Country Information Note
Rwanda: Asylum system

Version 3.0
April 2024
Contents

Country information on Rwanda’s asylum system ......................................................... 4

1. Glossary .................................................................................................................. 4

2. About this note ....................................................................................................... 5

3. Asylum/refugee law .............................................................................................. 6

   3.1 International and regional law .......................................................................... 6
   3.2 National asylum/refugee law: .......................................................................... 6
   3.3 Bilateral agreements ......................................................................................... 7
   3.4 Protection status ............................................................................................... 8

4. Refugee demographics ............................................................................................ 8

   4.1 Persons seeking refuge in Rwanda ................................................................. 8
   4.2 Emergency Transit Mechanism (ETM) ............................................................ 9

5. Government position on refugees and asylum seekers .......................................... 10

   5.1 Government agencies ...................................................................................... 10
   5.2 Partnerships ...................................................................................................... 10

6. RSD process .......................................................................................................... 12

   6.1 Law and procedures ....................................................................................... 12
   6.2 Timelines ......................................................................................................... 13
   6.3 Registration ...................................................................................................... 14
   6.4 Interview .......................................................................................................... 15
   6.5 Initial decision .................................................................................................. 17
   6.6 Notification of initial decision ......................................................................... 19
   6.7 First appeal to Appeal Tribunal ..................................................................... 20
   6.8 Second appeal to the competent court ............................................................. 24
   6.9 Refusal of protection status and alternative routes to remain in Rwanda ....... 25
   6.10 Fresh claims .................................................................................................... 25
   6.11 Departures from Rwanda ............................................................................... 25
   6.12 Documentation ............................................................................................... 26

7. Information and assistance ..................................................................................... 27

   7.1 Data handling ................................................................................................... 27
   7.2 Safeguarding ..................................................................................................... 28
   7.3 Legal representation ......................................................................................... 31
   7.4 Use of interpreters/translators ........................................................................ 33

8. Services and support available for Relocated Individuals ..................................... 34

   8.1 Law ................................................................................................................... 35
   8.2 Accommodation ............................................................................................... 35
8.3 Education
8.4 Health
8.5 Employment
8.6 Freedom of movement within the country
8.7 Freedom to travel out of, and return to, Rwanda
8.8 Citizenship
9. Training of decision makers and others involved in the RSD process
10. Asylum claim numbers and outcomes
   10.1 Total numbers
   10.2 Nationality
   10.3 Middle East cases
   10.4 Lesbian, gay, bisexual, trans and intersex (LGBTI) cases
11. Complaints and monitoring
    11.1 Monitoring Committee and Joint Committee
    11.2 Monitoring of RSD process and provision of support to RIs
    11.3 Complaints process
Research methodology
Bibliography
Sources cited
Sources consulted but not cited
Version control and feedback
Feedback to the Home Office
Independent Advisory Group on Country Information
Country information on Rwanda’s asylum system

Section updated: 30 April 2024

1. Glossary

1.1.1 Common abbreviations used in this Country Information Note are set out below.

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AAA</td>
<td>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</td>
</tr>
<tr>
<td>CIN</td>
<td>Country Information Note</td>
</tr>
<tr>
<td>CPIT</td>
<td>Country Policy and Information Team</td>
</tr>
<tr>
<td>DGIE</td>
<td>Directorate General of Immigration and Emigration</td>
</tr>
<tr>
<td>DRC</td>
<td>Democratic Republic of Congo</td>
</tr>
<tr>
<td>ECtHR</td>
<td>European Court of Human Rights</td>
</tr>
<tr>
<td>ETM</td>
<td>Emergency Transit Mechanism</td>
</tr>
<tr>
<td>GoR</td>
<td>Government of Rwanda</td>
</tr>
<tr>
<td>LAF</td>
<td>Legal Aid Forum</td>
</tr>
<tr>
<td>LGBTI</td>
<td>Lesbian, gay, bisexual, trans and intersex (persons)</td>
</tr>
<tr>
<td>MEDP</td>
<td>Migration and Economic Development Partnership</td>
</tr>
<tr>
<td>MEDP-CU</td>
<td>MEDP-Coordination Unit</td>
</tr>
<tr>
<td>MINEMA</td>
<td>Ministry in Charge of Emergency Management</td>
</tr>
<tr>
<td>NCHR</td>
<td>National Commission for Human Rights</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-governmental organisation</td>
</tr>
<tr>
<td>RI</td>
<td>Relocated Individual</td>
</tr>
<tr>
<td>RSD</td>
<td>Refugee Status Determination (process/procedure)</td>
</tr>
<tr>
<td>RSDC</td>
<td>Refugee Status Determination Committee</td>
</tr>
<tr>
<td>SOPs</td>
<td>Standard Operating Procedures</td>
</tr>
<tr>
<td>UKHO</td>
<td>United Kingdom Home Office</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Program</td>
</tr>
<tr>
<td>UNHCR</td>
<td>United Nations High Commission for Refugees</td>
</tr>
<tr>
<td>UPR</td>
<td>Universal Periodic Review</td>
</tr>
<tr>
<td>VoT</td>
<td>Victims of trafficking</td>
</tr>
</tbody>
</table>

Back to Contents
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 Research methodology.

2.1.2 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).

2.1.3 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)).

2.1.4 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)).

2.1.5 When considering whether a person’s particular individual circumstances meet the requirements of section 4(1)(a) see the guidance Safety of Rwanda.

2.1.6 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](#)

2.1.7 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)](#)

2.1.8 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)](#)
3. Asylum/refugee law

3.1 International and regional law

3.1.1 Relevant Conventions signed by Rwanda:

<table>
<thead>
<tr>
<th>International refugee law</th>
<th>Ratification/Accession</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Organisation of African Unity Convention Governing the Specific Aspects to the Problems of the Refugees in Africa</td>
<td>1979</td>
</tr>
<tr>
<td>African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the 'Kampala Convention')</td>
<td>2012</td>
</tr>
</tbody>
</table>

3.2 National asylum/refugee law:

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

3.2.2 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 No. 042/2024 of 19/04/2024 governing refugees and applicants for refugee status in Rwanda
- Law No. 041/2024 of 19/04/2024 amending Law No. 30/2018 of 02/06/2018 determining the jurisdiction of courts
- Presidential Order No. 051/01 of 19/04/2024 governing the Appeal Tribunal for refugees and applicants for refugee status

