP states that upon receiving a referral, a Protection Officer will arrange an interview with the individual within a reasonable timeframe taking into 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 interviews¹⁷⁸.
- 9.2.13 The Protection Team may '... discuss a plan of support with the individual for an initial period of up to six months. This should include a reassessment to discuss ongoing support requirements and to ensure any onward referrals made continue to be in the person's best interests.'¹⁷⁹
- 9.2.14 The SOP on safeguarding states that training on safeguarding '... will be available to all staff in the refugee status determination process and staff in reception centres with regular updates for existing staff and reception center staff. Staff and volunteers will be trained to identify the different types of abuse and the procedure to be taken when an allegation of abuse is made or detected.'¹⁸⁰
- 9.2.15 The SOP states 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 Person¹⁸¹.
- 9.2.16 The SOP on reception and accommodation facilities also sets out that for RIs who are confirmed victims of trafficking, and who believe they are at risk of being re-trafficked, the address of their allocated accommodation will be restricted. Such information shall be available only to officials involved with the RI's safeguarding or with the RI's RSD claim¹⁸².

See also [Data handling](#).

- 9.2.17 A GoR template of the asylum interview form is included at Annex 1. The template provides suggested interview questions including:
- whether the interviewee feels safe in his/her accommodation
 - whether the person has a medical or mental health condition or vulnerability

¹⁷⁶ Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (section 2.3), April 2024

¹⁷⁷ Annex 1, '[GoR, SoPs identifying and safeguarding...](#)' (para 3 & 6), April 2024

¹⁷⁸ Annex 1, '[GoR, SoPs identifying and safeguarding...](#)' (para 11, 12), April 2024

¹⁷⁹ Annex 1, '[GoR, SoPs identifying and safeguarding...](#)' (para 25), April 2024

¹⁸⁰ Annex 1, '[GoR, SoPs identifying and safeguarding...](#)' (para 26), April 2024

¹⁸¹ Annex 1, '[GoR, SoPs identifying and safeguarding...](#)' (para 27 to 29), April 2024

¹⁸² Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (section 3.3.3), April 2024

- whether the person has ever been exploited or has concerns that they may be exploited¹⁸³

See also [Country Information Note Rwanda: Medical and healthcare](#).

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9.3 Legal representation

- 9.3.1 The treaty, Annex B, Part 3, paragraph 5.2 states: ‘Each Relocated Individual shall be permitted to seek legal advice or other counsel, at all stages of the asylum application process from a legal professional member of the Rwanda Bar Association, qualified to advise and represent them in matters of asylum or humanitarian protection. This shall be provided to the Relocated Individual free of charge.’¹⁸⁴
- 9.3.2 The treaty, Annex B, Part 3 states ‘Rwanda shall take all reasonable steps to ensure that there is sufficient capacity of appropriately trained legal advisors available to provide free legal assistance... The Parties will cooperate in order to ensure that such capacity is available in all cases’¹⁸⁵
- 9.3.3 The treaty contains specific provisions for legal assistance at each stage of the RSD process:
- First Instance Body – legal representatives can accompany and advise RIs during interviews with the First Instance Body. Legal representatives shall be allowed to make written submissions on behalf of a RI at any point prior to the First Instance Body making a decision and taken into account by the decision maker (Annex B, Part 3, paragraph 5.3)
 - Appeal Tribunal and onward appeal court – RIs ‘shall be provided with legal assistance and representation from a legal professional member of the Rwanda Bar Association, qualified to advise and represent in matters of asylum or humanitarian protection, free of charge. This shall include, at least, the preparation of the required procedural documents, advising, making written submissions (as appropriate) and participation (making oral submissions) in the hearing before the Appeal Body or onward appeal court on behalf of the Relocated Individual.’ (Annex B, Part 3, paragraph 6.1)¹⁸⁶
- 9.3.4 The treaty, Article 11(4) requires Rwanda to facilitate a RI’s access to facilities to enable communication with UK-based legal representatives, or virtual participation in legal proceedings, including challenges to their removal from the UK¹⁸⁷.
- 9.3.5 Article 14 of the Presidential Order N° 051/01 of 19/04/2024 states that an appellant may be represented by an advocate at the Appeal Tribunal¹⁸⁸.
- 9.3.6 The SOP on reception and accommodation facilities sets out that the MEDP-

