



Inspection report on Home Office country of origin information on Rwanda

January 2024

David Bolt

Independent Chief Inspector of
Borders and Immigration (Interim)

Inspection report on Home Office country of origin information on Rwanda

January 2024



© Crown copyright 2024

This publication is licensed under the terms of the Open Government Licence v3.0, except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/official-documents

This publication is also available at www.gov.uk/ICIBI

Any enquiries regarding this publication should be sent to us at

Independent Chief Inspector of
Borders and Immigration,
1st Floor, Clive House,
70 Petty France,
London SW1H 9EX
United Kingdom

ISBN 978-1-5286-5135-6

E03175306 09/24

Printed on paper containing 40% recycled fibre content minimum.

Printed in the UK by HH Associates Ltd. on behalf of the Controller of His Majesty's Stationery Office.

Our purpose

To help improve the efficiency, effectiveness and consistency of the Home Office's border and immigration functions through unfettered, impartial and evidence-based inspection.

All Independent Chief Inspector of Borders and Immigration inspection reports can be found at www.gov.uk/ICIBI

Email us: chiefinspector@icibi.gov.uk

Write to us: Independent Chief Inspector of
Borders and Immigration
1st Floor, Clive House,
70 Petty France,
London, SW1H 9EX
United Kingdom

Contents

Foreword	2
1. Scope and background	4
2. Consideration by the Independent Advisory Group on Country Information	8
Annex A: Review of the May 2022 Home Office Country Policy and Information Notes on Rwanda	11

Foreword

Section 48(2)(j) of the UK Borders Act 2007 states that the Independent Chief Inspector of Borders and Immigration (ICIBI) “shall consider and make recommendations about ... the content of information about conditions in countries outside the United Kingdom which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration officers and other officials”.

The Independent Advisory Group on Country Information (IAGCI) is a panel of experts and practitioners convened by the Chief Inspector to assist him with this task. The IAGCI commissions and considers reviews of the country information that is produced by the Home Office’s Country Policy and Information Team (CPIT) and referred to by officials when making decisions on asylum and protection claims. A list of IAGCI members can be found on the inspectorate’s website.

This report covers a review of the May 2022 Home Office country policy and information notes (CPINs) on Rwanda that the IAGCI considered at its meeting on 30 January 2024.

The review process for these country information products has been unusual in a number of respects. While most Home Office country information publications describe conditions in asylum seekers’ countries *of origin* – presenting information likely to be relevant to claimants’ applications for international protection – these CPINs describe conditions in Rwanda as they relate to third-country nationals deemed inadmissible to the UK’s asylum system and as being in scope for relocation to Rwanda under arrangements agreed by the two governments. The issuing of these CPINs in May 2022 very closely followed the announcement of a ‘Migration and Economic Development Partnership’ (MEDP) between the UK and Rwanda, prompting my predecessor as Independent Chief Inspector of Borders and Immigration to prioritise a review of this material. In light of the intensity of public and media interest in the MEDP, this review has had the potential to have a much higher profile than most of the work of the IAGCI.

Unfortunately, it proved impossible to complete the review process in a timely fashion. The established process for IAGCI-led reviews requires the Home Office to respond to suggestions and recommendations made by the expert reviewer. The review was sent to the Home Office on 18 July 2022. However, in August 2022, the department informed ICIBI that it was suspending its engagement with the review until legal challenges to the MEDP policy – relating in part to the CPINs under review – had been resolved. Because the Home Office disclosed the review to the parties to those legal challenges, the review featured in the litigation that culminated in the Supreme Court’s November 2023 ruling that the proposed policy of sending ‘inadmissible’ asylum seekers to Rwanda was unlawful, notwithstanding the fact that IAGCI consideration of the review was not complete.

Following the Supreme Court’s judgment, the review process resumed, some 16 months after the review had first been sent to the Home Office for comment. By the time the IAGCI met at the end of January 2024 to consider the review and the Home Office response to it, the CPINs covered by the review had been superseded by new CPINs. A further delay in the submission of this report to the Home Secretary ensued following the dismissal of my predecessor in February 2024, after which

the post of Independent Chief Inspector of Borders and Immigration remained vacant for more than three months.

It is unusual for an inspection report on country information to cover material that is no longer in use, but, for several reasons, I believe it is important that this review and the IAGCI's consideration of it be placed in the public domain.

First, as the review is cited in court judgments on the lawfulness of the Rwanda policy, it should be more readily accessible to readers who may wish to consult the review in conjunction with those judgments. Second, as the version of the review that featured in legal challenges to the MEDP was a draft that did not include the Home Office's comment on the review's findings and recommendations, for completeness, a final version of the review document, including the department's response to it, should now be made available. Finally, even if the CPINs under review have been withdrawn, the review raises important points about the Home Office's approach and methodology in producing country information that is relevant to future reviews.

The review process was completed prior to my appointment as interim Independent Chief Inspector. I have therefore refrained from making any overarching recommendations to the Home Office based on this review. However, I have taken careful note of the key concerns raised by the reviewer, specifically that the CPINs present only "very limited critical information on the Rwandan asylum system" and are marked by "fundamental gaps of information and unanswered questions with regards to procedural practicalities and implications", and that the CPINs do not meet "minimum standards" for research. I have also noted the Home Office's responses strongly refuting these points.

The way that information has been gathered and presented by the Home Office will always be relevant when considering the content of country information. In some cases, as here, it will be particularly pertinent. However, moving forward, it will be important for ICIBI/IAGCI and the Home Office not to allow differences over methodologies to distract from the primary purpose of these reviews, which is to ensure that CPINs are evidence-based and accurate and enable Home Office decision makers to reach well-informed decisions about individuals, which – whatever the decision – will be life-changing.

I am grateful to the expert reviewer for her work on this review, to the members of the IAGCI for their advice, and to CPIT staff for their engagement with the process.

This report was submitted to the Home Secretary on 16 July 2024.

David Bolt
Independent Chief Inspector of Borders and Immigration (Interim)

1. Scope and background

- 1.1** On 10 May 2022, the Independent Advisory Group on Country Information (IAGCI) invited qualified researchers to submit expressions of interest in carrying out a review of four new Home Office country policy and information notes (CPINs) on Rwanda.¹ Through this call for tenders, the IAGCI sought to identify an expert to review the following four CPINs:
- Country policy and information note: Rwanda, assessment (May 2022)²
 - Country policy and information note: Rwanda, asylum system (May 2022)³
 - Country policy and information note: Rwanda, general human rights (May 2022)⁴
 - Country policy and information note: Rwanda, interview notes (May 2022)⁵
- 1.2** The Independent Chief Inspector of Borders and Immigration, in consultation with the IAGCI, selected these country information products for review immediately following their publication on 9 May 2022, due to the reliance that would be placed upon them in implementing the recently announced ‘Migration and Economic Development Partnership’ (MEDP) between the UK and Rwanda. Under the MEDP, asylum seekers who had travelled to the UK “through illegal, dangerous and unnecessary methods” would be “considered for relocation to Rwanda, where they will have their asylum claim processed”.⁶
- 1.3** The IAGCI’s call for tenders specified that the review should entail:
- “assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN reports
 - identifying additional sources detailing relevant aspects of current conditions in the country
 - noting and correcting any specific errors or omissions of fact
 - making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach
 - ensuring no reference is made to an individual source which could expose them to risk”

1 Independent Chief Inspector of Borders and Immigration, ‘The IAGCI invites tenders to evaluate Home Office Country Information Products on Rwanda’ (news story, published 10 May 2022). <https://www.gov.uk/government/news/the-iagci-invites-tenders-to-evaluate-home-office-country-information-products-on-rwanda>

2 Home Office, ‘Country policy and information note: Rwanda, assessment, May 2022 (accessible), v. 1.0’ (archived). <https://webarchive.nationalarchives.gov.uk/ukgwa/20220511212033/https://www.gov.uk/government/publications/rwanda-country-policy-and-information-notes/country-policy-and-information-note-rwanda-assessment-may-2022-accessible>

3 Home Office, ‘Country policy and information note: Rwanda, asylum system, May 2022 (accessible), v. 1.0’ (archived). <https://webarchive.nationalarchives.gov.uk/ukgwa/20221122170215/https://www.gov.uk/government/publications/rwanda-country-policy-and-information-notes/country-policy-and-information-note-rwanda-asylum-system-may-2022-accessible>

4 Home Office, ‘Country policy and information note: Rwanda, general human rights, May 2022 (accessible), v. 1.0’ (archived). <https://webarchive.nationalarchives.gov.uk/ukgwa/20221107223723/https://www.gov.uk/government/publications/rwanda-country-policy-and-information-notes/country-policy-and-information-note-rwanda-general-human-rights-may-2022-accessible>

5 Home Office, ‘Country policy and information note: Rwanda, interview notes (Annex A), May 2022 (accessible), v. 1.0’ (archived). <https://webarchive.nationalarchives.gov.uk/ukgwa/20221116184235/https://www.gov.uk/government/publications/rwanda-country-policy-and-information-notes/country-policy-and-information-note-rwanda-interview-notes-annex-a-may-2022-accessible>

6 Home Office, ‘Factsheet: Migration and Economic Development Partnership’ (published 14 April 2022). <https://homeofficemedia.blog.gov.uk/2022/04/14/factsheet-migration-and-economic-development-partnership/>

- 1.4** The call for tenders also laid out the following guidelines for the reviewer:
- “the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided
 - the CPIN should be reviewed in the context of its purpose as set out above. It should consider the situation in the country up to the stated ‘cut off’ date for inclusion of information
 - when suggesting amendments, rather than ‘tracking changes’ on the original CPIN, a list of suggested changes should be provided as part of a stand-alone review paper, and each report should be reviewed separately. A reporting template will be provided to reviewers (for reference please refer to most recent reviews on the IAGCI webpage for examples of the template)
 - any suggestions for additional information (or corrections to information in the document) must be referenced to a source document for the Home Office to be able to use it (preferably open source). The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source[.]”
- 1.5** At the conclusion of the tendering process, the IAGCI Chair, in consultation with the Independent Chief Inspector, appointed Stephanie Huber, an experienced country information researcher, to carry out the review.
- 1.6** The completed review was submitted on 15 July 2022, quality assured by the IAGCI Chair, and sent to the Home Office’s Country Policy and Information Team (CPIT) for comment on 18 July 2022. An IAGCI meeting to discuss the review was provisionally scheduled for 31 August 2022.
- 1.7** On 16 August 2022, the Director General of the Migration and Borders Group at the Home Office informed the Independent Chief Inspector that, in light of legal challenges to the Rwanda policy – including challenges to the adequacy of the inquiries made about conditions in Rwanda – the department did not “consider that it would be fair, appropriate or in the public interest (including in terms of value for money) for the review process and any reporting on it to concurrently [sic] with the judicial review” and would therefore not “respond further to your review” or “engage in follow-up or other meetings with or related to the review until at the earliest the Divisional Court judgment is to hand”. The Independent Chief Inspector replied on 17 August 2022 that he had noted the contents of her letter and had “decided to suspend all work in connection with the matters that are now *sub judice* in the Rwanda legal challenges, out of respect for the judicial process and to ensure that any relevant findings can be taken into account in due course”.
- 1.8** The IAGCI review process therefore did not resume until after the legal challenges to the Rwanda policy reached their conclusion with the handing down of the Supreme Court’s judgment in *R (on the application of AAA (Syria) and others) v Secretary of State for the Home Department* and related cases on 15 November 2023.
- 1.9** To meet its duty of candour in the judicial review of the Rwanda policy, the Home Office disclosed the IAGCI-commissioned review to the parties to the litigation in August 2022. The judgments of the Divisional Court (December 2022), the Court of Appeal (June 2023), and the Supreme Court (November 2023) all referred to the review.
- 1.10** In its judgment on 19 December 2022, the Divisional Court noted that the claimants in the judicial review proceedings challenging the Rwanda policy had submitted that the Home

Office's CPINs had been "subject to adverse comment" in the review commissioned by the IAGCI, but observed that the review process was not complete and that the Independent Chief Inspector of Borders and Immigration had yet to decide what recommendations he would make on the basis of the review. The court concluded, in any case, that the matters raised by the review were not "sufficient to demonstrate any breach" of the requirement set by the ruling of the European Court of Human Rights in *Ilias and Ahmed v Hungary* (2020) that a state must establish "that there are adequate procedures in place in the country to which [an asylum seeker] is to be removed which will ensure that the individual's asylum claim is properly determined and he does not face a risk of refoulement to his country of origin".⁷ This finding provided part of the background for the court's ruling that the Rwanda policy was lawful, though the court did also find that the Home Office decision-making process in some of the claimants' individual cases was flawed.

- 1.11** In the Court of Appeal's 29 June 2023 judgment overturning the Divisional Court's decision, Lord Justice Underhill also cited the IAGCI-commissioned review. Addressing the CPINs' coverage of the Rwandan asylum system, he stated that, while he accepted "that this is not a case where the Home Office was merely going through the motions of assessing the adequacy" of that system – as there were "evidently dedicated civil servants genuinely trying to establish how the RSD process worked and to obtain assurances that addressed the perceived problems" – he believed "the officials in question were too ready to accept assurances which were unparticularised or unevenced or the details of which were unexplored" possibly because of "the pressure of the timetable to which they were required to work". Lord Justice Underhill added that the IAGCI-commissioned reviewer's criticisms of "the way in which the Asylum System CPIN was prepared ... together with [her] more specific methodological criticisms of the conduct of the interviews contained in the Annex A CPIN" were consistent with his conclusion.⁸
- 1.12** In its unanimous 15 November 2023 judgment finding the Rwanda policy unlawful, the Supreme Court commented that "the officials who prepared the CPINs relied heavily on assurances by the Rwandan government, without close examination of supporting evidence, or consideration of publicly available material which placed some of those assurances in question", and that these "shortcomings were highlighted when a review of the CPINs was undertaken in July 2022 for the Independent Advisory Group on Country Information". The judgment noted that the reviewer had "criticised aspects of the way in which the CPINs were prepared, including 'very limited critical information on the Rwandan asylum system' and 'fundamental gaps of information and unanswered questions with regards to procedural practicalities and implications'".⁹
- 1.13** Following the Supreme Court's judgment, CPIT resumed the process of responding to and commenting on the IAGCI-commissioned review. Home Office comment on the review was provided to the Independent Chief Inspector of Borders and Immigration and the IAGCI on 22 January 2024.
- 1.14** Meanwhile, a notation was added to the 'Rwanda: country policy and information notes' webpage on GOV.UK, indicating that the CPINs (which remained accessible via the website) had been withdrawn on 11 December 2023 "because they are out of date".¹⁰ New 'country

7 Royal Courts of Justice, 'Divisional Court judgment in *R (on the application of AAA (Syria) and others) v Secretary of State for the Home Department*', 19 December 2022, paragraphs 43 and 58–59, <https://www.judiciary.uk/wp-content/uploads/2022/12/AAA-v-SSHD-Rwanda-judgment.pdf>

8 Royal Courts of Justice, 'Court of Appeal judgment in *R (on the application of AAA (Syria) and others) v Secretary of State for the Home Department*', 29 June 2023, paragraphs 267–268, <https://www.judiciary.uk/wp-content/uploads/2023/06/AAA-v-SSHD-judgment-290623.pdf>

9 The Supreme Court, 'Judgment in *R (on the application of AAA (Syria) and others) v Secretary of State for the Home Department*', 15 November 2023, <https://www.supremecourt.uk/cases/docs/uksc-2023-0093-etc-judgment.pdf>

10 Home Office, 'Rwanda: country policy and information notes' (guidance, published 22 May 2022, archived 7 January 2024). <https://webarchive.nationalarchives.gov.uk/ukgwa/20240107151050/https://www.gov.uk/government/publications/rwanda-country-policy-and-information-notes>

information notes' on human rights and on the asylum system in Rwanda were published on GOV.UK as "supporting evidence" for the Rwanda (Asylum and Immigration) Bill on 11 January 2024.¹¹ The assessment and interview notes CPINs were removed from GOV.UK as "out of date" on 29 April 2024, and updated CPINs on the asylum system and human rights, along with a new 'medical and healthcare' CPIN were published in May 2024.¹²

1.15 The IAGCI met on 30 January 2024 to consider the reviews and CPIT's responses.

¹¹ Home Office, 'Safety of Rwanda (Asylum and Immigration) Bill: supporting evidence' (published 11 January 2024). <https://www.gov.uk/government/publications/safety-of-rwanda-asylum-and-immigration-bill-supporting-evidence>

¹² Home Office, 'Rwanda: country policy and information notes' (updated 20 May 2024). <https://www.gov.uk/government/publications/rwanda-country-policy-and-information-notes#full-publication-update-history>

2. Consideration by the Independent Advisory Group on Country Information

- 2.1 The Independent Advisory Group on Country Information (IAGCI) met on 30 January 2024 to consider the review of the May 2022 Home Office country policy and information notes on Rwanda that it had commissioned.
- 2.2 The meeting was led by the IAGCI Chair, Michael Collyer (University of Sussex), and was attended by IAGCI members Giorgia Dona (University of East London), Katinka Ridderbos (UNHCR¹³ Geneva), Julie Vullnetari (University of Southampton), Larry Bottinick (UNHCR London), Nando Sigona (University of Birmingham), Zoe Bantleman (Immigration Law Practitioners Association), Ceri Oeppen (University of Sussex), and Judge Mark Blundell (Upper Tribunal, Immigration and Asylum Chamber).
- 2.3 Apologies were received from Resident Judge Roxanne Frantzis (First-Tier Tribunal, Immigration and Asylum Chamber).
- 2.4 Other participants in the meeting included the Independent Chief Inspector of Borders and Immigration, David Neal, and members of his team; staff of the Home Office's Country Policy and Information Team (CPIT); and the expert commissioned to carry out the review, Stephanie Huber.
- 2.5 In presenting key points from her review, the reviewer first discussed her assessment that the interview notes did not meet minimum standards for primary research, noting that the Home Office had answered this criticism by asserting that its methodology had been consistent with the European Union's common guidelines on fact-finding missions and that her interpretation of what would constitute "minimum standards" was "unrealistic and unreasonable". The reviewer reaffirmed her view that the omission of information on the context of meetings (for example, attendees, location, and details on how the meeting was arranged) was problematic, in part as such information would be necessary to allow for a better understanding of potential constraints on interviewees' ability to provide frank and direct answers.
- 2.6 The reviewer reiterated, as well, her concern that the majority of sources consulted were state officials or other individuals with links to the Rwandan government. While accepting the Home Office's point that the Rwandan government was clearly a legitimate source of information on its own asylum system, the reviewer said she would have expected a greater number of interviews with a wider range of stakeholders – such as non-governmental organisations, members of the judiciary, lawyers, academics, journalists, and members of refugee associations – who may have studied, worked in, or otherwise had first-hand experience of the Rwandan asylum system.
- 2.7 The reviewer said she was pleased that the Home Office had accepted her comments on the importance of adopting a consistent style for the presentation of interview notes.

13 UNHCR is the Office of the United Nations High Commissioner for Refugees.

- 2.8** The second key point discussed by the reviewer related to the omission of information, or the presentation of only limited information, on certain topics, such as conditions for particular groups of asylum seekers and the Israel–Rwanda bilateral agreement. She noted that the Home Office defended this on the grounds that CPINs are “intended to be comprehensive, not exhaustive”. The reviewer observed that the Supreme Court had raised questions about the Rwandan government’s commitment to non-refoulement based on what was known about the operation of the agreement under which Israel had sent migrants there between 2013 and 2018. She also suggested that the Rwandan government’s treatment of political opponents should receive greater coverage, as some of those expected to be sent to Rwanda would likely be seen as political opponents, human rights defenders, and regime critics, even if they have not previously been directly critical of the Rwandan authorities.
- 2.9** A final point highlighted by the reviewer related to the importance of cross-referencing within and across CPINs. She said she was pleased to see this point seemed for the most part to be accepted in the Home Office’s responses.
- 2.10** Responding to these points for the Home Office, the head of CPIT reiterated that his team had followed the EU common guidelines on fact-finding missions. As these are guidelines rather than mandatory instructions, and are intended to be adaptable and to be applied flexibly, they do not specify “minimum standards” for the collection and presentation of country information. He accepted that the CPINs could have been more explicit about the methodology followed and the standards adhered to during the team’s research but did not accept that appropriate standards were not applied.
- 2.11** On the question of the candour with which interviewees may have felt able to speak, the head of CPIT said that, in an ideal world, interviews would have taken place without Rwandan officials present, but that compromises had been necessary, and their view had been that it was better to gather the evidence than not to have it at all. With respect to the range of sources consulted, he noted that they did speak to non-governmental organisations, but reiterated that it is to be expected that government officials would be a key source of information on the country’s asylum system.
- 2.12** The head of CPIT added that his team had considered including information on the Israel–Rwanda arrangement, but there was limited information available, particularly on the question of why those relocated to Rwanda under the agreement had left the country. He also noted that the human rights CPIN did include reference to the treatment of dissidents and critics of the government in Rwanda.
- 2.13** Larry Bottinick of UNHCR observed that, when his agency’s office in Rwanda had been approached by CPIT, they were not informed of the purpose of the meeting, but told that the information they shared would be made public. These conditions made it very difficult for them to speak freely and frankly.
- 2.14** Zoe Bantleman of the Immigration Law Practitioners Association noted that the newly published country information notes on Rwanda appeared to have incorporated some of the reviewer’s comments, so it seemed that the review had been helpful.
- 2.15** Responding to further discussion, the head of CPIT reflected that it had been frustrating for the IAGCI-commissioned review to feature in the litigation around the Rwanda policy without any Home Office response available at the time. Returning to the reviewer’s position that the interview notes CPIN failed to meet “minimum standards” for primary research, he said he was happy to accept specific criticism on specific points, but that it was difficult to be judged

against unwritten rules that reflected a subjective view of how this research should have been carried out and presented.

- 2.16** The reviewer noted that the review, and her assessment on the “minimum standards” point, reflected her professional opinion, adding that, in a document of such high importance – given the major implications of the policy it underpins for people’s lives – she would expect a certain standard to be met. She observed that it would be for the Independent Chief Inspector to decide how far he supported her view.

Annex A: Review of the May 2022 Home Office Country Policy and Information Notes on Rwanda

Prepared for the Independent Advisory Group on Country Information (IAGCI)

Stephanie Huber, Director of Asylum Research Centre (ARC)¹⁴

July 2022

¹⁴ Note that this review has been conducted in an individual capacity as a specialist on Country of Origin information (COI) with 15 years' experience of conducting COI research for use in the refugee status determination process, and over 12 years' experience of undertaking COI reviews for various national and international bodies.

Table of contents

1. Introduction	13
1.1 Instructions	13
1.2 Methodology.....	15
1.3 Summary of review	16
1.4 Understanding of the themes addressed in the CPINs.....	19
1.5 Quality and balance of sources	53
Review – Rwanda: Country information on the asylum system.....	58
Review – Rwanda: Country information on general human rights.....	86
Review – Rwanda: Interview notes (Annex A).....	119
Information about the reviewer	134

1. Introduction

1.1 Instructions

I have been instructed by the Independent Advisory Group on Country Information (IAGCI) to review four Home Office Country Policy and Information Notes (CPINs) on Rwanda that were published in May 2022. These are:

- [Home Office, Review of asylum processing, Rwanda: assessment, May 2020 \(Version 1.0\)](#) (from now on referred to as the *assessment CPIN*)
- [Home Office, Review of asylum processing, Rwanda: country information on the asylum system, May 2022 \(Version 1.0\)](#) (from now on referred to as the *asylum system CPIN*)
- [Home Office, Review of asylum processing, Rwanda: country information on general human rights, May 2022 \(Version 1.0\)](#) (from now on referred to as the *human rights CPIN*)
- [Home Office, Review of asylum processing, Rwanda: interview notes \(Annex A\), May 2022 \(Version 1.0\)](#) (from now on referred to as the *interview notes CPIN*)

Specific guidance for this review has been provided to me in writing by the Office of the Independent Chief Inspector of Borders and Immigration (ICIBI) as follows:

Description of work

Country Policy and Information Notes aim to provide an accurate, balanced and up to date summary of the key available source documents regarding the human rights situation, with respect to the issues selected for coverage, in the country covered. The purpose and scope of the reports are clearly set out in an introductory section of the document. Reviewers should evaluate the reports in this context and seek to identify any areas where they can be improved.

Specifically the review should entail:

- assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Reports
- identifying additional sources detailing the current human rights situation in the country with respect to main grounds for asylum claims (or, in the case of Rwanda, with respect to conditions relevant to third-country nationals who may be relocated there)
- noting and correcting any specific errors or omissions of fact
- making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach

- ensuring no reference is made to an individual source which could expose them to risk

Specific guidelines

Reviewers should follow these specific guidelines:

- The review should focus exclusively on the Country of Origin information contained within the document, and not pass judgment on any policy guidance provided.
- The CPIN should be reviewed in the context of its purpose as set out above. It should consider the situation in the country up to the stated ‘cut off’ date for inclusion of information.
- When suggesting amendments, rather than ‘tracking changes’ on the original CPIN, a list of suggested changes should be provided as part of a stand-alone review paper, and each report should be reviewed separately. A reporting template has been provided (for reference please refer to most recent reviews on the IAGCI webpage for examples of the template).
- Any suggestions for additional information (or corrections to information in the document) must be referenced to a source document for the Home Office to be able to use it (preferably open source). The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in an English-language source. If a reviewer believes a foreign language source should be taken into account, it may be helpful for his/her review to include a summary in English of the key points/pieces of information in that source, as the Home Office will then be able to cite the review in future CPINs.

Following an introductory call with the Chair of the IAGCI, Professor Michael Collyer, and Research and Strategy Manager of the ICIBI, Dr Halbert Jones, the following additional instructions were provided:

- In contrast to the usual format utilised in Country Policy and Information Notes (CPINs), the *assessment CPIN* predominantly contains guidance, or in the Home office’s own words “an assessment of Rwanda’s asylum system, support provisions, integration opportunities, as well as some of the general, related human rights issues for use by Home office decision makers handling particular types of protection and human rights claims”¹⁵. Specifically, it is the Home Office’s assessment “of whether Rwanda is a ‘safe third country’”.¹⁶ It was therefore not possible to conduct a thorough and detailed review of the *assessment CPIN* as it went beyond the ToR for this review, limiting it to review the country information but not any assessment or ‘guidance’ to decision-makers. Since the way the information is presented in this CPIN and the lines between what is pure country information and what is assessment by the Home Office are blurred, it was agreed that a full review under the current ToR would not be possible.
- Given the politically charged nature of these particular CPINs and the likely increased interest in the outcome of this review and the Home Office Country Policy and Information Team’s response to it, it has been agreed that sources beyond the ‘cut off’ date for inclusion of information by the author of the CPINs, will be presented as recommended sources for updated versions of the current CPINs.

¹⁵ Home Office, [Review of asylum processing, Rwanda: assessment](#), May 2020 (Version 1.0), *Preface, Purpose*, p. 2

¹⁶ Home Office, [Review of asylum processing, Rwanda: country information on the asylum system](#), May 2020 (Version 1.0), *Country information on Rwanda’s asylum system*, p. 6

- As the *interview notes CPIN* only contains “notes of interviews and tours of sites during two visits to Rwanda (in January 2022 and March 2022)”¹⁷, which are beyond the reach of my expertise to authenticate or conduct a credibility assessment of, it has been proposed that I review this CPIN from a COI methodological point of view.

In light of the above instructions and the fact that CPINs usually provide COI, relevant caselaw and the Country Policy and Information Team (CPIT)’s general assessment of key aspects of a particular claim, I fully understand the limitations of this review and that my remit is only to focus on the COI contained in these documents, and not to pass judgement on the assessments provided in them.

1.2 Methodology

The review has been conducted with reference to the [Common EU Guidelines for Processing Country of Origin Information \(COI\)](#) in relation to the ‘Quality criteria for evaluating and validating information’, i.e. relevance, reliability, balance, accuracy, currency, transparency and traceability.

I first analysed all of the sources and information cited in the *asylum system CPIN* and the *human rights CPIN*. This comprised a thorough cross-check of each excerpt included and a comparison of the excerpts included to other publicly available sources at the time of drafting the two CPINs (24th March 2022). As agreed with the Chair of the IAGCI and the Research and Strategy Manager of the ICIBI, selected sources published after the ‘cut off’ date of 24th March 2022 have been presented below (see section [1.4 Understanding of the themes addressed in the CPINs](#)) where it was considered relevant to highlight key developments or particular reports and which are recommended for consideration when the CPINs are updated. Additional excerpts from already cited sources have also been suggested as part of my detailed review (see section [2.1 Country information on Rwanda’s asylum system](#) and [3.1 Country information on general human rights in Rwanda](#)). The two CPINs were then checked for errors, omissions and inconsistencies.

I then proceeded with my review of the *interview notes CPIN* from a methodological point of view. Section [4.1 Annex A – notes from sources](#) highlights particular observations and comments, whilst my main methodological concerns have been addressed below in section [1.4 Understanding of the themes addressed in the CPINs](#).

Throughout my review in section 2 of this report, I have quoted in *italics* the text being referred to in each paragraph of the respective CPIN. Where I suggest changes to the text or have observations regarding a specific passage within the text, I note them in underlined text directly in the quoted passage.

¹⁷ Home Office, [Review of asylum processing, Rwanda: interview notes \(Annex A\)](#), May 2022 (Version 1.0), *Preface, Purpose*, p. 2

1.3 Summary of review

Rwanda – asylum system CPIN

Overall, the *asylum system* Country Policy and Information Note (CPIN) is a useful starting point to map out the complexity of collating necessary country information in order to understand and fully grasp the Rwandan asylum system, whilst trying to keep it concise and as user-friendly as possible. It is welcomed that primary research in the form of interviews with a range of interlocutors was sought for the purpose of this CPIN (However, serious concerns and observations of methodological nature on those interviews and the connected interview notes are provided further below in my review on the *interview notes CPIN*).

However, the following concerns were noted:

- Lack of Terms of Reference (ToR)
- Very limited critical information on the Rwandan asylum system
- Fundamental gaps of information and unanswered questions with regards to procedural practicalities and implications
- Information gaps, notably for particular groups of asylum seekers such as women, (unaccompanied) children, LGBTQI+ persons, victims of trafficking, torture survivors, Persons with disabilities, Stateless persons, and on the Israel-Rwanda agreement and Emergency Transit Mechanisms (ETMs)

Rwanda – human rights CPIN

Overall, the *human rights* CPIN covers the many themes of relevance to understand the human rights situation in Rwanda.

However, the following concerns were noted:

- Lack of Terms of Reference (ToR)
- Information gaps, notably on the situation and treatment of journalists, human rights defenders, critics of the current government and returnees, as well as on the rule of law and the practice of *Umuganda*
- Very limited critical information on children, persons with disabilities, religious minorities, ethnic minorities, migrants/foreigners, and LGBTQI+ persons

Rwanda – interview notes CPIN

One of the main sources cited and relied upon in the *asylum system CPIN* are the interview notes as presented in the *interview notes CPIN*. The review exposes serious methodological shortcomings in relation to: Purpose, Terms of Reference and methodology; Set-up of meetings, including attendees and

location; Sources interviewed; Notes of meetings; and Research standards, raising the question in how far the *interview notes CPIN* should be relied upon as evidence by decision-makers.

Rwanda – assessment CPIN

As outlined below in section [1.2 Methodology](#) it was not possible to conduct a thorough and detailed review of the *assessment CPIN* as it clearly went beyond the ToR for this review, limiting it to review the country information within the four CPINs under review but not any assessment or ‘guidance’ to decision-makers. The way the information is presented in this CPIN and the lines between what is pure country information and what is assessment by the Home Office are blurred and it was agreed that a full review under the current ToR would not be possible. However, with regards to whether the *assessment CPIN* covers all main relevant themes in relation to Rwanda, with regards to *Access to the asylum procedure* for example, it is considered that information addressing the situation of a range of potentially vulnerable groups of asylum seekers, beyond LGBTQI+ persons, has not been considered. This is reflective of observations made further above in relation to the identified information gaps in the *asylum system CPIN*.

Main Recommendations	HO Comment #1
<p>1. Rwanda – <i>asylum system CPIN</i>: It is highly recommended that the <i>asylum system CPIN</i> be reviewed and amended as soon as possible to address the identified shortcomings and to fill crucial information gaps through additional desk-based research and targeted interviews.</p>	<p>N/A Superseded by events.</p> <p>CPIT keeps country situations under review and we update our products periodically, either when there is significant reporting to include/reflect or after a certain point in time to ensure products remain “up-to-date”. However, with Rwanda, the timeframe for publishing new versions of the CPINs has been dictated by litigation. All new information will be considered for inclusion in the updated version.</p> <p>Where there are information gaps arising in future updates relevant to the core of the CPINs, we will state this with reference to the sources consulted.</p> <p>We don’t accept, however, that any ‘information gaps’ in the notes reviewed were ‘crucial’. As the preface states, CPINs are intended to be comprehensive, not exhaustive. We also note that all cases, including those which fall within the categories identified by the reviewer – such as Persons with Disabilities and Stateless Persons – will be decided on a case-by-case basis.</p>
<p>2. Rwanda – <i>human rights CPIN</i>: It is recommended that the <i>human rights CPIN</i> be reviewed and amended as soon as possible to address the identified shortcomings.</p>	<p>As above.</p>

3. Rwanda – *interview notes CPIN*: The *interview notes CPIN* does not meet even the minimum standards of any primary research, let alone that used to inform crucial government evidence-based policy. I am therefore recommending that until further clarifications are provided and the observed shortcomings have been addressed, none of the information provided in the *interview notes CPIN* should be relied on.

Not accepted.

Our interview methodology is consistent with recognised COI research standards, specifically, the [European Union \(EU\) common guidelines on \(joint\) Fact Finding Missions \(FFMs\)](#).

We set out our position in more detail in the sections that follow but to summarise our main points here:

1. We do not accept the reviewer’s conclusion that CPIT’s methodology does not meet the ‘minimum standards of any primary research’.
2. The EU FFM guidelines are drafted so as to provide a ‘practical tool’ to support the planning of FFMs (page 4). The guidelines provide suggestions and recommendations. They do not provide any ‘minimum standards’.
3. The guidelines also make clear the guidance is dynamic, not rigid, and can be adapted and improved, as required.

‘[Users] are encouraged to use the guidelines and to regard it as a “living document” that will evolve in the years to come, which will improve with greater experience of FFMs and as best practice is developed by Member States.’ (page 5)

4. CPIT’s decision-making in relation to our methodology was consistent with all of the suggestions and recommendations set out in the guidelines. FFMs are never without challenge. They require flexibility and adaptability, and we carry forward lessons learned from each mission to improve the next. However, our experience of undertaking multiple FFMs over many years has given us a valuable insight into the most practical way to apply the guidance to achieve the optimum results.
5. We consider that the reviewer’s interpretation of what is required by the guidance has set the ‘minimum standards’ at an unrealistic and unreasonable level. We note that other counterpart COI units internationally do not provide the level of detail required by the reviewer. If the reviewer’s interpretation were to be applied across all COI sources, we consider that it would be difficult for any COI from any source to meet the standard set.

Main Recommendations	HO Comment #1
	<p>6. Many of the reviewer’s recommendations apply the benefit of hindsight to narrowly focus on questions CPIT <i>could or should</i> have asked, rather than engaging with the large quantity of high-quality, relevant information that CPIT gathered as a result of the questions that <i>were</i> asked.</p> <p>7. The interview notes reflect an accurate record of the discussions CPIT had with the sources and, as such, CPIT has relied upon them.</p> <p>8. As mentioned at point 4, however, we carry forward lessons learned from each mission and will reflect upon our experience of fact finding in Rwanda, the EU guidelines and this review to see what lessons can be applied in the future. The reviewer, for example, comments on the inconsistency of notetaking style (first versus third person; Q&A versus statement format) and we agree that a consistent style of notes is preferable. We will consider and agree upon a consistent approach for future FFMs.</p> <p>9. When compiling interview notes for future FFMs we will also state that the methodology we adopt for FFMs is consistent with the EU guidelines.</p>
<p>4. Rwanda – <i>assessment CPIN</i>: Since the way the information is presented in this CPIN and the lines between what is pure country information and what is assessment by the Home Office are blurred, it was agreed that a full review under the current ToR would not be possible.</p>	<p>N/A</p>

1.4 Understanding of the themes addressed in the CPINs

Rwanda – *asylum system CPIN*

Overall, the *asylum system* Country Policy and Information Note (CPIN) is a useful starting point to map out the complexity of collating necessary country information in order to understand and fully grasp the Rwandan asylum system, whilst trying to keep it concise and as user-friendly as possible. It is welcomed that primary research in the form of interviews with a range of interlocutors was sought for the purpose of this CPIN (However, serious concerns and observations of methodological nature on those interviews and the connected interview notes are provided further below in my review on the *interview notes CPIN*). Working within time constraints and limitations due to the terms of reference of this review, the below key observations are made on the *asylum system CPIN*:

1. Contrarily to other CPINs, the *asylum system CPIN* does not include a Terms of Reference (ToR). Instead, as stipulated in its *Purpose*, this CPIN notes in very general terms that it provides “country information about Rwanda’s asylum system, support provisions and integration opportunities”. However, without a ToR it is not evident what the full remit of the research is, what was sought and what was found, and importantly where gaps of country information have been identified.
2. In light of the lack of a ToR and in order to review in how far the *asylum system CPIN* addresses key themes necessary for decision-makers to assess the Rwandan asylum system, it is important to look at the necessary procedural safeguards for a fair and efficient procedure for the determination of refugee status. A useful point of reference is UNHCR’s [Procedural Standards for Refugee Status Determination under UNHCR’s Mandate](#), which provides detailed procedural guidelines for every stage of the **refugee status determination (RSD) process**, including confidentiality and data protection, RSD file management and recordkeeping procedures, interpretation, reception and registration arrangements, adjudication of claims, notification of procedures, appeal of negative decisions etc.

This review finds that country information has been included on relevant aspects of the Rwandan RSD process, such as addressing key stages of the process, timelines, information provided to asylum seekers, information on the main decision-making body, the use of interpreters, the notification of decisions and the ability to challenge refusals, as well as information on the rights and availability of services for refugees. The information included, however, is mainly of factual in nature. Very **limited critical** information has been included on the current shortcomings of the Rwandan asylum system and/or its proposed practical application in the context of the UK-Rwanda Memorandum of Understanding. For example, there is no information included on how possible challenges will be overcome in relation to lack of resources in terms of decision-makers (especially in light of there only being one Eligibility Officer); lack of reasons or transcripts provided to asylum seekers to base their appeal on; delays in decisions; protection assurances against refoulement including indirect or chain refoulement leading to denial of access to the Rwandan territory let alone to the asylum process; lack of information regarding provisions for asylum seekers, and access to interpretation services to mention just a few.

Home Office comment

HO Comment #2

With regard to the Terms of Reference (ToR), we had a ToR but did not publish it because (a) decision makers are the primary audience and they do not need to see the ToR in order to perform their role; (b) the ToR evolved at different stages of the process and therefore publishing multiple iterations would have been unwieldy; (c) the ToR included legally-privileged material and (d) whilst we agree it is generally good practice to provide a ToR, we do not share the view that an absence of one affects the material which is contained in the CPIN.