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

<table>
<thead>
<tr>
<th>Law</th>
<th>Main points</th>
</tr>
</thead>
</table>

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1 UNHCR, ‘Submission by the UNHCR for the Office of the High…’ (page 1), July 2020
3 GoR, ‘Law no. 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
<table>
<thead>
<tr>
<th>Law N° 042/2024 of 19/04/2024 governing refugees and applicants for refugee status in Rwanda&lt;sup&gt;6&lt;/sup&gt;</th>
<th>Sets out:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Responsibilities of the first-instance decision-making body</td>
<td></td>
</tr>
<tr>
<td>- RSD stages, procedures and timelines</td>
<td></td>
</tr>
<tr>
<td>- Right of appeal</td>
<td></td>
</tr>
<tr>
<td>- Asylum seekers’ and refugees’ rights and obligations</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal for refugees and applicants for refugee status&lt;sup&gt;7&lt;/sup&gt;</th>
<th>Sets out:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Composition and duties of the Appeal Tribunal</td>
<td></td>
</tr>
<tr>
<td>- Procedure and timeline for submitting an appeal to the Tribunal</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Law N° 041/2024 of 19/04/2024 amending Law N° 30/2018 of 02/06/2018 determining the jurisdiction of courts&lt;sup&gt;8&lt;/sup&gt;</th>
<th>Sets out:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Right of Appeal to the High Court</td>
<td></td>
</tr>
</tbody>
</table>

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

### 3.3 Bilateral agreements

#### 3.3.1 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 UK<sup>9</sup>. 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) process<sup>10</sup>. The treaty was ratified on 25 April 2024<sup>11</sup>. The treaty obligations are legally binding under international law<sup>12</sup>.

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<sup>6</sup> GoR, ‘[Law n° 042/2024 of 19/04/2024 governing refugees and applicants...](#)’, 19 April 2024

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

<sup>8</sup> GoR, ‘[Law N° 041/2024 of 19/04/2024...determining the jurisdiction of courts](#)’, 19 April 2024

<sup>9</sup> UKG, ‘[Safety of Rwanda (Asylum and Immigration Bill): Policy statement](#)’, 11 January 2024

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

<sup>11</sup> UKG, ‘[UK-Rwanda treaty completes ratification process](#)’, 25 April 2024

<sup>12</sup> UKG, ‘[Safety of Rwanda (Asylum and Immigration Bill): Policy statement](#)’, 11 January 2024
3.3.2 The treaty, Article 3(6), states ‘Under the constitution of Rwanda this Agreement shall become domestic law in Rwanda upon ratification.’

See also Partnerships

3.4 Protection status
3.4.1 Article 3 of Law No 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.’

3.4.2 Article 4 of the Law No 042/2024 of 19/04/2024 sets out the ‘Grounds for refugee status ineligibility’.

3.4.3 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 … ’

4. Refugee demographics
4.1 Persons seeking refuge in Rwanda
4.1.1 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.’

4.1.2 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)

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13 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
14 GoR, ‘Law no 042/2024 of 19/04/2024 governing refugees and applicants…’, 19 April 2024
15 GoR, ‘Law no 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
made up 49.1% of the population\textsuperscript{18}.

4.1.3 Many of the refugees from the DRC arrived during the 1990s as a result of conflicts in the Great Lakes Region. Burundian refugees began arriving in 2015 when the country’s political situation deteriorated. Voluntary repatriation of Burundian refugees began in August 2020, with 30,000 Burundians repatriated as of June 2021\textsuperscript{19}.

4.1.4 The UNHCR noted that the majority are ‘prima facie’ refugees\textsuperscript{20}. 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 refugee or where the similar situation of members of a group is apparent\textsuperscript{21}.

4.1.5 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.'\textsuperscript{22}

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

4.1.6 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)\textsuperscript{23}. Back to Contents

4.2 Emergency Transit Mechanism (ETM)

4.2.1 In September 2019, Rwanda signed an agreement with the UNHCR and the African Union to receive refugees and asylum seekers evacuated from Libya\textsuperscript{24}. 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 Rwanda\textsuperscript{25}.

4.2.2 An October 2023 UNHCR ETM update recorded 527 asylum seekers at Gashora\textsuperscript{26}.

\textsuperscript{18} UNHCR, ‘Operational data portal: Rwanda’, 31 October 2023
\textsuperscript{19} UNHCR, ‘Mapping thematic area-wise data for Rwanda’ (page 3), 30 June 2022
\textsuperscript{20} UNHCR, ‘Submission by the UNHCR for the Office of the High …’ (page 4), July 2020
\textsuperscript{21} UNHCR, ‘Guidelines on International Protection …’ (page 2), 24 June 2015
\textsuperscript{22} UNHCR, ‘Rwanda Refugee Response Plan January to December 2023’, (page 7), 1 January 2023
\textsuperscript{23} UNHCR, ‘Operational data portal: Rwanda’, 31 October 2023
\textsuperscript{24} MINEMA, ‘Fourth group of refugees and asylum seekers from Libya safely arrived in …’, no date
\textsuperscript{25} Altai Consulting, ‘EUTF monitoring and learning system HoA 2020 yearly …’ (page 42), June 2021
\textsuperscript{26} UNHCR, ‘Emergency Transit Mechanism: Rwanda’, 31 October 2023
On the 9 February 2023 the European Union announced a €22 million (around £20 million\textsuperscript{27}) support package to the UNHCR to operate the ETM until 2026\textsuperscript{28}.

The UNHCR’s October 2023 ETM factsheet noted that since its inception ‘... a total of 1,737 have been evacuated from Libya in 14 evacuation flights. They came from 10 countries, including Eritrea, Sudan, South Sudan, Somalia, Ethiopia, Nigeria, Chad, Cameroon, Guinea, and Mali …1,252 people have departed the ETM, resettled to third countries including Norway, Sweden, Canada, France, Belgium, the Netherlands, Finland, and the USA.’\textsuperscript{29}

5. Government position on refugees and asylum seekers

5.1 Government agencies

5.1.1 The Ministry in Charge of Emergency Management (MINEMA) is the principal agency responsible for refugees and asylum seekers\textsuperscript{30} 31.

5.1.2 Other government departments and bodies involved in the refugee/asylum seeker response are the Ministry of Foreign Affairs and International Cooperation (MINAFFET), the Directorate of Immigration/Emigration (DGIE) and the National Identification Agency (NIDA)\textsuperscript{32}.