¹⁸³ Annex 1, ‘[GoR, Asylum interview template](#)’, no date

¹⁸⁴ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

¹⁸⁵ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

¹⁸⁶ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

¹⁸⁷ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

¹⁸⁸ GoR, ‘[Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...](#)’, 19 April 2024

CU shall be responsible for:

- making information about the Rwandan asylum process, and how to bring legal proceedings in the UK, available to RIs at accommodation facilities (including access to interpretation and translation services)
- to connect RIs with legal representatives or organisations who can assist with their claims, legal processes, and appeals
- to provide a private space within reception centres to support RIs undertaking UK and ECtHR legal proceedings¹⁸⁹

9.3.7 The Asylum and Humanitarian Protection Decision Making SOP sets out that an applicant is entitled to obtain advice and representation from an appropriately qualified Rwanda Bar Association lawyer at all stages of the asylum process. A lawyer may accompany an applicant at their asylum interview and may submit for consideration written representations on behalf of the applicant at any time during the asylum process¹⁹⁰.

9.3.8 The SOP states that when an Immigration Officer schedules an asylum interview, the Immigration Officer should inform the applicant of their entitlement to legal representation, and information on how they may access such services¹⁹¹.

9.3.9 The SOP sets out that a legal representative in attendance at an asylum interview may assist and advise the applicant throughout the interview but may not answer questions on the applicant's behalf¹⁹².

9.3.10 The Refugee Appeal Tribunal SOP sets out that an appellant can be advised and represented by an appropriately qualified member of the Rwanda Bar Association during the asylum appeal process. The legal representative will have unregulated access to the appellant and may submit for consideration written representations on behalf of the Appellant¹⁹³.

9.3.11 The SOP also states that an appellant is entitled to legal representation to assist him/her to submit an appeal against a decision of the Appeal Tribunal to the High Court¹⁹⁴.

9.3.12 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 program¹⁹⁵.

9.3.13 In response to written questions submitted by UKHO, the GoR provided information on the availability of lawyers able to advise and represent asylum

¹⁸⁹ Annex 1, ['GoR SoP on reception and accommodation facilities'](#) (section 2.3), April 2024

¹⁹⁰ Annex 1, ['GoR SoP Asylum and Humanitarian Protection Decision Making'](#) (para 7), 20 April 2024

¹⁹¹ Annex 1, ['GoR SoP Asylum and Humanitarian Protection Decision Making'](#) (para 6), 20 April 2024

¹⁹² Annex 1, ['GoR SoP Asylum and Humanitarian Protection Decision Making'](#) (para 7), 20 April 2024

¹⁹³ Annex 1, ['GoR SoP on the Refugee Appeal Tribunal'](#) (para 11), 20 April 2024

¹⁹⁴ Annex 1, ['GoR SoP on the Refugee Appeal Tribunal'](#) (para 10), 20 April 2024

¹⁹⁵ Annex 1, ['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.'¹⁹⁶

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9.4 Use of interpreters/translators

- 9.4.1 The treaty, Annex B, Part 3, paragraph 7.1 states: 'If a Relocated Individual requires it at any stage of the decision-making process, an interpreter shall be provided, free of charge.'¹⁹⁷
- 9.4.2 The treaty contains specific provisions for the availability of translators/interpreters, if required, at different stages of the RSD process:
- translation of any written correspondence or information concerning an RI's protection claim or the asylum process (Annex B, Part 3, paragraph 7.2)
 - for the interview by the First Instance Body (Annex B, Part 2, paragraph 3.5.2.3)
 - to translate of the interview transcript (Annex B, Part 3, paragraph 7.3)
 - interpret proceedings at the Appeal Tribunal hearing (Should a Relocated Individual wish to appeal their Decision to the Appeal Body or onward appeal court, Part 2, paragraph 4.1.4)¹⁹⁸
- 9.4.3 Article 11(2)(e) of Law N° 042/2024 of 19/04/2024 states that interviews with applicants for refugee status must 'be conducted in presence of an interpreter.'¹⁹⁹
- 9.4.4 A statement made by the Home Secretary to the UK Parliament on 25 April 2024 noted that: 'To ensure availability of interpreters, Rwanda has negotiated a contract with Big Word Pay as You Go for interpretation services, in addition to using local interpreters already employed by the Ministry of Foreign Affairs and International Cooperation.'²⁰⁰
- 9.4.5 The Asylum and Humanitarian Protection Decision Making SOP sets out that the DGIE is responsible for arranging interpreters to attend asylum interviews whenever required²⁰¹.
- 9.4.6 The SOP states that when an Immigration Officer schedules an asylum interview, the Immigration Officer should inform the applicant of his/her entitlement to an interpreter, and provide information on how to access the service²⁰².