The reviewer acknowledges, and lists, all the ‘relevant aspects of the Rwandan RSD process’ which we have included in the CPIN. However, we are unclear about the reviewer’s comment that the information included in the CPIN ‘... is mainly of factual in nature.’ As stated in the preface to the CPINs, the purpose of the Notes is to provide ‘objective country information’.

With regards the reviewer's comment that the CPIN contains 'Very limited critical information' we consider that an accurate description of a country's asylum system will necessarily rely heavily on information provided by the organisation which runs the RSD process (in this case the Government of Rwanda – GoR). To balance GoR's information, we also provided information from UNHCR, collected from both open-source research and through an interview with UNHCR's representatives in Kigali. UNHCR subsequently provided additional information during litigation and this extra information will be considered for inclusion in the updated CPIN.

Many of the issues identified by the reviewer relate to gaps in understanding how the RSD process would work in practice under the MEDP. CPIT's role was to understand and record the current 'as is' asylum process and the lived experience of refugees and asylum seekers. How this information informed the negotiations of assurances contained within the MoU and Notes Verbales and the practical implementation of the MEDP was outside the scope of the CPIN.

Moreover, fundamental gaps of information remain, leaving unanswered questions with regards to procedural practicalities and implications. To exemplify, it would be useful if contextual information (including of critical nature) would soon be located through targeted interviews or additional thorough research in relation to:

- The role and nature of the DGIE [Directorate-General of Immigration and Emigration];
- The background, training provided, knowledge and exact role of the Eligibility Officer, as well as their exact location within the Ministry;
- Confidentiality arrangements and assurances (e.g. that the Rwandan government will not gather information from the embassies of the asylum seeker);
- Understanding and break down of recognition rates (e.g. it has been brought to my attention that Eritrean asylum seekers enjoy a very low recognition rate despite likely making similar claims to those recorded in Europe and the UK)
- Number of successful and dismissed appeal rates (including appeal figures for 1st and 2nd stage for 2020-2022)
- The level of detail provided, if at all written down or provided verbally, to asylum seekers whose claims have been refused
- The inter-relationship between 1st level appeal to the Minister and 2nd level appeal to the Court
- The practical procedural processes during appeal hearings in Court (e.g. is translator provided by the court; is legal aid provided; will the asylum seeker have a right to be speak or be questioned by the judge; can the judge make their own investigations; what kind of training or background do the (Immigration) judges have, just to name a few)

Home Office comment

HO Comment #3

We will consider all new information when updating the CPIN. We note, however, the reviewer’s suggestion to provide more information and the reviewer’s remit that, ‘Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.’ The absence of any suggested alternative sources – which provide the information requested by the reviewer – is consistent with our own research findings.

In addition, no information is included on the expected accommodation to be provided for those asylum seekers relocated to Rwanda who first arrived in the UK. There is also a lack of very practical information in terms of provision of food items, financial support, childcare arrangements (especially for those asked to be interviewed or when going to court), access to evidentiary assessments such as medico-legal reports, and referrals to specialised medical services.

Home Office comment

HO Comment #4

See HO Comment #2: How the RSD would work in practice under the MEDP was beyond the scope of the CPIN.

In an open letter, dated 14th April 2022, to the Prime Minister and the Home Secretary, “people with lived experience of the asylum system, refugee and migrants’ rights, anti-trafficking, human rights and civil liberties, access to justice, children’s rights, violence against women and girls’ (VAWG), arts and culture, international development, racial justice, democracy, data privacy and technology rights, disability rights, religious and faith, environment justice, and LGBTQ+ rights organisations and groups” similarly highlighted the lack of detailed information on a number of practical considerations such as:

- Is it possible to claim asylum in Rwanda on sexual orientation and gender identity grounds – i.e. does Rwanda recognise LGBTQI+ people as being members of a particular social group under the Refugee Convention? If yes, how many cases on these grounds do they have per year and what is the grant rate?
- How will the government guarantee access to legal advice and representation and access to a court of law?
- Can the government confirm that people on arrival would be provided with means to support themselves, accommodation, food and clothing?
- What processes will be in place to identify and support victims of trafficking deported to Rwanda?¹⁸

The overall observation is supported by an in-depth analysis of the *asylum system CPIN* by Asylos, who note that:

18 IMIX, [Open letter to the Prime Minister and Home Secretary about plans to send people seeking asylum to Rwanda](#), 14 April 2022

information in sources cited or consulted by the Home Office that was not selected for inclusion in its publication points to the existence of significant concerns. These include indications that asylum seekers have struggled to access the asylum procedure, with some groups of people, such as those not originating from the region, and LGBTQI+ people, experiencing particular challenges [...]

the asylum system CPIN fails to include relevant information from multiple sources, including those that the Home Office consulted or cited, which indicates that asylum seekers have, in fact, been detained by the authorities, and that instances of refoulement, and possible indirect refoulement, have been documented in the recent past.¹⁹

Home Office comment

HO Comment #5

We note the four areas in bullet point that the reviewer identifies as areas which lacked ‘detailed information’.

In relation to the first bullet point, COI on the experience of LGBTI asylum seekers was included in the CPINs – see section 9.5 of the Human Rights CPIN and section 4.4.2 of the Asylum System CPIN. However, the available COI on this topic was limited. We note that the Asylos analysis acknowledged this: *‘As noted in the Rwanda assessment (2.1.10), information regarding the scale and prevalence of the issue is difficult to find.’*

The remaining bullet points concern how the MEDP would work in practice. As above in HO Comment #2, details of how the RSD process under the MEDP would work in practice was beyond the scope of the CPIN.

The reviewer comments that her observation ‘is supported by’ an analysis carried out by Asylos. Asylos’ work is repeatedly relied upon throughout the review as independent corroboration of the reviewer’s statements. We note, however, the reviewer’s biography – at the end of this review – which indicates that the reviewer is a Trustee of Asylos.

It is acknowledged that information addressing some of these issues has been published since the announcement of the UK-Rwanda Memorandum of Understanding and the publication of the CPINs relating to Rwanda, highlighting the importance of updating the current CPINs without further delay. Where gaps in information continue to exist, research priorities should be established and a strategy developed on how to narrow or even close these.

¹⁹ Wilbourn, E. and Kloos, S. (Asylos – Blog post), [Why declaring Rwanda a safe third country of asylum is incoherent with available country information](#), 13 July 2022. For access to the full analysis see Asylos, [A Commentary on the UK Home Office Country Policy and Information Note: Rwanda, asylum system, and the related Country Policy and Information Note: Rwanda, assessment](#), July 2022

3. This review further wants to highlight a number of information gaps that have been observed, which should have been covered in the *asylum system CPIN* to provide as broad and detailed as possible a picture of the Rwandan asylum system to support decision-makers in making fair, efficient and informed decisions. These particular gaps relate to:

- Distinct sections on the experience of **particular groups of asylum seekers**, notably
 - Women
 - (Unaccompanied) children
 - LGBTQI+ persons
 - Victims of trafficking
 - Torture survivors
 - Persons with disabilities
 - Stateless persons

Whilst some information has been included in various places across the CPIN, mainly on LGBT persons, it can easily be overlooked and it does not deal specifically with the question how the asylum system in Rwanda works in theory and practice for particular groups of (vulnerable) claimants and in how far special provisions are in place to deal with their particular and additional vulnerabilities. Moreover, the in-depth analysis by Asylos of the *asylum system CPIN* in combination with the *assessment CPIN* is worth noting here as it highlights how insufficient information is included on supposed provisions of the UK-Rwanda Memorandum of Understanding :

Our analysis has further found that the asylum system CPIN omitted to include information on how some of the guarantees in the Memorandum of Understanding (MoU) with the Rwandan government will be met, how they will be resourced and within what timescale.

For example, it seems that interpreters have not been routinely provided to asylum-seekers by the authorities in Rwanda, but despite the MoU guarantee that access to an interpreter will be provided for relocated individuals at all stages of the asylum claim, no information has been included to address how interpreting services will be delivered to meet the new demand, in the languages and at the scale required.

In addition, the risk of deportation of asylum seekers back to their country of origin was not adequately addressed in the Home Office publications. Under a bilateral deal between the Israeli and Rwandan governments to relocate asylum seekers from Israel to Rwanda, the majority of asylum seekers were not able to access asylum in Rwanda, and were therefore forced to travel onward from Rwanda, in what may amount to a situation of indirect refoulement. By failing to consider such information, important issues and risks are minimised and the state of the Rwandan asylum system is presented in a way that is incoherent with the available information.²⁰

²⁰ Wilbourn, E. and Kloos, S. (Asylos – Blog post), [Why declaring Rwanda a safe third country of asylum is incoherent with available country information](#), 13 July 2022. For access to the full analysis see Asylos, [A Commentary on the UK Home Office Country Policy and Information Note: Rwanda, asylum system, and the related Country Policy and Information Note: Rwanda, assessment](#), July 2022

Home Office comment

HO Comment #6

In terms of providing material on some of the groups identified, we do not consider all of these are necessary (e.g. UASC, given they are outside the scope of the MEDP; stateless persons, given we anticipate the numbers to be extremely low and can be dealt with on a case-by-case basis); whereas other groups are already covered (e.g. women, LGBTIQ+ persons). The CPINs are focused on the main cohorts of persons likely to be relocated from the UK to Rwanda; they explicitly state that they are not an exhaustive exploration of all issues. As previously, we note the reviewer's suggestion to provide more information and the reviewer's remit that, 'Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.'

Finally, in relation to the comment that the CPIN 'omitted' information on guarantees contained within the MoU, please refer to HO Comment #2: How the RSD would work in practice under the MEDP was beyond the scope of the CPIN.

Further gaps of relevant themes which should have been addressed in this CPIN relate to the **Israel-Rwanda agreement**. Although slightly different in nature than the UK-Rwanda Memorandum of Understanding, it provides a useful comparator and has been the subject of critical literature documenting its challenges, shortcomings, and ultimately its closure. Interestingly, two sources (reports by Haaretz and the International Refugee Rights Initiative (IRRI)) have been listed in the *Bibliography* section of both the *asylum system* and the *human rights CPIN* as being consulted but not cited.

Home Office comment

HO Comment #7

We intend to include a section on the Israel-Rwanda agreement in the forthcoming update. However, we don't accept the reviewer's description of the agreement as 'slightly different in nature' to the MEDP. Most significantly, the details of the Israel-Rwanda agreement, including the existence or absence of monitoring arrangements, were – and remain – confidential. By contrast, the MEDP arrangement is transparent and thereby its provisions, its implementation and the experiences of Relocated Individuals will be open to scrutiny.

Related, limited information has been included on the **Emergency Transit Mechanisms (ETMs)** in relation to asylum seekers and refugees from Niger and Libya in sections *3.2 Partnerships* and *8.4 ETM (Gashora [a transit centre])*. Whilst it is acknowledged that these mechanisms are different from what the UK-Rwanda Memorandum of Understanding sets out for relocated asylum seekers who have previously arrived in the UK, they provide a flavour of how such agreements are implemented in practice and the challenges that emerge.

Home Office comment

HO Comment #8

We do not intend to include more information on the ETM as UNHCR are responsible for the RSD aspect, not GoR.

Given the complexity and political nature of the UK-Rwanda Memorandum of Understanding, the legal challenges that will follow, as well as the human implications once this policy starts, it is highly recommended that the *asylum system CPIN* be reviewed and amended as soon as possible to address

these shortcomings and to fill crucial information gaps through additional desk-based research and targeted interviews. Without these crucial pieces of information it is questionable how the Home Office was able to reach a number of substantial assessments as presented in the *assessment CPIN*.

Home Office comment

HO Comment #9

With regards the timing of the update please refer to HO Comment #1.

While we acknowledge that there are information gaps, we do not accept the reviewer's opinion that the information gaps in the asylum system CPIN are 'crucial'.

Assessments are almost always based upon incomplete information as no research can ever be considered 'finished', as there are always further areas to explore and more detail which can be gathered. As the preface states, the CPIN was not intended to be exhaustive (rather they aim to be comprehensive). The CPIN's purpose – which it achieved – was to provide *sufficient* information to enable an Article 3 ECHR assessment.

The following non-exhaustive list of sources, published both before the cut-off date of the current CPIN (some of which the Home Office has already consulted and/or cited in preparing the CPINs) and since it was published, may hopefully be a useful starting point:

Procedural shortcomings of the Rwandan asylum system

BBC News, [UK asylum deal: Is Rwanda a land of safety or fear?](#), 14 April 2022

UN High Commissioner for Refugees (UNHCR), [UNHCR Analysis of the Legality and Appropriateness of the Transfer of Asylum – Seekers under the UK-Rwanda arrangement](#), 8 June 2022, para. 11, 18, 22 [Note the importance of this source as UNHCR is one of the only international organisations based in Rwanda, so with detailed on-the ground knowledge, who are involved in the RSD process]

Home Office comment

HO Comment #10

Thank you for the above source suggestions. However, given the delay in the review process, some suggested sources have been superseded. We intend to include the most up-to-date sources in the forthcoming C(P)INs, including UNHCR evidence submitted during litigation.

- *Accommodation arrangements under the UK-Rwanda Memorandum of Understanding*

BBC News, [UK asylum deal: Is Rwanda a land of safety or fear?](#), 14 April 2022

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

iNews, [Inside the Rwanda centre which will house asylum seekers and UK Channel migrants](#), 14 April 2022

The Guardian, [Rwanda genocide survivors moved out of hostel so Priti Patel could inspect it](#), 23 April 2022

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

The Guardian, ['Orientation': plan for arriving asylum seekers outlined by Rwandan officials](#), 14 June 2022

The Guardian, ['Frankly insulting': Rwanda resents its portrayal in UK asylum row](#), 17 June 2022

The Daily Mail, [The happy hotel: A gift shop where everything is free, a volleyball court, computer suites and three chef-prepared meals a day... SUE REID sees the Rwandan lodgings awaiting deportees from the UK](#), 12 June 2022 [Note: I would normally be reluctant to refer to such a source due to its often sensationalist way of reporting, but it contains information about reportedly proposed places of accommodation for the UK-relocated asylum seekers]

Home Office comment

HO Comment #11

Thank you for the above source suggestions. However, given the delay in the review process, some suggested sources have been superseded. We intend to include the most up-to-date sources in the forthcoming C(P)INs.

- *[Access to mental health services](#)*

Hannah Drzewiecki (The Borgen Project), [5 Facts About Mental Health In Rwanda](#), 22 February 2021

Sen, P., Crowley, G., Arnell, P., Katona, C., Pillay, M., Waterman, L.Z., and Forrester, A., [The UK's exportation of asylum obligations to Rwanda: A challenge to mental health, ethics and the law](#), *Medicine, Science and the Law* 2022, Vol. 62(3) 165-167

Altai Consulting for EUTF, [CASE STUDY Emergency Transit Mechanism](#), June 2021

World Health Organization, [Mental Health Atlas 2020, Member State Profile, Rwanda](#), Undated [Last accessed: 29.06.2022]

Home Office comment

HO Comment #12

Thank you for the source suggestions. CPINs aim to be comprehensive but not exhaustive, and mental health provision or information on any specific medical conditions / treatments was not included. We have a request service where decision makers can obtain information specific to their case, including on medical issues.

- Detention of asylum seekers

International Refugee Rights Initiative, [“I was left with nothing”: ‘Voluntary’ departures of asylum seekers from Israel to Rwanda and Uganda](#), 8 September 2015

Haaretz, [Asylum Seekers Deported From Israel to Rwanda Warn Those Remaining: ‘Don’t Come Here’](#), 2 February 2018

UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, [Concluding observations on the second periodic report of Rwanda](#), 21 October 2021

Human Rights Watch, [World Report 2022 – Rwanda](#), 13 January 2022

Home Office comment

HO Comment #13

These sources appear to be more about the Israel-Rwanda deal, not detention per se. Please refer to HO Comment #7.

Women and the Rwandan asylum system [Note that very limited specific information was found within the time constraints for this review. Although some information on the issue of SGBV certainly exists, it is possible that there are information gaps on the wider experiences of women in the Rwandan asylum system. It would be useful for CPIT to ascertain where information gaps exist in this respect and seek to close them by interviewing relevant interlocutors when the CPINs are likely to be updated later this year]

The Guardian, [Female trafficking survivor targeted for UK removal to Rwanda, says charity](#), 5 July 2022

Home Office comment

HO Comment #14

The suggested COI does not provide any information on the experiences of asylum-seeking women in Rwanda.

We note the reviewer’s suggestion to provide more information and the reviewer’s remit that, ‘Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.’ The absence of any suggested alternative sources – which provide the information requested by the reviewer – is consistent with our own research findings.

(Unaccompanied) children and the Rwandan asylum system [Note that very limited specific information was found within the time constraints for this review. It is possible that an information gap exists. It would be useful for CPIT to ascertain where information gaps exist in this respect and seek to close them by interviewing relevant interlocutors when the CPINs are likely to be updated later this year]

The Guardian, [Rwanda making preparations to take children removed from UK](#), 24 June 2022

Home Office comment

HO Comment #15

The suggested COI does not provide any information on the experiences of UASC in Rwanda. We do not intend to include information on UASC in the forthcoming update given they are not included in the policy.

LGBTQI+ persons and the Rwandan asylum system

Commissioner-General for Refugees and Stateless Persons, Belgium, [RWANDA L'homosexualité](#), 30 October 2019, p. 8

Wepukhulu, K.S. and Archer, N. (Open Democracy), [Rwandan LGBTIQ people warn: It's unsafe to send queer asylum seekers here](#), 16 April 2022

Pink News, [Parliament passing 'deplorable' Tory borders bill 'is a devastating blow to LGBT+ people'](#), 28 April 2022

The Independent, [Home Office admits LGBT refugees sent to Rwanda could face persecution on basis of sexual orientation](#), 10th May 2022

UN High Commissioner for Refugees (UNHCR), [UNHCR Analysis of the Legality and Appropriateness of the Transfer of Asylum – Seekers under the UK-Rwanda arrangement](#), 8 June 2022, para. 18

Home Office comment

HO Comment #16

Thank you for the above source suggestions. However, given the delay in the review process, some suggested sources have been superseded. We intend to include the most up-to-date sources in the forthcoming C(P)INs.

Victims of trafficking and the Rwandan asylum system [Note that very limited specific information was found within the time constraints for this review. It is possible that an information gap exists. It would be useful for CPIT to ascertain where information gaps exist in this respect and seek to close them by interviewing relevant interlocutors when the CPINs are likely to be updated later this year]

UK Houses of Parliament, Joint Committee on Human Rights, [Oral evidence: The UK-Rwanda Migration and Economic Development Partnership and Human Rights, HC 293](#), 8 June 2022, p. 14 ["Baroness Massey of Darwen: The UK's anti-slavery commissioner has raised significant concerns that Rwanda has "detained thousands of potential trafficking victims without providing them with proper care in the past year"""]

The suggested COI does not provide any information on the experiences of asylum-seeking victims-of-trafficking in Rwanda.

We note the reviewer's suggestion to provide more information and the reviewer's remit that, 'Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.' The absence of any suggested alternative sources – which provide the information requested by the reviewer – is consistent with our own research findings.

Israel-Rwanda agreement

International Refugee Rights Initiative, [“I was left with nothing”: ‘Voluntary’ departures of asylum seekers from Israel to Rwanda and Uganda](#), 8 September 2015

Foreign Policy, [Inside Israel’s Secret Program to Get Rid of African Refugees](#), 27 June 2017

Birger, Shoham & Bolzman. [“Better a prison in Israel than dying on the way”](#), January 2018

Haaretz, [Asylum Seekers Deported From Israel to Rwanda Warn Those Remaining: ‘Don’t Come Here’](#), 2 February 2018

Natasja Reslow (2019) [Human rights, domestic politics, and informal agreements: parliamentary challenges to international cooperation on migration management](#), Australian Journal of International Affairs, 73:6, 546-563, DOI: 10.1080/10357718.2019.1674777

The Guardian, [Rwanda’s history of receiving deportees raises concerns for potential UK scheme](#), 17 January 2022

Global Detention Project, [Rwanda](#), 20 January 2022

The Independent, [UK’s Rwanda asylum plan breaches international law, says UN refugee agency](#), 22 April 2022

University of Oxford Faculty of Law, Border Criminologies Blog, [‘Traded Like Commodities and Transferred Abroad for Processing’: The Legal and Political Claims Against the UK-Rwanda Deal](#), 10 May 2022

UN High Commissioner for Refugees (UNHCR), [UNHCR Analysis of the Legality and Appropriateness of the Transfer of Asylum – Seekers under the UK-Rwanda arrangement](#), 8 June 2022, para. 22

BBC News, [What happened when Israel sent its refugees to Rwanda](#), 23 June 2022

Mirror, [EXCLUSIVE: Teen who fled to UK to save his life ‘will be killed’ if he’s deported to Rwanda](#), 26 June 2022

Please refer to HO Comment #7.

Emergency Transit Mechanisms (ETMs) and related information regarding the transit camp, Gashora

UNHCR Rwanda, [The Government of Rwanda, the African Union, and UNHCR agree to continue the evacuation of refugees and asylum seekers from Libya](#), 1 November 2021

Global Detention Project, [Rwanda](#), 20 January 2022

AP News, [For many migrants, the view of Rwanda is often far from rosy](#), 28 April 2022

The Guardian, [‘I’d be scared to be deported’: refugees in Rwanda respond to UK plans](#), 15 June 2022

The Guardian, [‘Frankly insulting’: Rwanda resents its portrayal in UK asylum row](#), 17 June 2022

UK House of Commons, Research Briefing, [UK-Rwanda Migration and Economic Development Partnership](#), 28 June 2022, section 2.1

Please refer to HO Comment #8.

Note that no relevant information was found within the time constraints of this review, in relation to torture survivors, persons with disabilities and stateless persons all respective to their experiences with the Rwandan asylum system. Although some information on the situation and treatment of these groups certainly exist, it is possible that there are information gaps on the wider experiences for them in the Rwandan asylum system. It would be useful for CPIT to ascertain where information gaps exist in this respect and seek to close them by interviewing relevant interlocutors when the CPINs are likely to be updated later this year.

We note the reviewer's suggestion to provide more information and the reviewer's remit that, 'Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.' The absence of any suggested alternative sources – which provide the information requested by the reviewer – is consistent with our own research findings.

CPINs aim to be comprehensive but not exhaustive. We have a request service where decision makers can obtain information specific to their case, including on disabilities and mental health issues.

4. Lastly, it was surprising that a section named *Rwandan asylum seekers in the UK and other countries* (section 11) was included, which only contained links to data about the number of Rwandan citizens who made asylum claims in the UK and other countries. The heading and its content does not appear to be of relevance for an assessment of the Rwandan asylum system. If information was sought and located on the types of asylum claims made by Rwandan asylum seekers then it could be argued to be of relevance to the *human rights CPIN* as a further indicator of the human rights situation in Rwanda.

We agree that the content on Rwandan asylum seekers could fit in either of the 2 CPINs; we chose to group all of the information on asylum seekers and refugees in one note. This content has been removed from the forthcoming update.

Rwanda – *human rights CPIN*

Overall, the *human rights CPIN* covers many themes of relevance to understand the human rights situation in Rwanda. Contrarily to other CPINs, the *human rights CPIN*, however, did not include a Terms of Reference (ToR). Instead, as stipulated in its *Purpose*, this CPIN notes in very general terms that it provides “country information about general human rights issues considered relevant to the topic”. However, without a ToR it is not evident what the full remit of the research is, what was sought and what was found, and importantly where gaps of country information have been identified.

Section 3. *Political opposition* covers mainly the situation of those involved politically in opposition to the current Rwandan government. However it is considered that the *human rights CPIN* would benefit from a separate section that specifically looks at the situation and treatment of:

- Journalists
- Human rights defenders
- Critics of the current government, both within Rwanda and those located outside Rwanda

Sub-section 3.3 *Freedom of speech* did include some information to that effect, but not in depth enough nor was the information clearly presented under distinct sub-headings for easy reference for users.

Additional information gaps, where it would have been useful to include information on relate to:

- Rule of law and access to fair trials [Information found in many of the cited sources, but also for example in The Guardian, [Rwanda president suggests UK extradite genocide suspects after asylum deal](#), 16 May 2022]
- Situation and treatment of returnees (both those returning from exile and those deported following a refusal to accept their claim for international protection)
- The practice of *Umuganda* ('community work')

Home Office comment

HO Comment #22

Thank you for the positive comment that the Human Rights CPIN covers many themes of relevance to understand the human rights situation in Rwanda.

We will be updating the COI on political opponents and the rule of law. Our general approach to presenting COI is to break the information down into as many sub-headings as possible, so decision makers can locate the information easily. However, sources covering 'opposition to state' in Rwanda tend to use the terms human rights defender/ opponent/ critic/ activist/ commentator interchangeably, which makes it difficult – and potentially misleading – to attempt to separate out the treatment of specific sub-groups. An exception to this was in relation to the COI on diaspora critics, which was presented under a distinct sub-heading. In the forthcoming update we have also included a sub-section for journalists and social media commentators.

As explained above, the CPIN is not intended to be exhaustive. In relation to Umuganda, we will look to include a small section relative to how applicable it might be to persons relocated from the UK.

For returnees (ie Rwandan nationals) this is not relevant to the potential cohort of persons relocated from the UK.

The following non-exhaustive information available in the public domain on 'Umuganda' was found, which may be a useful starting point when updating the CPIN later this year:

All About Rwanda, [Umuganda](#), Undated [Last accessed: 08.07.2022]

Anonymous (Duke Human Rights Center), [Report from the Field: "Clean" Streets at What Cost?](#), Undated [Last accessed: 08.07.2022]

Penine Uwimbabazi, [An Analysis of Umuganda: the Policy and Practice of Community Work in Rwanda](#), September 2012 (PHD Thesis)

Human Rights Watch, [The Dirty Secret Behind Kigali's Clean Streets](#), 15 October 2015

Reuters, [Cleanest city in Africa? Kigali scrubs up](#), 20 April 2018

NPR, [The Dark Side Of Keeping The Streets Clean In Rwanda's Capital](#), 25 June 2018

BBC News, [UK asylum deal: Is Rwanda a land of safety or fear?](#), 14 April 2022

Time constraints with this review did not allow for further specific research on these information gaps, but information can be found in many of the cited sources. It would be useful for CPIT to locate such information when the CPIN is likely to be updated later this year.

A second observation relates to information included in the *human rights CPIN*, such as that included in section 8.5, which covers sexual and gender-based violence (SGBV) perpetrated against refugees and asylum seekers. This information would have been more suitably placed within section 8.2 of the *asylum system CPIN*, which covers security in refugee camp settings. Similarly, information included on the allegation of sexual assault against a minor refugee at the Gashora Transit Centre would have been more appropriately placed in section 8.4 of the *asylum system CPIN*, as it includes country information on the situation in that Transit Centre.

Home Office comment

HO Comment #23

Where material overlaps between sections its placement is a matter of opinion with no 'one right way'. We will look at the CPINs together in any update and consider where information best sits and continue to cross reference between CPINs and sections where appropriate.

Lastly, it was observed that critical information from cited sources not included in the *human rights CPIN* and additional information available in the public domain would have portrayed a more encompassing and realistic picture of the human rights situation in Rwanda. This was particularly observed in relation to the situation and treatment of the following groups of individuals:

- Children
- Persons with disabilities
- Religious minorities
- Ethnic minorities such as the Batwa and Tutsis
- Migrants/Foreigners
- LGBTQI+ persons

It is recommended that the *human rights CPIN* be reviewed and amended as soon as possible to address these shortcomings.

We don't accept the reviewer's conclusion that there were 'shortcomings' in the COI on these topics. CPINs aim to be comprehensive but not exhaustive. They provide sufficient information for decision makers to decide cases and to enable an Article 3 ECHR assessment. We provided sufficient information on these topics, where that information was available. We also note the reviewer's suggestion to provide more information and the reviewer's remit that, 'Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.'

We have a request service where decision makers can obtain information specific to their case, if needed, including information on disabilities.

Rwanda – interview notes CPIN

One of the main sources cited and relied upon in the *asylum system CPIN* are the interview notes as presented in the *interview notes CPIN*. To exemplify, of the 225 footnotes included in the main body of the *asylum system CPIN*, 108 related to the *interview notes CPIN*. It was therefore important to review in detail the methodology adopted in this kind of 'fact-finding' exercise the Home Office undertook on two separate occasions in January and March 2022 to gather relevant and up-to-date information directly from stakeholders in Rwanda. The review, however, did not attempt, nor was it within its remit, to lend any credibility to the information gathered. Instead, I focused solely on the adopted methodology of gathering such first-hand evidence and how it was presented, based on my personal expertise of interviewing country or thematic experts (though remotely), as well as taking into consideration [guidelines adopted by the European Union](#)²¹, which have been the basis of previous Home Office fact-finding missions²², and which provide a useful point of reference. According to one of these fact-finding mission reports, the Home Office developed its own "internal guidelines for conducting FFMs".²³ It is recommended that to promote transparency the Home Office make these guidelines public or at least accessible to the IAGCI.

My review exposes serious methodological shortcomings, raising the question in how far the *interview notes CPIN* should be relied upon as evidence by decision-makers. A summary of my main concerns are listed below, which are based on a number of observations highlighted further below in section [4.1 Annex A – notes from sources](#). Of special note are the interview notes from meetings with Rwandan government officials, which contain particular methodological shortcomings. To exemplify my observations I've copied those into a separated document, attached as [Appendix 1](#) to this review, through my comments on the side of the interview notes.

We do not accept that there are 'serious methodological shortcomings' in how we gathered and presented information from our interviews. Please refer to HO Comment #1 for a summary of our position and the sections below for more detailed responses.

21 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010

22 See for example UK Home Office, [Report of a Home Office fact-finding mission to Sri Lanka, Conducted between 28 September and 5 October 2019](#), 20 January 2020

23 UK Home Office, [Report of a Home Office fact-finding mission to Sri Lanka, Conducted between 28 September and 5 October 2019](#), 20 January 2020, p. 6

Purpose, Terms of Reference and methodology

According to the *Preface* of the *interview notes CPIN*, the interview notes are the result of “primary research” conducted to “fill information gaps [...] identified through data analysis which cannot be addressed through desk-based research” (p. 2). No further information was provided on the exact range of topics the primary research was seeking to cover nor was any Terms of Reference provided. As previously noted, even the *asylum system CPIN* and the *human rights CPIN* have not included a Terms of Reference, which is very unusual for CPINs, as they usually contain these as the basis for the desk-based research. Without published Terms of Reference or topic guides it is not clear whether the ‘mission’ accomplished its set purpose, whether information gaps still remain, whether other questions were asked but not noted, or whether areas were not covered even though they were intended to be covered. It is considered that the background of the ‘mission’ should have been more specific about its purpose and who devised any possible internal Terms of Reference, as well as whether any consultations took place in the context of devising these. Moreover, it raises the question whether all interlocutors were informed about the real purpose of the meetings i.e. to gather information which would in turn be the basis for government assessment and policy.

It is strongly recommended that the Home Office consult not only internally with decision-makers and policy-makers, but also with relevant external bodies, institutions, civil society actors or country experts who are not linked to a state during the Terms of Reference drafting process, modeled on the Dutch practice which involves civil society actors in drafting the Terms of Reference for the Netherlands Ministry of Foreign Affairs *Ambtsbericht*.

Home Office comment

HO Comment #26

With regards the Terms of Reference (ToR), we had a ToR but did not publish it. Please refer to HO Comment #2.

We do not accept that not publishing a ToR is a ‘serious methodological shortcoming’ and consider that the section and sub-section headers of the CPIN – and the Table of Contents – clearly show which information was included (and not included). In respect of the reviewer’s comment that *‘the background of the “mission” should have been more specific about ... who devised any possible internal Terms of Reference’*. As a CPIT product, we consider it clear that CPIT devised the ToR.

The reviewer comments that *“it is not clear ... whether other questions were asked but not noted”*. We are not aware of any source – either a COI unit or a media or human rights organisation – which provides a list of questions ‘asked but not noted’ alongside its agreed interview notes. Our notes are accurate and transparent and have been agreed by all interlocutors prior to publication. The notes reflect what the interlocutor was happy to put “on the record” as having been asked and responded to. Even in the event that CPIT asked a question but mistakenly failed to record it in the notes, the interlocutor was given an opportunity to correct the omission and amend the notes accordingly. We also point to the EU guidelines section on ‘Code of conduct’ which sets out ‘appropriate behaviour in meeting and interviewing’, including **Discretion**: never revealing information given off the record’. [emphasis is source’s own]

We have relied on the agreed content of the interview notes and do not accept the reviewer’s comment that we should not do so.

In respect of “*the background of the ‘mission’ should have been more specific about its purpose ...*”, given the confidential nature of the MEDP, it was not possible to explain to interlocutors that the purpose of the mission was to gather evidence about Rwanda’s suitability for a third-country asylum processing partnership. However, we did explain that we were interested in understanding both how Rwanda’s asylum system worked and also the lived experience of asylum seekers and refugees in the country. Sources gave honest and open answers to the questions put to them. The questions asked elicited factual responses about the functioning of Rwanda’s asylum system (and the underlying support provisions). The issue of *why* the questions were asked should not have changed sources’ answers i.e. knowledge of the MEDP was not required in order for sources to provide accurate, factual responses to the questions posed.

Interlocutors were informed either prior to or at the start of every interview that officials from the UK Home Office, the government department responsible for immigration and asylum, were undertaking an in-country assessment. We explained:

- we would take detailed notes of the interview;
- copies of the notes would be shared with the interlocutor for them to review and/or amend
- we would use the information they provided in a report to assist decision making on asylum and immigration cases in the UK, including in immigration courts.
- that a report of the FFM’s findings may be published on the gov.uk website and/or used in litigation proceedings and therefore used in open court;
- that the information they provided may be used to inform UK Border Security Assessments and visa regimes, as well as exploring other policy developments

All interlocutors agreed the content of the notes as an accurate record of the meetings and chose how they or their organisation were to be cited.

This approach is consistent with Section 3 of the EU Common guidelines.

On the issue of planning fact-finding missions more generally, we have existing positive relationships with internal and external stakeholders who could provide input on what is relevant for inclusion. For example, we engaged with the previous chair of the IAGCI (amongst others) to inform our mission to Ethiopia. Due to the sensitive nature of the Rwanda work, it was not possible to invite external consultation.

With regards to the adapted methodology, no information has been provided as to whether the questions were developed ahead of the interviews, who devised the set of questions, what type of questions would be used (e.g. closed or open), whether the meetings would be recorded, and what the sign off process, if any, of the interview notes was.

As a CPIT product, based upon information gathered through a CPIT-organised mission, we believe it is self-evident that CPIT developed the questions. We do not provide commentary on our interview techniques or internal sign off processes, other than to say we follow the relevant guidelines. However, when compiling interview notes for future FFMs we will state that the methodology we adopt for FFMs is consistent with the EU guidelines.

For information on interview notes, including the agreement of interview notes with interlocutors, please refer to HO Comment #26.

We note that section 3 the EU Common guidelines explains:

1. Both semi-structured and unstructured interview styles are appropriate during FFMs
2. Sometimes a detailed interview guide is useful and sometimes a brief set of prompts is preferable

The EU guidelines do not suggest that one interview approach is ‘better’ than another and the guidelines add that an FFM team might choose to switch between approaches over the duration of a mission. Given this, we don’t consider it important or necessary for CPIT to provide information about whether questions were developed in advance, who devised the questions or whether closed or open questions were used. The EU guidelines make it clear that the approach taken at interviews is at the discretion of the FFM team and CPIT’s choice of questions and interview style is important only in so far as whether it achieved the required breadth and depth of information-gathering. The interview notes should be reviewed based upon their substance, not on the technical approach adopted. As the EU guidelines state when considering the merits and limitations of different interview approaches ‘...the FFM team should perhaps not dwell on this technical aspect too long...’ (para 3.1.3)

To assist comparison between CPIT’s approach to interview notes and the approach adopted by other COI units, please see the most recent FFM report from the [Danish Immigration Service \(DIS\), dated December 2023](#). DIS’ report includes an annex of minutes from 5 meetings. The meeting minutes provide a summary (non-verbatim) of the conversation with each interlocutor. The meeting minutes do not include details of specific questions asked, details of questions asked (but not noted), nor interview techniques adopted in each case.

Moreover, no information is provided on the specific time period the primary research was interested in. Whilst the responses mainly refer to the current situation and provide a few examples from 2018, it would have been useful to ask the interlocutors about their views on the practical implementation and its effects on their field of expertise in light of the UK-Rwanda Memorandum of Understanding, especially in relation to the capacity of the Rwandan asylum system. As it has also not been specified how the meeting attendees were selected (see further below under ‘Sources interviewed’) it is not known what expertise the interviewees were asked to base their answers on, except a speculation based on some of their named affiliations.

The primary research was conducted prior to the finalisation of the MoU.

Please also refer to HO Comment #26 regarding the confidential nature of the MEDP.

We did ask questions about current capacity (see Interview Notes p9-10 GoR and p53 UNHCR).

CPIT's role was to understand and record the current 'as is' asylum process and the lived experience of refugees and asylum seekers. How this information informed the negotiations of assurances contained within the MoU and Notes Verbales and the practical implementation of the MEDP was outside the scope of the CPIN.

Another observation relates to the content of the information included. In particular the meetings with Rwandan government officials, which occurred both in January and March 2022, raise a number of (comprehensive) questions, which could have been answered and clarified through the use of follow-up and prompting questions either directly during the first meeting, during the follow-up visit to Rwanda in March 2022 or via online communication channels. In fact there are so many that I have excerpted the interview notes of meeting A.1. and added it to this review as [Appendix 1](#), including also side comments from me to exemplify the numerous occasions where further information or clarification should have been sought. In addition, there were instances where the interlocutor did not specifically answer the question posed, provided contradictory information to that provided by others, or where data was offered to be provided later, but apparently never followed up with, leaving vital information gaps in the *interview notes CPIN* and *asylum system CPIN*, ultimately providing an incomplete picture on which the *assessment CPIN* has been based.

We do not accept this observation.

We do not accept the reviewer's categorisation that the CPINs contained 'vital' information gaps. Assessments are almost always based upon incomplete information as no research can ever be considered 'finished', as there are always further areas to explore and more detail which can be gathered. As the preface states, the CPIN was not intended to be exhaustive. The CPIN's purpose – which it achieved – was to provide *sufficient* information to enable an Article 3 ECHR assessment.

It is easy to identify – with the benefit of hindsight – follow-up questions which *could* have been asked but this does not detract from the value of the information gained from the questions which *were* asked. As the reviewer points out in the analysis of numbers of footnotes, the evidence gathered during CPIT’s interviews with interlocutors made a large contribution to CPIT’s understanding of, and description of, the Rwandan asylum system. There was minimal available open-source information on the Rwandan asylum system and the evidence CPIT gathered during interviews was invaluable as it allowed us to ‘add flesh’ to the bones of the open-source information and thereby provide a useful description of the end-to-end asylum process. The value and substance of the information which the interviews *did* provide is overlooked by the reviewer in favour of a focus on details which the interviews *didn’t* cover.

For example whilst information has been included on how asylum seekers (and refugees) are accommodated at the moment, these seem to differ from the forms of accommodation proposed under the UK-Rwanda Memorandum of Understanding. Given these potential substantive changes, an explanation should have been sought during the interviews, including on timescales of implementation and resources. Without such information, important comprehension gaps remain as to the operationalisation of the Memorandum of Understanding.