5.2 Partnerships

5.2.1 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.’\textsuperscript{33}

5.2.2 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.’\textsuperscript{34}

5.2.3 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

\textsuperscript{27} Xe.com, Euro to GBP conversion, 26 April 2024
\textsuperscript{28} UNHCR, ‘European Union increases support to... Emergency Transit Mechanism...’, 9 Feb 2023
\textsuperscript{29} UNHCR, ‘Emergency Transit Mechanism: Rwanda’, 31 October 2023
\textsuperscript{30} MINEMA, ‘Refugee management’, no date
\textsuperscript{31} MINEMA, ‘Statement by the Minister in charge of emergency management…’, 20 June 2020
\textsuperscript{32} UNHCR, ‘UNHCR Rwanda fact sheet March 2021’ (page 2), 26 March 2021
\textsuperscript{33} USSD, ‘2023 Country reports on human rights practices: Rwanda’ (section 2E), 25 April 2024
\textsuperscript{34} UNHCR, ‘UNHCR Rwanda fact sheet March 2021’ (page 2), 26 March 2021
sector working with refugees in Rwanda.’

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

5.2.5 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 programme.

5.2.6 In May 2019, Rwanda received US$60 (£47.7) 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 camps. 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 communities.

5.2.7 In June 2021, the World Bank approved an additional US$20 (£15.9) 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 refugees. 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 2026.

5.2.8 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 2022.

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35 UNHCR, ‘Operational update: Rwanda August 2023’, 15 Sep 2023
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
5.2.9 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 Sudanese, with others from Nigeria, France, Canada, USA, India, Jordan and Ireland.

5.2.10 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 students.

5.2.11 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.’ 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).’

5.2.12 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...”.

Back to Contents

6. RSD process

6.1 Law and procedures

6.1.1 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

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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
Refugee Convention and this Agreement, and process their Humanitarian Protection Claim in accordance with this Agreement.\textsuperscript{50}

6.1.2 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 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.’\textsuperscript{51}

6.1.3 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 2024\textsuperscript{52}
- Refugee Appeal Tribunal SOPs, 20 April 2024\textsuperscript{53}
- asylum interview template, no date\textsuperscript{54}
- asylum seeker registration form, May 2023\textsuperscript{55}
- notification of RSD decision (letter template)\textsuperscript{56}

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

- reception and accommodation facilities, April 2024\textsuperscript{57}
- health services to be provided to Relocated Individuals under the MEDP (provisional), April 2024\textsuperscript{58}
- identifying and safeguarding vulnerable persons under the MEDP, April 2024\textsuperscript{59}

6.1.5 For information on the complaint and monitoring process in relation to the RSD process see Complaints and monitoring

Back to Contents

6.2 Timelines

6.2.1 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:

\textsuperscript{50} UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
\textsuperscript{51} UKHO, ‘Statement concerning the agreement between UKG and GoR…’, 25 April 2024
\textsuperscript{52} Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’, 25 April 2024
\textsuperscript{53} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’, 20 April 2024
\textsuperscript{54} Annex 1, ‘GoR, Asylum interview template’, no date
\textsuperscript{55} Annex 1, ‘GoR, Asylum seeker registration form’, May 2023
\textsuperscript{56} Annex 1, ‘GoR notification of First Instance Body decision’, no date
\textsuperscript{57} Annex 1, ‘GoR, Standard Operating Procedures on reception…’, April 2024
\textsuperscript{58} Annex 1, ‘GoR, Provisional Standard Operating Procedure on Health services…’, April 2024
\textsuperscript{59} Annex 1, ‘GoR, Standard Operating Procedures Identifying…’, April 2024
<table>
<thead>
<tr>
<th>Law</th>
<th>Stage</th>
<th>Time period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 8(1) [Law N° 042/2024 of 19/04/2024]&lt;sup&gt;60&lt;/sup&gt;</td>
<td>Registration of the asylum or humanitarian protection claim</td>
<td>Within 7 days after entry into Rwandan territory</td>
</tr>
<tr>
<td>Article 12(5) [Law N° 042/2024 of 19/04/2024]&lt;sup&gt;61&lt;/sup&gt;</td>
<td>Initial decision by the First Instance Body</td>
<td>Within 6 months from date of receipt of the application</td>
</tr>
<tr>
<td>Article 13 [Law N° 042/2024 of 19/04/2024]&lt;sup&gt;62&lt;/sup&gt;</td>
<td>Initial decision communicated to applicant</td>
<td>Within 7 days from the date of the initial decision</td>
</tr>
<tr>
<td>Article 12(2) [Presidential Order N° 051/01 of 19/04/2024]&lt;sup&gt;63&lt;/sup&gt;</td>
<td>Submission of appeal to the Appeal Tribunal</td>
<td>Within 30 days from the notification of the initial decision</td>
</tr>
<tr>
<td>Article 13(1) [Presidential Order N° 051/01 of 19/04/2024]&lt;sup&gt;64&lt;/sup&gt;</td>
<td>Decision by Appeal Tribunal</td>
<td>Within 6 months of referral</td>
</tr>
<tr>
<td>Article 13(2) [Presidential Order N° 051/01 of 19/04/2024]&lt;sup&gt;65&lt;/sup&gt;</td>
<td>Appeal Tribunal decision communicated to appellant</td>
<td>Within 7 days of the date of the decision</td>
</tr>
<tr>
<td>Article 16(1) [Law N° 042/2024 of 19/04/2024]&lt;sup&gt;66&lt;/sup&gt;</td>
<td>Appeal to the Competent Court</td>
<td>Within 30 days from the date of the Appeal Tribunal’s decision</td>
</tr>
</tbody>
</table>

6.2.2 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 claim<sup>67</sup>.

6.3 Registration

6.3.1 The treaty, Article 8(3) states: ‘Rwanda shall provide Relocated Individuals arriving under the terms of this Agreement with information detailing how to

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<sup>60</sup> GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants...’, 19 April 2024
<sup>61</sup> GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants...’, 19 April 2024
<sup>62</sup> GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants...’, 19 April 2024
<sup>63</sup> GoR, ‘Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...’, 19 April 2024
<sup>64</sup> GoR, ‘Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...’, 19 April 2024
<sup>65</sup> GoR, ‘Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal...’, 19 April 2024
<sup>66</sup> GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants...’, 19 April 2024
<sup>67</sup> Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 6), 20 April 2024
raise a claim for asylum or humanitarian protection upon arrival and shall provide adequate opportunity to raise such a claim."\(^{68}\)

6.3.2 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.'\(^ {69}\)

6.3.3 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 application\(^ {70}\).