¹⁹⁶ Annex 1, '[GoR response to written questions submitted by UKHO](#)', 11 December 2023

¹⁹⁷ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹⁹⁸ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

¹⁹⁹ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

²⁰⁰ UKHO, '[Statement concerning the agreement between UKG and GoR...](#)', 25 April 2024

²⁰¹ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision](#)' (para 3,6), 20 April 2024

²⁰² Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 5), 20 April 2024

- 9.4.7 The SOP sets out that, if required, an interpreter will be provided to an applicant at any stage of the RSD process. This includes translation of an asylum interview transcript, and any correspondence and information provided to an applicant about their asylum claim or the asylum process²⁰³. Interpreters are provided free of charge²⁰⁴.
- 9.4.8 The Refugee Appeal Tribunal SOP reiterates that the services of an interpreter will be permitted at any stage, if required²⁰⁵. This includes any assistance required to submit an appeal against a decision of the Appeal Tribunal to the High Court²⁰⁶.

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Section updated: 30 April 2024

10. Services and support available for Relocated Individuals

For information on lodging concerns or complaints about access to services or support see [Complaints and monitoring](#)

10.1 Law

- 10.1.1 The treaty, Annex A, Part 2, Section 9 states that the agreed support package will be available to RIs for a period of 5 years from the date of their arrival in Rwanda²⁰⁷.
- 10.1.2 The treaty, Annex A, Part 2, paragraph 13.1, states:
'At all times, Rwanda shall ensure that each Relocated Individual who is deemed a refugee shall benefit from the rights set out in, and shall be treated in accordance with, the Refugee Convention, such as in relation to employment and self-employment; public relief; labour legislation and social security; and administrative assistance. Any Relocated Individual who is not deemed a refugee shall benefit from equivalent rights in relation to employment and self-employment; public relief; labour legislation and social security; and administrative assistance.'²⁰⁸
- 10.1.3 The treaty, Annex A, Part 1, Section 5, states that RIs will be provided with 'legal awareness training on the rights of refugees under the domestic laws of Rwanda, international law and international standards, and the basic domestic laws of Rwanda.'²⁰⁹
- 10.1.4 Article 21(1) of Law N° 042/2024 of 19/04/2024 governing refugees and applicants for refugee status states: 'Without prejudice to other laws, a refugee and a applicant for refugee status enjoy the rights and liberties provided for by international treaties on refugees and applicants for refugee status ratified by Rwanda and other agreements signed between Rwanda and other countries.'²¹⁰

²⁰³ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 7), 20 April 2024

²⁰⁴ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 7), 20 April 2024

²⁰⁵ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 11), 20 April 2024

²⁰⁶ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 10), 20 April 2024

²⁰⁷ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁰⁸ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁰⁹ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²¹⁰ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

10.1.5 The Asylum and Humanitarian Protection Decision Making SOP states that in the event of a grant of refugee or humanitarian protection status, the DGIE will register the applicant in the refugee database. The refugee is then entitled to rights and protections under domestic law including legal residency and access to healthcare, education, and refugee documentation²¹¹. See also [Documentation](#)

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10.2 Accommodation

a) Short-term accommodation

10.2.1 The treaty, Article 8(1) states: '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.'²¹² Specific requirements for reception accommodation, food and other essential items including clothing and toiletries is set out in the treaty, Annex A, Part 1²¹³.

10.2.2 iNews and The Guardian reported on 14 April 2022 that the accommodation for RIs would include the former hostel Hope House in the Gasabo district of Kigali. The property comprised of 5 floors, with 50 rooms to accommodate 2 people in each room and various communal areas including a dining room, kitchen facilities and bathrooms. The reports noted that there were plans to expand the accommodation to 150 rooms^{214 215}. The BBC received a tour of Hope Hostel in April 2024 and spoke with the manager who described the Hostel's readiness to host RIs²¹⁶.

10.2.3 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 suburb²¹⁷.