Home Office comment

HO Comment #30

CPIT’s role was to understand and record the current ‘as is’ asylum process and the lived experience of refugees and asylum seekers. How this information informed the negotiations of assurances contained within the MoU and Notes Verbales and the practical implementation of the MEDP was outside the scope of the CPIN.

Set-up of meetings, including attendees and location

According to the *Preface of the interview notes CPIN*, the interview notes are the result of “interviews and tours of sites during two visits to Rwanda (in January 2022 and March 2022)” (p. 2). No further information is provided as to the overall and individual set-ups of these interviews, their exact location (in most cases), their length or whether these were organised with the support of the British High Commission in Kigali. This information is relevant, given that this would likely have an impact on both whom was willing to be interviewed and also potentially on the answers that the interlocutors were willing to give. It would also have been relevant to have detailed whether precautionary measures had to be taken or were proposed to meet the interlocutors or offered to be done over the phone in case their movements were monitored.

This comment is speculative. There is no evidence to support the reviewer's contention that sources did not give full and open responses to the questions asked of them.

As mentioned above, the notes reflect what sources agreed to go 'on the record'. All sources were also invited to specify how/if they or their organisation would be named/identified in the report.

We also note that the EU guidelines contain no requirement to specify (1) 'exact location' (2) interview length, or (3) details of diplomatic support.

To assist comparison between CPIT's approach to recording interview notes and the approach applied by other COI units, please see the most recent FFM report from the [Danish Immigration Service \(DIS\), dated December 2023](#). DIS' report includes an annex of minutes from 5 meetings. The meeting minutes do not specify (1) 'exact location' (2) interview length, or (3) details of diplomatic support.

According to the *interview notes CPIN*, 12 meetings and one visit took place. Information provided on the attendees of these differed as illustrated in the table below:

Type (e.g. Meeting or visit)	Rwandan interlocutors	UK interlocutors
A1. Meetings with Rwandan Government officials, 18 January 2022 and 22 March 2022 Ministry of Emergency Management/Single Protect Implementation Unit Coordinator Director of Visa and Permits, DGIE [Directorate-General of Immigration and Emigration] Director of Response and Recovery Unit MINEMA [Ministry in Charge of Emergency Management] Another Senior Official from MINEMA [Ministry in Charge of Emergency Management] Permanent Secretary of Ministry of Foreign Affairs and International Cooperation Retired colonel and Special Advisor/Immigration Ops		[Unknown]
MINEMA [Ministry in Charge of Emergency Management] meeting 22 March 2022	Summary of responses provided by the Eligibility Officer	[Unknown]
DGIE [Directorate-General of Immigration and Emigration] and MINEMA [Ministry in Charge of Emergency Management] meeting 22nd March 2022	[Unknown]	[Unknown]
A2. Meeting at Gashora Transit Centre, 18 January 2022	Manager of the centre Head of Projects MINEMA [Ministry in Charge of Emergency Management] Senior Official from DGIE [Directorate-General of Immigration and Emigration]	4 representatives from the Home Office

Type (e.g. Meeting or visit)	Rwandan interlocutors	UK interlocutors
A3. Kepler University, meeting on campus 19 January 2022	CEO Staff member at University 5 graduates from Kepler Senior Official from MINAFFET [Ministry of Foreign Affairs and International Cooperation] Senior Official from DGIE [Directorate-General of Immigration and Emigration]	4 representatives from the Home Office
A4. Isange One Stop Centre, meeting at the hospital 19 January 2022	Senior Official MINEMA [Ministry in Charge of Emergency Management] MINAFFET [Ministry of Foreign Affairs and International Cooperation] Manager and Co-ordinator IOSC [Isange One Stop Centre] 2 colleagues from IOSC [Isange One Stop Centre]	4 representatives from the Home Office
A5. Harambee Youth Employment Accelerator, meeting at their premises in Kigali 19 January 2022	Regional Manager Accounts Manager Senior Official from MINAFFET [Ministry of Foreign Affairs and International Cooperation] Senior Official from DGIE [Directorate-General of Immigration and Emigration]	4 representatives from the UK Home Office
A6. Visit to Kinigi Integrated Development Program (IDP) Model Village (Musanze) 20 January 2022	Mayor of Musanze 2 Senior MINEMA [Ministry in Charge of Emergency Management] officials Senior DGIE [Directorate-General of Immigration and Emigration] official Headteacher of Model Village school	4 HO officials
A7. Meeting with Legal Aid Forum (LAF), 21 March 2022	[Unknown]	[Unknown]
A8. Meeting with UNHCR, 21 March 2022	[Unknown]	[Unknown]
A9. Meeting with National Commission for Human Rights (NCHR), 22 March 2022	[Unknown]	[Unknown]
A10. Meeting with Alight, 23 March 2022	[Unknown]	[Unknown]
A11. Meeting w/ representatives of the LGBT+ community, 5 April 2022	[Unknown]	[Unknown]

Out of 12 meetings, in 6 instances the Rwandan interlocutors are unknown, whilst in 8 meetings we don't know who the interlocutors from the UK are. It might be that interviewee affiliations and names were omitted because the interviewees wanted to remain anonymous. However, this should have been stated explicitly, as it provides important context and potential risk of these people speaking out.

Anonymity is not necessarily due to risk to sources. Sources can request full or partial anonymity for a variety of reasons. CPIT has experienced this commonly across the numerous in-country visits and fact-finding missions we have conducted.

All organisations were named, which is considered sufficient detail to establish whether a source is well placed or not to provide information on a topic, without the need for specific names or roles.

Para 5.1.8 of the EU Guidelines confirm

As a general rule, Sources should be named (providing the source's name and organisation s/he represents) in order to give credibility and transparency to a FFM Report. However the personal security of the source should be of paramount. If it is not possible to quote a source by name, it may be possible to list only the organisation the person is representing. If a source is to be listed anonymously this can be done in various ways. For example "a doctor", "a lawyer", "a police officer", "a human rights defender", possibly providing some further indication of where they were located or the city they were interviewed in. Or it may be appropriate to refer to them as just an international NGO in [the Country of Origin]. Alternatively they could be listed as "a source who did not wish to be named" or even "source A".

Moreover, no further information is provided as to the exact roles of the 'representatives from the Home Office' nor has it been specified whether the four Home Office officials conducted all interviews and were also the main authors of the *interview notes CPIN*. This is important as their observations/ impressions may have a bearing on the summaries of notes drafted.

We do not consider this level of detail is necessary.

Section 4.2.3 of the EU guidelines, in its discussion of best practice for writing up notes, contains no requirement to include this information. Instead, the guidelines state '*Other information [to include in the meeting notes] could include the time and place of the meeting and details of attendees (including who conducted the interview, who was assigned as note-taker (if applicable))...*' (our emphasis)

To assist comparison between CPIT's approach and the approach applied by other COI units, please see a recent FFM report from the [Danish Immigration Service \(DIS\), dated December 2023](#). DIS' report does not identify (1) the names or titles of the Danish FFM team (2) the number of FFM team members, or (3) the respective roles of the FFM team members (i.e. interviewer/author/both). The Danish FFM team is referred to throughout the DIS report simply as 'the delegation'.

The reviewer's comment that CPIT's 'observations/impressions may have a bearing on the summaries of notes drafted' is speculative and unsubstantiated by any evidence. To reiterate: all interview notes were agreed by the interlocutors as an accurate representation of the discussion which took place during the respective meeting.

With regards the reviewer's description of the interview notes as 'summaries', the notes – whilst not verbatim – are as close as it is possible to get when note-taking in real time. Moreover, other international COI units – such as DIS – present 'summaries' of FFM notes in a similar way to CPIT.

We also point out that NGOs such as Amnesty and Human Rights Watch (HRW) do not publish names and roles of interviewers, ToRs, details of interview strategy or 'types' of questions, exact locations of interviews, precise details of attendees, whether notes were shared or confirmed, or details of how/if interviewers and others were involved in drafting the final report. Despite this, we are not aware that any other organisation's interviewing methodology – or absence thereof – has been cited as a reason not to place reliance on their research.

In fact, the reviewer makes multiple suggestions to include additional content from Amnesty and HRW (and others) without any caveat '...that until further clarifications are provided and the observed [methodological] shortcomings have been addressed, none of the information provided... should be relied on.'

We consider that applying the reviewer's 'minimum standards of any primary research' uniformly across all COI gatherers/providers would invalidate almost all available COI.

It was further not explained how these interlocutors were chosen, who else was sought but was unable to be interviewed and for what reason. It would have also been useful to clarify whether interviews or meetings in French (or other official languages) were considered to facilitate the inclusion of a maximum variety of views.

Lastly, it was very surprising to note that government officials attended the meeting with staff members at Kepler University, Isange One Stop Centre, and the Harambee Youth Employment Accelerator, raising questions about the ability to speak openly and freely. Given that their presence was not explained by the Home Office it is also unknown whether the same officials were present and whether these meetings were organised and facilitated by the Rwandan government or whether they were instigated by the Home Office with or without the support of the British High Commission.

All interlocutors were chosen based upon their ability to provide information pertinent to either the Rwandan asylum process or the lived experiences of asylum seekers and refugees. This is consistent with our – unpublished – ToR.

The EU guidelines contain no recommendation that FFMs should explain ‘who else [interlocutors] was sought but was unable to be interviewed and for what reason’. For comparison between CPIT’s approach and the approach applied by other COI units, the recent FFM report from the [Danish Immigration Service \(DIS\), dated December 2023](#) also does not provide this information. In fact, the reviewer’s suggestion raises issues around the section in the EU guidelines on ‘Code of conduct’ which sets out ‘appropriate behaviour in meeting and interviewing’, including ‘**Discretion**: never revealing information given off the record’. [emphasis is source’s own]

We note the reviewer’s point that Rwandan government officials attended meetings at Kepler University, Isange One Stop Centre and Harambee. We confirm that at no point throughout the interview process did CPIT assess that interlocutors felt unable to speak freely. All interlocutors agreed to be interviewed and agreed the content of their notes.

Sources interviewed

No further information is provided as to who and how many individuals were spoken to from each ‘source/affiliation’ in six out of 12 meetings. It becomes evident that the majority of sources consulted were state officials or linked to the Rwandan government and therefore cannot fulfil the aim of this primary research exercise to “fill information gaps”. There is an obvious lack of balance of sources spoken to.

The GoR have responsibility for running Rwanda’s Refugee Status Determination (RSD) process and also for ensuring the wellbeing of refugees and asylum seekers within the country’s borders. The reviewer’s suggestion the GoR interlocutors cannot fulfil the aim of primary research into the Rwandan asylum system is therefore not correct. For comparison, to understand the UK’s asylum system we would expect to engage with a wide range of Home Office staff to fully reflect their knowledge of different stages of the UK asylum process.

We do not accept that there is ‘an obvious lack of balance of sources’. There are limited sources with experience and knowledge of the Rwandan asylum system and the lived experiences of refugees and asylum seekers. We engaged with the 2 sources which we considered to be ‘essential’: the Rwandan government and UNHCR. We also engaged with other non-governmental sources, as the full list of sources in the interview annex indicates.

Without a Terms of Reference or chapter on the adopted methodology it is unknown whether that was the sought intention or whether invites were sent to other types of sources, but not taken up and if so for what reason. It is particularly interesting (and worrying) that no (immigration) lawyers, members of the judiciary (e.g. immigration judges), journalists, members of human rights organisations, international organisations (e.g. International

Red Cross who also conduct detention monitoring missions), community leaders, representatives of ethnic minorities or diaspora organisations, or academics were met. It is recommended that in order to engage a range and balance of sources for interview, any primary research exercise or fact-finding missions consult with relevant civil society actors both internationally and nationally prior to any mission to identify relevant interlocutors, including those ‘harder to reach’ individuals and organisations.

Home Office comment

HO Comment #36

We do not accept the balance of sources was incorrect.

The GoR conduct the RSD procedure so were vital interlocutors. We also interviewed NGOs, the NHRC, LAF, LGBTI representatives and the UNHCR. The extensive ToR meant we focused on the essential areas within the time constraints. We also question the extent to which some of those suggested interlocutors would be able to provide information relevant to the topic.

Please refer to HO Comment #35 for further detail on balance of sources and Comment #26 for information on CPIT’s engagement during FFM planning.

Notes of meetings

The *interview notes CPIN* consist of written notes, either in the first or third person, and are not a verbatim record of what was said. As Asylos rightly note, “While summary of information is a valid way to present COI, it can also create the risk that meaning will be distorted or lost”.²⁴ It is not evident who wrote these and whether some of the information was recorded or provided in writing as the style and format of the notes, as well as the depth of content vary tremendously. In many instances the *interview notes* read as notes one would take when listening to a lecture or speech, only comprehensible to the author of such notes, with use of acronyms without explanation, and providing no further context or paying attention to grammar, style or language. Often it is difficult to follow what is being said, leaving room for interpretation and confusion. This is particularly notable in the interview with representatives of the LGBT+ community. In other instances the opinion of the note taker has been included, which clearly do not belong in this CPIN. Specific examples can be found further below in section [4.1 Annex A – notes from sources](#). Asylos, quoting the *EU Common Guidelines on (Joint) Fact Finding Missions*, further explains the risk associated with summaries:

Where summary or paraphrasing distorts or fails to convey meaning, a decision-maker may be prevented from understanding the full significance of what was said, and find it difficult to assess the appropriate weight to attach to it. Moreover, selective recording of interview notes risks that

²⁴ Asylos, [A Commentary on the UK Home Office Country Policy and Information Note: Rwanda, asylum system, and the related Country Policy and Information Note: Rwanda, assessment](#), July 2022, Summary of main methodological concerns, p. 9

the notes may become a 'subjective recollection' of what the Interviewer found interesting or useful, as opposed to an accurate record of what a respondent actually said.²⁵

Home Office comment

HO Comment #37

As the reviewer notes, Asylos agrees that a 'summary of information is a valid way to present COI'. The reviewer's concern therefore, shared with Asylos, appears not to be that CPIT presented summaries of interviews but that the use of summaries – rather than verbatim records – 'can also create the risk that meaning will be distorted or lost.' To mitigate against this risk, all interview notes were shared with, and agreed by, the interlocutors as an accurate representation of the discussion which took place during the meeting.

Variations in the style and content of the notes is indicative of variations in interviewers and interlocutors. Interlocutors rarely speak in eloquent grammatically-correct sentences and paragraphs and our summaries balance capturing the essence of the interlocutors answer while also recording as much verbatim content as possible.

The reviewer comments that Asylos quotes from the EU FFM guidelines, however, the quotation provided by the reviewer is Asylos' own interpretation of the guidelines and not the guidelines themselves.

For completeness, the relevant section of the EU guidelines (section 4.1.2) is quoted in full below. It is clear that the guidelines describe several options for note taking including verbatim notes, summary notes and a hybrid approach:

'Consideration will need to be given to the level of detail that will go into the Note Taking of each Interview. One option may be for near Verbatim Notes to be taken throughout the course of the interview. This approach may be labour intensive but it will ensure accuracy of information and a high degree of transparency, as such this approach would sit well within the principles of COI. Alternatively a FFM team may choose to limit what is recorded.'

'However there is a risk that the more 'selective' the documentation process becomes, the less accurate the interview notes will be, increasing the risk that the final record of the meeting will fail to give a full account of what was said. Worse still, a more 'selective' note-taking approach could reflect what the FFM team judged to be most important as opposed to what was actually said or become a distorted representation of what the team thought had been said. In taking a selective approach there is the possibility that the notes of an interview may become a 'subjective recollection' of what the Interviewer found interesting or useful, as opposed to an accurate record of what a respondent actually said. This may ultimately damage the credibility of a Report of the FFM.'

25 Asylos, [A Commentary on the UK Home Office Country Policy and Information Note: Rwanda, asylum system, and the related Country Policy and Information Note: Rwanda, assessment](#), July 2022, Summary of main methodological concerns, p. 10

‘However in some circumstances it may be more suitable to take only brief notes. For example, some Sources may object to having their every word recorded or, more practically, it may not be possible to take detailed notes due to the environment in which the interview is being conducted.

‘Whether detailed notes are being taken throughout interviews or not, it is advisable to record ‘word for word’ what a source has said on those specific areas or issues which are key to your Terms of Reference (ToR). This is to ensure transparency of information and avoid any ambiguity on contentious matters.’

We also note that in August 2022, a month after Asylos’ critique of CPIT’s methodology in [A Commentary on the UK Home Office Country Policy and Information Note: Rwanda, asylum system, and the related Country Policy and Information Note: Rwanda, assessment](#), the organisation published a second report [Rwanda: COI Compilation; Asylum System](#). Despite Asylos’ concerns about ‘the methodological approach adopted by the Home Office’, the latter contains multiple references to the Home Office’s Rwanda Asylum System CPIN, including multiple extracts lifted from the Home Office’s interview notes. We also note that in the introduction to the Asylos report, the organisation describes itself as ‘... COI research experts and [we] adhere to strict research principles of providing relevant, objective, transparent, timely and reliable source material’.

To assist comparison between CPIT’s approach to recording interview notes and the approach applied by other COI units, please see the recent FFM report from the [Danish Immigration Service \(DIS\), dated December 2023](#). DIS’ report includes an annex of minutes from 5 meetings. Similar to the approach adopted by CPIT, the meeting minutes provide a summary (non-verbatim) of the conversation with each interlocutor.

Cedoca (Belgium’s COI unit) conducted a joint fact-finding mission in Sudan with the Norwegian COI Centre (Landinfo) in October and November 2022. The interviews fed into a Cedoca [report published in February 2023](#) and a Landinfo [report published in March 2023](#). Neither report provided minutes of meetings held with interlocutors.

All this raises the fundamental question as to whether the interlocutors have been informed that interview notes were made and published as such, whether these have been approved by the various interlocutors, whether they had a chance to review, add and/or amend them, and whether they had any final sign off power. Presumably interlocutors were aware of this in advance of engaging in the interview. However it is recommended that the process by which interlocutors sign off transcriptions (or not), should have been clarified. As a recommendation to the IAGCI, I recommend clarifying with the Home Office whether official transcripts exist or audio recordings of the meetings and whether these could be made available to them or published instead, once a sign off phase has been followed. Without this level of transparency or further clarifications, none of the information provided in the *interview notes CPIN* should be relied on.

As noted above, we followed the EU guidelines in relation to the information provided to sources prior to, during and after the interviews.

The notes published are the final, approved version of notes agreed with interlocutors.

We can confirm no interviews were audio recorded.

We do not accept the reviewer's assessment that transparency is an issue or that the interviews should not be relied upon.

Research standards

Comparing the *interview notes CPIN* with the EU Guidelines on gathering primary information through in-country interviews it becomes evident that the following principles, presented here in the order they appear in the EU Guidelines, do not appear to have been followed and no further explanation provided as to why:

CPIT's methodology was consistent with the EU FFM guidelines at all times.

<ul style="list-style-type: none"> Establishing the Terms of Reference²⁶ 	We have a ToR (see HO Comment #2)
<ul style="list-style-type: none"> Trying to secure a variety of sources²⁷; 	We sought – and found – a balance of relevant sources (see HO Comments #35 and #36)
<ul style="list-style-type: none"> Visiting places outside of the capital where additional relevant interlocutors may be easier to locate²⁸; 	We did this. For example, visits to Gashora ETM and Kinigi Integrated Development Program model village. However, as we anticipate that any transferees will be relocated to Kigali, it was considered information from Kigali-based organisations was most appropriate. Most organisations with relevant experience are also Kigali-based.

26 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [I. Methodology, 2.1.1. Establishing the Terms of Reference](#)

27 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [I. Methodology, 2.1.3. Deciding between potential sources](#)

28 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [I. Methodology, 2.1.4. Choice of locations](#)

<ul style="list-style-type: none"> • Compiling a set list of questions or topic guides based on the Terms of Reference that can be adapted for each interlocutor but ensures consistency for cross-referencing of answers received²⁹; 	<p>We did compile an interview guide based on the ToR</p>
<ul style="list-style-type: none"> • Using a critical approach during the interview or meeting to test or validate information³⁰; 	<p>We did this (see HO Comment #29)</p>
<ul style="list-style-type: none"> • Detailed note taking to avoid any ambiguities including the specific questions asked or indicating where an unstructured interview approach was taken³¹; 	<p>The reviewer’s summary of Section 4.1.2 of the EU guidelines is not an accurate representation of the recommended methodology. Section 4.1.2 provides for greater flexibility around the level of detail contained within interview notes and also includes no reference to the inclusion of specific questions nor a request to specify type of interview approach adopted.</p> <p>Our approach to notetaking was consistent with the EU guidelines and also consistent with the approach of other COI units (see HO Comments #26, #27, #33 and #37)</p>
<ul style="list-style-type: none"> • Securing consent for all meeting notes included in the final report³²; 	<p>We did this (see HO Comment #38)</p>
<ul style="list-style-type: none"> • Clarifying in the final report when alterations have been added to the meeting notes during the sign-off phase³³; 	<p>Our notes reflect the final, agreed versions and include sources’ corrections or clarifications. We did not annotate where those alterations were made.</p> <p>The reviewer’s summary of Section 4.2.2 of the EU guidelines is not an accurate representation of the recommended methodology. The guidelines don’t recommend that all alterations to meeting notes are highlighted. Instead, the guidelines suggest that the FFM team may seek to add a remark in the report to highlight discrepancies in circumstances where ‘... a source revises entirely the content of notes or changing [sic] large portions of text, possibly to suit their own interests or agenda...’</p>

29 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [I. Methodology, 3.1.4. Interview Guide](#)

30 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [I. Methodology, 3.2.4. Validating information during interview](#)

31 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [I. Methodology, 4.1.2. Level of detail](#)

32 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [I. Methodology, 4.1.4. Writing up and approving interview notes and 4.2.2. Approving notes during mission](#)

33 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [I. Methodology, 4.2.2. Approving notes during mission](#)

<ul style="list-style-type: none"> • Providing detailed referencing about the interlocutors, place of interview, details of other attendees etc., where applicable and possible³⁴; 	CPIT’s approach was consistent with the EU FFM guidelines. See HO Comments #32 and #33.
<ul style="list-style-type: none"> • Proof reading and reviewing the pre-publication draft³⁵. 	We did this.

Concluding thoughts

Taken all of the above observations together, I find that the *interview notes CPIN* do not meet even the minimum standards of any primary research, let alone that used to inform crucial government evidence-based policy. Given that so much effort, rightly so, was put into arranging two visits to Rwanda in January and March 2022 to fill crucial information and comprehension gaps, it is difficult to see how the evidence in the *interview notes CPIN* meets an acceptable standard for use in setting government policy and informing decision-makers in the RSD process. I would therefore recommend that until further clarifications are provided and the observed shortcomings have been addressed, none of the information provided in the *interview notes CPIN* should be relied on.

Home Office comment

HO Comment #40

We do not accept this assessment and consider the reviewer’s ‘concluding thoughts’ to be unsupported.

We consider that the review:

- adopts an interpretation of the EU guidelines which does not fully reflect their nuance and flexibility.
- makes suggestions as to additional methodological requirements that CPIT could have adopted, but these go beyond what is required by the EU guidelines.
- sets a standard of research for CPIT which no other COI unit or human rights organisation meets (or is expected to meet)
- sets the bar for the ‘minimum standards of any primary research’ at an unrealistic and unreasonable level such that, if the standard was applied uniformly across all COI sources, no COI from any source could be relied upon

34 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [1. Methodology, 4.2.3. Writing up notes: best practice](#)

35 See European Union, [EU common guidelines on \(Joint\) Fact Finding Missions: a practical tool to assist member states in organizing \(joint\) Fact Finding Missions](#), November 2010, [1. Methodology, 5.3.3. Proof reading and review](#)

Rwanda – assessment CPIN

As outlined above in section [1.2 Methodology](#) it was not possible to conduct a thorough and detailed review of the *assessment CPIN* as it clearly went beyond the ToR for this review, limiting it to review the country information within the four CPINs under review but not any assessment or ‘guidance’ to decision-makers. Since the way the information is presented in this CPIN and the lines between what is pure country information and what is assessment by the Home Office are blurred, it was agreed that a full review under the current ToR would not be possible. However, with regards to whether the *assessment CPIN* covers all main relevant themes in relation to Rwanda, with regards to *Access to the asylum procedure* for example, it is considered that information addressing the situation of a range of potentially vulnerable groups of asylum seekers, beyond LGBTQI+ persons, has not been considered. This is reflective of observations made further above in relation to the identified information gaps in the *asylum system CPIN*.

An in-depth analysis by Asylos of the *asylum system CPIN* in combination with the *assessment CPIN* is worth noting here as it highlights selective considerations of COI in the *assessment CPIN*:

Analysis included in the thematic sections of this commentary shows that the conclusions in the Home Office’s Rwanda assessment often do not fully reflect the COI included in its asylum system CPIN. While COI is rarely completely conclusive, where contradictions arise, it is good practice to acknowledge these. However, the Rwanda assessment appears to make conclusive assessments on various aspects of the situation in Rwanda, belying the more contradictory picture that the COI points to. If the Rwanda assessment has privileged certain sources of information above others in reaching its conclusions, this should be stated, along with the reasons why.

Furthermore, analysis shows multiple omissions of important information that was found in the sources consulted or cited by the Home Office, but not selected for inclusion in the asylum system CPIN. Such omissions, risk minimising issues, and means that relevant information appears not to have been considered in reaching the conclusions set out in the Rwanda assessment.³⁶

Specific examples in relation to the asylum procedure, access to legal representation, the issue of detention used within the asylum process and the risk of refoulement are particularly highlighted in Asylos’ analysis and worth to be taken into consideration.³⁷

Home Office comment

HO Comment #41

We note this comment and agree that a review of the Assessments CPIN is outside the scope of the review.

³⁶ Asylos, [A Commentary on the UK Home Office Country Policy and Information Note: Rwanda, asylum system, and the related Country Policy and Information Note: Rwanda, assessment](#), July 2022, Summary of main methodological concerns, p. 8

³⁷ Asylos, [A Commentary on the UK Home Office Country Policy and Information Note: Rwanda, asylum system, and the related Country Policy and Information Note: Rwanda, assessment](#), July 2022, Summary of main methodological concerns, p. 8

1.5 Quality and balance of sources

Rwanda – asylum system CPIN

Types of cited sources

Usually CPINs differentiate between those sources referenced in footnotes, all of which are listed in the Bibliography section under ‘Sources cited’, and sources listed under ‘Sources consulted but not cited’. However, in the *asylum system CPIN* additional sources have been listed under the first list although they have not been cited. To exemplify, out of the 174 sources listed under ‘Sources cited’, only 57 were actually cited. It is not clear what happened to the remaining 117 sources, most of which appear more relevant for the *human rights CPIN*. The time foreseen for this review did not allow to go into greater detail about this particular observation. However, placing these sources under the wrong list in the Bibliography section suggests that a maximum amount of sources have been cited, when in actual fact they have not and it is questionable whether they have even been consulted, as otherwise they could have easily been placed under the ‘Sources consulted but not cited’ list of the Bibliography section.

Of the 225 footnotes included in the main body of the *asylum system CPIN*, 108 related to the *interview notes CPIN* (a critical analysis of this CPIN can be found further above in section [1.4 Understanding of the themes addressed in the CPINs](#)). Other sources cited included those produced by the Government of Rwanda and its various ministries and departments (including the National Commission for Human Rights), the UN ‘family’ (including UNHCR, UN Rwanda, the Human Rights Council, UNCAT, World Food Programme), other international organisations (including World Bank), one other government source (i.e. the U.S. Department of State), and a consultancy (i.e. Altai Consultancy).

However, an apparent lack of inclusion of sources falling under the broad categories ‘international, regional or national human rights organisations’ or ‘media/news’ has been observed in the main body of the CPIN, despite a number of these incorrectly being listed as ‘cited’ under the Bibliography section. The time allocated for this review did not allow to review each and every single one of these and it is therefore not apparent why these categories of sources of information have ultimately not been cited in the main body of the report.

Home Office comment

HO Comment #42

The Bibliography spans the two CPINs and we state in the preface that the CPINs are intended to be read together. However, in the forthcoming update we have chosen to separate the references between the Asylum System and Human Rights CPINs.

The nature of this topic means there is little relevant information available from sources such as ‘international, regional or national human rights organisations’ or ‘media/news’. GoR and UNHCR are the main bodies involved in both the RSD process and the wellbeing of refugees and asylum seekers. Therefore it is to be expected that these sources would provide a large proportion of the information. Please also refer to HO Comments #35 and #36.

We note the reviewer’s comment ‘... it is questionable whether.. [sources] have even been consulted.’ We confirm that all sources listed have been consulted.

A further observation is that all sources consulted, whether cited or not, have been published in the English language. As English is just one of the four official languages of Rwanda, the others being Kinyarwanda, French and since 2017 Kiswahili, it is surprising that publications were not sought in those languages too. Whilst it is acknowledged that resource limitations might have been a contributing factor, given the importance of this CPIN and the likelihood of intense scrutiny arising from the politicization of the controversial Rwanda policy, it would have been advisable to consult (and ultimately cite) as many types and different language publications as possible. Moreover, it has been anecdotally pointed out to me that whilst Rwanda has become mainly anglophone over the past decades, opponents and critics of the current government of Rwanda many of whom left many years ago and who often publish out of exile for fear for their safety, do so in French.

Home Office comment

HO Comment #43

As the reviewer states, this is anecdotal information related to publications in French by Rwandan nationals living overseas who left the country 'many years ago'. It is unclear how this information is essential (as per the instructions below) to understanding the experience of non-Rwandans claiming asylum.

As per the instructions to the reviewer: *'Any suggestions for additional information (or corrections to information in the document) **must** be referenced to a source document for the Home Office to be able to use it (preferably open source). The Home Office may use foreign language source documents, **but only if the information is considered essential** and is not available in an English-language source. If a reviewer believes a foreign language source should be taken into account, it may be helpful for his/her review to include a summary in English of the key points/pieces of information in that source, as the Home Office will then be able to cite the review in future CPINs.'* (Our emphasis)

We also note that the reviewer has not provided any references to reports containing additional essential information on the Rwandan asylum system which have been published in French, Kinyarwanda or Kiswahili.

Referencing

Although this section specifically asks me to comment on the 'quality and balance of sources', I would like to highlight one particular observation with regards to footnote referencing, in particular to the *interview notes CPIN*. Whilst most other footnotes mention the exact page number in the original source from where the information has been extracted from, this is not done for the information taken from the *interview notes CPIN*, which makes for an unnecessarily burdensome process to trace back to the original interview notes.

Presentation of information

In a few instances summaries of information found in referenced sources have been presented, which have not always been fully representative of the original source of information. Whilst this approach of providing summaries remains a contested area between (COI) researchers and decision-makers, who often prefer summaries enabling quicker access to information, as a COI researcher and reviewer I would tend to continue advocating for the

presentation of original source material. In this particular CPIN it is not always clear why on occasion a different approach has been adopted for certain types of information.

Home Office comment

HO Comment #44

We will check our footnotes as part of the standard process for updating the CPIN.

We do not accept we have inaccurately paraphrased or altered source meaning (direct examples are dealt with in the following sections). We use a mix of quotation and paraphrase depending on the material and which approach works best to meet end-users' needs. Paraphrasing is permissible under accepted COI standards.

Rwanda – human rights CPIN

Types of cited sources

Usually CPINs differentiate between those sources referenced in footnotes, all of which are listed in the Bibliography section under 'Sources cited', and sources listed under 'Sources consulted but not cited'. However, similar to the *asylum system CPIN* additional sources have been listed under the first list although they have not been cited. To exemplify, out of the 120 sources listed under 'Sources cited', only 64 were actually cited. It is not clear what happened to the remaining 56 sources, many of which appear more relevant for the *asylum system CPIN*. The time foreseen for this review did not allow to go into greater detail about this particular observation. However, placing these sources under the wrong list in the Bibliography section suggests that a maximum amount of sources have been cited, when in actual fact they have not and it is questionable whether they have even been consulted, as otherwise they could have easily been placed under the 'Sources consulted but not cited' list of the Bibliography section.

Amongst the 437 footnotes included in the main body of the *human rights CPIN*, a substantial number relate to the *interview notes CPIN*. It is important that my critical analysis of this particular CPIN, used as evidence, is read (see section [1.4 Understanding of the themes addressed in the CPINs above](#)). Otherwise, a balanced approach of a variety of sources has been noted, including government sources (both from Rwanda and others), from the UN 'family', other international organisations,, media sources, and human rights organisations.

Home Office comment

HO Comment #45

The Bibliography spans the two CPINs and we state in the preface that the CPINs are intended to be read together. However, in the forthcoming update we have chosen to separate the references between the Asylum System and Human Rights CPINs.

We note the reviewer's comment '... it is questionable whether.. [sources] have even been consulted.' We confirm that all sources listed have been consulted.

Thank you for the positive comment about our balanced and varied use of sources.

A further observation is that all sources consulted, whether cited or not, have been published in the English language. As English is just one of the four official languages of Rwanda, the others being Kinyarwanda, French and since 2017 Kiswahili, it is surprising that publications were not sought in those languages too. Whilst it is acknowledged that resource limitations might have been a contributing factor, given the importance of this CPIN and the likelihood of intense scrutiny arising from the politicization of the controversial Rwanda policy, it would have been advisable to consult (and ultimately cite) as many types and different language publications as possible. Moreover, it has been anecdotally pointed out to me that whilst Rwanda has become mainly anglophone over the past decades, opponents and critics of the current government of Rwanda many of whom left many years ago and who often publish out of exile for fear for their safety, do so in French.

Home Office comment

HO Comment #46

The Human Rights CPIN contains a balanced and varied use of sources. The CPIN includes a standalone section on political opposition and a sub-section on targeting of diaspora and there are a large number of English-language sources which cover these issues. Given this, it is unclear why the reviewer considers it essential (as per the instructions below) to take into account additional foreign-language sources.

As per the instructions to the reviewer: *'Any suggestions for additional information (or corrections to information in the document) **must** be referenced to a source document for the Home Office to be able to use it (preferably open source). The Home Office may use foreign language source documents, **but only if the information is considered essential** and is not available in an English-language source. If a reviewer believes a foreign language source should be taken into account, it may be helpful for his/her review to include a summary in English of the key points/pieces of information in that source, as the Home Office will then be able to cite the review in future CPINs.'* (Our emphasis)

We also note that the reviewer has not provided any references to reports containing additional essential information which have been published in French, Kinyarwanda or Kiswahili.

Referencing

Although this section specifically asks me to comment on the ‘quality and balance of sources’, I would like to highlight one particular observation with regards to footnote referencing, in particular to the *interview notes CPIN*. Whilst most other footnotes mention the exact page number in the original source from where the information has been extracted from, this is not done for the information taken from the *interview notes CPIN*, which makes for an unnecessarily burdensome process to trace back to the original interview notes.

Home Office comment

HO Comment #47

We will check our footnotes as part of the standard process for updating the CPIN.

Rwanda – *interview notes CPIN*

One of the main sources cited and relied upon in the *asylum system CPIN* are the interview notes as presented in the *interview notes CPIN*. Given the serious shortcomings identified above (see the relevant section as part of [1.4 Understanding of the themes addressed in the CPINs](#)) it is my view that the *interview notes CPIN* does not meet even the minimum standard expected of primary research, let alone one that is subsequently used to inform government evidence-based policy. I therefore would advocate that any information relied upon from the *interview notes CPIN* should be disregarded until all methodological concerns have been addressed.

Home Office comment

HO Comment #48

We do not accept this assessment. Please refer to HO Comment #40.

Review – Rwanda: Country information on the asylum system

Country information on Rwanda’s asylum system

Set up differently than most Country Policy and Information Notes (CPINs), this CPIN only contains country information about Rwanda’s asylum system and the support provisions the Rwandan government provides to asylum seekers and refugees, as well as information on Rwandan asylum seekers in the UK and other countries.