6.3.4 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 asylum\(^ {71}\).

6.3.5 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 opportunity\(^ {72}\). 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 situation\(^ {73}\).

6.3.6 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 DGIE\(^ {74}\).

6.3.7 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 understands\(^ {75}\).

6.4 Interview

6.4.1 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

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\(^{68}\) UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...', 6 Dec 2023

\(^{69}\) UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...', 6 Dec 2023

\(^{70}\) GoR, 'Law n° 042/2024 of 19/04/2024 governing refugees and applicants...', 19 April 2024

\(^{71}\) Annex 1, 'Asylum seeker registration form', May 2023

\(^{72}\) Annex 1, 'GoR SoP Asylum and Humanitarian Protection Decision Making' (para 2,3), 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

\(^{75}\) Annex 1, 'GoR SoP Asylum and Humanitarian Protection Decision Making' (para 6), 20 April 2024
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, 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)

6.4.2 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.’

6.4.3 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.’ For more information see Legal representation

6.4.4 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 applicant

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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 UKG, UK/Rwanda: Agreement for the Provision of an Asylum Partnership …, 6 Dec 2023
79 GoR, Law n° 042/2024 of 19/04/2024 governing refugees and applicants…., 19 April 2024
6.4.5 A GoR template of the asylum interview form is included at Annex 1. The template provides guidance on interview preparation and suggested interview questions.80

6.4.6 The Asylum and Humanitarian Protection Decision Making SOP sets out that the DGIE shall be responsible for conducting asylum interviews (using interpreters where required) to ensure all applicants have the opportunity to explain their protection claims in person.81

6.4.7 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 vulnerabilities.82 This includes, wherever possible and reasonable, a request for the interview to be conducted by a person of the same sex.83

6.4.8 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.’84

6.4.9 The SOP also states that ‘a copy of the interview shall be provided upon written request to the Applicant.’85

6.4.10 The SOP sets out that a second interview will be conducted, if required.86

Back to Contents

6.5 Initial decision

6.5.1 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 status.87

6.5.2 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.’88

6.5.3 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

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80 Annex 1, ‘GoR, Asylum interview template’, no date
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 6), 20 April 2024
84 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 4), 20 April 2024
85 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 4), 20 April 2024
86 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 4), 20 April 2024
87 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
88 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
Tribunal] to be filled by no later than 27 May 2024, and will be in place by the time of the first flight.\textsuperscript{69}

6.5.4 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) 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)\textsuperscript{90}

6.5.5 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)\textsuperscript{91}

6.5.6 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.’\textsuperscript{92}

6.5.7 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.’\textsuperscript{93}

6.5.8 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 expert\textsuperscript{94}.

6.5.9 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

\textsuperscript{69} UKHO, ‘Statement concerning the agreement between UKG and GoR…’, 25 April 2024
\textsuperscript{90} UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
\textsuperscript{91} UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
\textsuperscript{92} GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants…’, 19 April 2024
\textsuperscript{93} GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants…’, 19 April 2024
\textsuperscript{94} Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 3), 20 April 2024
• 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 domination, or other events that seriously disturb public order in that country.\(^95\)

6.5.10 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 [sic] or nationality.’\(^96\)

6.5.11 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.’\(^97\)

6.5.12 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.\(^98\)

6.5.13 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 Combating Trafficking or a safeguarding referral to the Protection Team.\(^99\)

6.5.14 For information on the number and outcomes of decisions made under the previous RSD process see Asylum claim numbers and outcomes.\(^100\)

6.6 Notification of initial decision

6.6.1 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)\(^100\)

6.6.2 Article 12(3) of Law N° 042/2024 of 19/04/2024 sets out that the notification of RSD decisions must:

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\(^{95}\) Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 4), 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

\(^{98}\) Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 4), 20 April 2024

\(^{99}\) Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 6), 20 April 2024

\(^{100}\) UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’, 6 Dec 2023
‘(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

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

6.6.3 Article 13 of Law No 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.’

6.6.4 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 understands.

6.6.5 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 appealing.

6.6.6 The GoR letter template for decision notification is in Annex 1. The template refusal letter contains sections on:

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

Back to Contents

6.7 First appeal to Appeal Tribunal

6.7.1 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.’

6.7.2 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.’

6.7.3 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

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101 GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants...’, 19 April 2024
102 GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants...’, 19 April 2024
103 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision...’ (para 4.6), 20 April 2024
104 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision...’ (para 4.6), 20 April 2024
105 Annex 1, ‘GoR notification of First Instance Body decision’, no date
106 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership...’, 6 Dec 2023
107 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership...’, 6 Dec 2023
independent expert in asylum and humanitarian protection law before determining any appeal of a decision by the First Instance Body.\textsuperscript{108}

6.7.4 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 law\textsuperscript{109}.

6.7.5 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.’\textsuperscript{110}

6.7.6 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 Tribunal\textsuperscript{111}.

6.7.7 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 Presidents\textsuperscript{112}.

6.7.8 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 law\textsuperscript{113}.

6.7.9 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.’\textsuperscript{114}

6.7.10 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.’\textsuperscript{115}

6.7.11 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 statement\textsuperscript{116}.

6.7.12 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

\textsuperscript{108} UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership....’, 6 Dec 2023
\textsuperscript{109} UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership....’, 6 Dec 2023
\textsuperscript{110} UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership....’, 6 Dec 2023
\textsuperscript{111} GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants....’, 19 April 2024
\textsuperscript{112} GoR, ‘Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal....’, 19 April 2024
\textsuperscript{113} GoR, ‘Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal....’, 19 April 2024
\textsuperscript{114} GoR, ‘Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal....’, 19 April 2024
\textsuperscript{115} UKHO, ‘Statement concerning the agreement between UKG and GoR....’, 25 April 2024
\textsuperscript{116} UKHO, ‘Statement concerning the agreement between UKG and GoR....’, 25 April 2024
will hear the claim and is responsible for reaching a second instance decision.  

6.7.13 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, 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 notification.

6.7.14 The Refugee Appeal Tribunal SOP states ‘If an applicant requires an interpreter at any stage, an interpreter shall be allowed.’

6.7.15 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 Body.

6.7.16 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 hearing.

6.7.17 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 hearing.

6.7.18 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 behalf. An interpreter will be made available, if required and the hearing will be transcribed or recorded.