10.2.4 The SOP on reception and accommodation facilities describes the guidelines and procedures for efficiently managing reception accommodation while ensuring the wellbeing of RIs²¹⁸.

10.2.5 The SOP sets out the responsibilities of the service provider (the organisation that will manage the accommodation). These include the responsibility to ensure that reception centres are clean, safe, not overcrowded, lit and ventilated, comfortable, and adequate for the RIs' needs. Other responsibilities include the provision of 3 nutritionally-adequate and diet-appropriate meals per day, and access to clean water²¹⁹.

10.2.6 The SOP also sets out that the service provider must comply with all relevant laws and regulations relating to RIs and accommodations, and train

²¹¹ Annex 1, '[GoR SoP Asylum and Humanitarian Protection Decision Making](#)' (para 6), 20 April 2024

²¹² UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²¹³ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²¹⁴ iNews, '[Inside the Rwanda centre which will house asylum ...](#)', 14 April 2022

²¹⁵ The Guardian, '[UK asylum seekers to be housed in no-frills hostel ...](#)', 14 April 2022

²¹⁶ BBC, '[Hope Hostel in Rwanda says it's ready for first migrants from UK](#)', 23 April 2024

²¹⁷ BBC, '[UK-Rwanda asylum seekers' deal: good news for Kigali hotels](#)', 20 May 2022

²¹⁸ Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (section 1.1), April 2024

²¹⁹ Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (1.3, 2.1, Annex C), April 2024

accommodation staff on cultural sensitivity, RIs' needs, and relevant policies and procedures²²⁰.

- 10.2.7 The SOP requires the reception centre service provider to maintain the accommodation and to maintain communication with RIs to address their concerns and needs. The SOP includes a maintenance request form to be provided to RIs to ensure that any necessary repairs are addressed²²¹.
- 10.2.8 The SOP sets out the responsibilities of the 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 RIs, and to uphold the human rights and dignity of RIs throughout their stay in the reception facility. The MEDP-CU's other responsibilities include provision of interpretation and translation services, and regular monitoring of the well-being and satisfaction of RIs at the reception facilities. The MEDP-CU is required to submit regular reports on the status and needs of the RIs in the reception facilities²²².
- 10.2.9 The SOP requires the MEDP-CU to ensure the procedure for lodging a complaint about accommodation and other support is communicated to RIs. The MEDP-CU is required to provide RIs with channels to submit confidential grievances, which will be addressed by MEDP-CU staff and responded to within 48 hours. The MEDP-CU is also responsible for ensuring the Monitoring Committee has access to reception facilities²²³.
- 10.2.10 The SOP sets out the responsibilities of the reception centre service provider and the MEDP-CU in the event of emergencies such as fires, natural disasters, medical crises and security incidents. An incident report form allows RIs to report any conflicts, other protection-related incidents, or breaches of rules within the accommodation facility²²⁴.

b) Long-term accommodation

- 10.2.11 The SOP on reception and accommodation facilities sets out that RIs who receive refugee or other settlement status shall be provided with accommodation for a period of 5 years²²⁵.
- 10.2.12 The SOP sets out the housing allocation process for the long-term accommodation that RIs will move into after 3 months in reception centres. This process requires the MEDP-CU to carry out an assessment of the needs of each RI 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 support²²⁶.
- 10.2.13 The remainder of this section provides an overview of 3 accommodation

²²⁰ Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (section 2.1), April 2024

²²¹ Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (section 2.1, Annex D), April 2024

²²² Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (section 2.3), April 2024

²²³ Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (section 2.3, V), April 2024

²²⁴ Annex 1, '[GoR SoP on reception and accommodation...](#)' (section 2.1, 2.3, Annex B), April 2024

²²⁵ Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (section 3.3.2), April 2024

²²⁶ Annex 1, '[GoR SoP on reception and accommodation facilities](#)' (section 3.3.2), April 2024

projects:

- Kinigi and Karama Model Villages – these villages do not represent the actual accommodation which would be used to house any RIs 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 RIs
- Gahanga housing project

1) Kinigi Integrated Development Program Model Village

10.2.14 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, Visit to Kinigi Integrated Development Program \(IDP\) Model Village \(Musanze\), 20 January 2022.](#)

2) Karama model village

10.2.15 The Rwandan Ministry of Defence reported that the Karama model village, in the Nyarugenge district of Kigali, was opened in July 2019. The village 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^{227 228}.