<p>1.1 Persons seeking refuge in Rwanda</p>	
<p><i>1.1.3 As of August 2021, the total population of refugees and asylum seekers in Rwanda was 127,382, consisting of 61.0% from the Democratic Republic of Congo (DRC), 38.6% from Burundi, 0.2% from Eritrea and 0.2% Other. Children (from birth to age 17) made up 49% of the refugee/asylum seeker population⁴.</i></p> <p>⁴ UNHCR, ‘Operational Data Portal: Rwanda’, 31 August 2021</p> <p>Recommendation: Footnote 4 suggests that the information referred to in this paragraph is taken from UNHCR’s Operational Data Portal, when it appears that all of the information is taken from UNHCR’s Rwanda Operational Update – August 2021, https://data.unhcr.org/en/documents/details/88912, with the exception of the statistics on Eritrea, which are correctly referenced as having been taken from UNHCR’s Operational Data Portal.</p> <p>Suggestion: Note that the latter source now contains updated data from 31st May 2022, which should be included in any updated <i>asylum system</i> CPIN.</p> <p>Partially accepted</p> <p>The data in para 1.1.3 has been taken from UNHCR’s Operational Data Portal and is correctly referenced. The Operational Update referenced by the reviewer appears on the Operational Data Portal website and appears to be a snapshot containing figures extracted from the Data Portal. The Operational Data Portal website was updated on 30 June 2022 (post-publication of the CPIN) which would explain why the current figures on the site don’t match the figures in the CPIN but do match the Operational Update cited by the reviewer.</p> <p>The revised CPIN will be updated with the most recent available data.</p>	
<p><i>1.1.4 Many of the DRC refugees arrived in Rwanda over 20 years ago, while a more recent influx occurred between 2012 and 2014. The Burundian refugees began arriving in 2015, when the country’s political situation deteriorated, <u>but some are now being voluntarily repatriated</u>. There are 6 refugee camps, 5 of which house predominantly DRC refugees and one which accommodates predominantly Burundian refugees⁵.</i></p> <p>⁵ UNHCR, ‘Submission to OCHCR’ (page 1), July 2020</p> <p>Recommendation: The underlined part of the sentence could not be located in the referenced source at footnote 5. Consider removing.</p>	<p>Accepted. We will include footnote.</p> <p>Any information on voluntary repatriation which is included in the forthcoming CPIN will be footnoted.</p>

<p>1.1.5 <u>Approximately 90% of refugees live in camps</u>, with the remainder settled in urban areas, mainly Kigali and Huye (<u>12,881 as of 31 August 2021</u>). While a majority of the refugees in the camps are reliant upon humanitarian support, refugees in the urban areas live largely independently^{6,7}.</p> <p>⁶ UNHCR, ‘Submission to OCHCR’ page 1), July 2020</p> <p>⁷ UNHCR, ‘Rwanda country refugee response plan Jan to Dec 2021’ (page 10), 19 April 2021</p> <p>Recommendation: The underlined parts of the sentence could not be located in the referenced sources at footnote 6 and 7, especially as the data follows the publication dates of both sources. Consider removing.</p> <p>Suggestion: From a methodological point of view, it is recommended to place each footnote behind the information it relates to.</p>	<p>Accepted. We will amend footnotes.</p> <p>Footnotes 6 and 7 are correct and relate to the sentence which precedes them. The first sentence is a summary of the statistics presented at para 8.2.4, we will make this clearer in the forthcoming CPIN.</p> <p>In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.</p>
<p>1.1.6 During a meeting between the HO and the Rwandan Government on 18 January 2022, senior officials from the Ministry of Foreign Affairs and International Cooperation (MINAFFET) and the Ministry in charge of Emergency Management (MINEMA) explained that <u>most of the urban refugees live in Kigali city [9,841] with a good number of them living in Huye [842] and Nyamata [2,299] and very few in other cities (Muhanga, Rubavu, Musanze and Rusizi)</u>⁸</p> <p>Recommendation: As the underlined part of the sentence is a direct quotation from the source referred to in footnote 8 it is recommended that this be indicated as such through quotation marks.</p>	<p>Accepted.</p>
<p>1.1.7 In 2016, the Rwandan government made 4 commitments with regards refugees:</p> <ul style="list-style-type: none"> • To facilitate camp-based refugees to move from assistance programmes and in to work. • To issue valid refugee ID cards to all eligible persons. • To integrate refugee students into the national education system. • <u>To provide urban refugees access to the national health insurance system</u>⁹. <p>⁹ UNHCR, ‘An overview ... on Refugees’, 15 March 2021</p> <p>The original source stated:</p> <p>The Government of Rwanda made four commitments at the Leader’s Summit in 2016 and has worked with UN Agencies, NGOs, private sector and others to fulfill them through the following measures:</p> <ul style="list-style-type: none"> • Public launch of strategy to promote livelihoods opportunities for refugees, jointly launched by the then- Ministry of Disaster Management and Refugee Affairs (MIDIMAR) and UNHCR. The strategy focuses on graduating refugees who living in camps – out of assistance programs and increasing their formal access to work opportunities. • Commitment to ensure that 100% of refugees are in possession of valid refugee identity cards issued by the Government by the end of 2017. • Commitment that 100% of refugee students in secondary school and 50% in primary schools will be integrated into national education systems by the end of 2018. • <u>Commitment that 100% of urban refugees will have the opportunity to buy into national health insurance systems by the end of 2017.</u> <p>Recommendation: Comparing the summary provided in paragraph 1.1.7 with the underlined sentence in the original source a slight distortion is noticed; whilst the original source states that the Rwandan government committed to providing all urban refugees with the opportunity to buy into the national health insurance systems, the CPIN interprets this as providing urban refugees with access to the national health insurance system. There is a rather a stark difference between providing access to a health system (whether for free or fee-paying) and allowing refugees to buy into a health system.</p>	<p>Partially accepted. We do not agree there is a ‘stark difference’ and highlight that 1.1.7 is a summary of issues which are covered in more detail in other sections of the CPIN.</p> <p>To include the phrase ‘to buy into’ – as suggested by the reviewer – has the potential to mislead Decision Makers as it implies that the cost of health insurance is borne by urban refugees when, in fact, the cost is covered by UNHCR.</p> <p>However, we have included more information on the Rwandan health system, including national health insurance, in the forthcoming CPIN.</p>

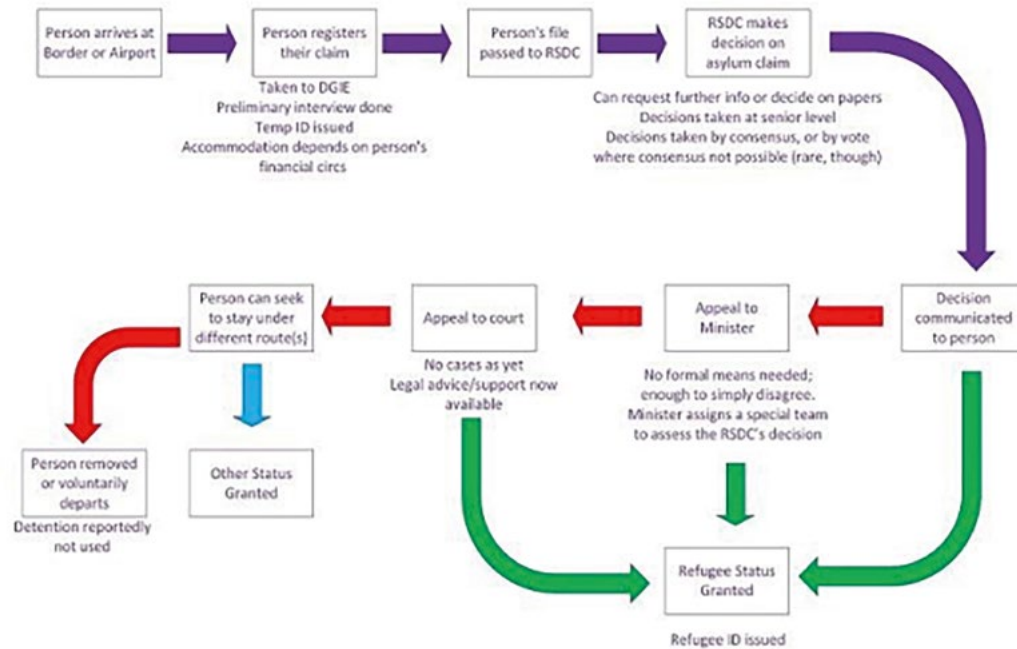
<p>1.1.12 The UNHCR High Commissioner visited Rwanda in April 2021 and praised the Rwandan Government for its response to refugees and asylum-seekers. In May 2021, following the eruption of Mount Nyiragongo volcano in the DRC, the Rwandan government provided support to 8,000 Congolese who crossed the border¹⁴.</p> <p>¹⁴ UNHCR, ‘...Operational Update: April - June 2021’, 28 July 2021</p> <p>Suggestion: Whilst it is correct that the UNHCR High Commissioner praised the Rwandan Government for its response to refugees and asylum-seekers in April 2021, this was specifically in relation to those “being evacuated from Libya”.</p>	<p>The full text of the source referred to states on page 7: ‘The High Commissioner praised the Government of Rwanda for welcoming refugees and asylum-seekers being evacuated from Libya, and for their continued solidarity and generosity, giving hope to vulnerable asylum seekers and refugees in Africa in dire need of protection and safety.’</p> <p>The CPIN paraphrased this as: the High Commissioner ‘praised the Rwandan Government for its response to refugees and asylum-seekers’ and this is considered to be an accurate reflection of the COI.</p>
<p>1.2 Rwandan nationals returning to Rwanda</p>	
<p>1.2.1 In 2015, the UNHCR recommended the invocation of the “ceased circumstances” clause for Rwandans who had fled the country between 1959 and 1998. As per the 1951 Refugee Convention, the cessation clause is applied when there have been durable changes in a refugee’s country of origin, with the result that they no longer have a well-founded fear of persecution. As of September 2020, approximately 3.5 million exiled Rwandans had returned. The Rwandan government worked with UNHCR and other organisations to assist the returnees, most of whom resettled in their districts of origin¹⁵.</p> <p>¹⁵ USSD, ‘USSD report 2020’ (section 2), 30 March 2021</p> <p>Recommendation: Most of this paragraph is a direct quotation from the source referred to in footnote 15. It is therefore recommended that this be indicated as such through quotation marks.</p> <p>Suggestion: It is further recommended that reference should have been made here to sections 3.6 <i>Political opposition: reported targeting of diaspora outside Rwanda</i> and 3.7 <i>Political opposition: reported use of surveillance and electronic surveillance of the human rights CPIN</i>.</p>	<p>Recommendation: not accepted.</p> <p>In order to manage the length of the CPIN and to use clear, easily understood language, the original paragraph in the USSD report (137 words) has been paraphrased to 93 words with no loss of meaning.</p> <p>Thank you for the suggestion.</p> <p>We link sections where there is a crossover of information. Section 1.2.1 covers the return of Rwandans to the country due to no longer having a well-founded fear of persecution. There is no crossover with the sections on political opposition.</p>
<p>2. Asylum/refugee law</p>	
<p>2.1.2 National/asylum/refugee law^{17 18 19 20 21}</p> <p>Suggestion: It is recommended that instead of lining up one footnote after another, they are placed behind the relevant source of information, in this case the specific national laws relating to asylum presented in a table.</p>	<p>Thank you for the suggestion.</p> <p>We have amended the footnotes in the table in the forthcoming CPIN.</p>

<p>3.2 Partnerships</p>	
<p>3.2.1 In May 2019, Rwanda received US\$60 million funding from the World Bank Group to improve access to services and economic opportunities for refugees and host communities in the six districts that host refugee camps. The Socio-Economic Inclusion of Refugees and Host Communities Project (also called the Jya Mbere Project) will run from August 2019 to October 2024 and is intended to upgrade schools, health facilities, roads and water/sanitation systems in districts which host refugee camps. The project will also fund access to finance to promote entrepreneurship and employment skills training for refugees and host communities and strengthen social relations between refugees and host communities. In December 2020, construction work began on 40 new classrooms in Gisagara District, with an additional 210 classrooms to be built in Gicumbi, Gatsibo, Kirehe and Nyamagabe Districts. In June 2021, the World Bank approved an additional US\$20 million dollars of funding. The World Bank estimated that since the project's inception in 2019, Jya Mbere has provided improved access to services such as health, education and clean water to over 450,000 Rwandans and refugees^{26 27 28}.</p> <p>²⁶ World Bank, 'World Bank supports improved basic services...', 23 June 2021</p> <p>²⁷ MINEMA, 'Jya Mbere project... Oct to Dec 2020' (page 6 to 7), March 2021</p> <p>²⁸ MINEMA, 'Jya Mbere project launches construction of classrooms', no date</p> <p>3.2.2 In September 2019, Rwanda signed an MoU with the UNHCR and the African Union to receive refugees and asylum seekers evacuated from Libya. Under the so-called Emergency Transit Mechanism (ETM), the UNHCR conducts refugee status determination processes and issues documentation which enables refugees and asylum seekers to access services while they wait for an outcome. Possible outcomes include: resettlement in a third country, return to country of origin, return to a country where asylum had been granted or local integration in Rwanda, subject to agreement with the authorities^{29 30 31}.</p> <p>²⁹ MINEMA, '...refugees and asylum seekers from Libya safely arrived in Rwanda', no date</p> <p>³⁰ Altai Consulting, 'EUTF ...2020 yearly report' (page 42), June 2021</p> <p>³¹ UN Human Rights Council, 'Summary of Stakeholders' submissions' (page 10), 16 Nov 2020</p> <p>3.2.4 Operation of the ETM has been hindered by COVID-19 restrictions on travel and between September 2019 and December 2020, 515 people were relocated from Libya to Rwanda. Of these, 327 have undergone refugee status determination and 203 refugees have departed for resettlement, of whom a minimum of 121 were resettled in Sweden and Canada. The UNHCR estimates that 1,500 evacuees from Libya will be relocated to Rwanda in 2021^{33 34 35}.</p> <p>³³ MINEMA, '...refugees and asylum seekers from Libya safely arrived in Rwanda', no date</p> <p>³⁴ Altai Consulting, 'EUTF... 2020 yearly report' (page 10), June 2021</p> <p>³⁵ UNHCR, 'Rwanda country refugee response plan Jan to Dec 2021' (page 9), 19 April 2021</p> <p>Suggestion: It is recommended that instead of lining up one footnote after another, they are placed behind the relevant source of information.</p>	<p>Thank you for the suggestion.</p> <p>In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.</p>

<p>3.2.3 As part of the ETM agreement, the UNHCR has upgraded the Gashora Transit Centre, including the health facilities, sanitation and accommodation units. All persons transiting through the ETM are offered counselling or referral to mental health services and legal assistance. The Centre also provides refugees with employment training and opportunities³².</p> <p>3.2.4 Operation of the ETM has been hindered by COVID-19 restrictions on travel and between September 2019 and December 2020, 515 people were relocated from Libya to Rwanda. Of these, 327 have undergone refugee status determination and 203 refugees have departed for resettlement, of whom a minimum of 121 were resettled in Sweden and Canada. The UNHCR estimates that 1,500 evacuees from Libya will be relocated to Rwanda in 2021^{33 34 35}.</p> <p>Recommendation: It is recommended that the information contained in this sub-section be moved to a new separate section that focuses on ETM agreements(s) in an updated <i>asylum system CPIN</i>. Information to seek should focus on background to ETM(s), practical implementation, shortcomings, challenges and successes. Whilst the UK-Rwanda Memorandum of Understanding is slightly different, it is still vital that information is included about existing agreements and mechanisms, especially when they attract mixed reviews, as a useful comparison (see 1.4 Understanding of the themes addressed in the CPINs).</p> <p>For example, additional information found in the referenced source UNHCR, 'Rwanda country refugee response plan Jan to Dec 2021', 19 April 2021, p. 9, could have been useful that highlights that Rwanda can accommodate 500 persons at any one time under the ETM. Moreover, the following information found in the 2017 Concluding Observations of the UN Committee Against Torture, para. 46 should also have been included: "It also expresses concern at the difficulties in accessing the asylum procedure faced by Turkish residents as well as Eritreans and South Sudanese relocated from Israel, some of whom have reportedly been forcibly expelled to neighbouring countries. While acknowledging that the State party has granted prima facie refugee status to over 80,000 Burundians, and noting the delegation's denial of forced returns, the Committee takes note with concern of information reported in the media that more than 1,000 Burundians were forcibly expelled in May 2016".</p>	<p>Not accepted</p> <ol style="list-style-type: none"> 1. The CPIN already contains a separate section on the ETM (8.4). 2. The focus of this CPIN is how the GoR handles asylum claims through its own refugee status determination procedure (RSD), rather than the operation of the ETM, where the UNHCR is responsible for the RSD. 3. Capacity of the ETM has been considered in section 8.4. 4. The MoU between GoR and UNHCR for the ETM was signed in September 2019, so the relevance of a reference taken from a report dated 2017 – relating to events in 2016 – is unclear.
<p>4.1 General commentary</p>	
<p>4.1.1 In its review of access to the asylum system, UNHCR stated: 'The 2014 Law relating to Refugees, is fully compliant with international standards and sufficiently details the [Refugee Status Determination] RSD procedures. The <i>PM Order</i> frames not only the composition of the [National Refugee Status Determination Committee] NRSDC, but also contains provisions outlining access to the asylum procedure. While the legal framework is progressive, its implementation appears challenging in practice.'³⁶</p> <p>Suggestion: It is recommended that most acronyms, especially those country-context specific ones, be spelled out, as was done with NRSDC.</p> <p>Suggestion: In general it should be considered to add a list of acronyms for easy reference.</p>	<p>Thank you for the suggestion.</p> <p>It is our policy to spell out acronyms the first time they are mentioned in a report. We have also included a table of frequently referred to acronyms in the forthcoming CPINs.</p>

4.2 Key stages of the process

4.2.1 Based primarily upon information gathered during meetings with Rwandan Government officials on 18 January 2022 and 22 March 2022³⁷, alongside other sources consulted in this document, CPIT has summarised the key stages of the RSD process in the diagram below:



³⁷ Notes of interviews, Annex A1, Meeting between HO and Govt of Rwanda, 18 January 2022

Recommendation [1]: Whilst the paragraph mentions that the diagram was informed by information taken from the meetings with Rwandan government officials, it also states that “other sources consulted in this document” was used. For traceability and transparency purposes it would have been better to list in a footnote the specific sources the Home Office did rely upon. It was therefore not possible to provide a 100% accurate review of the information contained in this diagram.

Recommendation [2]: It is recommended that the following information found in the notes taken from the meetings with Rwandan government officials should be considered for inclusion to complete the available information on the Rwandan RSD process (unless more recent information is available during the updating stage), as well as executing proposed amendments :

- Remove “Accommodation depends on person’s financial circs” as under the UK-Rwanda Memorandum of Understanding special provisions have been decided, which differ from the provisions provided to asylum seekers not relocated from the UK (see [UK-Rwanda Memorandum of Understanding, section 8](#))
- Include MINEMA’s involvement in ensuring that all information is received and that further information can be requested to be submitted by the applicant (see p. 5 of the *interview notes CPIN*)

Recommendation [1]: **accepted**

Recommendation [2]: **partially accepted**

The aim of the diagram is to provide a simplified visual aid of the end-to-end asylum process. To achieve this, we have struck a balance between ease of understanding and level of detail. The additional information referred to by the reviewer is available in other parts of the CPIN, mainly sections 4.3 to 4.11 and – to a lesser extent – in the Annex (in instances where the information is not considered critical to understanding).

Where the points raised by the reviewer don’t relate to COI covered elsewhere in the CPIN, these have been addressed individually:

1. Remove “Accommodation depends on person’s financial circs”...

Not accepted: The diagram shows the RSD process for asylum applicants in general, not specifically transferees under the UK-RWA MoU. For asylum applicants not relocated from the UK, accommodation will depend on the person’s financial circumstances.

2. Amend: Applicants don’t get a ‘Temp ID’ but a ‘temporary resident permit’

Accepted: ‘Temp ID’ will be amended in the diagram to ‘temporary residence permit’ in any updated CPIN.

3. Remove the opinion in brackets “(rare, though)”...

Accepted: In any updated CPIN we will remove ‘rare’ and replace with ‘only a few cases’ (page 6 of interview notes)

4. Make it clearer that the ‘Appeal to Minister’ is the 1st appeal stage...

Not accepted: It is evident from the diagram that these are different steps in the process.

- Include RSCD's power to request to meet the applicant for a 20-40min interview (see p. 5 of the *interview notes CPIN*)
- Include that a meeting between DGIE and RSDC is organised within 2-3 weeks after receipt of the application to decide a claim (see p. 5 of the *interview notes CPIN*)
- Amend: Applicants don't get a 'Temp ID' but a 'temporary resident permit' (see p. 5 of the *interview notes CPIN*). This 'temporary residents permit' differs from a 'refugee ID' or 'Refugee travel doc' (see p. 10 of the *interview notes CPIN*)
- Amend: 'Preliminary interview' seems to be done by the Local Authority/'Immigration', who take basic information, register the applicant in their system and issue the applicant with a temporary residence permit, before passing this information on to DGIE (see p. 6 and 11 of the *interview notes CPIN*)
- Amend: A written application seems to be submitted by the claimant, but no information is provided as to what can and should be included and within what time frame this information should be submitted and in which language (see p. 16 of the *interview notes CPIN*)
- Amend: Include information on the Eligibility Officer who may speak to the applicant and who summarises the case before passing this information on the RSDC. No further information provided as to whether claimant allowed to see and if necessary challenge these summaries (see p. 16 of the *interview notes CPIN*)
- Remove the opinion in brackets "(rare, though)", as the diagram should only include 'facts' as presented to CPIT in its discussions with Rwandan government officials
- Add the fact that can ask Ministry of Foreign Affairs for additional information [on the applicant or COI?] (see p. 6 and 17 of the *interview notes CPIN*)
- Add additional information or advice can be provided by for example UNHCR (see p. 6 of the *interview notes CPIN*)
- Add: Interpreters provided where necessary at first-instance (see p. 7 of the *interview notes CPIN*)
- Add: No provision of legal representation/assistance at first-instance or at appeal stage to the Minister (see p. 7 of the *interview notes CPIN*)
- Include information on timeframes for key stages of the RSD process as provided on p. 8 of the *interview notes CPIN* [even if mentioned in subsequent paragraph 4.3.1]
- Explain who the members of the 'special team' are that the Minister will assign to decide an appeal (see p. 9 of the *interview notes CPIN*)
- Make it clearer that the 'Appeal to Minister' is the 1st appeal stage and that the 'Appeal to court' is the 2nd appeal stage (see p. 9 of the *interview notes CPIN*)
- Explain why no cases have reached 2nd appeal stage yet (see p. 10 of the *interview notes CPIN*)
- Add information that once a negative decision is communicated to the applicant, it does not contain details as to the reasons for refusal (see p. 10 and 17 of the *interview notes CPIN*)
- There seems to be contradictory information as to what kind and level of evidence is required in order to appeal at 1st instance (to the Minister): No information/enough to simply disagree vs. "appellant has to come up with more credible evidence in order to substantiate their claim" (see p. 17 of the *interview notes CPIN*)

Suggestion: Lastly, it would be useful not to include acronyms, especially unknown country-specific ones, in such diagrams, such as DGIE [Directorate General of Immigration and Emigration], RSDC [Refugee Status Determination Committee]. Instead these could be spelled out or a list of acronym description provided at the bottom of the diagram.

5. *Explain why no cases have reached 2nd appeal stage yet*

Not accepted: the lack of information on this issue has already been acknowledged and considered in sections 2.3.3 and 2.3.4 of the Assessment CPIN.

6. *There seems to be contradictory information...*

Not accepted: The two examples cited relate to 2 different things.

In para 4.11.7 HO officials asked whether claimants needed to give reasons why they are appealing and the interviewee explained: 'There is a legal right to appeal, and to be not happy with the decision is enough.'

This is a different issue from what kind of information is required to support an appeal. DGIE in 4.11.9: "The appellant has to come up with more credible evidence in order to substantiate their claim, they will have been told that what you gave the Committee wasn't clear. They may even have an idea where the gaps [in evidence] were.'

Thank you for the suggestion.

It is our policy to spell out acronyms the first time they are mentioned in a report. We have also included a table of frequently referred to acronyms in the forthcoming CPINs.

<p>4.3 Timelines</p>	
<p>4.3.3 <i>The US State Department 2020 Human Rights Practices Report (USSD report 2020), covering events in 2020 <u>noted delays in the process for making individual refugee status determinations and that the committee with responsibility for making decisions on individual cases <u>met infrequently</u></u>⁴⁰.</i></p> <p>⁴⁰ USSD, ‘USSD report 2020’ (section 2), 30 March 2021</p> <p>Recommendation: It is recommended to shy away from summaries, but rather to use the original language as found in the source. In this instance the U.S. Department of State reported that there were “significant delays” in processing asylum claims, except for Burundians.</p> <p>Recommendation: As for the second underlined part of the sentence, it should be placed between quotation marks as it is the U.S. Department of State’s view, based on their information to hand, as to the frequency of meetings of the committee.</p>	<p>Recommendation: accepted</p> <p>We will amend citations in the updated CPINs.</p>
<p>Suggestion: Additional information found in the referenced source UNHCR, ‘Rwanda country refugee response plan Jan to Dec 2021’, 19 April 2021, p. 10, could have been useful in this section highlighting the delays in processing asylum decisions due to the COVID-19 pandemic.</p>	<p>N/A given the delay in the review process, some suggested sources have been superseded. We intend to include the most up-to-date sources in the forthcoming CPINs</p>
<p>4.4 Initial contact</p>	
<p>4.4.2 <i>In its submission to the UPR, UNHCR raised concerns that some asylum seekers, particularly lesbian, gay, bisexual, trans and intersex [LGBTI] persons, faced challenges when attempting to submit asylum claims, with requests being verbally rejected</i>⁴³.</p> <p>Recommendation: Whilst it makes sense to have this information as part of this sub-section, I am afraid that it might get lost for users who specifically look for information on how the asylum system deals with claims raised by LGBTQI+ persons. Although the CPIN at the end of this sub-section refers to the LGBTQI+ persons section in the <i>human rights</i> CPIN, it is highly recommended to include in an updated CPIN a separate section on how the asylum system in Rwanda works in theory and practice for particular groups of claimants e.g. LGBTQI+ persons, women, victims of torture, stateless persons, victims of trafficking, unaccompanied minors, persons with disabilities etc., and whether any special provisions are in place to deal with these additional vulnerabilities (see 1.4 Understanding of the themes addressed in the CPINs).</p> <p>For example with regards to protection concerns for women and children seeking asylum, additional information found in the referenced source UNHCR, ‘Rwanda country refugee response plan Jan to Dec 2021’, 19 April 2021, p. 10-11, could have been useful to see included.</p> <p>As to victims of trafficking and/or torture, the 2017 UNCAT, ‘Concluding observations on the second periodic report of Rwanda...’, 21 December 2017, para. 49 referred to in this CPIN, highlights that the number of law enforcement officials should be increased in refugee camps to protect refugees from being trafficked, as well as providing training to “immigration officers, camp management staff and military personnel deployed close to refugee camps on the identification of victims of trafficking, including victims of torture among the trafficked persons”. Information found in the interview notes CPIN (p. 61) based on a meeting with UNHCR, would have also been useful to include: “The trafficking in camps – The issue that UNHCR felt they were struggling with was regarding girls [...] UNHCR felt limited in that they can only provide basic services, and therefore there’s a gap between what they need and what [the organisation] can offer. Prioritise security, water, food and health services, child protection. UNHCR said there is always a gap between what the refugees want, what they need and what [UNHCR] can provide, but particularly a gap in legal assistance – not enough lawyers, in some locations, only one lawyer deals for all cases in one location including for SGBV. [UNHCR] will prioritize to assist the survivor in this situation”.</p>	<p>Recommendation: Not accepted</p> <p>See HO Comment #6 which covers the issue of specific groups’ experiences of the Rwandan asylum system.</p> <p>We recognise that there are gaps in the COI regarding the experience some groups of claimants have when navigating the asylum system.</p> <p>However, we note the reviewer’s suggestion to provide more information and the reviewer’s remit that, ‘Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.’</p> <p>The reviewer has provided no relevant additional information which covers the experience of the asylum system for the following groups:</p>

Highlighting specifically concerns for LGBTI asylum seekers, the referenced source [UNHCR 'Submission to OCHCR', July 2020, p. 5](#) noted: "Some asylum seekers, i.e. LGBTI asylum seekers, continue to face challenges upon submission of their asylum requests to the immigration service, who verbally rejects their applications. UNHCR is concerned that such practices are subjecting asylum seekers to harsh living conditions as well as placing them at risk of detention and deportation". Similarly, information included in the [interview notes CPIN](#) (p. 55) based on a meeting with UNHCR seems highly relevant here: "UNHCR has noticed that LGBT asylum seekers have not been able to register their claims. They have to report to the local authorities and are told by the most junior immigration staff that Rwanda is not the place for them, or Rwanda does not deal with such issues. They are given immediate verbal rejection".

With regards to stateless persons, information found in the [interview notes CPIN](#) (p. 53) based on a meeting with UNHCR would have been useful to see included: "According to the new 2021 nationality law, stateless persons can apply for nationality. UNHCR is working with government of Rwanda on commitment to eradicate statelessness; lots of people undocumented in border areas. Recently started, multi year plan. [UNHCR] helping with technical and financial support. UNHCR works to identify those people who had previously slipped through the cracks, as some are now 'half Rwandan', 'half Burundian' etc where previous marriages have taken place between dual nationalities. The aim is to identify those deemed stateless and to legalise their status and to support them. Hoping they will be recognised. Rwanda being very generous in this area".

1. Women (HO Comment #14)
2. UASC (HO Comment #15)
3. VoT (HO Comment #17)
4. Torture survivors, persons with disabilities and stateless persons (HO Comment #20)

The absence of any suggested additional sources – which provide the information requested by the reviewer – is consistent with our own research findings. If any new COI becomes available it will be included in the forthcoming CPINs.

With regards the suggested references:

[UNHCR, 'Rwanda country refugee response plan Jan to Dec 2021', 19 April 2021, p. 10-11,](#)

This source briefly considers the vulnerabilities of refugee women and children living in camps. However, this issue is already covered in section 8.5 of the Human Rights CPIN. Persons relocated under the UK-RWA agreement will not be accommodated in camps and so we do not intend to expand upon the existing COI.

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

[21 December 2017, para. 49.](#) This source, together with the cited UNHCR meeting [interview notes CPIN](#) (p. 61), relates to the risk of trafficking in camps. Trafficking is covered in section 8.6 of the Human Rights CPIN. Persons relocated under the UK-RWA agreement will not be accommodated in camps and so we do not intend to expand upon the existing COI.

The quotation from UNHCR on LGBTI asylum seekers [interview notes CPIN](#) (p. 55) is already included in the Human Rights CPIN at section 9.5.

	<p>The quotation from UNHCR on stateless persons interview notes CPIN (p. 53) relates specifically to how the GoR is managing undocumented people living in border areas of the country and isn't relevant to the circumstances of a person relocated under the UK-RWA agreement.</p>
<p>Suggestion: It would have been also useful to include the following information included in the interview notes CPIN (p. 53) based on a meeting with UNHCR: "Asylum seekers directly approach the Government to register their asylum claim, so UNHCR is not aware of all the claims being made, but it has started to track the cases it is made aware of. Some asylum seekers fly into the country directly and may not be aware of [the organisation's] presence or location even though Registration is supposed to be a joint process with the Government. Asylum seekers directly approach GoR, GoR won't necessarily inform UNHCR. Those who had previously been granted on a prima facie basis, now have their biometrics etc. recorded and are added to the database. UNHCR also has an offline Registration, which helps it to know the nationality and arrival dates of asylum seekers and also to obtain contact details of those entering the country. It is also carrying out a Verification process (the last one was in 2018/19). Since all asylum seekers now have to go through the RSD process and present before the Committee, there is a risk someone's previous prima facie status will be de-activated if there is no record of them being in Rwanda before the new process began. When [the organisation] identify these people, they are interviewed and are 're-activated' with the government's blessings".</p>	<p>Thank you for the suggestion.</p> <p>However, this information is not considered relevant to the circumstances of a person relocated under the UK-RWA agreement.</p>
<p>4.5 Information provided to asylum seekers</p>	
<p>4.5.3 In a meeting between HO and the Government of Rwanda on 22 March 2022, a DGIE official explained that the steps in the asylum process are outlined to applicants verbally and that: <u>'There are no documents provided to outline the process.'</u>⁴⁹</p> <p>⁴⁹ Notes of interviews, Annex A1, Meeting between HO and Government of Rwanda, 22 March 2022</p> <p>Recommendation: When referring back to the referenced source, no direct quote to the second part of the paragraph could be located nor to the amount of detail provided in the first part of the paragraph with regards to information on the asylum process being communicated to the applicants verbally. Instead the following information was found in the interview notes between the Home Office and the Rwandan government officials:</p> <ul style="list-style-type: none"> • Director of Response and Recovery Unit MINEMA: "A person receives information at the first application point during first reception with DGIE. The officer who receives the person will provide the initial information"; "For the first level claim: they are provided information on their right to/how to claim. This can take place during the interview with RSDC or during the handover of the notification. For example information about further level of appeal, support from NGOs/UNHCR frameworks and where they can get legal assistance etc" and "for the second level of claim – rights and responsibilities of submitting an appeal to the High Court and gaining assistance, this information would be provided when the first decision notification was handed over" (see p. 5 of the <i>interview notes CPIN</i>) • Director of Response and Recovery Unit MINEMA: "The information on legal assistance is provided during the handing over of the notification of the first level decision" (see p. 7 of the <i>interview notes CPIN</i>) 	<p>Recommendation: accepted.</p> <p>We will reword</p>

<p>4.7 Refugee Status Determination Committee</p>	
<p>4.7.1 Based upon information gathered during a meeting with Rwandan Government officials on 18 January 2022, the Refugee Status Determination Committee (RSDC) is made up of senior government officials representing eleven member institutions⁵⁴</p> <p>⁵⁴ Notes of interviews, Annex A1, Meeting between HO and Government of Rwanda, 18 January 2022</p> <p>Suggestion: The way the information is presented in this paragraph seems misleading when compared to the interview notes:</p> <p>Q – what is the composition of the RSDC?</p> <p>Senior Official MINEMA – Committee are senior officers across ministries.</p> <p>Q – Does everyone on the committee have to attend to make the decision or is there a minimum amount? Senior Official MINEMA – There is a core number provided by law. For example, if there are 11 people on the committee at least 7 should attend. We can always call a second meeting.</p> <p>According to the original source the RSDC is composed of senior officers from across ministries and if 11 members belong to the committee then 7 are required to reach a decision. However, the source does not state that the RSDC is made up of representatives from eleven member institution.</p> <p>Upon further investigation of the original source, the relevant information, as presented in the CPIN, has been found, but attributed to the meeting between Home Office representatives and UNHCR on 21st March 2020 (A8, p. 52/53):</p> <p>The NRSDC is a committee of multiple agencies. Heavy procedure made of many government institutions/departments (including environment, security): the members of NRSDC:</p> <ul style="list-style-type: none"> 1° Prime Minister’s Office; 2° the Ministry in charge of refugees; 3° the Ministry in charge of foreign affairs; 4° the Ministry in charge of local government; 5° the Ministry in charge of justice; 6° the Ministry in charge of defence forces; 7° the Ministry in charge of natural resources; 8° the Ministry in charge of internal security; 9° the Ministry in charge of health; 10° the National Intelligence and Security Service; 11° the National Human Rights Commission. 	<p>Thank you for the suggestion.</p> <p>We will reword and amend footnotes to reflect both existing COI and new COI included in the forthcoming CPINs.</p>

<p>4.7.2 At the same meeting, an official from MINAFFET and the Director of Response and Recovery Unit at MINEMA reported:</p> <p><i>‘The eligibility and protection office in MINEMA does day-to-day management. Scope of the Refugee Status Determination Committee (RSDC) is to take decisions on applications for refugee status and decisions on revocation of the RSD according to international laws. ‘For example, where an applicant faced terrorist charges, the committee could take the decision to revoke.’⁵⁵</i></p> <p>4.7.3 Rwandan Government officials from MINAFFET and MINEMA explained how the RSDC functions:</p> <ul style="list-style-type: none"> • <i>‘The process begins at the airport/border (first dealing with immigration) which is entry clearance and preliminary processing.</i> • <i>‘DGIE receives file and provides a preliminary analysis of the application. DGIE submits the application to RSDC.</i> • <i>‘Once files are received, the MINEMA Eligibility and Protection Office ensures all information is received. If something missing, further information can be requested to be submitted by the applicant. The RSDC can request to meet the applicant to verify information (in a 20-40 min interview).</i> • <i>‘A meeting with RSDC is organised within 2-3 weeks of receipt of the application to decide the claim.’⁵⁶</i> <p>Suggestion: It is recommended that most acronyms, especially those country-context specific ones, be spelled out, or a list with acronyms be provided at the beginning of an updated CPIN. Note that this is a general recommendation not just related to these two paragraphs, but observed in several instances in subsequent paragraphs too.</p>	<p>Thank you for the suggestion.</p> <p>It is our policy to spell out acronyms the first time they are mentioned in a report. We have also included a table of frequently referred to acronyms in the forthcoming CPINs.</p>
<p>Recommendation: It would have been very important to also include the following information included in the interview notes CPIN (p. 53) based on a meeting with UNHCR: “The Eligibility officer prepares a brief summary of the case. There is only one eligibility officer for the whole country. The claim is presented to the RSDC”.</p> <p>Suggestion: The following additional information found in UNHCR’s ‘Rwanda country refugee response plan Jan to Dec 2021’, 19 April 2021, p. 10 and 11 should also be considered for inclusion: “In 2020, given the outbreak of the COVID-19 pandemic, coupled with the limited capacity of the national RSD committee, many asylum seekers were still awaiting their decisions” and “The national asylum process for new asylum seekers remains cumbersome”.</p>	<p>Recommendation: not accepted.</p> <p>Very similar evidence from the same source (UNHCR) is included in the report at section 4.7.12. The evidence from interview notes CPIN (p. 53) was not included to avoid unnecessary repetition.</p> <p>Thank you for the suggestion.</p> <p>However, given the delay in the review process, some suggested sources have been superseded. We intend to include the most up-to-date sources in the forthcoming CPINs.</p>

<p>4.8 Legal representation</p> <p>4.8.5 Free legal aid services are provided to refugees and asylum seekers by UNHCR partner organisations such as the Legal Aid Forum (LAF). LAF describes itself as: ‘A non-governmental organisation bringing together 36 national and international organizations that provide or support legal aid services to [Rwanda’s] poor and vulnerable population.’ Services provided include legal advice and support on access to asylum and the refugee status determination process. Between 2015 and 2020, 77 asylum seekers received free legal aid^{72,73,74}</p> <p>⁷² UNHCR, ‘Help: Rwanda legal assistance’, no date</p> <p>⁷³ LAF, ‘Lawyers make case for GBV victims, refugees’, 30 Nov 2020</p> <p>⁷⁴ Ministry of Gender and Family Promotion, ‘Report on CEDAW’ (page 45 to 46), May 2021</p> <p>Recommendation [1]: The weblink provided at FN 73 is no longer valid. An alternative location and weblink was found here: The New Times (Rwanda), Lawyers make case for GBV victims, refugees, 12 November 2020, https://www.newtimes.co.rw/news/lawyers-make-case-gbv-victims-refugees</p> <p>Suggestion: In addition, from a methodological point of view, it is recommended to place each footnote behind the information it relates to.</p> <p>Recommendation [2]: Moreover, it would have been useful to include information found in the interview notes CPIN (p. 48) on the non-provision of legal aid by the Rwandan government: According to the Legal Aid Forum (LAF) there is “no legal aid desk from government” and “the Law says only children have access to Legal Aid”.</p>	<p>Recommendation [1]: accepted</p> <p>We will update weblink and footnote</p> <p>Thank you for the suggestion.</p> <p>In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.</p> <p>Recommendation [2]: accepted</p> <p>We will include reference to legal aid in the updated CPIN</p>
<p>4.11 Ability to challenge a negative decision</p> <p>4.11.2 In December 2017, the UN Committee Against Torture (UNCAT) noted that it regretted ‘... the State party’s failure to provide information on the time frames observed in the adjudication of asylum claims and on the use of judicial remedies to challenge deportations.’⁹²</p> <p>⁹² UNCAT, ‘Concluding observations on the second periodic report of Rwanda...’, 21 December 2017</p> <p>Suggestion: As has been the case with the majority of referenced sources, it is recommended to always include, where available, the page or paragraph number from where the information is taken from in the original source.</p>	<p>Thank you for the suggestion.</p> <p>We will amend the footnote.</p>

4.14 Decision outcomes and recognition rates

4.14.1 Refugees and asylum-seekers in Rwanda, UNHCR statistics for 2016 to 2020¹⁰³:

	2016	2017	2018	2019	2020
Total refugees under UNHCR's mandate (population at year end)	156,065	170,991	145,359	145,054	139,501
Total asylum seekers (population at year end)	456	438	423	613	465
Total 'others of concern'* (population at year end)	1,444	1,844	3,734	5,323	13,640
Total decisions taken on asylum claims during the year	n/a	32	234	307	228
Of which:					
Recognized		10	35	188	70
Rejected		0	0	0	0
Closed		22	199	119	158

*Others of concern refers to individuals who do not fall into any of the other groups (e.g. refugees or asylum seekers) but to whom UNHCR has extended its protection and/or assistance, based on humanitarian or other special grounds.

Recommendation: It appears that some of the figures provided in this table are incorrect according to the original source listed in the footnote. For example, the total number of refugees under UNHCR's mandate in 2020 is 139,491, not 139,501 as included in the table. Moreover, whilst the table indicates that 613 asylum seekers lived in Rwanda in 2019, the original source listed 493. Lastly, the total number of 'others of concern' were 5,475 instead of the 13,640 listed in the table.

4.14.2 The vast majority of refugees in Rwanda have been recognized *prima facie*; in other words, refugee status has been awarded on the basis of objective circumstances in the country of origin which apply to a group as a whole. This approach is favoured over individual status determination in situations where the assessment of individual claims is impractical or unnecessary, either due to the volume of people seeking refuge or where the similar situation of members of a group is apparent^{104, 105}.

¹⁰⁴ UNHCR, 'Guidelines on International Protection ...', 24 June 2015

¹⁰⁵ UNHCR, 'Submission to OCHCR' (page 4), July 2020

Suggestion [1]: Footnote 104: As has been the case with the majority of referenced sources, it is recommended to always include, where available, the page or paragraph number from where the information is taken from in the original source.