6.7.19 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 vulnerabilities.

6.7.20 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-president.

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117 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (introductory para), 20 April 2024
118 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 2), 20 April 2024
119 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 11), 20 April 2024
120 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (introductory para), 20 April 2024
121 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 4), 20 April 2024
122 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 3), 20 April 2024
123 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 3), 20 April 2024
124 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 5), 20 April 2024
125 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 5), 20 April 2024
126 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 1), 20 April 2024
6.7.21 The SOP sets out that the Tribunal will have the jurisdiction to re-examine the appellant’s claim in full\textsuperscript{127} and make its own factual and legal findings via an appropriate procedure to be determined by the Tribunal’s co-presidents\textsuperscript{128}.

6.7.22 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 judges will confirm that the appellant understands the general reasons for the First Instance Body’s refusal\textsuperscript{129}.

6.7.23 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 round\textsuperscript{130}.

6.7.24 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 permit\textsuperscript{131}.

6.7.25 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 legislation\textsuperscript{132}. This includes the First Instance Body’s decision and all further evidence provided to the Tribunal by the appellant\textsuperscript{133}.

6.7.26 The SOP sets out that upon reaching a decision, the Appeal Tribunal will make recommendations to the First Instance Body\textsuperscript{134}.

6.7.27 The Asylum and Humanitarian Protection Decision Making SOP states that the DGIE will be responsible for implementing the Appeal Tribunal’s decisions\textsuperscript{135}.

6.7.28 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 decision\textsuperscript{136}.

6.7.29 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

\textsuperscript{127} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 1.5), 20 April 2024
\textsuperscript{128} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 1), 20 April 2024
\textsuperscript{129} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 5), 20 April 2024
\textsuperscript{130} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 6), 20 April 2024
\textsuperscript{131} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 7), 20 April 2024
\textsuperscript{132} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 8), 20 April 2024
\textsuperscript{133} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 3, 8), 20 April 2024
\textsuperscript{134} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 8), 20 April 2024
\textsuperscript{135} Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 3), 20 April 2024
\textsuperscript{136} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 9), 20 April 2024
days of receipt of the Tribunal’s decision. The notification will provide information regarding the further appeals process.

6.7.30 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 filed.

6.8 Second appeal to the competent court

6.8.1 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.’

6.8.2 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.’

6.8.3 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 decision.

6.8.4 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 appeal.

6.8.5 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 hearing. The appellant is entitled to remain in Rwanda until the date of a final determination by the Appeal Tribunal in his/her case.

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

6.9.1 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:

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137 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 9), 20 April 2024
138 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 9), 20 April 2024
139 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership...’, 6 Dec 2023
140 UK Government, ‘UK/Rwanda: Agreement for the Provision of an Asylum...’, 6 Dec 2023
141 GoR, 'Law N° 041/2024 of 19/04/2024...determining the jurisdiction of courts', 19 April 2024
142 GoR, 'Law N° 041/2024 of 19/04/2024...determining the jurisdiction of courts', 19 April 2024
143 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 10), 20 April 2024
144 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 10), 20 April 2024
‘a. regularise that person’s immigration status in Rwanda, so as to ensure a right to remain in Rwanda in the form of a permanent residence permit;

‘b. provide adequate support and accommodation for the Relocated Individual’s health and security in accordance with Part 1 of Annex A, from arrival in Rwanda until such a time as their status is regularised in accordance with Article 10(4)(a);

‘c. once their status is regularised, grant the rights and treatment as set out in Part 2 of Annex A;

‘d. grant any Child who forms part of a Family with that Relocated Individual the same status, rights and treatment as the Relocated Individual.145

6.9.2 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 legislation146.

6.9.3 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 status147.

Back to Contents

6.10 Fresh claims

6.10.1 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).’148

6.10.2 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 changed149. The DGIE is responsible for deciding fresh claims150.

Back to Contents

6.11 Departures from Rwanda

6.11.1 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

145 UK Government, ‘UK/Rwanda: Agreement for the Provision of an Asylum…’, 6 Dec 2023
146 GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants…’, 19 April 2024
147 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 6), 20 April 2024
148 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
149 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision…’ (para 3), 20 April 2024
150 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 3), 20 April 2024
6.11.2 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 transfer to and reception of the Relocated Individual in the United Kingdom.’

6.11.3 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.’

6.11.4 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.’

6.11.5 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 status.

6.12 Documentation

6.12.1 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'.

6.12.2 Article 7(d) of Law N° 042/2024 of 19/04/2024 sets outs that the Organ (DGIE) is responsible for issuing temporary residence permits to asylum seekers, and refugee identification cards and travel documents.

6.12.3 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 necessary.

6.12.4 Article 17 of Law N° 042/2024 of 19/04/2024 states that once a person is

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151 UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership...'; 6 Dec 2023

152 UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership...'; 6 Dec 2023

153 UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership...'; 6 Dec 2023

154 GoR, 'Law n° 042/2024 of 19/04/2024 governing refugees and applicants...'; 19 April 2024

155 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 1), 20 April 2024

156 UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership...'; 6 Dec 2023

157 GoR, 'Law n° 042/2024 of 19/04/2024 governing refugees and applicants...'; 19 April 2024

158 GoR, 'Law n° 042/2024 of 19/04/2024 governing refugees and applicants...'; 19 April 2024
granted refugee status they will be provided with a registration certificate and – if 16 years old or over – a refugee identification card.\footnote{GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants...’, 19 April 2024}

6.12.5 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 services.\footnote{Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 2.3), April 2024}

6.12.6 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 determination of their claim.\footnote{Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 6), 20 April 2024}

6.12.7 The SOP states that a person who is granted refugee status will be provided with a registration certificate and a refugee card.\footnote{Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 6), 20 April 2024}

6.12.8 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 Body. The DGIE is also responsible for issuing refugee documentation if a person is granted refugee status following a decision of the Appeal Tribunal.\footnote{Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 10), 20 April 2024}

See also Freedom of movement within the country and Freedom to travel out of, and return to, Rwanda

7. Information and assistance

For information on the complaint and monitoring procedure in relation to the RSD process see Complaints and monitoring

7.1 Data handling

7.1.1 The treaty, Annex C, contains specific provisions around the transfer, handling and processing of personal – including sensitive – data of actual or prospective RIs.\footnote{UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’, 6 Dec 2023}

7.1.2 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 process.\footnote{GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants...’, 19 April 2024}

7.1.3 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 legislation\textsuperscript{167}.