3) Gahanga housing project

10.2.16 On 20 March 2023, KT Press reported that ‘... about 520 units will be constructed as part of efforts to build homes for relocated individuals and families’ under the terms of the MEDP²²⁹. The scheme with Rwanda is not capped, and as such more accommodation will be made available for relocated individuals as it is required.

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10.3 Education

10.3.1 The treaty, Annex A, Part 1, Section 8, states that each RI ‘shall have access to quality education and training at the following stages (as relevant to their age and needs) that is at least of the standard that is accorded to Rwandan nationals.’²³⁰ The stages covered include: early childhood; primary, secondary and tertiary education; and vocational training²³¹.

10.3.2 The treaty, Annex A, Part 2, Section 10, states that RIs ‘shall be offered training in the English or French and Kinyarwanda languages.’²³²

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10.4 Health

For more information on access to, and availability of, healthcare for RIs see

²²⁷ MoD, ‘[President Kagame Inaugurates Karama Model Village ...](#)’, 3 July 2019

²²⁸ GoR, ‘Kigali informal settlement upgrading projects’, 13 January 2022

²²⁹ KT Press, ‘[Suella Braverman impressed by Rwanda’s eco-friendly housing models](#)’, 20 Mar 2023

²³⁰ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

²³¹ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

²³² UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

10.5 Employment

- 10.5.1 The treaty, Annex A, Part 2, Section 11, states that RIs will be offered professional development training to assist them to find employment or to become self-employed²³³.

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10.6 Freedom of movement within the country

- 10.6.1 The treaty, Article 8(2), states: 'A Relocated Individual shall be free to come and go, including to and from accommodation that has been provided, at all times.'²³⁴
- 10.6.2 The treaty, Article 10(1), requires Rwanda to grant RIs 'freedom of movement in accordance with the Refugee Convention.'²³⁵
- 10.6.3 The treaty, Annex A, Part 2, paragraph 13.2.2, contains a requirement that RIs will be 'issued, without delays, with any documentation required to enable their free movement, including identity papers ...'²³⁶
- 10.6.4 The SOP on reception and accommodation facilities sets out a responsibility on the reception centre service provider to ensure that RIs are free to come and go from reception centres²³⁷.

See also the section on Freedom of movement for women in the [Country Information Note Rwanda: human rights](#).

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10.7 Freedom to travel out of, and return to, Rwanda

- 10.7.1 The treaty, Annex A, Part 2, paragraph 13.2.2, contains a requirement that RIs will be issued, with travel documents to enable travel outside of Rwanda²³⁸.

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10.8 Citizenship

- 10.8.1 Article 24(b) of Law N° 042/2024 of 19/04/2024 states that a durable solution for refugees can be achieved through 'naturalisation in accordance with laws of Rwanda.'²³⁹

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Section updated: 30 April 2024

²³³ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²³⁴ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²³⁵ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²³⁶ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²³⁷ Annex 1, '[GoR SoPs on reception and accommodation facilities](#)' (section 2.1), April 2024

²³⁸ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²³⁹ GoR, '[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)', 19 April 2024

11. Training of decision makers and others involved in the RSD process

- 11.1.1 The treaty, Annex B, Part 2, paragraph 3.3.1 states that members of the First Instance Body ‘shall be appointed on the basis that they are appropriately trained to take a decision on asylum and Humanitarian Protection Claims in accordance with the Refugee Convention and humanitarian protection law.’²⁴⁰
- 11.1.2 The treaty, Annex B, Part 2, paragraph 4.4 states ‘All judges [on the Appeal Tribunal] who are not of Rwandan nationality shall receive training on Rwandan law and judicial practice, and all judges shall, as necessary, receive training on asylum and humanitarian law and practice ...’²⁴¹
- 11.1.3 A statement made by the Home Secretary to the UK Parliament on 25 April 2024 noted that training ‘has already been delivered to existing members of the Rwandan judiciary, including by the International Association for Refugee and Migration Judges.’²⁴²
- 11.1.4 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 3²⁴³. The training was delivered to officials from DGIE and MINEMA, and members of the judiciary and Rwanda Bar Association, among others. Full details of who received the training are included in Annex 1²⁴⁴.
- 11.1.5 The manual includes sections which cover the understanding and application of the Refugee Convention, including:
- principle of non-refoulement
 - imputed convention grounds
 - sur place claims
 - membership of a particular social group
 - interviewing asylum applicants
 - dealing with vulnerable claimants
 - persecution on the basis of sexual orientation or gender identity
- 11.1.6 The Home Secretary’s statement to Parliament on 25 April 2024 noted, in the context of the provision of training in relation to safeguarding vulnerable persons: ‘The delivery of training has already begun, with training provided by the Office of the Children’s Champion – the Home Office’s children and vulnerable adult safeguarding experts – for accommodation officers and protection officers conducted from 16 to 22 of April [2024] and training for asylum caseworkers from 23 to 26 of April [2024].’²⁴⁵