Suggestion [2]: As highlighted already before, from a methodological point of view, it is recommended to place each footnote behind the information it relates to.

Recommendation: **partially accepted**

Our data was correct at the time of publication.

However, the UNHCR dataset notes 'Some data presented may differ from statistics published previously due to retroactive changes or the inclusion of previously unavailable data.'

We will check and update the table for any revised version of the CPIN.

Thank you for suggestion [1]

We will amend footnote

Thank you for suggestion [2]

In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.

<p>4.14.5 During the meeting between the Rwandan Government and HO officials on 18 January 2022, Rwandan Government officials provided the following breakdown of individual asylum cases considered (figures from 2019):</p> <ul style="list-style-type: none"> • ‘Refugee status granted: 44 cases comprised of 62 individuals • ‘Refugee status rejected – 64 cases comprised of 124 individuals • ‘Pending: 2 cases comprised of 3 individuals • ‘Missing: 2 • ‘Number of appeals: 24 • ‘Number of appeals change of decisions: 2 • ‘Number to High court: 0 <p>A senior government official explained: ‘[the] Law [for appeal to the High Court] was promulgated only last year by official gazette. This will increase the rights of applicants.’¹¹⁰</p> <p>¹¹⁰ Notes of interviews, Annex A1, Meeting between HO and Govt of Rwanda, 18 January 2022</p> <p>Recommendation [1]: It was surprising to note that no figures from 2020, 2021 and 2022 were included regarding the number of appeals that made it to the first stage of appeal (to the Minister) and the second stage of appeal (to court as allowed since 2021) and their respective outcomes. This is an important piece of information that even if not available in the public domain, should have been sought as part of the meeting between the Home Office and the government of Rwanda (see my review of the interview notes CPIN).</p> <p>Recommendation [2]: Also, it is not clear for what the ‘Missing’ stands for. This should be made clear.</p>	<p>Recommendations 1 and 2: accepted</p> <p>We recognise that there were gaps in the COI regarding the number of appeals and the outcome of those appeals, and this gap was acknowledged in the Assessment CPIN (section 2.3).</p> <p>The forthcoming CPINs will be updated with any new evidence available at the time.</p>
<p>Recommendation: It would have been useful to also include the following information included in the interview notes CPIN (p. 52) based on a meeting with UNHCR: “Asylum-seekers who are not coming from neighbouring countries face high level rejection rate for individual RSD (e.g. asylum-seekers from Middle East)”. Moreover, it should have been noted in this section that ‘humanitarian protection’ or ‘subsidiary protection’ does not appear to be granted (see interview notes CPIN (p. 15)</p>	<p>Recommendation: not accepted</p> <p>It is not considered necessary to include UNHCR’s information from the interview notes CPIN (p. 52) as very similar information from the same source is already included at para 4.14.4.</p> <p>Regarding humanitarian/subsidiary protection, please can you clarify the source of this comment as I can’t locate anything on page 15, thank you.</p>
<p>Suggestion: Whilst acknowledging that this source is outside the research cut-off for the <i>asylum system CPIN</i>, it is recommended that it be included in any updated version:</p> <p>Minaffet, Remarks By Hon. Min Dr. Vincent Biruta At The Uk & Rwanda Migration And Economic Development Partnership Press Conference, 14 April 2022</p> <p>“And for those who don’t wish to make Rwanda their new home, they will be facilitated to return to their country of origin, or settled in other receiving countries.”</p>	<p>Thank you for the suggestion.</p> <p>However, given the delay in the review process, some suggested sources have been superseded. We intend to include the most up-to-date sources in the forthcoming CPINs.</p>

<p>6.2 Immigration detention, deportation, and voluntary returns</p> <p>6.2.3 <i>Migrant detention is used as a last resort. The law places emphasis on deporting migrants who violate immigration law, rather than placing them in detention. The 2019 Ministerial Order relating to immigration and emigration states that: ‘A foreigner subject to deportation may be hosted in a specified premise [sic] before his or her deportation from Rwanda’, although the Order does not specifically refer to the detention and deportation of failed asylum seekers^{125,126}</i></p> <p>¹²⁵ Government of Rwanda, ‘Official Gazette ...’ (Article 52), 30 May 2019</p> <p>¹²⁶ IOM, ‘Republic of Rwanda profile 2021: Migration governance indicators’ (page 21), 2021</p> <p>Recommendation: The weblink provided at FN 125 is no longer valid. An alternative weblink was found: https://gazettes.africa/gazettes/rw-government-gazette-dated-2019-05-30-no-special or https://gazettes.africa/archive/rw/2019/rw-government-gazette-dated-2019-05-30-no-special.pdf</p> <p>Note that the same source is also referenced at FN 219 in section 10.5 <i>Freedom to travel out of, and return to, the country</i>, and would need to be amended there too.</p> <p>Suggestion: As highlighted above, from a methodological point of view, it is recommended to place each footnote behind the information it relates to.</p>	<p>Recommendation: accepted</p> <p>We will amend the weblinks and the footnotes</p> <p>Thank you for the suggestion.</p> <p>In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.</p>
<p>6.2.5 <i>At the same meeting, UNHCR commented on the removal of failed asylum seekers:</i></p> <p><i>‘UNHCR believed there was some risk of a person being detained or deported at point of rejection. Few people appeal after rejection. [If someone is refused and they can’t get a visa] then there is a risk of being detained or deported. If no valid passport, some are deported.</i></p> <p><i>‘Most people given 48 hours to leave country but occasional cases where someone ‘seized’ straight after notification and taken to border by land. UNHCR was aware of at least 2 cases where unsuccessful asylum seekers had been taken directly to the border.’¹²⁸</i></p> <p>6.2.6 <i>UNHCR also talked about refoulement, but referenced three Syrian cases where the persons had been rejected in the first instance and on appeal. [UNHCR] felt the Rwandan Government didn’t wish to deport them.’¹²⁹</i></p> <p>¹²⁸ Notes of interviews, Annex A8, Meeting between HO and UNHCR, 21 March 2022</p> <p>¹²⁹ Notes of interviews, Annex A8, Meeting between HO and UNHCR, 21 March 2022</p> <p>Recommendation: This paragraph or overall sub-section fails to fully engage further with return practices (i.e. practical examples) by the Rwandan government of refused claims for protection by asylum seekers, as well as any information on documented instances of refoulement or indirect refoulement. The following are just a couple of illustrative sources found in the public domain documenting return practices by the Rwandan government, which are important to consider in any updated version of this CPIN:</p> <ul style="list-style-type: none"> • International Refugee Rights Initiative, “I was left with nothing”: ‘Voluntary’ departures of asylum seekers from Israel to Rwanda and Uganda, 8 September 2015 • Hotline for Refugees and Migrants, Deported To The Unknown, 7 December 2015 • Foreign Policy, Inside Israel’s Secret Program to Get Rid of African Refugees, 27 June 2017 • UNHCR, UNHCR concerned over Israel’s refugee relocation proposals, 17 November 2017 • The Conversation, Threat of expulsion hangs over thousands of Eritreans who sought refuge in • Israel and the US, 23 November 2017 • UN Committee Against Torture (UNCAT), Concluding observations on the second periodic report of 	<p>Recommendation: accepted</p> <p>6 of the 8 suggested sources relate to the Israel-RWA agreement, which we intend to cover in the updated CPIN.</p> <p>Of the 2 other suggested sources, the Global Detention Project is already included in the CPIN at 6.2.9 and the JCHR report post-dated the CPIN but will be considered for inclusion in the update, along with all available new information.</p>

<ul style="list-style-type: none"> • Rwanda [CAT/C/RWA/CO/2], 21 December 2017 • Global Detention Project, Rwanda, 20 January 2022 • UK Parliament, Joint Committee on Human Rights, Oral evidence: The UK-Rwanda Migration and Economic Development Partnership and Human Rights, HC 293, Wednesday 8 June 2022 	
<p>6.2.11 <i>Since January 2021, 19,726 Burundian refugees have been voluntarily repatriated, in collaboration with the UNHCR (this figure rose to 27,621 since August 2019)</i>¹³³. <i>Voluntary returnees hand back their refugee status documents at the Rwandan border</i>^{134,135}.</p> <p>¹³³ UNHCR, ‘Operational update: Rwanda May 2021’, 26 June 2021</p> <p>¹³⁴ UNHCR, ‘...Operational Update: April - June 2021’, 28 July 2021</p> <p>¹³⁵ MINEMA, ‘First group of 493 Burundian refugees voluntarily repatriated’, no date</p> <p>Suggestion [1]: The first sentence is misleading and should be clarified, as the original source at footnote 133 reported that since May 2021 [publication date of the source], 19,726 of Burundian refugees were repatriated and 27,621 between August 2019 and May 2021.</p> <p>Recommendation [1]: The information regarding the handing back of refugee status documents by voluntary returnees was not located in the referenced source at footnote 134.</p>	<p>Thank you for the suggestion.</p> <p>We will re-phrase.</p> <p>Recommendation – accepted.</p> <p>We will delete the footnote.</p>
<p>6.2.9 <i>In April 2020 the Global Detention Project published its Rwanda Immigration Detention Data Profile, the most up to date profile at the time of writing. There are no available statistics regarding the number of immigration detainees in Rwanda</i>¹³². <i>Rwanda Immigration Detention Data Profile (2020) – Global Detention Project Mapping immigration detention around the world</i></p> <p>Recommendation: With regards to the detention of asylum seekers, information found in the interview notes CPIN (p. 57) based on a meeting with UNHCR would have been useful to see included: “Still get some reports of detention of asylum seekers”.</p>	<p>n/a. This does not appear to be a recommendation.</p>
<p><i>See also Asylum process, Failed asylum seekers and Treatment and conditions in detention.</i></p> <p>Suggestion: It is useful to have included these important internal linkages to other relevant sections. However, the last hyperlink on <i>Treatment and conditions in detention</i> is inactive and the section not found in the current <i>asylum system CPIN</i>. The section is actually included in the <i>human rights CPIN</i> and this should be made clear so that decision-makers have easy access to this information.</p>	<p>Thank you for the suggestion.</p> <p>We will check hyperlinks in the update.</p>
<p>7. Documentation for asylum seekers and refugees</p>	
<p>Suggestion: With regards to documentation, information found in the interview notes CPIN (p. 57) based on a meeting with UNHCR would have been useful to see included: “Government is keen to make sure everyone has a valid refugee ID. Proof of registration – standard doc – need to carry around if you don’t have ID. Anyone not carrying an ID card is considered “illegal”. Need ID card to get a job, medical services, education, a SIM card and/or to use mobile money etc”.</p> <p>The following additional information found in UNHCR’s ‘Rwanda country refugee response plan Jan to Dec 2021’, 19 April 2021, p. 11 should also be considered for inclusion: “the provision of documentation for asylum seekers is delayed/denied causing protection risks to this vulnerable population who cannot access basic services”.</p> <p>Recommendation: Non-exhaustive illustrative sources found in the public domain documenting the difficulties faced by refugees with and without relevant documentation should be considered for future inclusion such as:</p> <ul style="list-style-type: none"> • World Bank Group, People’s Perspectives on ID and Civil Registration in Rwanda : Research Report, 21 March 2021, p. 1, 5, 17, 20, 31 • U.S. Department of State, 2021 Country Reports on Human Rights Practices: Rwanda, 12 April 2022, p. 25 	<p>Recommendation – N/A superseded by events.</p> <p>Given the delay in the review process, some suggested sources have been superseded.</p> <p>We intend to include the most up-to-date sources in the forthcoming CPINs.</p>

<p>8.2 Camp based refugees</p>	
<p>8.2.2 There are 3 reception centres (Gatore and Nyanza) and 3 transit centres (Nyarushishi in Rusizi District, Kijote in Nyabihu District and Gashora in Bugesera District)¹⁴⁷.</p> <p>¹⁴⁷ MINEMA, 'The single project implementation unit', no date</p> <p>Recommendation: According to the referenced source, there are two reception centres, not three. Consider amending.</p>	<p>Recommendation – accepted.</p> <p>We will include the most up-to-date information in the forthcoming CPINs.</p>
<p>8.2.3 The 6 refugee camps are:</p> <ul style="list-style-type: none"> • Nyabiheke (Gatsibo District) • Gihembe (Gicumbi District) • Mugombwa (Gisagara District) • Kiziba (Karongi District) • Kigeme (Nyamagabe District) • Mahama (Kirehe District)¹⁴⁸ <p>Suggestion: I found the following map on UNHCR's Rwanda website useful to visualise where the six refugee camps are located: https://www.unhcr.org/rw/where-we-work. This might be useful to consider including in an updated CPIN.</p>	<p>Thank you for the suggestion.</p> <p>However, Relocated Individuals from the UK will not be housed in camps so we do not think this level of detail is necessary.</p>
<p>8.2.4 UNHCR data (updated 31 August 2021) provides the following breakdown of refugee numbers¹⁴⁹: [...]</p> <p>¹⁴⁹ UNHCR, 'Operational data portal: Rwanda', updated 31 August 2021</p> <p>Suggestion: Note that UNHCR has now published latest figures dated 31st May 2022, which may be useful to include in an updated CPIN.</p>	<p>Thank you for the suggestion.</p> <p>We will include the most up-to-date figures in the forthcoming CPINs.</p>
<p>8.2.7 The National Commission for Human Rights (NCHR) found that the rights of camp-based refugees were respected in terms of access to shelter, food, water, medical care, education and security¹⁵².</p> <p>¹⁵² NCHR, 'Annual activity report, July 2019 to June 2020' (page 9), no date</p> <p>Suggestion: It is recommended to include information that the six refugee camps were inspected in February and June 2020 (see p. 41 of the referenced source).</p>	<p>Thank you for the suggestion.</p> <p>Given the delay in the review process, some suggested sources have been superseded. We intend to include the most up-to-date information in the forthcoming CPINs.</p>
<p>8.2.8 UNHCR stated that camp-based refugees live in UNHCR-provided semipermanent houses. UNHCR also provides infrastructure such as water and drainage systems, access roads and communal spaces such as markets. Housing standards and camp infrastructure vary by camp, with the UNHCR undertaking an operation to relocate residents in situations where shelters are considered unsafe, for example, due to environmental degradation of the land. The UNHCR estimated that at the end of 2020, 80% of refugees had adequate shelters^{153,154}.</p> <p>¹⁵³ UNHCR, 'UNHCR Rwanda fact sheet March 2021' (page 4), 26 March 2021</p> <p>¹⁵⁴ UNHCR, 'Rwanda country refugee response plan Jan to Dec 2021' (page 7), 19 April 2021</p> <p>Suggestion: As highlighted above, from a methodological point of view, it is recommended to place each footnote behind the information it relates to.</p>	<p>Thank you for the suggestion.</p> <p>In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.</p>

<p>8.2.10 WFP also announced a shift to a ‘targeted’ approach to food assistance whereby rations are allocated according to vulnerability. Highly vulnerable refugees would continue to receive full food assistance rations, moderately vulnerable refugees would receive 50 percent rations and refugees classified as not vulnerable would no longer receive general food assistance from the WFP. The new targeted approach, combined with the overall cut in food rations means that in June 2021, refugees classified as highly vulnerable received 92 percent of a full ration whereas the moderately vulnerable received 46 percent of a full ration¹⁵⁶.</p> <p>¹⁵⁶ WFP, ‘WFP Eastern Africa: regional refugee update June 2021’, 15 July 2021</p> <p>Suggestion: As has been the case with the majority of referenced sources, it is recommended to always include, where available, the page or paragraph number from where the information is taken from in the original source.</p>	<p>Thank you for the suggestion We will amend the footnote.</p>
<p>See also the note on human rights, sections Complaint mechanisms available to asylum seekers and/or refugees, SGBV against asylum seekers and refugees and Modern slavery/trafficking.</p> <p>Recommendation [1]: It is recommended that section 5.3 <i>Complaint mechanisms available to asylum seekers and/or refugees</i> currently in the <i>human rights CPIN</i> be moved to the <i>asylum system CPIN</i>, as the information it contains is more relevant to users of the latter CPIN.</p> <p>Recommendation[2] : More generally, there are a number of sections in the <i>human rights CPIN</i>, which would fit better in the <i>asylum system CPIN</i>, such as:</p> <ul style="list-style-type: none"> • 6.3 <i>NGOs involved with refugees and asylum seekers in Rwanda</i> • 9.5 <i>LGBTI asylum seekers and refugees</i> <p>The placement of these two sections risk the possibility that decision-makers may overlook important information contained in them. At the very least, a cross-reference should be made to these sections in the <i>asylum system CPIN</i>.</p> <p>Suggestion [1]: It would have been useful to also include cross-reference to information included in the <i>human rights CPIN</i> on security-related incidences in camp settings. For example section 4.4 <i>Other misconduct by authorities</i> includes information on the use of excessive force by security services in 2018 against Congolese camp refugees of Kiziba camp. With regards to this particular incident, information included in the interview notes CPIN (p. 50) based on a meeting with the Legal Aid Forum should also be included: “The case is pending before the court [...] Police alleged that they were attacked by rioting refugees. Some refugees have been charged with incitement to commit a crime. Not heard of any other incidents since”. Moreover, a source published after the cut-off research for this CPIN, Human Rights Watch highlighted in a May 2022 article entitled UK’s Rights Assessment on Rwanda not Based on Facts, Abuses Overlooked to Justify Cruel Asylum Policy that:</p> <p>Between February and May 2018, Rwandan authorities used excessive force and killed 12 Congolese refugees during a protest over cuts in food rations, and police arrested over 60 others. They charged them with participating in illegal demonstrations, violence against public authorities, rebellion, and disobeying law enforcement. Some were also charged with “spreading false information with intent to create a hostile international opinion against the Rwandan state.” Human Rights Watch confirmed that between October 2018 and September 2019, at least 35 refugees were sentenced to between 3 months and 15 years in prison. One refugee was accused of sharing information with us, and the communications were used as evidence against him during trial. He is currently serving a 15-year sentence.</p> <p>Suggestion [2]: Moreover, additional information found in the referenced source UNHCR, ‘Rwanda country refugee response plan Jan to Dec 2021’, 19 April 2021, p. 7-8, 10-11, could have been useful to see included, highlighting in this CPIN that sexual and gender based violence (SGBV) is a major protection concern for refugee women and children, the “poor situation and lack of livelihood opportunities” in refugee camps, the “high dependency” on humanitarian assistance to meet basic needs, lack of educational infrastructures, the camp congestions, the “below standards” water supply system and “lack of energy access”, the and the risk of arrest and detention if refugees move outside of camps. Some of this information was also found in the July 2020 UNHCR ‘Submission to OCHCR’, July 2020, p. 1: “In all six camps a majority of the refugees are highly dependent upon unsustainable humanitarian support”.</p>	<p>Recommendations [1] and [2]: not accepted. (Also suggestion [1])</p> <p>Where sections sit between products it is a matter of opinion with no ‘one right way’. We will look at the CPINs together in any update and consider where information best sits and continue to cross reference between CPINs and sections.</p> <p>Suggestions [2] to [5] We do not consider increased detail is needed on refugee camps as persons relocated from the UK will not live there.</p>

<p>Suggestion [3]: In addition, information found in UNHCR, 'Operational update: Rwanda May 2021', 26 June 2021, p. 4, also referenced in the CPIN, which specifically mentioned the number of new cases of SGBV in the six camp settings would have been useful to include. Lastly, information found in the interview notes CPIN (p. 70) based on a meeting with Alight, would have also been useful to include: "Alight hasn't done research on this question, most of our focus is on camp-based programming and what we are that there is an estimate of 400-500 cases recorded on annual basis the camp level)".</p> <p>Suggestion[4]: With regards to living standards in the camps, additional information found in the report by the National Commission for Human Rights (NCHR) referenced in this CPIN, NCHR, 'Annual activity report, July 2019 to June 2020', no date, p. 42, could have been included which highlighted that "there were 20 homeless refugees in Mahama camp and there is a problem of inadequate and dilapidated housing in Kiziba, Kigeme and Gihembe camp".</p> <p>Suggestion[5] : Non-exhaustive illustrative sources found in the public domain documenting the difficult situation of camp-based refugees should be considered for future inclusion such as:</p> <ul style="list-style-type: none"> • African News Agency, Refugees in Rwanda Desperate as Cuts Made to UN Aid, 20 April 2021 • Famine Early Warning System Network, Rwanda Remote Monitoring Update, October 2021 • Forced Migration Review, Climate Resilience in Rwanda: evaluating refugees' and host populations' vulnerability to risk, March 2022 • World Food Programme, Rwanda Country Brief, March 2022 • Famine Early Warning Systems Network, Pockets of households are Stressed (IPC Phase 2), mainly due to elevated food prices, April 2022 • The Conversation, Taking stock of Rwanda as a host for refugees, 3 March 2019, updated 27 April 2022 • AP News, For many migrants, the view of Rwanda is often far from rosy, 28 April 2022 	
<p>8.3 Urban refugees</p>	
<p>Suggestion: Information found in the interview notes CPIN, which would have been useful to see included in this sub-section included an answer from the Implementation Unit Coordinator of the Ministry of Emergency Management (p. 14): "Urban refugees do not receive humanitarian assistance. The 2019 Livelihoods assessment field surveys has shown their source of income as follows: 50% of their income generated from businesses; 25% from other jobs and the remaining portion coming from remittances (11%) and other sources (13.7%)".</p>	<p>The original survey data – which the GoR official referred to during the interview with HO – has already been included in the CPIN in the section 'Right to work'.</p>
<p>9. Proposed alternative accommodation for relocated persons</p>	
<p>Suggestion: According to paragraph 9.1.1, both sub-sections 9.2 <i>Kinigi Integrated Development Program Model Village</i> and 9.3 <i>Karama model village</i> do not represent the actual accommodation that any UK-relocated asylum seekers would be housed in, but have been highlighted by the Rwandan government as illustrative of the type of accommodation which would be available. As the information contained in these sub-sections is mainly taken from information obtained by Rwandan government officials it would have been useful to complement this with information found in the public domain, ideally sources which have conducted an assessment, monitoring or evaluation of these models of accommodation (i.e. IDP Model Villages). If information was sought but not found it would have been useful to highlight this. Non-exhaustive sources found in the public domain, which may be considered in future or as a starting point in conducting own research are:</p> <ul style="list-style-type: none"> • News Decoder, Rwanda invests in model villages to tackle poverty, 13 November 2019 • The New Times, Senate highlights challenges in model villages, 2 December 2021 • KT Press, Special Senate Committee To Evaluate IDP Model Villages, 29 December 2021 	<p>Thank you for the suggestion.</p> <p>However, as persons relocated from the UK would not be living in that accommodation, the level of detail suggested is not needed.</p>

9.3 Karama model village

9.3.1 [...] The village has a poultry farm, health centre, sports facilities, market and is connected to road networks and water, waste and electricity systems¹⁶⁸. [...]

9.3.2 The Government of Rwanda provided the HO with information and photographs of the development of the model village of Karama. This photograph shows housing before development¹⁶⁹:



[...]

9.3.3 Housing in the model village after development¹⁷⁰:



[...]

9.3.4 Photograph of the school¹⁷¹:



Thank you for the suggestion.

However, as no one has requested a copy, we feel annexing the document would increase the length of an already long document and would not be in the best interest of our primary users (decision makers). The copy remains available on request.

<p>¹⁶⁸ Government of Rwanda, ‘Kigali informal settlement upgrading projects’, 13 January 2022</p> <p>¹⁶⁹ Government of Rwanda, ‘Kigali informal settlement upgrading projects’, 13 January 2022</p> <p>¹⁷⁰ Government of Rwanda, ‘Kigali informal settlement upgrading projects’, 13 January 2022</p> <p>¹⁷¹ Government of Rwanda, ‘Kigali informal settlement upgrading projects’, 13 January 2022</p> <p>Suggestion: The footnote is provided without weblink to the original source. Only in the bibliography is it mentioned that a ‘copy [is] available on request’. The content of this information could therefore not be verified.</p> <p>Whilst it is commendable that the source is available upon request, given the highly politicised nature of this CPIN I would recommend to include all available information, if need be as an Annex.</p>	
<p>10.1 Education</p>	
<p><i>10.1.1 UNHCR noted the Rwandan government has committed to integrate refugee children into the national education system. Refugee children study alongside children from the host community in schools close to the refugee camps. Refugee children study the same curriculum as the host population and graduate with the same qualifications, however, most schools are lacking in resources^{172 173}.</i></p> <p>¹⁷² UNHCR, ‘Inclusion of refugees into the Rwandese national education system’, 18 March 2020</p> <p>¹⁷³ UNHCR, ‘Rwanda country refugee response plan Jan to Dec 2021’ (page 7), 19 April 2021</p> <p>Suggestion: As highlighted further above, from a methodological point of view, it is recommended to place each footnote behind the information it relates to.</p>	<p>Thank you for the suggestion.</p> <p>In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.</p>
<p>10.2 Health</p>	
<p><i>10.2.3 During the meeting between the Rwandan government and HO officials on 18 January 2022, senior government officials reported: ‘Currently, 9863 urban refugees and refugee students are enrolled to community health insurance and can benefit from health services through the health scheme. UNHCR pay for urban refugee health insurance.’¹⁷⁷</i></p> <p>¹⁷⁷ Notes of interviews, Annex A1, Meeting between HO and Government of Rwanda, 18 Jan 2022</p> <p>Suggestion: Interestingly conflicting information was not included. Whilst the interview notes with government officials told the Home Office that ‘UNHCR pays for urban refugee health insurance’, the interview notes for the meeting between the Home Office and UNHCR recorded that “UNHCR added that urban refugees needed to pay the 10% health insurance. It also added that [UNHCR] sometimes pays the 10% to up rate when the POCs can’t afford it” (see interview notes CPIN (p. 59).</p>	<p>Thank you for the suggestion.</p> <p>We will consider inclusion of the additional information along with new COI. More information on health insurance is included in the forthcoming CPINs.</p>

<p>10.3 Right to work</p> <p><i>10.3.9 Sources noted non-legal barriers exist which hinder refugee access to employment and self-employment. Many employers, for example, are unaware of the legality of employing refugees and are unfamiliar with the refugee ID card, which results in many refugees turning to informal employment. Other barriers included: limited access to financial services, lack of skill development and delays to obtaining long-term permission to leave camps to seek work. Part of the 2020 to 2024 strategy involves reducing the non-legal barriers to refugee employment and self-employment^{189,190,191,192,193,194}.</i></p> <p>¹⁸⁹ MINEMA and UNHCR, ‘Joint strategy ... 2021 to 2024’ (pages viii, xi, 4, 11 and 12,), May 2021</p> <p>¹⁹⁰ UNHCR, ‘... Livelihoods Strategic Directions 2021 to 2025’ (page 3), 1 July 2021</p> <p>¹⁹¹ UNHCR, ‘Submission to OCHCR’ (page 6), July 2020</p> <p>¹⁹² USSD, ‘2020 Country Reports on Human Rights Practices: Rwanda’ (section 2), 30 March 2021</p> <p>¹⁹³ UNHCR, ‘Rwanda country refugee response plan Jan to Dec 2021’ (page 8), 19 April 2021</p> <p>¹⁹⁴ Bilgili and Loschmann for FMR, ‘Refugees and host communities ... labour market’, June 2018</p> <p>Suggestion [1]: As highlighted further above, from a methodological point of view, it is recommended to place each footnote behind the information they relate to, as for example in this instance it was very difficult to review in how far the information summarised in paragraph 10.3.9 was representative of the respective sources as it was not always clear what was used.</p> <p>Suggestion [2]: Moreover, additional information found in the referenced source Bilgili and Loschmann for FMR, ‘Refugees and host communities ... labour market’, June 2018, could have been useful to see included, highlighting that “most work opportunities were in local commercial hubs far from the camps, and that the considerable travel costs involved and low earnings often deterred them from taking these jobs”. Similarly, the referenced source UNHCR ‘Submission to OCHCR’, July 2020, p. 6 noted: “The complex procedures and time spent in applying for and approving the permission as well as the short validity of these permissions, maximum of three months, have led some refugees to lose their jobs and others who left the camp without valid permissions to be at risk of arrest”.</p>	<p>Thank you for suggestion [1].</p> <p>In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.</p> <p>Thank you for suggestion [2]</p> <p>Given the delay in the review process, some suggested sources have been superseded. We intend to include the most up-to-date information in the forthcoming CPINs.</p>
<p>11.1 Rwandan asylum seekers and refugees worldwide / 11.2 Rwandan asylum seekers in the UK</p> <p><i>11. Rwandan asylum seekers in the UK and other countries</i></p> <p><i>11.1 Rwandan asylum seekers and refugees worldwide</i></p> <p><i>11.1.1 Rwandan citizens who were refugees or asylum seekers in other countries for the period 2016 to 2020 is available via UNHCR’s Refugee data finder. [...]</i></p> <p><i>11.2 Rwandan asylum seekers in the UK</i></p> <p><i>11.2.1 Statistics on Rwandan nationals who had made asylum claims in the UK is available at Outcome analysis of asylum applications.</i></p> <p>Recommendation: It is considered that section 11 is superfluous and does not add any substantial information for an assessment of the Rwandan asylum system and is therefore recommended for removal from the CPIN.</p>	<p>Recommendation – Partially accepted.</p> <p>This formed part of the original ToR and the response to the MEDP, so we were keen to explore the numbers of Rwandan asylum seekers. However, we agree that it could be deleted from an updated version.</p>

Bibliography	
<p>Recommendation: Out of the 175 individual sources listed under ‘Sources cited’, only 117 were actually cited in the <i>asylum system CPIN</i>. Given that a separate list exists for those “sources consulted but not cited” it is not immediately clear why this discrepancy occurred. It is recommended that this be amended when this CPIN is updated.</p> <p>The following are the sources which were not cited but listed as such [highlighted in blue possible typing oversights]:</p> <p>Adventist Development and Relief Agency (ADRA) Rwanda, ‘Completed projects’, no date. Last accessed 2 March 2022 ‘ADRA Rwanda supports increase of digital learning, nutrition and hygiene’, 27 Jan 2022. Last accessed 2 March 2022</p> <p>African Commission on Human and Peoples’ Rights, ‘About us’, nd. Last accessed: 21 March 2022</p> <p>African Policing Civilian Oversight Forum, ‘Rwanda’, no date. Last accessed: 22 March 2022</p> <p>Alight Rwanda, ‘Embracing new possibilities’, no date. Last accessed 2 March 2022 ‘The post 2020-21’, no date. Last accessed 2 March 2022</p> <p>Amnesty International, ‘Pegasus Project: Rwandan authorities chose thousands of activists, journalists and politicians to target with NSO spyware’, 19 July 2021. Last accessed: 22 March 2022 ‘The State of the World’s Human Rights; Rwanda 2020’, 7 April 2021. Last accessed: 22 March 2022</p> <p>APA News, ‘Rwandan Police officer arrested over killing resident for COVID-19 curfew violation’, 1 September 2020. Last accessed: 21 March 2022 ‘Rwanda’s police condemned over use of excessive force amid Covid-19’, 6 September 2020. Last accessed: 18 March 2022</p> <p>BBC, Rwanda bans Kigali mosques from using loudspeakers’, 15 March 2018. Last accessed: 02 March 2022 ‘Paul Rusesabagina: From Hotel Rwanda hero to convicted terrorist’, 20 September 2021. Last accessed: 21 March 2022</p> <p>Bertelsmann Stiftung’s Transformation Index (BTI), ‘Rwanda Country Report 2022’, 23 February 2022. Last accessed: 16 March 2022</p> <p>Borgen Project, ‘Restorative justice and the Rwandan genocide’, 11 March 2021. Last accessed 2 March 2022</p> <p>CEDOCA, ‘COI Focus Rwanda, L’homosexualité’, 30 October 2019. Last accessed: 22 March 2022</p> <p>Center for Rule of Law Rwanda (CERULAR), ‘Access to Justice’, no date. Last accessed: 17 March 2022</p> <p>Central Intelligence Agency (CIA), ‘The world factbook Rwanda’, updated 17 January 2022. Last accessed: 26 January 2022</p> <p>Constitute Project, ‘Rwanda’s Constitution of 2003 with Amendments through 2015’, 2015. Last accessed: 22 March 2022</p> <p>Deutsche Welle, ‘About us’, nd. Last accessed: 22 March 2022 ‘Rwandan church embraces LGBT+ community’, 21 July 2020. Last accessed: 26 January 2022 ‘Rwanda: The mysterious deaths of political opponents’, 15 September 2021. Last accessed: 22 March 2022</p>	<p>Recommendation – Accepted.</p> <p>The Bibliography spans the 2 CPINs and we state in the preface that the CPINs are intended to be read together. However, in the forthcoming update we have chosen to separate the references between the Asylum System and Human Rights CPINs.</p>

The East Africa Trans Health & Advocacy Network (EATHAN), 'Legal gender recognition access to trans affirming healthcare in East Africa', 2020. Last accessed: 16 March 2022

The East African, 'Rwanda kicks out 386 officers from police force', 25 February 2021. Last accessed: 17 March 2022

Fair Planet,

'About Fair Planet', nd. Last accessed: 18 March 2022

'Rwanda set for a historic first pride event', 25 June 2021. Last accessed: 18 March 2022

Freedom House:

'Freedom in the World 2022 – Rwanda', 28 February 2022. Last accessed: 22 March 2022

'Freedom on the Net 2021', 21 September 2021. Last accessed: 22 March 2022

Foreign, Commonwealth and Development Office (FCDO),

Human rights and democracy: The 2020 FCDO report', July 2021. Last accessed: 26 January 2022

'Speech: UN Human Rights Council: Universal Periodic Review Adoption – Rwanda', 8 July 2021. Last accessed: 26 January 2022

'UN Human Rights Council: Universal Periodic Review Adoption – Rwanda', 8 July 2021. Last accessed: 27 April 2022

Global Alliance of National Human Rights Institutions,

'Chart of the status of national institutions', 20 January 2021. Last accessed: 26 January 2022

'Accreditation', no date. Last accessed: 26 January 2022

Global Humanitarian and Development Foundation (GHDF), 'Home', no date. Last accessed 2 March 2022

Google Maps, 'Map of Rwanda +mosque', 1 March 2022. Last accessed: 02 March 2022

Government of Rwanda,

'Official Gazette No.15 of 09/04/2012 Law No.04/2012 of 17/02/2012 governing the organisation and the functioning of national NGOs', 17 February 2012. Last accessed 2 March 2022

'Official Gazette number 37 of 12/09/2016, N°32/2016 of 28/08/2016, Law governing persons and family', 12 Sept 2016. Last accessed: 26 January 2022

'Official Gazette number 39 of 24/09/2018, Law number 51/2018 of 13/08/2018 relating to the prevention, suppression and punishment of trafficking in persons and exploitation of others', 24 Sept 2018. Last accessed: 26 January 2022

'Official Gazette no.Special of 30/05/2019, Number 06/01 of 29/05/2019, Ministerial Order relating to Immigration and Emigration', 30 May 2019

Government of Rwanda (Author), published by CEDAW – UN Committee on the Elimination of Discrimination Against Women: Tenth periodic report submitted by Rwanda under article 18 of the Convention, due in 2021 [18 May 2021] [CEDAW/C/RWA/10], (paragraph 271-275) 4 October 2021. Last accessed: 22 March 2022

'Law Number 38/2006 of 25/09/2006 Establishing and Determining The Organisation of The National Prisons Service', 25 September 2006. Last accessed: 22 March 2022

'Law Number 46/2010 of 14/12/2010 Determining the Powers, Responsibilities, Organization and Functioning of the Rwanda National Police', 14 December 2010. Last accessed: 22 March 2022

'Ministerial Instructions Number 003/12 of 17/09/2012 Establishing Police Islamic Cultural Center Kigali on Twitter.com, '@CenterKigali', 1 March 2021. Last accessed: [02 March 20](#)

The Guardian, 'Rwandan police chief accused of sexual assault of child refugee at UN centre', 27 April 2020. Last accessed: 17 March 2022

Health Development Initiative, HDI, 'Situation of Female Sex Workers and LGBTI Persons in Rwanda', 3 July 2020. Last accessed: 22 March 2022

Human Rights Watch (HRW),

- 'Rwanda: crackdown on opposition, media intensifies', 19 October 2021. Last accessed 2 March 2022
- Rwanda: Politically Closed Elections', 18 August 2017. Last accessed: 22 March 2022
- 'Rwanda: Wave of Free Speech Prosecutions', 16 March 2022. Last accessed: 16 March 2022
- 'World Report 2022 – Rwanda', 13 January 2022. Last accessed: 16 March 2022
- 'Rwanda: Round Ups-Linked to Commonwealth Meeting', 27 September 2021. Last accessed: 18 March 2022
- 'Rwanda: Ensure Justice Over Kizito Mihigo Death', 20 February 2020. Last accessed: 16 March 2022

ILGA,

- 'State-sponsored homophobia: global legislation overview update 2020', December 2020. Last accessed: 16 March 2022
- 'About us', no date. Last accessed: 16 March 2022
- 'LGBTI Organisations In Rwanda Unite Under Coalition.', 10 August 2020

Immigration and Refugee Board of Canada (IRB),

- 'Rwanda: Treatment by authorities of President Kagame's opponents who supported Diane Rwigara during the August 2017 electoral period (2017-May 2019) [RWA106286.FE]', 10 May 2019. Last accessed: 17 March 2022
- 'Rwanda: Treatment of people who have opposed the Rwandan government in the past, including their family members (2000–July 2021) [RWA200729.E]', 26 August 2021. Last accessed: 17 March 2022
- 'Responses to Information Requests, Rwanda: Situation of persons of diverse sexual orientation and gender identity and expression (SOGIE) including their treatment by society and state authorities: state protection and support services (2019 – August 2021)', 29 September 2021. Last accessed: 22 March 2022

The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), 'State-sponsored homophobia: global legislation update 2020', Dec 2020

Institute for Economics and Peace, 'Global Peace Index 2021', June 2021. Last accessed: 26 January 2022

Islamic Cultural Center Kigali on Twitter.com, '@CenterKigali', 1 March 2021. Last accessed: [02 March 20](#)

Overseas Security Advisory Council OSAC, 'Rwanda 2022 Crime & Safety Report' 9 February 2022. Last accessed: 16 March 2022

KT Press,

- 'Homosexuality isn't our problem says President Kagame', 25 Sept 2016. Last accessed: 26 January 2022
- 'Nyarugenge Bans Speakers On Mosques', 14 March 2018. Last accessed: 02 March 2022
- 'Rwanda Welcomes S. Africa Law Barring Refugees From Engaging In Politics', 6 January 2020. Last accessed: 21 March 2022
- '"We Will Rein It In" – President Kagame Weighs In On Police Brutality Debate', 7 September 2020. Last accessed: 18 March 2022

Kuchu Times,

- 'About', nd. Last accessed: 22 March 2022
- 'LGBTI Organisations in Rwanda Unite Under Coalition', 10 August 2020. Last accessed: 22 March 2022

Laws on The Right of Peaceful Assembly, 'Rwanda', no date. Last accessed: 22 March 2022

Legal Aid Forum (LAF), 'Annual report 2020', no date. Last accessed 2 March 2022

LGBTI/sex worker coalition, 'Universal Periodic Review Third Cycle – Rwanda – Stakeholder's information' JG5 – Joint Submission 5, June 2020. Last accessed: 26 January 2022