See also \textbf{Safeguarding}
'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 …'\textsuperscript{171}

7.2.4 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.’\textsuperscript{172}

7.2.5 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.’\textsuperscript{173}

b) Standard operating procedures

7.2.6 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.’\textsuperscript{174}

7.2.7 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.’\textsuperscript{175}

7.2.8 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 interpreter\textsuperscript{176}.

7.2.9 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

\textsuperscript{171} UKG, ‘\textit{UK/Rwanda: Agreement for the Provision of an Asylum Partnership …}’, 6 Dec 2023
\textsuperscript{172} UKG, ‘\textit{UK/Rwanda: Agreement for the Provision of an Asylum Partnership …}’, 6 Dec 2023
\textsuperscript{173} UKG, ‘\textit{UK/Rwanda: Agreement for the Provision of an Asylum Partnership …}’, 6 Dec 2023
\textsuperscript{174} Annex 1, ‘\textit{GoR, SoPs identifying and safeguarding…}’, (intro), April 2024
\textsuperscript{175} Annex 1, ‘\textit{GoR, SoPs identifying and safeguarding…}’, (objectives), April 2024
\textsuperscript{176} Annex 1, ‘\textit{GoR, SoPs identifying and safeguarding…}’ (intro & para 3 &5), April 2024
• 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 persons177

For information on access to, and availability of, healthcare for RIIs see Country Information Note Rwanda: Medical and healthcare

7.2.10 The SOP on reception and accommodation facilities sets out that the MEDP-CU shall be responsible for safeguarding issues in accommodation centres including, where necessary, ensuring access to relevant support and making referrals to the Protection Team178.

7.2.11 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 Team179.

7.2.12 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 interviews180.

7.2.13 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.’181

7.2.14 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.’182

7.2.15 The SOP states that information relating to a vulnerable individual will be stored with appropriate safeguards, and consent will be obtained for sharing

177 Annex 1, ‘GoR, SoPs identifying and safeguarding…’ (para 2), April 2024
178 Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 2.3), April 2024
179 Annex 1, ‘GoR, SoPs identifying and safeguarding…’ (para 3 & 6), April 2024
180 Annex 1, ‘GoR, SoPs identifying and safeguarding…’ (para 11, 12), April 2024
181 Annex 1, ‘GoR, SoPs identifying and safeguarding…’ (para 25), April 2024
182 Annex 1, ‘GoR, SoPs identifying and safeguarding…’ (para 26), April 2024
it except in specific circumstances where sharing without consent is deemed to be in the best interests of the Vulnerable Person\footnote{Annex 1, ‘GoR, SoPs identifying and safeguarding...’ (para 27 to 29), April 2024}.

7.2.16 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 claim\footnote{Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 3.3.3), April 2024}.

See also Data handling

7.2.17 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
- whether the person has ever been exploited or has concerns that they may be exploited\footnote{Annex 1, ‘GoR, Asylum interview template’, no date}

See also Country Information Note Rwanda: Medical and healthcare

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7.3 Legal representation

7.3.1 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.’\footnote{UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership...’, 6 Dec 2023}

7.3.2 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’\footnote{UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership...’, 6 Dec 2023}

7.3.3 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...’

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\footnote{Annex 1, ‘GoR, SoPs identifying and safeguarding...’ (para 27 to 29), April 2024}
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)¹⁸⁸

7.3.4 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 UK¹⁸⁹.

7.3.5 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 Tribunal¹⁹⁰.

7.3.6 The SOP on reception and accommodation facilities sets out that the MEDP-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 proceedings¹⁹¹

7.3.7 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 process¹⁹².

7.3.8 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 services¹⁹³.

7.3.9 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 behalf¹⁹⁴.

7.3.10 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

¹⁸⁸ UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
¹⁸⁹ UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
¹⁹⁰ GoR, ‘Presidential Order N° 051/01 of 19/04/2024 governing the Appeal Tribunal…’, 19 April 2024
¹⁹¹ Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 2.3), April 2024
¹⁹² GoR, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 7), 20 April 2024
¹⁹³ GoR, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 6), 20 April 2024
¹⁹⁴ GoR, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 7), 20 April 2024
have unregulated access to the appellant and may submit for consideration written representations on behalf of the Appellant\textsuperscript{195}.

7.3.11 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 Court\textsuperscript{196}.

7.3.12 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 program\textsuperscript{197}.

7.3.13 In response to written questions submitted by UKHO, the GoR provided information on the availability of lawyers able to advise and represent asylum 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.'\textsuperscript{198}

7.4 Use of interpreters/ translators

7.4.1 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.’\textsuperscript{199}

7.4.2 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 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)\textsuperscript{200}

\textsuperscript{195} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’, (para 11), 20 April 2024
\textsuperscript{196} Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’, (para 10), 20 April 2024
\textsuperscript{197} Annex 1, ‘Agreement on Provision of Legal Aid for Asylum Seekers…’, 1 March 2023
\textsuperscript{198} Annex 1, ‘GoR response to written questions submitted by UKHO’, 11 December 2023
\textsuperscript{199} UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
\textsuperscript{200} UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
7.4.3 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.’

7.4.4 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.’

7.4.5 The Asylum and Humanitarian Protection Decision Making SOP sets out that the DGIE is responsible for arranging interpreters to attend asylum interviews whenever required.

7.4.6 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 service.

7.4.7 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 process. Interpreters are provided free of charge.

7.4.8 The Refugee Appeal Tribunal SOP reiterates that the services of an interpreter will be permitted at any stage, if required. This includes any assistance required to submit an appeal against a decision of the Appeal Tribunal to the High Court.

8. Services and support available for Relocated Individuals

For information on lodging concerns or complaints about access to services or support see Complaints and monitoring.

8.1 Law

8.1.1 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 Rwanda.

8.1.2 The treaty, Annex A, Part 2, paragraph 13.1, states:

201 GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants...’, 19 April 2024
202 UKHO, ‘Statement concerning the agreement between UKG and GoR....’, 25 April 2024
203 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision’ (para 3.6), 20 April 2024
204 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 5), 20 April 2024
205 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 7), 20 April 2024
206 Annex 1, ‘GoR SoP Asylum and Humanitarian Protection Decision Making’ (para 7), 20 April 2024
207 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 11), 20 April 2024
208 Annex 1, ‘GoR SoP on the Refugee Appeal Tribunal’ (para 10), 20 April 2024
209 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...’, 6 Dec 2023
'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.'