²⁴⁰ UKG, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

²⁴¹ UKG, [‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’](#), 6 Dec 2023

²⁴² UKHO, [‘Statement concerning the agreement between UKG and GoR...’](#), 25 April 2024

²⁴³ Annex 3, [‘ILPD and MoJ – Refugee law and RSD process training manual’](#) October 2022

²⁴⁴ Annex 1, [‘GoR response to written questions submitted by UKHO’](#), 11 December 2023

²⁴⁵ UKHO, [‘Statement concerning the agreement between UKG and GoR...’](#), 25 April 2024

12. Asylum claim numbers and outcomes

12.1 Total numbers

12.1.1 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.'²⁴⁶

12.1.2 As part of its role as Intervener in the case of AAA, the 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.'²⁴⁷

12.1.3 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 RSDC since 2019²⁴⁸. The data in Mr Bottinick's third witness statement provided the number of cases – of which the UNHCR was aware – considered by the RSDC between the start of 2020 and 21 June 2022²⁴⁹. CPIT has compiled a table below 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 the 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 ²⁵⁰	49	45	73	167
UNHCR ²⁵¹	n/a	n/a	n/a	156

²⁴⁶ Annex 2, '[First witness statement of Lawrence Bottinick](#)' (para 11), 9 June 2022

²⁴⁷ Annex 2, '[Third Witness Statement of Lawrence Bottinick](#)', 27 July 2022

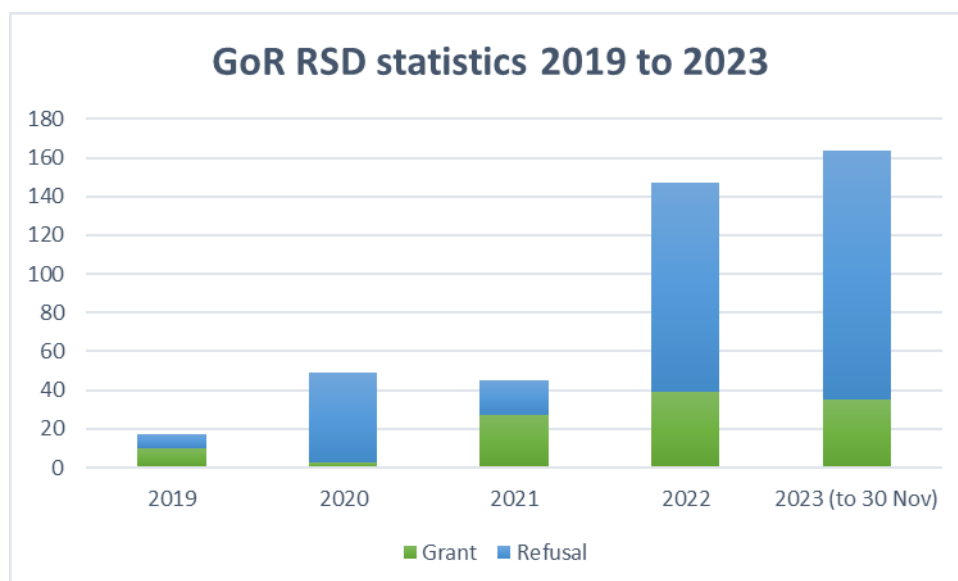
²⁴⁸ Annex 1, '[GoR response to written questions submitted by UKHO](#)', 11 December 2023

²⁴⁹ Annex 2, '[Third Witness Statement of Lawrence Bottinick](#)', 27 July 2022

²⁵⁰ Annex 1, '[GoR response to written questions submitted by UKHO](#)', 11 December 2023