Minority Rights Group International, 'Rwanda Twa', October 2020. Last accessed: 26 January 2022

National Commission for Children, 'Home', no date. Last accessed: 26 January 2022

National Commission for Human Rights (NCHR),
 'About the NCHR – Mission', no date. Last accessed: 22 March 2022
 'Power to file legal actions', no date. Last accessed: 17 March 2022

The National Council of Persons with Disabilities, 'Mission of NCPD', no date. Last accessed: 26 January 2022

National Public Prosecution Authority, (NPPA)
 'About us – background', no date. Last accessed: 22 March 2022
 'NPPA Quarterly progressive report July – December 2017', March 2018. Last accessed: 22 March 2022

National Institute of Statistics of Rwanda (NISR),
 'Rwanda Demographic and Health Survey of 2019/2020', September 2021. Last accessed: 22 March 2022
 'Rwanda Demographic and Health Survey of 2014/2015', March 2016. Last accessed: 22 March 2022

Never Again Rwanda, 'Understanding Human Trafficking in Rwanda: Causes, Effects, and Impact', August 2019. Last accessed: 26 January 2022

The New Times, 'Covid-19: Only few mosques reopened for public prayers', 23 July 2020. Last accessed: 02 March 2022

Organisation for Economic Co-operation and Development (OECD), 'Social Institutions and Gender Index', 2019. Last accessed: 22 March 2022

OutRight Action International, 'Kagame: Rwanda has no problems with gays', 24 Sept 2016. Last accessed: 26 January 2022

Plan International, 'Rwanda home', no date. Last accessed 2 March 2022

PolicingLaw.info,
 'About', last updated March 2021. Last accessed: 22 March 2022
 'Rwanda', last updated April 2021. Last accessed: 22 March 2022

Republic of Rwanda Ministry of Gender and Family Promotion (MIGEPROF)
 'Gender promotion', no date. Last accessed: 22 March 2022
 'The fight against GBV concerns every Rwandan', 10 December 2021. Last accessed: 22 March 2022

Republic of Rwanda Ministry of Public Service and Labor, 'National labour mobility policy', 2019. Last accessed: 26 January 2022

Republic of Rwanda Ministry of Justice, 'Introduction to the third Universal Periodic Review (UPR) Report of Rwanda presented in accordance with UNGA Resolution 5/1', 25 January 2021. Last accessed: 21 March 2022

Reuters,
 'Brave and hopeful LGBT+ Rwandans prepare for their first Pride', 29 June 2021. Last accessed: 26 January 2022
 'INTERVIEW – Rwandan gospel singer shrugs off backlash to coming out hoping to help others', 23 September 2019. Last accessed: 22 March 2022

Rwanda Governance Board (RGB),
 'Non-governmental organisations', no date. Last accessed 2 March 2022
 'Political organisations', no date. Last accessed: 22 March 2022

Rwanda Investigation Bureau (RIB), 'What we investigate', no date. Last accessed: 22 March 2022

Rwanda Muslim Community, @islamrwanda, Tweet 'Notification The leadership of #RMC is pleased to inform Muslims that 2 mosques in @Nyarugenge District Masjid Madina and Markaz (known As at Khadafi's) will be open for Idjuma prayer effective tomorrow August 14, 2020. Muslims are urged to abide by the COVID-19 guidelines.' 13 August 2020. Last accessed: 02 March 2022

Rwanda National Police,

website, no date. Last accessed: 22 March 2022. Last accessed: 22 March 2022

'Rwandan Isange One Stop model to tackle gender based violence spotlighted at INTERPOL General Assembly', 5 November 2015. Last accessed: 22 March 2022

'RNP conducts workshop for media practitioners, youth volunteers on GBV prevention', 28 September 2021. Last accessed: 22 March 2022

'Citizen Complaint or Compliment Form', no date. Last accessed: 22 March 2022

Rwanda Today, 'Pandemic hits Rwanda's sexual minorities harder', 16 December 2020. Last accessed: 22 March 2022

Rwanda Utilities Regulatory Authority (RURA),

'Background', no date. Last accessed: 16 March 2022

'Complaints handling procedures', no date. Last accessed: 16 March 2022

Rwandan Lives Matter, 'Anonymous Men', 28 April 2021. Last accessed: 21 March 2022

Swedish International Development Agency, 'The Rights of LGBTI People in Rwanda', page 2, December 2014. Last accessed: 21 March 2022

UHAI – EASHRI, 'AGACIRO: A Landscape Analysis of the Human Rights of Sex Workers and LGBT Communities in Rwanda', 2017

Umurimo, 'Gikondo community center manager', 22 December 2019. Last accessed 3 March 2022

UN High Commissioner for Refugees (UNHCR),

Operational update – Rwanda Nov-Dec 2021', November – December 2021. Last accessed: 22 March 2022

UN Committee on Migrant Workers (CMW), 'Second periodic report submitted by Rwanda under article 73 of the Convention pursuant to the simplified reporting procedure, due in 2017 [16 January 2020] [CMW/C/RWA/2]', 30 January 2020. Last accessed: 17 March 2022

UN Human Rights Council,

'Working group on the UPR 37th session, compilation on Rwanda A/HRC /WG.6/37/RWA/2', 13 November 2020. Last accessed: 26 January 2022

'National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21: Rwanda A/HRC/WG.6/37/RWA/1', 9 Nov 2020. Last accessed: 26 January 2022

UN Office of the High Commissioner for Human Rights (OCHCR),

'The Core International Human Rights Instruments and their monitoring bodies', no date. Last accessed: 26 January 2022

'Status of ratification interactive dashboard', no date. Last accessed: 26 January 2022

UNICEF, UN Children's Fund (Author), published by ReliefWeb: Towards Ending Child Marriage: Global trends and profiles of progress, October 2021. Last accessed: 22 March 2022

United States Department of State (USSD),

'2021 Trafficking in Persons Report: Rwanda', 1 July 2021. Last accessed: 26 January 2022

'2020 Report on International Religious Freedom: Rwanda', 12 May 2021. Last accessed: 02 March 2022

Vice News, 'Rwanda's Transgender Community Face Violent Detentions For Being Trans', 20 November 2020. Last accessed: 22 March 2022

Review – Rwanda: Country information on general human rights

Country information on general human rights in Rwanda

Set up differently than most Country Policy and Information Notes (CPINs), this CPIN only contains country information about the human rights situation in Rwanda, used to assist in the Home Office’s assessment whether Rwanda can be classified as a ‘safe third country’, which is set out in the *assessment CPIN*.

Home Office comment

HO Comment #49

We thank the reviewer for the suggestions in this review. The majority are for additional sources or more detail to be taken from sources we have already used. We also note that given the delay in the review process, some suggested sources have been superseded. Unless otherwise noted, we will consider the reviewer’s suggestions when we update the forthcoming CPIN, along with all other available material.

We have addressed each recommendation as outlined below.

Suggestion: From a methodological point of view, especially to retrieve and trace the correct and relevant information, it is recommended to place each footnote behind the information it relates to and not list them all one after another at the end of the paragraph. This suggestion relates to the following paragraphs in this CPIN:

- 5.1.2
- 6.3.6
- 6.3.11
- 7.2.4
- 8.1.7
- 8.6.6
- 8.8.2
- 9.1.1
- 9.2.1
- 12.1.3
- 13.1.2

Thank you for the suggestion.

In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.

1.1 Human rights indicators	
<p>1.1.1 The following tables provide two key human rights indicators^{1,2} [...]</p> <p>¹ USAID, 'Country dashboard Rwanda', no date</p> <p>² Institute for Economics and Peace, 'Global Peace Index 2021' (page 20), June 2021</p> <p>Comment: It is not clear in how far information from FN 2 has made it into the table provided at paragraph 1.1.1. Consider removing or explaining.</p>	<p>The 'Global Peace Index' indicator is identifiable in the table and clearly referenced, including page number.</p>
<p>1.1.2 The World Justice Project's "Rule of Law Index" 2021 performance report' ranked Rwanda as 1st out of 33 regionally and 42nd of 139 globally on the rule of law³. The Rwanda page of the report is replicated in the two graphics below.</p> <p>Suggestion: As this CPIN is particularly interested in the human rights situation of Rwanda it would have been useful to add a sentence highlighting the rather below average scoring with regards to Fundamental Rights' in particular in the areas of 'right to life and security', 'freedom of expression', 'freedom of religion', 'right to privacy' and 'freedom of association'.</p>	<p>All of the indicators selected by the reviewer are clearly set out in the graphic at 1.1.2.</p> <p>As section 1 is an overview of human rights we chose to present all the indicators – as they were presented by the source – rather than narrowing the focus to specific indicators. We consider that this approach:</p> <p>(1) is a more accurate reflection of the COI provided by the source</p> <p>(2) provides greater balance as presenting the full range of indicators – in the format provided by the source – allows the reader to see areas where Rwanda scores both above and below average</p> <p>(3) removes the researcher subjectivity implicit in deciding which of the indicators to 'highlight'.</p> <p>The rest of the CPIN expands upon the issues which are summarised in section 1.</p>
2. Political context	
<p>2.1.1 Freedom House noted in its Freedom in the World Report 2022, reporting on 2021 events, that, 'The Rwandan Patriotic Front (RPF), led by President Paul Kagame, has ruled the country since 1994, when it ousted forces responsible for that year's genocide and ended a <u>civil war</u>'. <u>It also noted that the regime has maintained stability and economic growth</u>'⁶.</p> <p>Recommendation: Remove one of the two full stops after the 1st sentence.</p> <p>Recommendation: Add additional information found in the original source to sentence 2 to provide full political context: "While the regime has maintained stability and economic growth, it has also suppressed political dissent though pervasive surveillance, intimidation, torture, and renditions or suspected assassinations of exiled dissidents"</p>	<p>Recommendation 1: Accepted</p> <p>Punctuation will be corrected.</p> <p>Recommendation 2: Not accepted</p> <p>Section 2 is intended to provide an overview of the current Rwandan Government. The section is intentionally brief to avoid repetition, as the issue of political opposition has its own 'general context' (section 3.1) and is covered in detail throughout section 3 and parts of section 4.</p>

<p>2.1.2 <i>The Bertelsmann Stiftung’s Transformation Index (BTI) 2022 on Rwanda, covering the period 1 February 2019 to 31 January 2021, noted in its Executive summary ‘Rwanda continued to enjoy political stability and general security, low levels of corruption with liberal legal frameworks in place. The ruling Rwanda Patriotic Front Party continued to dominate the country with robust authority and tight control over civil society. These factors along with Rwanda’s weak opposition indicate that significant political and social unrest remains unlikely in the foreseeable future. [...]’</i>⁷</p> <p>Recommendation: Add additional information found in the original source to provide further political context: “The president and the circle of his top aides stand for an authoritarian developmental state. The ruling team is kept together by unquestioning loyalty and discipline in the tradition of the rebel movement, with which they once gained power. Defectors are not tolerated. There is generally very little room for power-sharing, an independent and vital civil society and freedom of expression”.</p>	<p>Recommendation: Not accepted</p> <p>See response to 2.1.1</p>
<p>2.1.4 <i>The 2020 Global Law and Order report (produced by the polling company Gallup) scored Rwanda at 80 out of 100, higher than the regional average (67). It presented the results from their latest measurements of people’s answers to 4 questions, based on interviews with nearly 175,000 adults in 144 countries and areas in 2019. The 4 questions were:</i></p> <ul style="list-style-type: none"> • <i>In the city or area where you live, do you have confidence in the local police force?</i> • <i>Do you feel safe walking alone at night in the city or area where you live?</i> • <i>Within the last 12 months, have you had money or property stolen from you or another household member?</i> • <i>Within the past 12 months, have you been assaulted or mugged?</i>⁹ <p>Suggestion: Suggest to move this information to section 4. <i>Law and Order (4.1 Overview)</i> instead as less about political context and more about law and order/security perceptions of civilians and related perception of police protection.</p>	<p>Thank you for the suggestion. We will move this content in the forthcoming CPIN.</p>
<p>3.1 Political opposition: general context</p>	
<p>3.1.1 <i>The USSD 2020 report noted ‘Significant human rights issues included... political prisoners or detainees ... and restrictions on political participation.’</i>¹⁰</p> <p>¹⁰ <i>USSD, ‘2020 Country Reports on Human Rights Practices: Rwanda’, (page 2), 30 March 2021</i></p> <p>Suggestion: Given that page number is included in the FN, it is recommended that the hyperlink be changed to the PDF-version of the report: https://www.state.gov/wp-content/uploads/2021/10/RWANDA-2020-HUMAN-RIGHTS-REPORT.pdf</p> <p>Recommendation: Add additional information found in the original source as related to political context: “politically motivated reprisal against individuals located outside the country”.</p>	<p>We try to avoid linking directly to pdf versions of documents where possible, to avoid accessibility problems.</p> <p>Recommendation: Not accepted.</p> <p>The suggested quotation is already included in the report at section 3.6.1 and has not been included here to avoid repetition.</p>

<p>3.1.2 Freedom House noted in its <i>Freedom in the World Report 2022</i>, reporting on 2021 events, that <i>“The government has a long history of repressing its political opponents, and members of opposition parties face the threat of disappearance, arbitrary arrest and detention, and assassination.”</i>¹¹ <i>However, the report does not appear to provide a sense of the scale and/or extent of each of these measures.</i></p> <p>Recommendation: Suggest to remove the underlined sentence as it is misleading. The original source clearly reports on the “long history” of political repression and lists serious associated human rights violations. It is considered that undue weight is being placed on the quantitative aspects of the information, resulting in a probability assessment here of whether a potential fear is well-founded and/or sufficiently widespread to create a real risk on return, thereby appearing to implement a higher standard of proof. As highlighted in a November 2021 commentary Dr Christel Querton, from the University of the West of England, and myself published, the opinion included here ignores and downplays that “human rights violations do not have to be widespread to be serious enough to be considered persecutory. A single act may be sufficient serious by its very nature to amount to severe violation of a basic human right. Significantly, ill-treatment by the State is not required to be ‘systematic’ to be sufficient serious or reasonably likely to occur” (p. 8/9).</p>	<p>Recommendation: Not accepted.</p> <p>The underlined sentence provides a valid observation and critique of the COI from Freedom House and is separate from our assessment of risk (Assessment CPIN section 2.15) which considers all COI holistically.</p> <p>The reviewer and Dr Querton conflate two separate issues (1) Has the threshold been met for an act to be considered persecution? And (2) What is the likelihood that this act will occur?</p> <p>A distinction must be drawn between treatment having occurred in the past and the likelihood that an individual person will be subject to that treatment in the future as a result of their Convention characteristic</p> <p>We acknowledge that human rights violations do not need to be systematic to be considered persecutory – but they do need to happen with sufficient frequency for a fear of such to be “well-founded” or for a risk to become a “real risk”.</p>
<p>3.1.4 Human Rights Watch (HRW) reported, in its <i>World Report 2022 covering 2021 events</i>, that <i>“The ruling Rwandan Patriotic Front (RPF) continued to stifle dissenting and critical voices and to target those perceived as a threat to the government and their family members. The space for political opposition, civil society, and media remained closed.”</i>¹³.</p> <p>Recommendation: Add additional information found in the original source to provide further context to provide information about the type and severity of violations: “Several high-profile critics, including opposition members and commentators using social media or YouTube to express themselves, went missing, were arrested or threatened”.</p>	<p>Recommendation: Not accepted.</p> <p>The suggested quotation is already included in the report at section 3.5.11 and has not been included here to avoid repetition.</p>
<p>3.2 Freedom of assembly and association</p>	
<p>3.2.1 A website on laws on the right to peaceful assembly, managed by the Centre for Human Rights of the University of Pretoria, referred to the laws (international, regional and domestic) that Rwanda was party to: [...] ¹⁵</p> <p>¹⁵ <i>Laws on The Right of Peaceful Assembly, ‘Rwanda’, no date</i></p> <p>Recommendation: Add additional information found in the original source to make the legal situation clear: “Despite constitutional guarantees, the right of peaceful assembly is not respected in Rwanda [...] Compatibility with international standards: red”.</p> <p>Suggestion: It appears that the information of the source was updated “two days ago”. Consider amending the FN (and <i>Bibliography</i>) accordingly.</p>	<p>Recommendation: Accepted.</p> <p>We will consider for inclusion in the update, along with all available new information.</p> <p>We will also update the footnotes and bibliography.</p>

3.3 Freedom of speech

Suggestion: It is recommended that this sub-section should receive its own section and not be limited to 'political opposition'. It should also cover journalists, human rights defenders and any other civilian critical of the current government, as well as such people in exile/abroad who may be targeted. Whilst it is acknowledged that some information to this effect has been included within section 3 as a whole it is intermingled with the information on 'political opponents' making it harder for those not considered 'political' to find relevant information. These various categories who fall under the wider umbrella term 'critics of the regime' should be included as a matter of urgency. The below are non-exhaustive sources available in the public domain, which provide a good starting point:

- Freedom of expression for critics of the regime incl. journalists, media workers, human rights defenders, and civilians
Human Rights Watch (HRW), [Rwanda: Government Repression in Land Cases, Authorities Threaten, Prosecute Residents Who Speak Out](#), 31 March 2017
Human Rights Watch (HRW), ["All Thieves Must Be Killed", Extrajudicial Executions in Western Rwanda](#), July 2017
National Commission for Human Rights (NCHR), [Report on investigations carried out by the National Commission for Human Rights in Rustiro and Rubavu Districts on the Human Rights Watch \(HRW\)'s report of July 2017](#), October 2017
Human Rights Watch (HRW), [Rwanda: Cover-Up Negates Killings, Officials Threaten Victims' Families](#), 1 November 2017
Freedom House, [Freedom on the Net 2019: Rwanda](#), Undated [Last accessed: 05.07.2022]
Victorie Ingabire Umuhoza (The Guardian), [My story proves Rwanda's lack of respect for good governance and human rights](#), 1 June 2021
Human Rights Watch: [Mozambique: Grave Concerns for Rwandan Asylum Seeker: Acknowledge his Detention; Ensure Access to Lawyer; Block Any Return to Rwanda](#), 15 June 2021
The Guardian, [Hotel Rwanda hero sentenced to 25 years in jail on terrorism charges](#), 20 September 2021
The Guardian, [Margaret Atwood joins writers calling for urgent action over missing Rwandan poet](#), 7 February 2022
[BBC News, UK asylum deal: Is Rwanda a land of safety or fear?, 14 April 2022](#)
Human Rights Watch, [Rwanda: Lockdown Arrests, Abuses Surge, End Media Crackdown, Mass Arbitrary Arrests](#), 24 April 2020
The Conversation, [Taking stock of Rwanda as a host for refugees](#), 3 March 2019, updated 27 April 2022
Human Rights Watch, [Rwanda: Wave of Free Speech Prosecutions, Free Journalists, Commentators, Opposition Members](#), 16 March 2022
The Guardian, [Home Office admits LGBTQI+ refugees could be persecuted if sent to Rwanda](#), 10 May 2022
BBC News, [Why a Rwandan sports reporter fled his home](#), 19 June 2022
- Ability and practice of Rwandan government to locate critics (not just political opposition) of the government abroad:
BBC News, [Patrick Karegeya: Mysterious death of a Rwandan exile](#), 26 March 2014
The Guardian, [Exiled Rwandan opposition politician shot dead in Cape Town](#), 22 February 2021
Michela Wrong (The Guardian), [Rwandans have long been used to Pegasus-style surveillance](#), 23 July 2021
The Guardian, [Rwanda: human rights fears in nation whose leader faces murder claims](#), 14 April 2022
Freedom House, [Defending Democracy in Exile, Policy Responses to Transnational Repression](#), May 2022
The Guardian, [Rwanda accused of stalking, harassing and threatening exiles in US](#), 2 June 2022
BBC News, [Why a Rwandan sports reporter fled his home](#), 19 June 2022

The content has been covered in other sections of the report and a separate section on freedom of speech will result in repetition of content.

Four of the suggested sources are from 2017 and one source is from 2014, and therefore of lower evidential value. We would also welcome a more balanced range of sources (6 of the suggested sources are HRW and 4 are Guardian articles).

The treatment of diaspora critics of the government has been considered in section 3.6 and there are no plans to expand upon this information given that this circumstance doesn't apply to persons relocated under the MEDP.

<p>3.3.1 <i>The UK’s International Ambassador for Human Rights provided a statement on 8 July 2021 during the UN Universal Periodic Review Adoption for Rwanda which stated: ‘The UK is pleased <u>that Rwanda fully supports our recommendation</u> to protect and enable journalists to work freely, without fear of retribution, and ensure that State authorities comply with the access to information law. This is an important step to promote freedom of speech, including allowing space for critical voices.’²⁰</i></p> <p>Suggestion: Consider removing this paragraph. The fact that Rwanda “supports” a UK-made recommendation at a UN meeting does not equal positive implementation in practice and is misleading.</p>	<p>This COI is a quotation from a FCDO-published document and has not been summarised or paraphrased by CPIT. Given that the COI is an unabridged quotation, it is unclear why the reviewer thinks readers will be misled.</p>
<p>3.3.2 <i>The USSD human rights report for 2020 stated that: ‘There were no official restrictions on individuals’ right to criticize the government publicly or privately on policy implementation and other issues, but broad interpretation of provisions in the law had a chilling effect on such criticism. The government generally did not tolerate criticism of the presidency and government policy on security, human rights, and other matters deemed sensitive.</i></p> <p><i>‘Laws prohibiting divisionism, genocide ideology, and genocide denial were broadly applied and discouraged citizens, residents, and visitors to the country from expressing viewpoints that could be construed as promoting societal divisions.’²¹</i></p> <p>Recommendation: Add additional information found in the original source to make the actual situation clearer: “The law prohibits making use of speech, writing, or any other act that divides the populace or may set them against each other or cause civil unrest because of discrimination [...] Authorities applied the laws broadly, including to silence political dissent and to shut down investigative journalism [...] A revised law enacted in 2018 incorporated international definitions for genocide and outlined the scope of what constitutes “genocide ideology” and related offenses [...] Authorities applied the statute broadly, and there were numerous reports of its use to silence persons critical of government policy”.</p>	<p>Recommendation: Not accepted.</p> <p>Similar content to that suggested by the reviewer has been covered in other sections of the report (e.g. 3.5.6 and 3.5.7) and has not been included here to avoid repetition</p>
<p>3.4 Political opposition: registration and operation of political parties</p> <p>Recommendation: Add additional information found in one of the original sources included in this section: “At the national level, all registered parties are obliged to take part in the consultations of the NFPO. The forum is an instrument of control, to avoid open confrontation between the parties and in the parliament”. See BTI, ‘Rwanda Country Report 2022’ (Political and Social Integration), 23 February 2022</p>	<p>Recommendation: Accepted.</p> <p>We will consider including this suggested material in the update, along with all available new information.</p>
<p>3.5 Political opposition: reported treatment of opponents</p>	
<p>3.5.3 <i>The IRB also provided examples of past critics of the government, as well as family members of opponents, who had been targeted by the authorities³³, including <u>Paul Rusesabagina, brought to recognition in the film Hotel Rwanda, which portrayed his life-saving actions during the Rwandan genocide</u>^{34 35}.</i></p> <p>Suggestion: It would be useful to specifically mention that the IRB report looked at past critics from 2020 to July 2021 to show that some examples were not too far away.</p> <p>Suggestion: It is recommended to include more and more recent information on the situation and treatment of Paul Rusesabagina as highlighted here for example:</p> <p>The Guardian, Hotel Rwanda hero to terrorist ‘show trial’: Paul Rusesabagina’s daughters on the fight for his freedom, 21 December 2021</p> <p>The Guardian, The US academic, the hero of the genocide, and the fake plot to topple Rwanda’s president, 21 June 2022</p>	<p>Suggestions, noted. We will consider amending/ updating this material in the update, along with all available new information. However, we do not believe it necessary to include excessive information about single-case examples.</p>
<p>3.5.4 <i>Freedom House also cited the case of ‘Innocent Bahati, a poet known for reciting his social commentary on YouTube, went missing in February 2021; his location and condition remained unknown at year’s end.’³⁶</i></p> <p>Suggestion: Consider adding that his condition and location remained unknown longer than end of year 2021 – see The Guardian, Margaret Atwood joins writers calling for urgent action over missing Rwandan poet, 7 February 2022 and The Globe and Mail, Disappearance of poet Innocent Bahati casts a global spotlight on Rwandan government’s intolerance of dissent, 16 March 2022</p>	<p>Please see HO Comment #49</p>

<p>3.5.5 HRW’s World Report 2022, covering 2021 events, added ‘Arbitrary detention, ill-treatment, and torture in official and unofficial detention facilities was commonplace, and fair trial standards were routinely flouted in cases deemed sensitive.’⁴³⁷</p> <p>Suggestion: Consider moving this information to section 4.6 <i>Treatment and conditions in detention</i> as not clear whether arbitrary detention, ill-treatment and torture limited to political opponents.</p>	<p>Suggestion noted. We will consider moving this material in the update.</p>
<p>3.5.8 In contrast to sources reporting on the repression of political opponents, a submission by the Rwandan Government’s Ministry of Justice to the Universal Periodic Review (UPR) Working Group on 25 January 2021 defended its position and stated:</p> <p>‘... there are no prosecutions that target persons simply because they are politicians or journalists or human rights defenders, and the so-called political trials do not exist, nor are trials against journalists or human rights defenders just for being journalists or human rights defenders. A person can only be prosecuted based on his/her act which is prohibited and punishable by law. One’s freedom to express his/her opinion is guaranteed by the law and as such is protected and respected. That said Government is always open to frankly engage even on perceptions so that whatever lies at the base of a perception is addressed as appropriate.’⁴⁴¹</p> <p>Suggestion: Consider removing as such a statement provided by the Government in question is unlikely to be balanced and relevant for an assessment of the actual situation.</p>	<p>We do not consider it appropriate to omit relevant information (such as this). Every source has a particular perspective and bias. The approach we have taken is to include a wide range of sources and to compare and contrast information when reaching our assessment.</p>
<p>3.5.9 The BTI 2022 report noted ‘Political opponents are often targeted and those who engage in targeting are never prosecuted. Nor are the cases investigated. <u>There have been accusations of the police torturing people in so-called safe houses across Kigali. Despite the outcry over their existence, the government has never admitted they exist or addressed the violations committed in them.</u>’⁴⁴²</p> <p>Suggestion: Consider moving the underlined information to section 4.6 <i>Treatment and conditions in detention</i>.</p>	<p>Suggestion noted. We will consider moving this material in the update.</p>
<p>3.5.11 HRW’s World Report 2022, covering 2021 events, added ‘Several highprofile critics, including opposition members and commentators using social media or YouTube to express themselves, went missing, were arrested or threatened.’⁴⁴⁴ The same report highlighted the case of Victoire Ingabire and set out she ‘was the president of the unregistered opposition party FDUInkingi before founding Dalfa-Umurinzi in November 2019, was released from prison in 2018. Members of her party have repeatedly been harassed, threatened, and arrested, or have died or disappeared in suspicious circumstances. Since October 2021, at least eight members of her party have been arrested and charged with offenses, including spreading rumors and forming a criminal association, in relation to a book they acquired and an online training session they attended to learn strategies for peaceful dissent.’⁴⁴⁵</p> <p>Suggestion: Surprisingly another example provided by HRW in the same source was not included here, but given its severity consider doing so: “The political and civic space in Rwanda remain closed. Christopher Kayumba, the former editor of The Chronicles newspaper, established a new political party, the Rwandese Platform for Democracy (RDP), in March. This followed the publication of an open letter in which Kayumba criticized President Paul Kagame’s handling of the Covid-19 crisis, its impact on the population, and denounced the existence of “safe houses,” where detainees are routinely held illegally and tortured. Shortly afterwards, allegations of rape and “sexual misconduct” were brought against him, and he was arrested in September. He began a hunger strike a few days after his arrest to protest the “politically-motivated” charges and had to be transferred to hospital for treatment. He was transferred to Nyarugenge prison in Kigali after his bail application was denied in October”.</p>	<p>Suggestion noted. We will consider including this material in the update, along with all available new information. However, we do not believe it necessary to include excessive information about single-case examples.</p>
<p>3.5.12 The IRB noted in August 2021 that: ‘Sources stated that both Hutu and Tutsi critics of the government have been targeted (Associate Teaching Professor 28 July 2021; Associate Professor 26 July 2021; Professor of political science 4 Aug. 2021). In an interview with the Research Directorate, a professor of political science and international relations at Boston University whose research focuses on state-society relations in Africa reported that although both Hutu and Tutsi have been targeted, Hutu typically face “greater scrutiny” (Professor of political Science 4 Aug. 2021).’⁴⁴⁶</p> <p>Suggestion: Consider moving this paragraph to section 13. <i>Ethnic and national groups</i> or duplicating the information there.</p>	<p>Suggestion noted. We will consider moving this material in the update.</p>

<p>3.5.15 <i>In regard to treatment of people who have opposed the Rwandan government in the past, the Canadian IRB noted, ‘... the Rwandan government maintains an interest in the activities of any vocal critic of the RPF and Kagame, past or present, or anyone working in the field of human rights...’ and that ‘... the passage of time does not diminish the risk faced by political opponents of the government...’⁴⁹</i></p> <p>Recommendation: Needs to be made clear that information provided is not from the Canadian IRB but that the first part of the sentence comes from “an interview with the Research Directorate, a senior lecturer of history at the University of Glasgow, who has conducted research on the Rwandan genocide” and the second part from “sources” interviewed for their research such as “(Associate Teaching Professor 28 July 2021; Mudge 29 July 2021; Professor of political science 4 Aug. 2021)”.</p>	<p>Recommendation: Accepted.</p> <p>We will amend this material in the update.</p>
<p>3.5.17 <i>The Canadian IRB also cited one who source indicated, ‘... known critics of the RPF, these individuals faced difficulties accessing employment, education and health care resources, and were “constantly harassed” by authorities...’, although another source said ‘... the treatment depends on whether the person remains in opposition and continues to publicly criticize the Rwandan government, how they opposed the government in the past, and whether they maintain a high profile...’, although they may still be kept under surveillance’⁵¹.</i></p> <p>Suggestion: Consider adding here also additional information found in that Canadian IRB report from primary sources and make it clearer who author of information is:</p> <p>“The Senior Lecturer indicated that the authorities keep watching individuals “in a lot of cases,” and the situation could escalate over “any minor infraction” (Senior Lecturer 2 Aug. 2021). In correspondence with the Research Directorate, an Associate Teaching Professor at Iowa State University who has conducted research on the RPF reported that, based on their research and follow-up interviews with known critics of the RPF, these individuals faced difficulties accessing employment, education and health care resources, and were “constantly harassed” by authorities (Associate Teaching Professor 28 July 2021)”</p> <p>and</p> <p>“According to the Senior Lecturer, if an individual stops criticizing the government after being called in for questioning by the police, it is “possible” for the person to continue on with their lives, but they would be kept under surveillance for “a long period of time” (Senior Lecturer 2 Aug. 2021). The same source indicated that if the individual does not silence their criticism at that point, their situation “can escalate quite quickly” and result in “prison time” (Senior Lecturer 2 Aug. 2021). In a phone interview with the Research Directorate, Lewis Mudge, the Central Africa Director of Human Rights Watch (HRW), indicated that there are cases of former political elites who faced repression that have since limited their political activities and are no longer “in danger of being disappeared,” provided they maintain self-censorship (Mudge 29 July 2021). The Professor of political science noted that government critics who are “rehabilitated” through self-censorship are “rare” (Professor of political science 4 Aug. 2021). Mudge indicated that if a political opponent wants to remain in Rwanda, they must stay quiet (Mudge 29 July 2021). According to the Professor of African history, political opponents “never get to a safe situation” and their situation can “flare up anytime for any reason” (Professor of African history 6 Aug. 2021). In correspondence with the Research Directorate, a country of origin information (COI) expert on Rwanda, who authored a book on the RPF, reported that there is “a growing number” of Tutsi and Hutu who “acquiesc[ed]” or “submit[ted]” to the government while they remained in Rwanda, but are targeted when they flee Rwanda, since they are no longer under the government’s control (COI Expert 4 Aug. 2021).”</p>	<p>Please see HO Comment #49</p>

<p>3.6 Political opposition: reported targeting of diaspora outside Rwanda</p> <p>3.6.2 HRW also reported on alleged treatment and targeting of the Rwandan diaspora critical of the government⁵³. The IRB also noted that political opponents abroad had been targeted and that it was possible they could be targeted or viewed with suspicion on return to Rwanda, <i>though that might depend on their profile or the issue which they were challenging</i>⁵⁴. Sources also indicated that family members of political opponents abroad faced harassment and intimidation⁵⁵. Freedom House also noted, <i>‘Rwandans living outside the country have been threatened, attacked, forcibly disappeared, or killed, apparently in retaliation for their public or suspected opposition to the regime.’</i>⁵⁶</p> <p>Recommendation: it is highly recommended to shy away from summaries of original sources as they may distort what was actually reported or said. For example in this instance I don’t seem to find any reference that suspicion on return may depend on profile (or issue – was only mentioned by one).</p>	<p>Recommendation: Not accepted.</p> <p>CPIT’s approach is to use a combination of quotations, paraphrasing and summaries.</p> <p>The targeting of diaspora outside Rwanda is not an issue which will affect those relocated under the UK-RWA agreement and so the use of summaries is the most effective way to include a succinct overview of the subject without including large volumes of unnecessary COI.</p>
<p>3.7 Political opposition: reported use of surveillance and electronic surveillance</p> <p>3.7.1 The USSD report 2020 noted <i>‘... arbitrary or unlawful interference with privacy; serious restrictions on free expression, press, and the internet, including threats of violence against journalists, censorship, and website blocking...’</i>⁵⁸</p> <p>Suggestion: Consider adding here also additional information found in the original source to lend more understanding to the reach of the government: “the government continued to monitor homes, movements, telephone calls, email, and personal and institutional communications”.</p>	<p>Please see HO Comment #49</p>
<p>3.8 Political participation of marginalised communities</p> <p>See section on Refugee rights and access to services in the note on the asylum system and also Equality and women’s rights.</p> <p>Suggestion: Consider adding a link to section 13. <i>Ethnic and national groups.</i></p>	<p>Suggestion noted</p>
<p>4.1 Overview</p>	
<p>4.1.1 The USSD noted in its 2020 report <i>‘Significant human rights issues included: unlawful or arbitrary killings by the government; forced disappearance by the government; torture by the government; harsh and life-threatening conditions in some detention facilities; arbitrary detention...’</i>⁶⁸</p> <p>4.1.2 However, the same USSD report also explained <i>‘The Rwanda Investigation Bureau (RIB) is responsible for conducting investigations into such killings. Under the Ministry of Justice, the National Public Prosecution Authority (NPPA) is responsible for prosecuting abuse cases involving police, while the Rwanda National Police (RNP) Inspectorate of Services investigates cases of police misconduct....’</i>⁶⁹</p> <p>Suggestion: Consider adding here also additional information found in the original source: “There were also reports the government failed to follow through on its obligation to conduct full, timely, and transparent investigations of killings of political opponents” and “The government failed to complete investigations or take measures to ensure accountability for disappearances that occurred in 2019 and 2018” and “Domestic organizations cited a lack of independence and capacity for government officials to investigate security sector abuses effectively, including reported enforced disappearances”.</p>	<p>Thank you for the suggestion.</p> <p>The first suggested quotation has already been included at 3.5.10. We will consider including the other suggested material in the update, along with all available new information.</p>

<p>4.1.6 On 25 March 2022, the UNHRC published the report and recommendations of the Working Group on the Universal Periodic Review in Rwanda which stated that <u>'Arbitrary arrest and detention, suspicious death in detention and the excessive use of force were not part of government policy and were recognized as crimes. Whenever they happened, thorough investigations were undertaken. Improvements would continue to be made and there would be continued engagement with partners to address those issues.'</u>⁷³</p> <p>Recommendation: The way information is presented here is misleading. It suggests that the Working Group on the Universal Periodic Review stated the underlined sentence when in fact it was Rwandan officials addressing other government delegations at the meeting. Consider removing all together.</p>	<p>Recommendation: Partially accepted.</p> <p>We provide a balance of sources in the CPIN, including governmental sources. However, we will clarify the citation in the update.</p>
<p>4.2 Excessive use of force and extrajudicial killings</p>	
<p>4.2.2 The USSD report provided some examples of excessive force <u>allegedly</u> being used by the police⁷⁵.</p> <p>Recommendation: Consider removing 'allegedly' as it suggests that the source may not be telling the truth about those incidences.</p>	<p>Recommendation: Partially accepted.</p> <p>The word 'allegedly' has been used because, in one of the specific examples cited by the USSD in Section 1(a) (pages 2 to 3), the circumstances of the person's death were uncertain.</p> <p><i>The NPPA found that [Kizito] Mihigo's death was the result of suicide by hanging, but the autopsy results were not made public and the circumstances of his death remained unclear.</i></p> <p>However, the USSD goes on to give several less detailed examples of deaths resulting from attempts to escape police custody or resist arrest.</p> <p>Information from the latest USSD report will be considered for inclusion in the CPIN update, along with all available new information.</p>
<p>4.3 Torture and other cruel, inhuman, or degrading treatment or punishment</p> <p>Recommendation: Little information is included here on torture or ill-treatment practices by the Rwandan government. More information can be found in section 4.6 <i>Treatment and conditions in detention</i> to which this sub-section should be linked or even better combine sections 4.3 and 4.6 into one to clearly show the extend of these practices.</p>	<p>Recommendation: Accepted.</p> <p>We will link or combine this section in any update.</p>

<p>4.4 Other misconduct by authorities</p> <p>4.4.1 On 27 April 2020, the Guardian published an article entitled ‘Rwandan police chief accused of sexual assault of child refugee at UN centre [Gashora ETM]. <u>However, CPIT could find no other examples of this happening in the sources consulted (see Bibliography).</u> The Guardian article also noted ‘... The Rwandan government did not respond to requests for comment, but confirmed an investigation is underway.’⁸²</p> <p>Recommendation: Suggest to remove the underlined sentence as it is misleading, implying that this is a one-off occurrence/incident.</p> <p>Again, it is considered that undue weight is being placed on the quantitative aspects of the information, resulting in a probability assessment here of whether a potential fear is well-founded and/or sufficiently widespread to create a real risk on return, thereby appearing to implement a higher standard of proof. As highlighted in a November 2021 commentary Dr Christel Querton, from the University of the West of England, and myself published, the opinion included here ignores and downplays that “human rights violations do not have to be widespread to be serious enough to be considered persecutory. A single act may be sufficient serious by its very nature to amount to severe violation of a basic human right. Significantly, ill-treatment by the State is not required to be ‘systematic’ to be sufficient serious or reasonably likely to occur” (p. 8/9).</p>	<p>Recommendation: Not accepted.</p> <p>The underlined sentence provides a valid observation that CPIT could find no additional COI to indicate any other comparable incidents.</p> <p>We note the reviewer’s remit that, ‘Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.’ The reviewer did not provide any additional sources, which is consistent with CPIT’s research findings. If the reviewer is aware of any additional sources, we will consider this information for inclusion in future updates.</p> <p>Please see 3.1.2 for our response to Dr Querton’s commentary.</p>
<p>4.4.4 In response to the incident at Kiziba refugee camp, the National Commission on Human Rights (NCHR) investigated. The subsequent summary report explained their methodology and key conclusions, which included ‘live ammunition was used as the last resort after violent and organized attack was launched by a group of demonstrators against Police.’⁸⁵.</p> <p>Suggestion: It is recommended that reference be made to the Human Rights Watch research highlighting their finding on the incident at Kiziba refugee camp – see Human Rights Watch, Rwanda: A Year On, No Justice for Refugee Killings, Police Shot Dead at Least 12 During Protest, 23 February 2019 as well as information included in this Amnesty International report: Amnesty International, Rwanda: Investigate Killings of Refugees, 22 February 2019</p>	<p>Please see HO Comment #49</p>
<p>4.5 Arbitrary arrest and detention</p> <p>Recommendation: Little information is included here. Would suggest to include more information from a variety of sources already cited in this CPIN e.g. Human Rights Watch, BTI, Freedom House etc.</p>	<p>Recommendation: Partially accepted.</p> <p>There is a degree of overlap between some sections in the report, particularly section 4.5 (Arbitrary arrest and detention), section 3 (Political opposition) and section 9.3 (Arrest, prosecution, and detention of LGBTQ+ persons). We will review our cross-referencing and how we group information in the update.</p>