8.1.3 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.’

8.1.4 Article 21(1) of Law Nº 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.’

8.1.5 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 documentation. See also Documentation.

8.2 Accommodation

a) Short-term accommodation

8.2.1 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.’ Specific requirements for reception accommodation, food and other essential items including clothing and toiletries is set out in the treaty, Annex A, Part 1.

8.2.2 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\textsuperscript{216, 217}. The BBC received a tour of Hope Hostel in April 2024 and spoke with the manager who described the Hostel’s readiness to host RIs\textsuperscript{218}.

8.2.3 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 suburb\textsuperscript{219}.

8.2.4 The SOP on reception and accommodation facilities describes the guidelines and procedures for efficiently managing reception accommodation while ensuring the wellbeing of RIs\textsuperscript{220}.

8.2.5 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 water\textsuperscript{221}.

8.2.6 The SOP also sets out that the service provider must comply with all relevant laws and regulations relating to RIs and accommodations, and train accommodation staff on cultural sensitivity, RIs’ needs, and relevant policies and procedures\textsuperscript{222}.

8.2.7 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 addressed\textsuperscript{223}.

8.2.8 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 facilities\textsuperscript{224}.

8.2.9 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

\textsuperscript{216} iNews, ‘Inside the Rwanda centre which will house asylum...’, 14 April 2022
\textsuperscript{217} The Guardian, ‘UK asylum seekers to be housed in no-frills hostel...’, 14 April 2022
\textsuperscript{218} BBC, ‘Hope Hostel in Rwanda says it’s ready for first migrants from UK’, 23 April 2024
\textsuperscript{219} BBC, ‘UK-Rwanda asylum seekers’ deal: good news for Kigali hotels’, 20 May 2022
\textsuperscript{220} Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 1.1), April 2024
\textsuperscript{221} Annex 1, ‘GoR SoP on reception and accommodation facilities’ (1.3, 2.1, Annex C), April 2024
\textsuperscript{222} Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 2.1), April 2024
\textsuperscript{223} Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 2.1, Annex D), April 2024
\textsuperscript{224} Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 2.3), April 2024
responded to within 48 hours. The MEDP-CU is also responsible for ensuring the Monitoring Committee has access to reception facilities225.

8.2.10 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 facility226.

b) Long-term accommodation

8.2.11 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 years227.

8.2.12 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 support228.

8.2.13 On 15 April 2024, in evidence presented to the Public Accounts Committee, the Home Office Permanent Secretary said in response to a question on the availability of accommodation for Relocated Individuals: ‘The scheme is uncapped, but one of the many variables and constraints is the capacity and capability at the Rwandan end. One of the reasons why the UK has invested in the partnership is to build up that capability. We know they have the capability to provide and organise enough accommodation for those who will be relocated there.’229

8.2.14 The remainder of this section provides an overview of 3 accommodation projects:

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

8.2.15 For notes on, and photographs of, the HO visit to Kinigi Integrated Development Program (IDP) Model Village (MV) (Musanze) on 20 January

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225 Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 2.3, V), April 2024
226 Annex 1, ‘GoR SoP on reception and accommodation...’ (section 2.1, 2.3, Annex B), April 2024
227 Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 3.3.2), April 2024
228 Annex 1, ‘GoR SoP on reception and accommodation facilities’ (section 3.3.2), April 2024
229 HoC Public Accounts Committee, ‘Oral evidence... HC 639’ (Q82), 15 April 2024
2022 see Annex 3, Visit to Kinigi Integrated Development Program (IDP) Model Village (Musanze), 20 January 2022.

2) Karama model village

8.2.16 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.230 231

3) Gahanga housing project

8.2.17 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 MEDP.232

8.3 Education

8.3.1 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’.233 The stages covered include: early childhood; primary, secondary and tertiary education; and vocational training.234

8.3.2 The treaty, Annex A, Part 2, Section 10, states that RIs ‘shall be offered training in the English or French and Kinyarwanda languages’.235

8.4 Health

For more information on access to, and availability of, healthcare for RIs see Country Information Note Rwanda: Medical and healthcare

8.5 Employment

8.5.1 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-employed.236

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230 MoD, ‘President Kagame Inaugurates Karama Model Village …’, 3 July 2019
231 GoR, ‘Kigali informal settlement upgrading projects’, 13 January 2022
232 KT Press, ‘Suella Braverman impressed by Rwanda’s eco-friendly housing models’, 20 Mar 2023
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
8.6 Freedom of movement within the country

8.6.1 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.’

8.6.2 The treaty, Article 10(1), requires Rwanda to grant RIs ‘freedom of movement in accordance with the Refugee Convention.’

8.6.3 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 …’

8.6.4 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 centres.

See also the section on Freedom of movement for women in the Country Information Note Rwanda: human rights

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

8.7.1 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 Rwanda.

8.8 Citizenship

8.8.1 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.’

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

9.1.1 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.’

9.1.2 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

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237 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
238 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
239 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
240 Annex 1, ‘GoR SoPs on reception and accommodation facilities’, (section 2.1), April 2024
241 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
242 GoR, ‘Law n° 042/2024 of 19/04/2024 governing refugees and applicants…’, 19 April 2024
243 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
Rwandan law and judicial practice, and all judges shall, as necessary, receive training on asylum and humanitarian law and practice …

9.1.3 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.’

9.1.4 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.

9.1.5 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

9.1.6 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].’

10. Asylum claim numbers and outcomes

10.1 Total numbers

10.1.1 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

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244 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
245 UKHO, ‘Statement concerning the agreement between UKG and GoR…’, 25 April 2024
246 Annex 3, ‘ILPD and MoJ – Refugee law and RSD process training manual’ October 2022
247 Annex 1, ‘GoR response to written questions submitted by UKHO’, 11 December 2023
248 UKHO, ‘Statement concerning the agreement between UKG and GoR…’, 25 April 2024
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.\textsuperscript{249}

10.1.2 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.’\textsuperscript{250}

10.1.3 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 2019\textsuperscript{251}. 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\textsuperscript{252}. 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.