²⁵¹ Annex 2, '[Third Witness Statement of Lawrence Bottinick](#)', 27 July 2022

12.1.4 CPIT has summarised the GoR data in the graph below, which indicates a trend of an increasing number of cases considered over the period 2019 to November 2023:



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12.2 Nationality

- 12.2.1 In a June 2022 statement following the announcement of the MEDP, the 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 countries.'²⁵²
- 12.2.2 UNHCR's court submissions in the case of AAA, dated 19 August 2022, suggested that the Rwandan asylum system had a '... bias against Middle Eastern cases including refusals on unspecified "security" grounds and anomalously high rejection rates.'²⁵³
- 12.2.3 Mr Bottnick's third witness statement provided a table 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).'²⁵⁴
- 12.2.4 The table from Mr Bottnick's third witness statement, showing the number of cases considered by the RSDC between the start of 2020 and 21 June 2022, split by nationality, is provided below²⁵⁵:

²⁵² UNHCR, '[UNHCR analysis of the legality and appropriateness...](#)' (para 18c), 8 June 2022

²⁵³ Annex 2, '[UNHCR Written Observations in the Divisional Court](#)' (para 50(2iii)), 19 August 2022

²⁵⁴ Annex 2, '[Third Witness Statement of Lawrence Bottinick](#)', 27 July 2022

²⁵⁵ Annex 2, '[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.

12.2.5 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 table is provided below²⁵⁶.

YEAR	2019		2020		2021		2022		2023/30 th November		TOTAL	
COUNTRIES	GRANT	REJECT	GRANT	REJECT	GRANT	REJECT	GRANT	REJECT	GRANT	REJECT	GRANT	REJECT
DRC	1	6	0	25	0	9	10	14	6	73	17	127
BURUNDI	4	0	0	0	21	1	16	81	10	35	51	117
SOUTH SUDAN	4	0	1	5	0	0	1	0	0	0	6	5
CAMEROON	0	1	0	4	0	0	0	1	0	1	0	7
KENYA	0	0	0	0	0	1	0	0	0	2	0	3
CAR	1	0	0	0	1	0	1	0	0	1	3	1
AFGANISTAN	0	0	0	1	0	0	1	1	4	1	5	3
C BRAZZA	0	0	0	1	0	0	2	0	0	0	2	1
ERITREA	0	0	2	4	4	5	0	5	4	1	10	15
SUDAN	0	0	0	3	0	2	0	1	1	11	1	17
ETHIOPIA	0	0	0	1	0	0	6	1	10	1	16	3
SYRIA	0	0	0	1	0	0	0	0	0	0	0	1
LEBANON	0	0	0	1	0	0	0	0	0	0	0	1
PALESTINE	0	0	0	0	1	0	0	0	0	0	1	0
NIGERIA	0	0	0	0	0	0	0	2	0	2	0	4
YEMEN	0	0	0	0	0	0	0	2	0	0	0	2
EGYPT	0	0	0	0	0	0	1	0	0	0	1	0
UGANDA	0	0	0	0	0	0	0	0	0	1	0	1
TOTAL	10	7	3	46	27	18	39	108	35	129	113	308

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²⁵⁶ Annex 1, '[GoR response to written questions submitted by UKHO](#)', 11 December 2023

12.3 Middle East cases

12.3.1 CPIT has compiled a table to compare the GoR and UNHCR statistics for the period 2020 to 2022, with a focus on people from countries/territories in the Middle East (Egypt, Lebanon, Occupied Palestinian Territories, Syria and Yemen) plus Afghanistan, considered by the RSDC.

Number of cases considered by RSDC (by source and nationality) between 2020 and 2022	GoR²⁵⁷	UNHCR²⁵⁸
Afghanistan	3 [1]	2
Egypt	1 [1]	1
Lebanon	1 [0]	1
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.

12.3.2 Given the very small numbers of these cases considered by the RSDC, it is not possible to make a reliable comparison of relative grant/refusal rates by nationality of claimant.