<p>4.6 Treatment and conditions in detention</p> <p>Recommendation: As mentioned already further above, information found at paragraphs 3.5.5 and 3.5.9 should be included here – either repeated or moved here all together.</p> <p>Also, it is recommended to include the following source here even if from 2017: Human Rights Watch (HRW), “We Will Force You to Confess”, Torture and Unlawful Military Detention in Rwanda, October 2017</p>	<p>Recommendation: Partially accepted.</p> <p>To avoid repetition and to keep the CPIN as concise as possible, we don’t duplicate COI between sections. However, we will review our cross-referencing and how we group information in the update.</p> <p>Thank you for the suggested source, we will consider including this material in the update, along with all available new information, though note this does date back to 2017.</p>
<p>4.7 Deaths in detention</p>	
<p><i>4.7.1 Non-targeted deaths and abuses have also been reported in detention centres and at the hands of police officers, for example, deaths of suspects in police custody, or abuses occurring as a means to obtain false confessions^{92,93}.</i></p> <p>⁹² USSD, ‘USSD report 2020’ (section 1), 30 March 2021</p> <p>⁹³ UN Human Rights Council, ‘Compilation on Rwanda’ (pages 3 to 4), 13 November 2020</p> <p>Recommendation: The link to FN 93 no longer works (also amend in ‘Bibliography’).</p> <p>Comment: Don’t understand the term ‘non-targeted deaths and abuses’. How can they be ‘non-targeted’?</p>	<p>Recommendation: Accepted.</p> <p>The link to the footnote will be corrected in the updated report.</p> <p>We will re-word 4.7.1 to remove / explain ‘non-targeted’.</p>
<p>4.8 State response(s) regarding excessive use of force</p>	
<p><i>See also Complaint mechanisms.</i></p> <p>Suggestion: Consider linking also to section 4.1 Overview.</p>	<p>We will review our cross-referencing and how we group information in the update.</p>
<p>5.1 Human rights oversight bodies</p> <p>Suggest including this excerpt:</p> <p>“United Nations member countries offered strong criticism and scores of recommendations addressing Rwanda’s human rights record during the country’s Universal Periodic Review (UPR) at the Human Rights Council in Geneva on January 25, 2021. During the review, countries across all regions called on Rwanda to end torture and ill-treatment, and investigate cases of extrajudicial killings, enforced disappearances, arbitrary detention, and deaths in custody” Human Rights Watch, UN: Countries Call Out Rwanda’s Rights Record, 1 February 2021</p>	<p>Thank you for the suggested source, we will consider including this material in the update, along with all available new information</p>
<p><i>5.1.2 Rwanda’s national human rights institution, the National Commission for Human Rights (NCHR), has been accredited by the Global Alliance of National Human Rights Institutions (GANHRI) as being fully compliant with the Paris Principles, which set out the internationally agreed minimum standards that national human rights institutions must meet^{107 108}</i></p> <p>¹⁰⁷ GANHRI, ‘Chart of the status of national institutions’, 20 January 2021</p> <p>¹⁰⁸ GANHRI, ‘Accreditation’, no date</p> <p>Recommendation: Insert statistical information from the cited source at FN 107 relating to the investigation of complaints: “...the Commission has processed 763 cases, of which 368 have been resolved. After analysis of 109, the claimants have been suggested relevant authorities to take the issues to and 28 complaints were found not reflecting any human rights abuse while 258 complaints are still pending”.</p>	<p>Recommendation: Accepted.</p> <p>Information on the number of complaints investigated by NCHR has been included at 5.1.3 but we will expand this to include data on the number of cases resolved and pending.</p>

<p>5.1.5 <i>The UN Human Rights Committee has expressed concern that the members of the NCHR were selected by a committee appointed by the President and has called on the Rwandan government to ensure that the selection of NCHR members is transparent and independent</i>¹¹⁰.</p> <p>¹¹⁰ UN Human Rights Council, ‘<i>Compilation on Rwanda</i>’ (page 2), 13 November 2020</p> <p>Recommendation: Replace FN 110 with functioning hyperlink (same with source listed in <i>Bibliography</i>): https://digitallibrary.un.org/record/3894157</p> <p>Suggestion: Add in “The Committee is also concerned about information that the Commission is not perceived as an independent body (art. 2)” from UN Human Rights Committee, Concluding observations on the fourth periodic report of Rwanda, 2 May 2016</p>	<p>Recommendation: Accepted.</p> <p>We will correct footnote 110.</p> <p>The suggested information from the UN Human Rights Committee is already included in the report at 5.1.5.</p>
<p>5.2 Complaints about public services</p> <p>Recommendation: Given the COI points to arbitrary arrests, detentions, torture, and limited access to justice for vulnerable groups, this section needs referring to and hyperlinking to sections related to the state’s human rights record and how the state deals with those it deems as opposition. For example, refer to section 4 <i>Law and Order</i>.</p>	<p>Recommendation: Partially accepted</p> <p>We will review our cross-referencing and how we group information in the update.</p> <p>However, we are unclear why the reviewer has specifically linked complaints about public services with treatment of the opposition.</p>
<p>5.2.2 <i>The Rwanda Utilities Regulatory Authority (RURA), which regulates public utilities including ‘telecommunications network and/or Telecommunications services, electricity, water, removal of waste products from residential or business premises, extraction and distribution of gas and transport of goods and persons’</i>¹¹², set out its complaints procedure, which stated, ‘Any person who has an issue against a public utility in terms of service provision may complain to RURA for redress. Notwithstanding this, consumers are encouraged to complain directly to the Utility in the first instance. However, where a complaint made directly to a utility is in the opinion of the person complaining not satisfactorily dealt with, such may be redirected to RURA.’¹¹³</p> <p>Suggestion: Is the regulator for utilities relevant in this document? If not consider removing.</p>	<p>We consider this goes to the provision of accommodation, but will consider this material in the update, along with all available new information.</p>
<p>5.2.3 <i>The Center for Rule of Law Rwanda (CERULAR), a national nongovernmental organisation, noted ‘Access to justice challenges in Rwanda include but not limited to; limited access to legal aid services especially legal representation in criminal, civil and administrative matters; low level of enforcement of court decisions; arbitrary application of the law and/or limited respect of due process rights especially in criminal matters by some law enforcers, as well as low uptake of alternative dispute resolution mechanisms leading to high backlog of cases in formal courts.’</i>¹¹⁴</p> <p>¹¹⁴ CERULAR, ‘<i>Access to Justice</i>’, no date</p> <p>Suggestion: Widen quote to include from original source: “...access to Justice remain elusive especially for the most vulnerable sections of the population.”</p>	<p>See HO Comment #49</p>

<p>6. Operation of non-governmental organisations</p>	
<p>It has been noted that a lot of section 6 relies heavily on the <i>interview notes CPIN</i>. Serious methodological concerns have been raised in section 1.4 Understanding of the themes addressed in the CPINs.</p>	<p>We don't accept the methodological concerns raised. Please see our response in Part 1.</p>
<p>Recommendation: An extra sub section needs to be created, for example, entitled, 'Lack of freedom of expression for NGO's. This sub section would detail how NGOs and CSOs are not free to exercise their rights to freedom of expression and opinion or association. NGOs and CSOs are heavily constrained given the lack of freedom of expression in place, the electronic surveillance, use of informants and forced disappearances, arrests, detentions and assassinations. See for example:</p> <p>"The space for independent civil society and political opposition groups remained limited in the period under review. Human rights monitoring organizations have faced serious challenges over many years. Human rights defenders involved in reporting or advocacy activities seen as criticizing government policy or practice have faced threats, including death threats, and many have fled the country as a result.</p> <p>Despite the reform of the NGO laws in 20129, the registration process remains overly burdensome. For national NGOs to apply for a temporary registration certificate, they must provide numerous detailed documents, and then wait nine months after the temporary certificate is issued to apply for legal personality.</p> <p>There are separate provisions for international NGOs, which include regional NGOs headquartered in Rwanda. While their registration certificates can be issued for up to five years at a time, in practice this is rarely the case. International NGOs must provide evidence of their funding for the entire length of their registration, and as most funders are unable to guarantee funding for multiple years, many INGOs have to go through the time-consuming re-registration process on a yearly basis"</p> <p>Amnesty International, Rwanda: More progress needed on human rights commitments: International submission for the UN Universal Periodic Review, 37th session of the UPR Working Group, January-February 2021, 18 August 2020</p> <p>"The Committee on the Rights of the Child remained concerned about [...] the difficulties faced by civil society organizations in obtaining long-term registered status. It urged Rwanda, in line with its previous recommendation, to ensure the independence of civil society organizations and human rights defenders in exercising their right to freedom of expression and opinion".</p> <p>UN Human Rights Council, Report of the Office of the United Nations High Commissioner for Human Rights, 13 November 2020, para. 46</p> <p>"Independent civil society organizations are very weak, and few document and expose human rights violations by state agents."</p> <p>Human Rights Watch, World Report 2021, 13 January 2021</p> <p>"The space for political opposition, civil society, and media remained closed"</p> <p>Human Rights Watch, World Report 2022: Rwanda, 16 December 2021</p>	<p>Recommendation: Not accepted.</p> <p>Creation of a section specifically relating to 'Lack of freedom of expression for NGOs' would result in repetition of COI. Freedom of assembly and association is covered in general in sections 1.1, 3.1 and 3.2, and restrictions specific to NGOs is covered in 6.1 and 6.2.</p> <p>The suggested HRW quotation dated 16 Dec 2021 is already included in the report at 3.1.4, together with an update from March 2022: <i>Rwanda has very few opposition parties, and human rights organizations and independent media remain weak.</i></p> <p>We will consider the other suggested material in the update, along with all available new information.</p>

6.2 National NGO operation and restrictions	
<p>Suggestion: Consider inserting information relating to freedom of assembly as this impacts the ability of NGOs and CSOs to participate publicly as well as information relating to the impact of government restrictions. See for example:</p> <p>[1]“The constitution guarantees freedom of assembly and association; however, assemblies require police permits and are subject to government restrictions. Opposition, groups or people suspected of not supporting the government rarely are accorded the rights to exercise freedom of assembly”</p> <p>And</p> <p>[2]“Since the 2000s, the government and local administrations have regulated the functioning of civil society both nationally and internationally through the Rwanda Governance Board. Projects that meet the wishes and expectations of the local people and offer them a sense of responsibility are therefore rare. The degree of social trust of the rural and urban poor is difficult to assess and may differ from sector to sector. Independent NGOs exist only at the national level and must react to the government’s distrust by adherence to the administrative guidelines and plans. Therefore, they have little innovative impact”</p> <p>BTI, Rwanda Country Report 2022, 23 February 2022</p> <p>As well as:</p> <p>[3]“Registration and reporting requirements for both domestic and foreign nongovernmental organizations (NGOs) are onerous, and activities that the government defines as divisive are prohibited. Many organizations receive funds from the RGB, which challenges their independence. Several NGOs have been banned in recent years, leading others to self-censor. The government has been accused of employing infiltration tactics against human rights organizations”.</p> <p>Freedom House, Freedom in the World 2022, 2 June 2022</p> <p>[4]“Of further and particular concern are the relentless harassment, attacks and threats that independent civil society and the media in Rwanda consistently face, which contravene international human rights obligations – particularly those relating to the rights to freedom of expression, association and peaceful assembly. Not only does this call into question the integrity and credibility of the discussions on human rights and rule of law issues scheduled to take place during CHOGM, it also threatens civil society’s participation in CHOGM-related activities”</p> <p>Amnesty International, Rwanda: Civil Society Open Letter to Commonwealth Heads of Government, 10 June 2022,</p>	<p>Quotation [1] is already in the report at 3.2.2.</p> <p>We will consider including the other suggested material in the update along with all available new information.</p>

<p>Suggestion: Further information could be given on the onerous registration process for NGOs. For example:</p> <p>“All NGOs need to register with the Rwanda Governance Board (RGB). [...] The RGB may refuse registration or de-register an NGO on broad grounds. These include ‘convincing evidence that the (applicant) may jeopardize security, public order, health, morals, and human rights’ [...] The RGB has wide discretion to decide on whether an INGO can be registered or not. International non-governmental organisations (INGOs) must be registered by the Directorate General of Immigration and Emigration. This ministry also monitors the work of INGOs. The requirements for registration may be determined by the minister rather than pre-defined criteria. Security reasons can be invoked to deny registration”</p> <p>KELLY, L., Legislation on non-governmental organisations (NGOs) in Tanzania, Kenya, Uganda, Ethiopia, Rwanda and England and Wales, 21 August 2019, p.10</p> <p>“Civil society in Rwanda is very weak, due to many years of state intimidation and interference. Onerous registration requirements and bureaucratic obstacles prevent human rights groups from operating effectively. In May 2016, immigration services ordered Epimack Kwokwo, the former executive secretary of the regional human rights group Human Rights League in the Great Lakes Region (LDGL) and a Congolese national, to leave the country”</p> <p>Human Rights Watch, Human Rights Watch Submission to the Universal Periodic Review of Rwanda, 9 July 2020</p> <p>The International Center for Not-For-Profit Law (ICNL) details a number of barriers to entry, barriers to activities and barriers to speech and/or advocacy facing CSOs operating in Rwanda. See ICNL, Freedom monitor: Rwanda, March 2022</p>	<p>The difficulties experienced by some NGOs in obtaining registration is covered in sufficient detail in sections 6.1 and 6.2.</p> <p>However, we will consider including the suggested material in the update along with all available new information.</p>
<p>6.2.4 <i>The USSD report 2020 noted the government ‘...delayed or denied registration to local and international NGOs seeking to work on human rights, media freedom, or political advocacy.’¹³⁸</i></p> <p>Suggestion: Continue citing the rest of the USSD excerpt to include the following: “In addition the government imposed burdensome NGO registration and renewal requirements, especially on international NGOs, as well as time-consuming requirements for annual financial and activity reports”</p>	<p>See HO Comment #49</p>
<p>6.2.7 <i>The World Association of Nongovernmental Organizations has a directory of NGO’s in Rwanda</i></p> <p>Comment: The search function on the WANGO [World Association of Nongovernmental Organizations] website was not working when the site was checked.</p>	<p>Not applicable to CPIT</p>
<p>6.3 NGOs involved with refugees and asylum seekers in Rwanda</p>	
<p>6.3.2 <i>In a meeting between the HO and LAF on 21 March 2022, LAF commented that they have ‘... a very good relationship with Rwandan government. There is a tripartite agreement between LAF, UNHCR and the Rwandan government.’¹⁴³</i></p> <p>6.3.3 <i>They also explained that ‘In the past, NGOs were crippled by intrusion by the Rwandan government but things keep improving. International and national NGOs who support asylum seekers/ refugees generally operate freely’¹⁴⁴</i></p> <p>Suggestion: Continue citing the rest of the interview with LAF to include the following: “For asylum seekers there is country-based mediation or a referral to the Immigration Department. If an asylum seeker wishes to complain about the length of time waiting for a decision or an ID card, they can complain to the Minister by letter but [the question is] whether they know about their rights. What is written in Law might be different from procedures. Bureaucracy can also cause issues”.</p>	<p>Thank you for the suggestion. However, the quotation cited by the reviewer is more relevant to complaint mechanisms available to asylum seekers or refugees (section 5.3) and has already been included in the report at 5.3.5.</p>

<p>7.2 Equality and women’s rights</p>	
<p>7.2.1 <i>The Constitution of the Republic of Rwanda (2003, revised in 2015) prohibits discrimination based on sex and states the principle of equality between men and women. The Constitution sets a minimum quota of 30% for women’s representation in decision-making positions and this quota has been exceeded. Women hold senior decision-making positions at all levels of government, making up 52% of the Cabinet, 61% of members of the lower chamber of Parliament, 38% of the Senate, 30% of District Mayors and 45% of District Councils</i>¹⁵⁷</p> <p>7.2.6 <i>There is gender parity in education, with girls accounting for 49.7% and 53.2% of enrolments in primary and secondary education, respectively</i>¹⁶³.</p> <p>Suggestion: In both instances the information, especially the statistical data, was provided by the Rwandan government. This should be made clearer in the main body of the text.</p>	<p>Thank you for the suggestion, we will clarify in the update.</p>
<p>7.2.12 <i>The Report of the Working Group on the Universal Periodic Review (UPR) on Rwanda noted the Government of Rwanda’s response that ‘Strong legal, policy and institutional frameworks had been put in place to continue to protect the rights of children and ensure that perpetrators of sexual violence, trafficking in children and unlawful child labour were brought to justice</i>¹⁶⁹.</p> <p>7.2.13 <i>The Report of the Working Group on the Universal Periodic Review (UPR) on Rwanda noted that ‘In 2018, the law on human trafficking (Law No. 51/2018 of 13/08/2018) was adopted. Capacity-building sessions for law enforcement officers had been held, which had resulted in an increase in the rate of convictions for trafficking in persons.</i>¹⁷⁰.</p> <p>Recommendation: It is considered important to highlight here that these two paragraphs contain information provided by Rwanda to the Working Group on the UPR. Either this is highlighted in the paragraphs themselves or they are removed from an updated CPIN. Further it is noted that they better fit under section 8.6 <i>Modern slavery/trafficking</i> and/or 8.8. <i>Protection and support</i>.</p>	<p>Recommendation Partially accepted.</p> <p>In paragraph 7.2.12 the citation is clearly described as the ‘<i>Government of Rwanda’s response</i>’.</p> <p>However, 7.2.13 will be reworded to clarify the source of the information.</p> <p>We will review our cross-referencing and how we group information in the update.</p>
<p>8.2 Penalties for rape, domestic violence and sexual harassment</p>	
<p>8.2.6 <i>USSD Human Rights report 2020 stated: ‘In March and April [2020], several RDF [Rwanda Defence Force] soldiers allegedly committed rape while enforcing COVID-19 lockdown measures, media reported. The RDF issued a press release on April 4 stating it had arrested five suspects and was investigating the cases.</i>¹⁹⁴ <u>CPIT could not find information in the sources consulted to suggest this was part of a wider or more systemic pattern (see Bibliography).</u></p> <p>Recommendation: Suggest to remove the underlined sentence as it is misleading and downplays the occurrence of rape and the actual devastating effects of rape.</p> <p>It is considered that undue weight is being placed on the quantitative aspects of the information, resulting in a probability assessment here of whether a potential fear is well-founded and/or sufficiently widespread to create a real risk on return, thereby appearing to implement a higher standard of proof. As highlighted in a November 2021 commentary Dr Christel Querton, from the University of the West of England, and myself published, the opinion included here ignores and downplays that “human rights violations do not have to be widespread to be serious enough to be considered persecutory. A single act may be sufficient serious by its very nature to amount to severe violation of a basic human right. Significantly, ill-treatment by the State is not required to be ‘systematic’ to be sufficient serious or reasonably likely to occur” (p. 8/9).</p>	<p>Recommendation: Not accepted.</p> <p>The Home Office does not dispute that crimes such as rape have a devastating impact on victims.</p> <p>We also do not accept that the underlined sentence ‘is misleading and downplays the occurrence of rape and the actual devastating effects of rape.’</p> <p>The underlined sentence provides a valid observation that CPIT could find no additional COI to indicate any other comparable incidents.</p> <p>We note the reviewer’s remit that, ‘Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.’ The reviewer did not provide any additional sources, which is consistent with CPIT’s research findings. If the reviewer is aware of any additional sources, we will consider this information for inclusion in future updates.</p> <p>Please see 3.1.2 for our response to Dr Querton’s commentary.</p>

<p>8.6 Modern slavery/trafficking</p> <p>8.6.6 Reports indicated that traffickers target vulnerable populations such as homeless youths, orphans, children with disabilities, young women and girls, unemployed adults and internally displaced persons. Burundian and DRC refugees are also vulnerable to trafficking due to their lack of access to employment. There are reports that some parents in refugee camps receive money for their daughters' work in domestic service, tea plantations or in the sex industry. There are also reports of the sexual exploitation of adolescent girls who are lured from refugee camps with the promise of paid work. While the most common types of trafficking are labour trafficking and sex trafficking, there are reported cases of youths being lured to countries such as Malawi and Mozambique where they are forced to join armed groups^{228 229}.</p> <p>Recommendation: Two sources are referenced. It is recommended that the paragraph is re-written so that it is clear to whom the information is attributable to.</p>	<p>Recommendation: Accepted.</p> <p>In the forthcoming CPIN we will place footnotes behind individual pieces of information in cases where this makes the referencing clearer.</p>
<p>8.6.9 The most recent detailed research on trafficking in Rwanda was published in August 2019 through a collaboration with the International Organisation for Migration (IOM). The characteristics of Rwandan victims of trafficking (VOT), identified by the IOM report²³², are summarised in the table.</p> <p>²³² Never Again Rwanda, 'Understanding Human Trafficking in Rwanda' (page 46 to 47), August 2019</p> <p>Recommendation: The hyperlink is no longer working and needs to be replaced both in the FNs and <i>Bibliography</i> with this one: https://neveragainrwanda.org/wp-content/uploads/2021/11/NAR.IOM.GOV_Understanding-Human-Trafficking-in-Rwanda-Causes-Effects-and-Impact-Baseline-Report.pdf</p>	<p>Recommendation: Accepted.</p> <p>We will correct the hyperlink.</p>
<p>8.7.2 The United Nations Children's Fund (UNICEF) in an October 2021 report on ending child marriage stated: 'Rwanda [is] ... coming close to the elimination of child marriage. ...levels have continued to decline, with the practice becoming rare.'²³⁹</p> <p>Suggestion: It is considered that additional information found in the cited source USSD should be added here: "Child, Early, and Forced Marriage: The minimum age for marriage is 21; the government strictly enforced this requirement. Anecdotal evidence suggested child marriage sometimes occurred in line with traditional norms in rural areas and refugee camps but rarely in urban areas, and not with government recognition".</p>	<p>Please see HO Comment #49</p>

<p>9. Lesbian, gay, bisexual, trans, intersex and questioning (LGBTIQ+) persons</p> <p>Recommendation: Add “Queer” to ‘questioning’ as most reference to LGBTIQ+ across CPINs published on sexual minorities refer to the former terminology.</p> <p>Non-exhaustive additional (critical and from a wider variety of types of) sources found in the public domain, useful to consult for any updated CPIN are:</p> <ul style="list-style-type: none"> [1] Research Directorate, Immigration and Refugee Board of Canada, Rwanda: Situation of sexual minorities, including legislation; treatment by society and authorities; state protection and support services available (2014-October 2018), 20 November 2018 [2] UNHCR, Rwanda: Refugee Policy Review, 30 June 2020 [3] Refugee Survey Quarterly, Re-Thinking Protection for LGBTI Refugees in Kampala, Uganda: A Relational, Trust-Based Approach, Volume 41, Issue 1, March 2022, Pages 26–51, published 28 September 2021 [4] Human Rights Watch: Rwanda: Round Ups-Linked to Commonwealth Meeting: Detention, Ill-Treatment of Poor, Gay, and Transgender People, 27 October 2021 [5] Human Rights Watch, World Report 2022: Rwanda, 16 December 2021 [6] Rainbow Migration, Rwanda is not safe for LGBTIQ+ people, 13 April 2022 [7] Pinknews, Parliament passing ‘deplorable’ Tory borders bill ‘is a devastating blow to LGBT+ people’, 28 April 2022 [8] UK Houses of Parliament, Joint Committee on Human Rights, Oral evidence: The UK-Rwanda Migration and Economic Development Partnership and Human Rights, HC 293, 8 June 2022, p. 16 [9] Sky News, Migrant deportation plan: ‘It’s really hard to get work’; ‘I don’t feel safe’; ‘People here are so welcoming’ – What it’s like to be a refugee in Rwanda, 13 June 2022 [10] Thomson Reuters Foundation News, Is Rwanda a safe place to send LGBTQ+ asylum seekers from the UK?, 21 June 2022 	<p>Recommendation: Not accepted</p> <p>We are content with LGBTIQ+ as a standard ‘catch all’ term which reflects the diversity of sexual orientation, gender identity and expression.</p> <p>Suggested source [1] has been superseded by a later IRB response dated 23 August 2021, which is cited in the CPIN.</p> <p>Suggested source [4] has been extensively quoted in the CPIN at 4.6.1 and 4.6.2.</p> <p>Suggested source [5] has been cited multiple times in the CPIN but has not been referenced in section 9 as the source covers SOGIE very briefly (2 paragraphs). The source also contains a link to a second article, which contains more detail on the treatment of gay and transgender persons, and this has been included in the CPIN at 4.6.1 and 4.6.2.</p> <p>We will consider including the other suggested sources in the update along with all available new information.</p>
<p>9.1 Legal rights</p> <p>Suggestion [1]: Consider including reference to Article 51 of the Constitution, noting that it “creates a platform through which LGBT organisations may be subject to restrictions within the framework of their activities on the basis of “preserving national values of civilisation and cultural traditions” should the State declare said activities or work to be immoral”.</p> <p>UHAI-EASHRI, A Landscape Analysis of the Human Rights of Sex Workers and LGBT Communities in Rwanda, March 2016, p. 16</p> <p>[2] Also consider including the following excerpt:</p> <p>“JS5 stated that there had been a lack of adequate legislative protection against gender-based violence for LGBTI persons, as such violence had been defined in law as an act that resulted in a bodily, psychological, sexual and economic harm to female or male persons”</p> <p>UN OHCHR, Summary of stakeholders’ submissions, 16 November 2020, para. 26</p>	<p>Please can the reviewer clarify suggestion [1]? Article 51 of the Constitution relates to ‘Welfare of persons with disabilities and other needy persons’ and doesn’t appear to be relevant to LGBTIQ+.</p> <p>Suggestion [2] is already included in the CPIN at 9.1.8. (Referenced to the original stakeholder submission dated June 2020, rather than the summary submission dated Nov 2020)</p>

<p>9.1.1 No laws criminalise sexual orientation or consensual same-sex acts between adults. Attempts to criminalise consensual same-sex acts through revision of the Penal Code Act were withdrawn in 2009/2010^{257,258,259}.</p> <p>²⁵⁷ USSD, '2020 Country Reports on Human Rights Practices: Rwanda' (section 6), 30 March 2021</p> <p>²⁵⁸ ILGA, 'State-sponsored homophobia...' (page 93), Dec 2020</p> <p>²⁵⁹ Sida, 'The Rights of LGBTI People in Rwanda', page 2, December 2014</p> <p>Recommendation [1]: Include that Article 217 of the draft Act proposed the criminalisation of consensual same-sex acts and relationships, as well as criminalising the work of LGBTI human rights defenders. The cited footnotes cover this point.</p> <p>Recommendation [2]: The FN 259 url link does not work. Please replace here and in <i>Bibliography</i> with https://cdn.sida.se/app/uploads/2021/05/07084831/rights-of-lgbt-persons-rwanda.pdf</p>	<p>Recommendation [1]: Accepted</p> <p>Recommendation [2]: Accepted</p> <p>We will correct footnote.</p>
<p>9.1.2 The USSD report 2020 outlined 'The law does not explicitly prohibit discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons in housing, employment, nationality laws, or access to government services such as health care.'²⁶⁰</p> <p>Suggestion [1]: Consider adding additional information from more sources, clearly outlining that LGBTIQ+ persons are not legally protected in relation to anti-discrimination, hate crime, incitement, or conversion therapy. There is also no legal recognition for same sex marriage, civil unions, joint adoptions or second parent adoption. See ILGA, State Sponsored Homophobia, December 2020, p.326 and Sida, The Rights of LGBTI People in Rwanda, December 2014, p.2</p> <p>Suggestion [2]: Consider moving or fusing 9.1.9 to this paragraph so it either appears in 9.1.2 or in a newly created paragraph below, above the Constitution outline.</p>	<p>Suggestion [1]: A range of sources are already included in the CPIN containing reference to the legal protections around anti-discrimination, hate crime, incitement, or conversion therapy including: ILGA (9.1.9), Sida (9.1.1), USSD (9.1.2), UN OHCHR (9.1.4), LGBTI/sex worker coalition (9.1.8), and IRB (quoting Deutsche Welle) (9.1.10).</p> <p>We welcome any additional source suggestions from the reviewer, particularly around conversion therapy where there is very little available information.</p> <p>Suggestion [2]: We will consider this structural change in the update.</p>
<p>9.1.4 Gender identity/expression is not listed as a prohibited ground in laws criminalising discrimination²⁶².</p> <p>Suggestion: Consider including that no legal provision has been made for sex reassignment in birth records. See UN OHCHR, Summary of stakeholders' submissions, 16 November 2020, para. 15</p>	<p>See HO Comment #49</p>
<p>9.1.6 UHAI – EASHRI, an organisation of philanthropic activists²⁶⁴, published a report analysing the human rights of sex workers and LGBTI+ communities in Rwanda (UHAI – EASHRI report 2016), based on literature reviews, webbased documents, face-to-face and web-based interviews, email exchanges and focus groups, to ascertain the lived experiences of LGBTI+ persons in Rwanda. The report noted that whilst 'homosexuality' is not criminalised, sex work and sex workers are criminalised²⁶⁵.</p> <p>²⁶⁵ UHAI-EASHRI, '...Human Rights Of Sex Workers And LGBT... In Rwanda', (page 6), 2016</p> <p>Suggestion: Consider including further information from the cited source (see FN 265). Pages 47-48 outline legal provisions that criminalise sex work and negatively impact sex worker. For example, Article 188 of the Penal Code criminalises the use of social media or any other platforms that could be used for advertising sex work.</p>	<p>We do not consider any additional material is needed on sex workers, including their inability to use social media for advertising purposes.</p>

<p>9.1.10 An Immigration and Refugee Board of Canada (IRB) COI query response dated 29 September 2021, based on a range of sources, stated: ‘According to an article by the German international broadcaster Deutsche Welle (DW), people of diverse [sexual orientation and gender identity / expression] SOGIE are “in a state of limbo” due to the vagueness of the laws and the ways they are applied to the community’.²⁶⁹</p> <p>²⁶⁹ IRB, ‘Responses to Information Requests, Rwanda...’, 29 September 2021</p> <p>Recommendation: Amend hyperlink to https://irb.gc.ca/en/country-information/rir/Pages/index.aspx?doc=458416&pls=1 both in FN 269 and Bibliography. Publication date also needs amending as its 23 August 2021</p>	<p>Recommendation: Accepted</p> <p>We will correct the hyperlink and publication date</p>
<p>9.1.12 During a meeting with the HO on 22 March 2022, a representative from NCHR commented: ‘The law is not against [LGBTIQ+ people]... , it doesn’t talk about them. Not yet something which is a significant issue in society.’²⁷¹</p> <p>Suggestion: Consider leaving out this paragraph – in its own evidence, it notes that the organisation has not received complaints from that group so far. In Annex A9 of the <i>interview notes CPIN</i>, organisations note that the NHRC is not progressive regarding LGBT and often does not promote LGBT rights specifically.</p>	<p>Thank you for the suggestion. However, the quote from NCHR relates to the absence of specific legal provisions for LGBTIQ+ persons, which is not linked to the lack of LGBTIQ+ complaints received by the NCHR.</p>
<p>9.2 Government attitudes, policies and strategies</p>	
<p>9.2.1 Senior government officials have expressed support for the human rights of all persons regardless of sexual orientation. In 2016, OutRight (a New York based LGBTIQ+ advocacy group) commented: ‘Rwanda President Paul Kagame doesn’t want to have the same trouble as his neighbors Burundi, Tanzania, and Uganda when it comes to the LGBT community.’ The comment was made following an event in San Francisco, attended by Kagame, where he was asked about LGBTIQ+ persons living in Rwanda and replied: ‘It hasn’t been our problem. And we don’t intend to make it our problem.’ In 2018, Kagame met Ellen DeGeneres and her wife Portia de Rossi in Kigali and Kagame tweeted the meeting and posted the video on his YouTube channel^{272 273 274}.</p> <p>²⁷² USSD, ‘2021 Country Reports on Human Rights Practices: Rwanda’ (section 6) 12 Apr 2022</p> <p>²⁷³ KT Press, ‘Homosexuality isn’t our problem says President Kagame’, 25 Sept 2016</p> <p>²⁷⁴ OutRight Action International, ‘Kagame: Rwanda has no problems with gays’, 24 Sept 2016</p> <p>Recommendation: The paragraph should also note that during this San Francisco trip, Kagame was joined by anti-gay pastor Rick Warren, with whom there is a long standing relationship. See for example, https://www.ebar.com/story.php?ch=news&sc=&sc2=&id=246665.</p> <p>There is no reference to Ellen DeGeneres in any of the references cited. Suggest removal as the visit was to do with the opening of a gorilla fund and there are other examples of Kagame meeting anti-gay pastor.</p>	<p>Recommendation: Not accepted</p> <p>CPIT considers it to be inappropriate to speculate that a person’s friendship equates to a sharing of that person’s beliefs. (Particularly since, according to the article, Kagame’s comments about LGBTI ‘not being a problem’ appear to have been said in the presence of Rick Warren.)</p> <p>We also consider that the reviewer’s recommendation provides an imbalanced representation of the overall content and context of the article.</p> <p>The title of the article referenced by the reviewer is ‘Kagame: Rwanda has no problems with gays’ and 3 other extracts from the article read:</p> <p>Extract 1 -</p> <p>‘[Rick] Warren has backed away from his involvement in the anti-gay legislation and transformed himself into more of a moderate religious leader within recent years’.</p> <p>Extract 2 -</p> <p>‘... Kagame is a leader of contradictions. While he’s limiting some rights of Rwandan citizens, he has made some strides toward LGBT rights.’</p>

	<p>Extract 3 -</p> <p>'An unidentified gay 20-something man agreed. "I don't know anyone who has been arrested or intimidated because of his or her sexual orientation," he told <i>Rwanda Today</i>.</p> <p>"That is why no Rwandan can claim to have gone into exile for being gay," he continued. "We are not persecuted at all; our only problem is being discriminated against by some people who don't understand what it means to be gay."</p> <p>We consider that the reviewer's recommendation to include COI to show that 'Kagame was joined by anti-gay pastor' lacks balance and to include this COI in the CPIN would have the effect of reflecting only the negative aspect of this article rather reflecting the context of the article as a whole.</p> <p>The citation of Ellen DeGeneres will be added to the footnotes of the update. This COI was considered relevant, as the meeting between Kagame and DeGeneres was publicly posted by Kagame.</p>
<p>9.2.3 <i>The JG5 – Joint Submission was concerned by the 'omission of Transgender, Lesbians and Intersex persons in various policies and strategies... [which] tend to adhere to the binary vision of gender as Men and Woman.'</i>²⁷⁶</p> <p>²⁷⁶ <i>LGBTI/sex worker coalition, JG5 – Joint Submission 5 (page 4), June 2020</i></p> <p>Suggestion: Consider adding an example from the cited report here. For example, the Fourth Health Sector Strategic Plan does not make any specific mention of LGBTI persons or their health needs and Transgender persons are excluded from the National Guidelines for Prevention and Management of HIV and STIs.</p>	<p>See HO Comment #49</p>
<p>9.2.7 <i>A July 2020 article by Deutsche Welle reported 'Rwandan President Paul Kagame has, in the past, avoided questions about homophobia, claiming that the country was dealing with more important issues and that all Rwandans were equal before the constitution, despite the ambiguous laws.'</i>²⁸⁰</p> <p>Suggestion: Consider adding this citation: "However, the president and most politicians do not usually speak out publicly about homosexuality. Several sources speak of a strategic silence on the part of the authorities".</p> <p>Cedoca, 'COI Focus Rwanda, L'homosexualité', 30 October 2019</p>	<p>Thank you for the suggestion, however, this COI from Cedoca is already in the CPIN at 9.2.10 and 9.2.11.</p>

<p>9.2.9 In a meeting on 5 April 2022, representatives of the LGBT+ community described the government's as having a "strategic silence" on issues faced by LGBT community²⁸². The same group did also note that they were 'Starting on strategies to engage Govt but starting from minimal position.'²⁸³</p> <p>²⁸² Annex A11, Meeting with representatives of the LGBT+ community, 5 April 2022</p> <p>²⁸³ Annex A11, Meeting with representatives of the LGBT+ community, 5 April 2022</p> <p>Suggestion: Remove 'Starting on strategies to engage Govt but starting from minimal position.' It is unclear from the interview notes what the line of questioning is and whether the government's strategic silence means that lobbying starts at a minimal position.</p>	<p>The notes have been reviewed and agreed by the interlocutors involved, therefore we do not intend to alter or remove them in their agreed format.</p>
<p>9.2.13 The Health Development Initiative (HDI) in Rwanda conducted a mixed-method study of the lived experiences of LGBTI+ people and public perceptions in Rwanda (HDI LGBTI+ summary fact sheet). Their methodology was detailed in a summary factsheet: 'The study used a concurrent, equal status, mixed-methods approach consisting of a quantitative survey of 499 and 1,243 respondents for the lived experiences and public perceptions surveys respectively. The study team also conducted six focus group discussions (FGDs) with a total of 59 participants as well as 16 key informant interviews.'²⁸⁷</p> <p>9.2.14 The HDI LGBTI+ summary factsheet noted that the 'Majority of respondents thought that the LGBT community should not be accepted in either the community (62%) or the country (56%). About half of them (48%) stated that LGBT individuals are feared in the community.'²⁸⁸</p> <p>²⁸⁷ HDI, 'Fact sheet, Examination of LGBT people's lived experiences... in Rwanda', nd</p> <p>²⁸⁸ HDI, 'Fact sheet, Examination of LGBT people's lived experiences... in Rwanda', nd</p> <p>Suggestion: Perhaps both paragraphs are better placed in section 9.7 Societal Norms and Treatment.</p> <p>Recommendation: Amend the hyperlinks as currently connects to internal HO database.</p>	<p>Thank you for the suggestion. We will review our cross-referencing and how we group information in the update.</p> <p>Recommendation: Accepted</p> <p>We will correct the hyperlinks.</p>
<p>9.3 Arrest, prosecution, and detention of LGBTIQ+ persons</p> <p>Suggestion [1]: Section could include the following excerpt: "The Coalition is concerned with the lack of legal certainty of the Ministerial Order N°001/07.01 of 19/04/2018 as it does not clearly describe circumstances under which sex workers / prostitutes are either arrested or transferred to transit centers for administrative detention purposes." LGBTI/sex worker coalition, JG5 – Joint Submission 5, June 2020, p. 4</p> <p>Suggestion [2]: Consider including this excerpt: "The AHR report states that government officials have used "inappropriate language" when describing LGBTI individuals and have also "portrayed homosexuality as a deviance, a private matter and a moral genocide" (AHR Nov. 2020, 12)".</p> <p>IRB, 'Responses to Information Requests, Rwanda...', 29 September 2021</p>	<p>Thank you for suggestion [1], however, we do not consider any additional material is needed on sex workers.</p> <p>Thank you for suggestion [2]. We will consider including this material in the update along with all available new information.</p>
<p>9.3.5 In November 2020, Vice News reported on a transgender woman who was arrested after being accused of being homeless and for selling drugs. The individual, Bella, claimed that she held in a 'tiny' room in Gikondo transit center for 6 weeks during which time she was subject to abuse and assaults, and raped by fellow detainees.²⁹⁷</p> <p>Suggestion: Add that Bella was stripped and humiliated in front of 400 people; and that the news story reported that false charges are frequently used to detain transgender people.</p>	<p>Suggestion noted. We will consider this material in the update, along with all available new information. However, we do not believe it necessary to include excessive information about single-case examples</p>