<table>
<thead>
<tr>
<th>Number of cases considered by RSDC (by source)</th>
<th>2020</th>
<th>2021</th>
<th>Mid-point 2022</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>GoR\textsuperscript{253}</td>
<td>49</td>
<td>45</td>
<td>73</td>
<td>167</td>
</tr>
<tr>
<td>UNHCR\textsuperscript{254}</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>156</td>
</tr>
</tbody>
</table>

10.1.4 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:

\begin{table}
\centering
\begin{tabular}{|c|c|c|c|c|}
\hline
Number of cases considered by RSDC (by source) & 2020 & 2021 & Mid-point 2022 & Total \\
\hline
GoR & 49 & 45 & 73 & 167 \\
UNHCR & n/a & n/a & n/a & 156 \\
\hline
\end{tabular}
\end{table}

\textsuperscript{249} Annex 2, ‘First witness statement of Lawrence Bottinick’ (para 11), 9 June 2022

\textsuperscript{250} Annex 2, ‘Third Witness Statement of Lawrence Bottinick’, 27 July 2022

\textsuperscript{251} Annex 1, ‘GoR response to written questions submitted by UKHO’, 11 December 2023

\textsuperscript{252} Annex 2, ‘Third Witness Statement of Lawrence Bottinick’, 27 July 2022

\textsuperscript{253} Annex 1, ‘GoR response to written questions submitted by UKHO’, 11 December 2023

\textsuperscript{254} Annex 2, ‘Third Witness Statement of Lawrence Bottinick’, 27 July 2022
10.2 Nationality

10.2.1 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.’

10.2.2 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.’

10.2.3 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).’

10.2.4 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 below:

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255 UNHCR, ‘UNHCR analysis of the legality and appropriateness...’ (para 18c), 8 June 2022
256 Annex 2, ‘UNHCR Written Observations in the Divisional Court’ (para 50(2iii)), 19 August 2022
10.2.5 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\(^{259}\).

<table>
<thead>
<tr>
<th>Year</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
<th>2022</th>
<th>2023/30th November</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Countries</strong></td>
<td><strong>Grant</strong></td>
<td><strong>Reject</strong></td>
<td><strong>Grant</strong></td>
<td><strong>Reject</strong></td>
<td><strong>Grant</strong></td>
<td><strong>Reject</strong></td>
</tr>
<tr>
<td>DRC</td>
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<td>0</td>
<td>9</td>
<td>0</td>
<td>10</td>
<td>6</td>
</tr>
<tr>
<td>Burundi</td>
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<td>0</td>
<td>2</td>
<td>10</td>
<td>16</td>
<td>35</td>
</tr>
<tr>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
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<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Kenya</td>
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<td>0</td>
</tr>
<tr>
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<td>5</td>
</tr>
<tr>
<td>Sudan</td>
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<td>0</td>
<td>0</td>
<td>3</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Ethiopia</td>
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<td>0</td>
<td>1</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Syria</td>
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<td>0</td>
<td>1</td>
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<td>Lebanon</td>
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<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Palestine</td>
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<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Nigeria</td>
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<td>Yemen</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>10</strong></td>
<td><strong>7</strong></td>
<td><strong>3</strong></td>
<td><strong>46</strong></td>
<td><strong>27</strong></td>
<td><strong>18</strong></td>
</tr>
</tbody>
</table>

\(^{259}\) Annex 1, ‘GoR response to written questions submitted by UKHO’, 11 December 2023
10.3 Middle East cases

10.3.1 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.

<table>
<thead>
<tr>
<th>Number of cases considered by RSDC (by source and nationality) between 2020 and 2022</th>
<th>GoR&lt;sup&gt;260&lt;/sup&gt;</th>
<th>UNHCR&lt;sup&gt;261&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afghanistan</td>
<td>3 [1]</td>
<td>2</td>
</tr>
<tr>
<td>Egypt</td>
<td>1 [1]</td>
<td>1</td>
</tr>
<tr>
<td>Lebanon</td>
<td>1 [0]</td>
<td>1</td>
</tr>
<tr>
<td>Palestine</td>
<td>1 [1]</td>
<td>1</td>
</tr>
<tr>
<td>Syria</td>
<td>1 [0]</td>
<td>3</td>
</tr>
<tr>
<td>Yemen</td>
<td>2 [0]</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9 [3]</strong></td>
<td><strong>11</strong></td>
</tr>
</tbody>
</table>

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.

10.3.2 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.

10.3.3 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):

<table>
<thead>
<tr>
<th>Number of cases considered by RSDC in 2023</th>
<th>GoR&lt;sup&gt;262&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Afghanistan</td>
<td>5 [4]</td>
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<tr>
<td>Egypt</td>
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<tr>
<td>Lebanon</td>
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<tr>
<td>Palestine</td>
<td>0 [0]</td>
</tr>
<tr>
<td>Syria</td>
<td>0 [0]</td>
</tr>
<tr>
<td>Yemen</td>
<td>0 [0]</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>5 [4]</strong></td>
</tr>
</tbody>
</table>

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<sup>260</sup> Annex 1, ‘GoR response to written questions submitted by UKHO’, 11 December 2023


<sup>262</sup> Annex 1, ‘GoR response to written questions submitted by UKHO’, 11 December 2023
10.3.4 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.’

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

10.4.1 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 protection

10.4.2 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.

10.4.3 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.’

11. Complaints and monitoring

11.1 Monitoring Committee and Joint Committee

11.1.1 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

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263 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
264 Annex 1, ‘GoR response to written questions submitted by UKHO’, 11 December 2023
265 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
provisions not being adhered to in practice; and to suggest improvements to the processes in this Agreement. The Joint Committee may, by agreement and in consultation with the Monitoring Committee, add to the functions of the Monitoring Committee.

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

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

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

c. making recommendations to the Joint Committee.

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.

11.2 Monitoring of RSD process and provision of support to RIs

11.2.1 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.’

11.2.2 The treaty, Article 14(1)(a), allows the Monitoring Committee to inspect RIs’ accommodation.

11.2.3 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

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266 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
267 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
268 UKG, ‘UK/Rwanda: Agreement for the Provision of an Asylum Partnership …’, 6 Dec 2023
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.’

11.2.4 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 experts.

11.3 Complaints process

11.3.1 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.’

11.3.2 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.’

11.3.3 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.’

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

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269 UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...', 6 Dec 2023
270 Annex 1, 'GoR SoP on the Refugee Appeal Tribunal' (para 11), 20 April 2024
271 UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...', 6 Dec 2023
272 UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...', 6 Dec 2023
273 UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...', 6 Dec 2023
274 UKG, 'UK/Rwanda: Agreement for the Provision of an Asylum Partnership ...', 6 Dec 2023
11.3.5 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:

'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.'

275 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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