12.3.3 The GoR also provided statistics for 2023 (up to and including 30 November) – see the table below. (The number of cases granted protection is given in square brackets):

Number of cases considered by RSDC in 2023	GoR²⁵⁹
Afghanistan	5 [4]
Egypt	0 [0]
Lebanon	0 [0]
Palestine	0 [0]
Syria	0 [0]
Yemen	0 [0]
Total	5 [4]

²⁵⁷ Annex 1, '[GoR response to written questions submitted by UKHO](#)', 11 December 2023

²⁵⁸ Annex 2, '[Third Witness Statement of Lawrence Bottinick](#)', 27 July 2022

²⁵⁹ Annex 1, '[GoR response to written questions submitted by UKHO](#)', 11 December 2023

12.3.4 The treaty, Article 3(1), contains a 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.’²⁶⁰

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12.4 Lesbian, gay, bisexual, trans and intersex (LGBTI) cases

12.4.1 In response to written questions submitted by UKHO of 11 December 2023, the GoR 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. One other claimant was refused protection²⁶¹

12.4.2 Given that there were only 2 cases decided, no patterns can be identified, nor reliable conclusions drawn, about how Rwandan decision-makers approach such claims.

12.4.3 The treaty, Article 3(1), contains a provision that ‘The Parties agree that the obligations in this Agreement shall be met in respect of all Relocated Individuals ... without discrimination.’²⁶²

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Section updated: 30 April 2024

13. Complaints and monitoring

13.1 Monitoring Committee and Joint Committee

13.1.1 The treaty 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:

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

²⁶⁰ UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

²⁶¹ Annex 1, ‘[GoR response to written questions submitted by UKHO](#)’, 11 December 2023

²⁶² UKG, ‘[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)’, 6 Dec 2023

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.²⁶³

For more information on the Monitoring Committee and Joint Committee see [Members of the Monitoring Committee](#), [Monitoring Committee Terms of Reference](#) and [Joint Committee Terms of Reference](#)

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13.2 Monitoring of RSD process and provision of support to RIs

- 13.2.1 The treaty, Article 15(7) states: '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.'²⁶⁴
- 13.2.2 The treaty, Article 14(1)(a), allows the Monitoring Committee to inspect RIs' accommodation²⁶⁵.
- 13.2.3 Article 14 also provides 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;

²⁶³ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁶⁴ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁶⁵ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

- '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.'²⁶⁶

13.2.4 The Refugee Appeal Tribunal SOP sets out that asylum appeal judges will be periodically invited, and able at any time, to give their opinion on the effectiveness of the decision-making and appeals systems to relevant monitoring bodies and experts²⁶⁷.

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13.3 Complaints process

13.3.1 The treaty, Article 15(9), states:

'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.'²⁶⁸

13.3.2 The treaty, Annex A, Part 1, Section 5, states that RIs will be provided with 'information regarding the procedure for lodging a complaint about their accommodation and the delivery of other support' and 'information regarding how to make a confidential complaint to the Monitoring Committee.'²⁶⁹

13.3.3 The treaty, Annex A, Part 3, Section 15 states: 'Arrangements shall be made so that a Relocated Individual may lodge a complaint about their accommodation and the delivery of other support with the representative of the Government of Rwanda who is responsible for handling such complaints. Any such complaint shall be recorded and, once resolved, that entry shall be updated with the details of how it was resolved.'²⁷⁰

13.3.4 The complaints process covers complaints in relation to legal representation (Annex B, Part 3, paragraph 8.2)²⁷¹.

13.3.5 A statement made by the Home Secretary to the UK Parliament on 25 April 2024 noted, in the context of establishing an independent complaints process:

²⁶⁶ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁶⁷ Annex 1, '[GoR SoP on the Refugee Appeal Tribunal](#)' (para 11), 20 April 2024

²⁶⁸ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁶⁹ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁷⁰ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

²⁷¹ UKG, '[UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...](#)', 6 Dec 2023

'A complaints system has been established which allows members of the Monitoring Committee to confidentially, through encrypted credentials, receive and respond to complaints (including a translation service to address complaints by individuals who are unable to write in English). This system does not run on either UK or Rwanda government systems and cannot be accessed by any individual of either government to retain confidentiality and is built to security specifications in line with UK domestic requirements. The system has been made available to the Monitoring Committee to manage directly and is suitable for any Relocated Individuals or their representatives to lodge confidential complaints regarding any aspect of the relocation process. All 8 members of the Monitoring Committee have been trained on this complaints system.'²⁷²

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²⁷² UKHO, '[Statement concerning the agreement between UKG and GoR...](#)', 25 April 2024

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](#).

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Version control and feedback

Clearance

Below is information on when this note was cleared:

- version **4.0**
- valid from **30 April 2024**

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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](#).

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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 them 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](#).

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