<p>9.3.7 However, LAF, in the meeting with the HO on 21 March 2022 considered that ‘... people who are LGBT+ are not harassed or mistreated.’²⁹⁹</p> <p>²⁹⁹ Annex A7, Meeting between HO and LAF, 21 March 2022</p> <p>Recommendation: Remove paragraph. The interview is in note form – it is unclear what question was asked and whether the statement made about LGBT+ persons that they are harassed is in relation to the government – therefore, proposal removing this paragraph.</p> <p>The full note from the interview says: “LGBT+ is not officially recognised but people who are LGBT+ are not harassed or mistreated. The government has kept a neutral position.”</p>	<p>Recommendation: Not accepted</p> <p>The notes have been reviewed and agreed by the interlocutors, therefore we do not intend to alter or remove them in their agreed format.</p>
<p>9.3.15 An IRB COI query response dated 29 September 2021, based on a range of sources noted that: ‘The Vice article states that the government’s “lack of explicit legal protections for LGBTQ Rwandans enables the arbitrary detention of transgender people ... in the Gikondo Transit Center”.’³⁰⁸</p> <p>³⁰⁸ IRB, ‘Responses to Information Requests, Rwanda...’, 29 September 2021</p> <p>Suggestion: Consider including further information from the source including that “HDI has registered cases of “illegal arrests and detentions” of LGBT individuals by police and the District Administration Security Support Organ’ and that ‘Human Rights First Association Rwanda [...] similarly stated that “transgender people are illegally arrested [and] beaten by the police at detention facilities””.</p>	<p>Thank you for the suggestion. However, the IRB response referred to by the reviewer has been extensively quoted throughout the section on LGBTIQ+ persons, including in paragraphs: 9.1.10, 9.2.8, 9.3.6, 9.3.13, 9.3.15, 9.4.1, 9.4.2, 9.7.12, 9.7.13, 9.7.14, 9.8.4, 9.9.2 and 9.9.3.</p> <p>Similarly, the IRB paragraphs listed above contain 11 references to transgender persons and this figure is much higher when considering all other sources.</p> <p>It is not possible to include all COI from a source in its entirety and we’re confident that we have chosen a balanced selection of the most relevant excerpts from the IRB material.</p>
<p>9.4 Protection</p> <p>Suggestion: Consider inserting a paragraph highlighting how false charges are brought against this population. See for example: “There are also some cases where individuals of member community have been arrested being accused to rape young boys and after long investigation the found out that it was a forged allegation just to get some money from those individual for the community”, Cedoca, ‘COI Focus Rwanda. L’homosexualité’, 30 October 2019</p>	<p>Please see HO comment #49</p>
<p>9.4.7 In a meeting on 5 April 2022, representatives of the LGBT+ community explained that the ‘police as an institution [are] ok, it’s individuals which are problem – difficult to say how widespread (no data) but think not common, just case by case’ and that ‘If you report mistreatment of police, [there are] no repercussions’³¹⁶</p> <p>³¹⁶ Annex A11, Meeting w/ representatives of the LGBT+ community, 5 April 2022</p> <p>Suggestion: The same source also notes that “Judges/officials sometimes also not progressive – can be difficult to access justice as a gay person LGBT people can be blackmailed by others in society – if you don’t give me money, I will accuse you of e.g. rape – risk of imprisonment/ punishment”.</p>	<p>Please see HO comment #49</p>

<p>9.7 Societal norms and treatment</p> <p>Recommendation [1]: It is recommended to include more data to illustrate the scope and nature of discrimination faced by this population. For example: “About two-thirds of survey participants had experienced at least one form of discrimination. Respondents said that this occurred most often when participating in religious (44.9%) or cultural events (41.7%) and when looking for (or in) housing (30%)”.</p> <p>HDI, ‘Fact sheet, Examination of LGBT people’s lived experiences... in Rwanda’, April 2021, p. 3</p> <p>Recommendation [2]: Insert the following by UNHCR: “Discriminatory access to the asylum procedures is of concern, including the fact that some LGBTIQ+ persons are denied access to asylum procedures.”</p> <p>UNHCR, ‘UNHCR Analysis of the Legality and Appropriateness of the Transfer of Asylum Seekers under the UK-Rwanda arrangement’, 8 June 2022</p> <p>Suggestion: In this section or as a separate sub-section, additional information could be added about religious leaders’ attitudes to the LGBTIQ+ population. See for example: “The clergy community has also continued to increase hate speech targeted to the community stating that the COVID-19 virus results from God punishing humanity for same-sex relationships”</p> <p>PAI, ‘Voices of Resilience in Uncertainty’, June 2021</p> <p>“Several sources stress the very negative stance of Christian and Muslim clerics, who advocate discrimination and intolerance towards LGBT people.”</p> <p>Cedoca, ‘COI Focus Rwanda, L’homosexualité’, page 29, 30 October 2019</p>	<p>Recommendation [1]: Not accepted</p> <p>We have cited multiple sources and surveys which consider discrimination and negative attitudes towards LGBTIQ+ persons, including: 9.2.13, 9.2.14, 9.3.13, 9.7.14, 9.7.18, 9.7.20, 9.8.4, 9.9.2, 9.9.4, 9.10.10, 9.10.12 and 9.11.1.</p> <p>It is not possible to include all statistics from all sources and we’re confident that we chose a balanced selection of the most relevant data.</p> <p>Recommendation [2]: Not accepted</p> <p>This issue is already covered in the Asylum Processing CPIN at 4.4.2. UNHCR also commented on this issue directly during a meeting with CPIT as part of the second fact-finding mission and this COI is included at 9.5.1.</p> <p>For suggestions please see HO Comment #49</p>
<p>9.7.1 A 2019 report by CEDOCA noted in an unofficial translation that ‘Aflodis Kagaba, Executive Director of HDI [Health Development Initiative] describes the situation in Rwandan society as: “The Rwandan society is normally conservative with a high adherence to religious and cultural values. Many Rwandan[s] do not tolerate homosexuality on the basis that it is immoral or a foreign sickness imported into the country”³²²</p> <p>³²² Cedoca, ‘COI Focus Rwanda, L’homosexualité’, 30 October 2019</p> <p>Suggestion: Consider increasing the excerpt to include a quote from Jean-Claude Uwihoreye, Executive Director of My Right Alliance, who stated, “[The] violent acts are many in different areas where rwandan lgbt community live, work, study and stay. Stigma, discrimination and harassment exist in general society on high scale level because of the culture and religion which are very intolerant towards the homosexuality [...]”.</p>	<p>Please see HO Comment #49</p>
<p>9.7.3 An article by Reuters, published 29 June 2021, noted that ‘LGBT+ rights groups in the largely conservative Christian nation say homophobic attitudes are widespread.’³²⁶ However, DW noted in a July 2020 article that ‘...the LGBT+ community in Rwanda is gradually gaining acceptance and respect within a largely conservative society.’³²⁷</p> <p>³²⁶ Reuters, ‘Brave and hopeful’ LGBT+ Rwandans prepare for their first Pride’, 29 June 2021</p> <p>³²⁷ DW, ‘Rwandan church embraces LGBT+ community’, 21 July 2020</p> <p>Suggestion: Consider increasing the excerpt of FN 326 to include “LGBT+ Rwandans say they are often fired, evicted, labelled as satanic, or ostracised by family and friends if they come out, with violent threats forcing some to flee the country”.</p>	<p>Please see HO Comment #49</p>

<p>9.7.5 During a meeting with NCHR on 22 March 2022, a HO official asked whether a gay couple could live openly and a NCHR representative commented: ‘In our society, there is privacy – [you] will not find man and wife being openly affectionate. So those who are gay, you don’t see them in the street. So gay people can live in same house but society won’t know whether they are gay or not.’ Another NCHR representative explained that no one cares about another person’s private life but whereas a female couple who lived together would be described as ‘gay’ outside of Rwanda, they are described as ‘friends’ within Rwanda.³²⁹</p> <p>Recommendation: Remove section: “Another NCHR representative explained that no one cares about another person’s private life but whereas a female couple who lived together would be described as ‘gay’ outside of Rwanda, they are described as ‘friends’ within Rwanda”. It has been paraphrased and when you look at the original note, it seems that the interviewee is not a reliable source to comment on this topic. The full comment is recorded as: “Because of our culture, I can have a female friend and love each other, outside of Rwanda this may be named as ‘gay’. In Rwanda we would say ‘friends’ – no one cares because it’s your private life. As example – NCHR representative has a colleague/friend who lives with her female partner for 15 years with no issue – it’s a private matter”.</p>	<p>Recommendation: Not accepted</p> <p>The paraphrased sentence is an accurate reflection of the interviewee’s comments. It is unclear why the reviewer considers the interviewee to be an unreliable source.</p>
<p>9.7.12 In relation to familial and community treatment of LGBTI+ persons, a 2020 study on the impact of COVID-19 on LGBT individuals in Rwanda conducted by AHR detailed that, of 438 respondents interviewed, 18.6% had experienced homophobia from family members and 24.7% had experienced homophobia from the community³⁴⁰. An IRB COI query response dated 29 September 2021 also referenced the 2020 AHR study.³⁴¹</p> <p>9.7.13 The same IRB response noted: ‘According to a community centre coordinator for HDI interviewed by Vice, since 2018 there has been a shift “in terms of behaviours and perceptions” and toward a more tolerant media landscape, while he also indicated that “there is still work to be done for [the] full recognition of rights for transgender people”³⁴²</p> <p>9.7.14 The AHR study 2020 found that, in relation to familial and community treatment of LGBTI+ persons, of 438 respondents interviewed, 18.6% had experienced homophobia from family members, 24.7% had experienced homophobia from the community and 21% had experienced homophobia when accessing bars, hotels and nightclubs³⁴³.</p> <p>³⁴⁰ IRB, ‘Responses to Information Requests, Rwanda...’, 29 September 2021</p> <p>³⁴¹ IRB, ‘Responses to Information Requests, Rwanda...’, 29 September 2021</p> <p>³⁴² IRB, ‘Responses to Information Requests, Rwanda...’, 29 September 2021</p> <p>³⁴³ IRB, ‘Responses to Information Requests, Rwanda...’, 29 September 2021</p> <p>Recommendation: Footnotes 340-343 have the incorrect hyperlink – correct one is https://irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=458416&pls=1. There is also repetition in 9.7.12 and 9.7.14 and perhaps it is better presented together as one rather than splitting the data across paragraphs. Additional information could also be cited from the report, e.g. “Focus group discussions with female sex workers and LGBTI persons conducted by the Coalition indicated that LGBTI persons “faced stigma from the local leaders, security officials, community, family and religious leaders””.</p>	<p>Recommendation: Accepted</p> <p>We will correct the footnote hyperlinks.</p> <p>We will cut the repeated content from paragraphs 9.7.12 and 9.7.14.</p>

<p>9.7.17 The OLOS MRA report included LGBTI respondents’ experiences of being ‘thrown out’ of their homes by family³⁴⁶, being offered ‘mental treatment to cure’ their sexuality³⁴⁷ and threats of violence³⁴⁸.</p> <p>9.7.18 The HDI LGBTI+ summary factsheet noted, when researching respondents’ views of and actions towards LGBTI+ people, that: ‘More than half of the study participants reported holding a negative attitude towards LGBT individuals. While one in four participants reported not having attempted to take any action against LGBT individuals, the same participants stated that they would do anything to harm an LGBT person. Conversely, close to half (47%) of the respondents reported that they had not and would not avoid someone because they are LGBT. Only 17% affirmed that they had avoided someone in the 12 months preceding the survey because of that person being LGBT while 21% of the respondents stated that they had used derogatory names to refer to someone because that person was LGBT. Three percent of the respondents reported that they had physically harmed an LGBT individual in the 12 months preceding the survey.’³⁴⁹</p> <p>³⁴⁶ MRA, ‘Our Lives Our Struggle’, no date</p> <p>³⁴⁷ MRA, ‘Our Lives Our Struggle’, no date</p> <p>³⁴⁸ MRA, ‘Our Lives Our Struggle’, no date</p> <p>³⁴⁹ HDI, ‘Fact sheet, Examination of LGBT people’s lived experiences... in Rwanda’, no date</p> <p>³⁵⁰ HDI, ‘Fact sheet, Examination of LGBT people’s lived experiences... in Rwanda’, no date</p> <p>Recommendation: Footnotes 346-350 do not work. They are also not referenced in the <i>Bibliography</i>. Original source of OLOS MRA report not identified by COI researcher, but the correct link to the HDI fact sheet is believed to be this one from April 2021: https://hdirwanda.org/wp-content/uploads/2021/04/Rwanda-SGM-Report-new-2.pdf</p>	<p>Recommendation: Accepted</p> <p>We will correct the footnote hyperlinks and the bibliography.</p>
<p>9.7.23 In a meeting between HO and UNHCR on 21 March 2022, a representative commented: ‘UNHCR has not heard of any violence against the LGBTI community. Rwanda is mostly tolerant – have had some LGBT+ [from Uganda] and [UNHCR] provide counselling, financial assistance. Most of the time they [LGBT+] stay in urban areas. There is a network [of LGBT+]. LGBT+ have some difficulties accessing employment and renting accommodation in urban areas – cases of being denied accommodation. There was a recent TV debate addressing issue of social stigma.’³⁵⁶</p> <p>Recommendation: Regarding “UNHCR has not heard of any violence against the LGBTI community.” Is UNHCR’s comment in relation to LGBTI refugees in Rwanda? If so, the text needs changing for accuracy. If unclear, remove. Also, note whether the rest of the information cited from UNHCR is specifically in relation to the LGBTI refugee population.</p>	<p>It is unclear whether this is a recommendation, a suggestion or a comment.</p> <p>The interview notes have been reviewed and agreed by the interlocutors, therefore we do not intend to alter or remove them in their agreed format.</p>
<p>9.8 Access to services – overview</p> <p>Suggestion: It is recommended to include more data to illustrate the scope and nature of discrimination faced by this population. For example: “About two-thirds of survey participants had experienced at least one form of discrimination. Respondents said that this occurred most often when participating in religious (44.9%) or cultural events (41.7%) and when looking for (or in) housing (30%)...More than half of the participants reported that they had experienced challenges in accessing food services (64.1%). Approximately half of the survey participants experienced challenges while accessing social services (54.3%), health services (47.3%) and financial services (42.9%).”</p> <p>HDI, ‘Fact sheet, Examination of LGBT people’s lived experiences... in Rwanda’, April 2021, p. 20</p>	<p>Please see HO response to 9.7</p>

<p>9.8.5 A December 2020 article by Rwanda Today noted some improvements in access to services in recent years: ‘The LGBT community in Rwanda had made some gains over the last few years, especially since government removed the provision that criminalised homosexuality in 2010.</p> <p>‘The decriminalization of homosexuality granted several rights to the community, for instance freedom of association and worship, which they previously forewent.</p> <p>‘Many for instance could not go to worship in any religious denomination, but this has since changed especially for Christian members of the LGBTI community, after an inclusive church called Church of God Rwanda, was established in Nyamirambo, a Kigali suburb.</p> <p>‘Besides giving them a safe space to worship, the church also offers counselling services to LGBT members who are battling depression and drug abuse.’³⁶³</p> <p>³⁶³ Rwanda Today, “Pandemic hits Rwanda’s sexual minorities harder”, 16 December 2020</p> <p>Suggestion: Excerpt could also include the following quote: “HIV positive sexual minority members could also not access ARV’s due to COVID-19 mostly due to restrictions. Due to the stigma and discrimination, some HIV positive sexual minorities opted to be picking ARV’s from other districts, as opposed to where they are known, but this became difficult due to travel restrictions.”</p>	<p>Thank you for the suggestion. However, this is a distinct piece of information on medical treatment at the time of the Covid pandemic. If a decision maker requires COI on the provision of HIV treatment, he/she can submit a request for more up-to-date information.</p>
<p>9.8.6 In a meeting between HO and UNHCR on 21 March 2022, a representative explained: ‘Local leaders [are responsible] for facilitating access to services. If the local leader is very conservative [then for an] LGBT person, it would not go well... LGBT+ have some difficulties accessing employment and renting accommodation in urban areas – cases of being denied accommodation.’³⁶⁴</p> <p>Comment: Clarify whether UNHCR is talking about the LGBTIQ+ population as a whole or LGBTIQ+ refugees.</p>	<p>Please see response to 9.7.23</p>
<p>9.9 Healthcare</p> <p>Suggestion: Include that the EATHAN 2020 study found that, out of the 24 ITGNC Rwandan respondents surveyed, 37.5% have been denied health care because of being ITGNC.</p>	<p>Please see HO Comment #49</p>
<p>9.9.2 The AHR study 2020 found that, that of 438 respondents interviewed, 5.9% had experienced homophobia when accessing healthcare facilities³⁶⁷.</p> <p>9.9.3 An IRB COI query response dated 29 September 2021, based on a range of sources, noted:</p> <p>‘Sources indicate that the COVID-19 pandemic has had a disproportionate impact on minority groups, including people of diverse SOGIE. Sources report that people blame COVID-19 on the LGBTI community and that LGBTI people are discriminated against in accessing emergency support. AHR reports that following the first lockdown in March 2020, they “received a large number of reports from Rwandan LGBT individuals about starvation, homelessness, unemployment, poor access to healthcare and lack of appropriate personal protection equipment (PPE), such as face masks.”³⁶⁸</p> <p>³⁶⁷ IRB, ‘Responses to Information Requests, Rwanda...’, 29 September 2021</p> <p>³⁶⁸ IRB, ‘Responses to Information Requests, Rwanda...’, 29 September 2021</p> <p>Recommendation: Footnotes 367 and 368 have incorrect hyperlinks. It should be: https://irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=458416&pls=1</p> <p>Suggestion: Consider also citing the following from the source at FN 367, “The Executive Director of HRFr stated that transgender individuals do not access health services due to the “hate speech” and “negative attitudes” they face from health care providers”.</p>	<p>Recommendation: Accepted</p> <p>We will correct the footnote hyperlinks.</p> <p>For suggestion please see HO Comment #49</p>

<p>9.10 Employment</p>	
<p>9.10.6 The OLOS MRA report highlighted some experiences of employment for LGBTI persons in Rwanda:</p> <p><i>“When we first met, he seemed cool – he even hired me to work for him when I requested a job.</i></p> <p><i>‘Yet over time he began to suspect that I was a homosexual. When he confronted me, I told him that I was. He began to harass me and turn other staff members against me. He reached out to my friends and family to try to convince them to hate me. “I was obliged to leave my job, and I continue to be discriminated against everywhere...”³⁷⁷</i></p> <p>9.10.7 The same report highlighted: <i>“For a while I worked as a waiter in a hotel. The manager there used to harass me often due to my gender and sexual orientation. Once, I dropped a fork after clearing a customer’s table. The manager told me to stop immediately and used that incident as evidence that I performed badly at work. In addition, the manager told me that customers don’t like me being in the hotel due to my appearance.”³⁷⁸</i></p> <p>³⁷⁷ MRA, ‘Our Lives Our Struggle’, no date</p> <p>³⁷⁸ MRA, ‘Our Lives Our Struggle’, no date</p> <p>Comment: Unable to check source as reference not working.</p>	<p>We will correct the hyperlinks.</p>
<p>9.10.8 The ALIGN workplace study 2021 noted that, <i>‘While some have reported that finding employment is an uphill task, others state that if they do find employment they have to keep their sexual orientation and gender identity a secret to avoid stigmatising and discriminatory acts, including getting laid off. Others have reported that they have lost their jobs soon after the information related to their gender or sexuality was discovered.’³⁷⁹</i></p> <p>³⁷⁹ ALIGN, ‘...LGBTQI people in civil society workplaces in Kigali city’, page 5, August 2021</p> <p>Suggestion It is proposed to open this paragraph, citing from the key findings section of the report: “LGBTQI people are subjected to social discrimination, including the denial of employment opportunities on the basis of their gender identity and sexual orientation. Member of the LGBTQI community working in the majority of the CSOs assessed in Kigali feel the need to keep their sexual orientation or gender identity a secret to avoid stigmatisation and discriminatory acts, including the risk of dismissal from their jobs.”</p>	<p>Thank you for the suggestion. However, the proposed additional content contains no information which is substantively different from that provided by the same source in 9.10.8.</p>
<p>9.11 Housing</p>	
<p>9.11.1 In the HDI LGTBI+ summary factsheet, it was noted that, <i>of the respondents surveyed, 30% had faced discrimination when looking for, or in, housing³⁸⁵.</i></p> <p>9.11.2 The OLOS MRA report detailed one single LGBTI persons’ experience of discrimination in housing³⁸⁶.</p> <p>³⁸⁵ HDI, ‘Fact sheet, Examination of LGBT people’s lived experiences... in Rwanda’, no date</p> <p>³⁸⁶ MRA, ‘Our Lives Our Struggle’, no date</p> <p>Recommendation: Footnotes 385 and 386 need correct hyperlinks and/or referencing</p>	<p>Recommendation: Accepted</p> <p>We will correct the footnote hyperlinks.</p>

<p>9.12 Civil society organisations’ ability to provide support</p>	
<p>9.12.1 <i>The USSD report 2020 noted discrimination including challenges to officially registering LGBTI non-governmental organisations (NGOs)</i>³⁸⁸</p> <p>Suggestion: Addition of information from this source as follows: “LGBT organisations that are legally recognised have had to exclude any mention of “LGBT” or “homosexuals” as target constituencies in their Constitutions and other registration documents required for approval by the local administration at district level. Currently, none of the existing LGBT organisations is recognised as a national NGO[...]] Due to above-mentioned limitations faced by LGBT organisations and non-progressive attitudes in rural areas, LGBT groups and national NGOs are struggling to cover rural areas.’ See UHAI-EASHRI, ‘...Human Rights Of Sex Workers And LGBT... In Rwanda’, (page 23), 2016.</p> <p>In addition, quote the following: “There is currently no organised transgender or intersex activism or advocacy in Rwanda.”</p> <p>SIDA, The rights of LGBT people in Rwanda, December 2014</p>	<p>Please see HO Comment #49</p>
<p>9.12.3 <i>The UHAI-EASHRI report 2016, noted that, in relation to the legal processes involved with LGBTI organisations. ‘There are no legal provisions restricting LBGT organisations from getting legal recognition as non-governmental organisations in Rwanda. However there appears to be a general fear that pursuing registration would result in a denial of legal recognition on the grounds such as ‘gross indecency’, ‘promotion of homosexuality’ or that the existence of said organisations are ‘contrary to the Rwandan culture and values.’</i>³⁹⁰</p> <p>Suggestion: Open paragraph with framing quote: “The registration process for civil society organisations as national NGOs is currently long and tedious. Existing provisions grant legal recognition to associations at the local (district) level first, then there is need for applying to register as an organisation working at national level which consequently limit organisations in terms of coverage in the implementation of their activities.”</p>	<p>Please see HO Comment #49</p>
<p>10. Religious denominations and ability to practise faith</p> <p>Suggestion: The beginning of the section (especially paragraphs 10.1.3-10.1.6) reads like one long summary of the country information found. Whilst references are provided, no direct quotes were used. Consider revising.</p> <p>Recommendation: As limited critical information is included would suggest to include that provided by BTI, a cited source in this CPIN: “The state is secular. Religion and state are separate, and diverse religious groups are tolerated as long as they do not question or disturb the authority of the state. Consequently, religious dogmas do not have an influence. Actually, the state is in total control of religion. To counter the potential for Islamic radicalism and terrorism in the country, the government has embarked on a small-scale deradicalization program in some Muslim communities, mostly in Kigali. The Catholic Church has lost its privileged role, which it enjoyed under the former regime”. [Note: Time constraints with this review did not allow for further specific research on this particular issue].</p>	<p>Recommendation: Not accepted</p> <p>The ‘limited critical information’ referred to by the reviewer is reflective of the available COI.</p> <p>The reviewer’s suggested quotation from BTI does not appear to contain any additional critical content beyond that which is already included in the CPIN at 10.1.4.</p>
<p>10.1.10 <i>The Rwanda Muslim Community (RMC) has a website (in Kinyarwanda) and an active Twitter account (in Kinyarwanda and English).</i></p> <p>Suggestion: Consider removing as does not assist in any assessment on whether freedom of religion prevails in Rwanda.</p>	<p>This information has been included, along with information on mosque locations, to reflect the size and reach of the Muslim community in Rwanda.</p>

<p>10.1.13 The USSD report on Religious Freedom covering events in 2020 noted:</p> <p><i>‘The constitution and other laws prohibit religious discrimination and provide for freedom of religion and worship. The law requires religious groups and faith-based organizations (FBOs) to obtain legal status before beginning operations...during the year, the government allowed a small number of the more than 6,000 churches, mosques, and other places of worship that had remained closed since 2018 for violating health and safety standards or noise pollution ordinances to reopen after they made required infrastructure improvements.... Religious leaders stated numerous faith-based groups and associations contributed to greater understanding and tolerance by participating in interfaith meetings, organizing activities under the auspices of an interfaith religious leaders’ forum, and collaborating on community development projects.’⁴¹⁴</i></p> <p>Suggestion: It is considered that additional information found in the original source may be of use to see included here: “Religious leaders said the government pressured prominent religious leaders to be “positive” personalities and refrain from making statements in conflict with government policies or the government’s narrative of the genocide in 1994 [...]”</p> <p>And</p> <p>“There were reports the government monitored and interfered in the internal leadership affairs of some religious organizations and pressed them to make decisions in a manner inconsistent with organizations’ internal guidelines and governance procedures. There were also reports of independent religious groups facing difficulties establishing themselves. These groups reported many requirements for obtaining official registration – for example, purchasing property – were difficult to fulfill for groups that did not already have legal status. Observers stated these difficulties disproportionately affected organizations without well-developed internal governance structures, such as unaffiliated Protestant churches”.</p>	<p>Please see HO Comment #49</p>
<p>11. Persons with disabilities</p> <p>Suggestion: No critical literature included on the actual treatment of persons with disabilities and/or societal treatment, discrimination, or acts of abuse or violence. If such information was sought but not found this should be highlighted [Note: Time constraints with this review did not allow for further specific research on this particular issue].</p> <p>Equally, as highlighted further above and below in the <i>interview notes CPIN</i>, there are serious concerns about the interview with the NCHR and I would therefore question its credibility and validity until further information has been found to either corroborate or refute some of its statements.</p>	<p>This section was intended to provide an overview only. Decision makers can request information on specific disabilities on a case-by-case basis.</p> <p>We continue to rely on the NCHR interview notes. Please see our response in Part 1.</p>
<p>12. Age (young and old)</p> <p>Suggestion: Would recommend to change this and split the information up to either cover ‘Treatment and situation of the elderly’ and ‘Treatment of situation and treatment of children’.</p>	<p>Thank you for the suggestion. We will review our cross-referencing and how we group information in the update.</p>

<p>12.1.2 Article 19 of the Constitution sets out the state’s duty to protect children. The National Commission for Children (part of the Ministry of Gender and Family Promotion) is responsible for children’s rights and protection^{425,426}. Street children who come to the attention of the authorities are transferred to rehabilitation centres. There are reports of children being abused and held in harsh conditions⁴²⁷.</p> <p>Suggestion: It is considered that additional information found in the original source, USSD, may be of use to see included here: “Child Abuse: While statistics on child abuse were unreliable, such abuse was common within the family, in the village, and at school [...] Child, Early, and Forced Marriage: The minimum age for marriage is 21; the government strictly enforced this requirement. Anecdotal evidence suggested child marriage sometimes occurred in line with traditional norms in rural areas and refugee camps but rarely in urban areas, and not with government recognition [...]”. Furthermore, the following sources report specifically on street children and it would be useful to see them included:</p> <p>Human Rights Watch (HRW), “As Long as We Live on the Streets, They Will Beat Us”, Rwanda’s Abusive Detention of Children, 27 January 2020</p> <p>UN Committee on the Rights of the Child, Concluding observations on the combined fifth and sixth periodic reports of Rwanda, 28 February 2020</p> <p>Human Rights Watch: Rwanda: Round Ups-Linked to Commonwealth Meeting: Detention, Ill-Treatment of Poor, Gay, and Transgender People, 27 October 2021</p>	<p>Thank you for the suggestion. However, we do not consider any additional material is needed on street children as this is not relevant to the circumstances of transferees under the UK-Rwanda agreement.</p>
<p>13. Ethnic and national groups</p>	
<p>13.1.2 [...] <i>The Batwa community has been subjected to discrimination and attacks by non-Batwa persons</i>^{431 432 433}</p> <p>⁴³¹ <i>Minority Rights Group International, ‘Rwanda Twa’, October 2020</i></p> <p>⁴³² <i>USSD, ‘USSD report 2020’ (section 6), 30 March 2021</i></p> <p>⁴³³ <i>UN Human Rights Council, ‘Compilation on Rwanda’ (page 11), 13 November 2020</i></p> <p>Suggestion: It is recommended that the type of abuses and discrimination the Batwa community experience be spelled out as explained in the cited sources.</p> <p>Suggestion: it is also recommended to include information on the Batwa found in this source: Unrepresented Nations & Peoples Organization (UNPO), Member Profile: Batwa, June 2018</p> <p>Suggestion: As to the situation of Tutsis, the following source may be useful to include: AEGIS, Hate speech and incitement to genocide in D.R. Congo requires urgent response, 23 June 2022</p> <p>Suggestion: In relation to the situation of other ethnic minorities, the following two sources may be useful to include:</p> <p>UN Committee on the Elimination of Racial Discrimination, Concluding observations on the eighteenth to twentieth periodic report of Rwanda, 10 June 2016</p> <p>The International Work Group for Indigenous Affairs (IWGIA), The Indigenous World 2020, April 2020</p>	<p>We do not consider any additional material is needed on persons of Batwa ethnicity as this is not relevant to the circumstances of transferees under the UK-Rwanda agreement.</p> <p>We do not consider information on the treatment of Tutsis living in DRC to be relevant.</p> <p>For other suggestions please see HO Comment #49</p>

14. Migrants/foreigners

Suggestion: No critical literature included on the actual treatment of non-Rwandans. If such information was sought but not found this should be highlighted [Note: Time constraints with this review did not allow for further specific research on this particular issue].

Equally, as highlighted further above and below in the *interview notes CPIN*, there are serious concerns about the interview with the NCHR and I would therefore question its credibility and validity until further information has been found to either corroborate or refute some of its statements.

We continue to rely on the NCHR interview notes. Please see our response in Part 1.

We note the reviewer's remit that, 'Any suggestions for additional information... must be referenced to a source document for the Home Office to be able to use it.'

If the reviewer is aware of any 'critical literature' on the treatment of migrants, we will consider this information for inclusion in future updates.

Review – Rwanda: Interview notes (Annex A)

Annex A – notes from sources

One of the main sources of information included in the *asylum system CPIN* is information contained in the *interview notes CPIN*, which contain “notes of interviews and tours of sites during two visits to Rwanda (in January 2022 and March 2022)” (p. 2). The purpose and limits of the review do not allow it to provide any credibility assessment to the actual content of the information found, but rather it was agreed to focus on the adopted methodology and any information gaps.

Home Office comment

HO Comment #50

Unless otherwise stated, we have not accepted any of the reviewer’s recommendations.

The review is not typical of IAGCI-commissioned reviews, instead, it is effectively a critique of CPIT’s FFM methodology, consisting of observations made with the benefit of hindsight. None of the recommendations/observations include source suggestions to fill COI gaps (as per the instructions to the reviewer).

All of the issues raised by the reviewer in relation to CPITs FFM methodology have been addressed in Part 1 and we will not repeat our responses here. We have, however, cross-referenced with our comments in Part 1.

All suggestions for additional material will be considered when we update the CPINs and/or when we plan future FFMs.

<p>Recommendation: As a COI researcher myself it is surprising that no information was provided to the context of these interview notes beyond that the Home Office’s Country Policy and Information Team (CPIT) “conduct primary research in countries of origin to fill information gaps we have identified through data analysis which cannot be addressed through desk-based research” (p. 2) and that the <i>interview notes CPIN</i> contains therefore “notes of interviews and tours of sites during two visits to Rwanda (in January 2022 and March 2022)” (p. 2). No further information is provided regarding the adapted methodology especially with regards to its remit and scope e.g.:</p> <ul style="list-style-type: none"> • Terms of Reference of the ‘fact finding mission’ • Topic guides • Any reference groups that may have been consulted prior to departure • Any indication on what basis interlocutors were chosen and by whom; whether any were approached but did not want to be interviewed and the reasons for declining • The actual note-taking process and sign-off procedure, starting with who took the notes, was the interview recorded, were the interview notes signed off by the interlocutors and if so were there any changes made to them as part of this process, were interlocutors given the change to provide written statements in addition to what they said verbally or instead of interviews etc.? See section 1.4 Understanding of the themes addressed in the CPINs for more detailed criticism. 	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #26 #27 #29 #31 #32 #33 #34 #35 #36 #37 #39 #40</p>
<p>Preface</p>	
<p><i>It must be read in conjunction with the assessment and separate country information reports:</i></p> <ul style="list-style-type: none"> • <i>Review of asylum processing Rwanda: assessment</i> • <i>Review of asylum processing Rwanda: country information on general human rights in Rwanda and;</i> • <i>Review of asylum processing Rwanda: <u>notes of interviews</u></i> <p>Recommendation: Highlighting here a possible error as probably should read ‘country information on the asylum system’.</p>	<p>Recommendation: Accepted.</p> <p>We will correct the typo.</p>
<p>A1. Meetings with Rwandan Government officials, 18 January 2022 and 22 March 2022</p>	
<p>Recommendation: In a number of incidences the interview notes leave a lot of room open for interpretation as to the exact nature of the information provided, as no follow-up or clarification questions were sought. Additionally, parts of the interview notes have not been clearly written and they are therefore at times difficult to follow. Given the number of such incidences these have been noted in Appendix 1, which are attached to the end of my review.</p> <p>Given the complexity of the issues and the importance to understand the practical nature of the Rwandan asylum process it would have been highly desirable if follow-up and/or clarification questions would have been posed, if not during the first meeting in January 2022, then at the follow-up trip to Rwanda in March 2022.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #27 #29 #31 #32 #33 #37 #39 #40</p>

<p><i>Ministry of Emergency Management/Single Protect Implementation Unit Coordinator Director of Visa and Permits, DGIE</i></p> <p><i>Director of Response and Recovery Unit MINEMA</i></p> <p><i>Another Senior Official from MINEMA</i></p> <p><i>Permanent Secretary of Ministry of Foreign Affairs and International Cooperation Retired colonel and Special Advisor/Immigration Ops</i></p> <p><i>[Two in the meeting are members of the RSD committee]</i></p> <p><u>Information from:</u></p> <ul style="list-style-type: none"> • <i>Law related to refugee management</i> • <i>Prime Minister's order relating to functioning of the National Refugee Status Determination Committee (RSDC)</i> • <i>Members working and collaboration agreement</i> <p><u>Member institutes working and collaborating on Refugee status determination (RSD):</u></p> <ul style="list-style-type: none"> • <i>Office of the Prime Minister (Chair)</i> • <i>National Commission for Human Rights (NCHR) – V/Chair</i> • <i>Ministry of Emergency Management (MINEMA) – Secretariat • Ministry of Foreign Affairs and International Cooperation (MINAFFET) • Ministry of Defense (MoD)</i> • <i>Ministry of Justice (MINIJUST)</i> • <i>Ministry of Local Government (MINALOC)</i> • <i>Ministry of Health (MoH)</i> • <i>Ministry of Interior (MININTER)</i> • <i>Ministry of Environment (MoE)</i> • <i>Directorate General of Immigration and Emigration (DGIE)</i> <p>Recommendation: It is not immediately apparent who attended the meeting from the Rwandan side and who and how many attended from the Home Office side, nor is information being provided on the location of the meeting and the actual length (the last two points are relevant also for all other interviews included in the <i>interview notes CPIN</i> and have therefore not been repeated each time).</p> <p>Furthermore, it is not clear what the information relates to included under the underlined sub-headings.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1</p> <p>#27</p> <p>#31</p> <p>#32</p> <p>#33</p> <p>#34</p> <p>#35</p> <p>#36</p> <p>#37</p> <p>#39</p> <p>#40</p>
---	---

<p>MINEMA meeting 22 March 2022</p> <p><i>End-to-end paperwork: the EO showed the HO team examples of documents taken from case files and stated they were:</i></p> <ul style="list-style-type: none"> • a written application for asylum; • a DGIE summary of a case; • a decision outcome: Dated 8th June 2020; • a written appeal to the Minister of Immigration: Dated 1st July 2020; • a ministerial appeal outcome: Dated 3rd August 2020; • a temporary residence permit; and • a refugee identity card. <p><u>Due to privacy concerns, timing, language barriers and the scope of experience of the MINEMA official, the HO team were unable to obtain further detail from the source on the substance of the documents.</u></p> <p>Recommendation: Given the importance of fully understanding the Rwandan asylum system it is extremely surprising (and worrying) that resources were not provided to the Home Office officials by the UK government to translate these documents and/or ensure confidential information was redacted before viewing.</p> <p>This concern has also been raised by Asylos, who conducted an in-depth analysis of the <i>asylum system</i> in conjunction with the <i>assessment CPIN</i>, who noted:</p> <p>given the centrality of such documents to the functioning of the Rwandan refugee status determination procedure, researchers should have been afforded the opportunity and resources to speak to an experienced member of staff, and view the detail of these documents, with appropriate anonymisation and in a language that they could understand.³⁸</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #5 #27 #29 #31 #32 #33 #37 #39 #40</p>
---	--

38 Asylos, [A Commentary on the UK Home Office Country Policy and Information Note: Rwanda, asylum system, and the related Country Policy and Information Note: Rwanda, assessment](#), July 2022, Summary of main methodological concerns, p. 7

<p>Q – <i>When a person appeals do they have to give the reasons or detailed reasons why appealing?</i></p> <p>A – <i>The applicant can, but they can also just appeal without providing detail and that is sufficient to go forward.</i></p> <p>A – <i>Colonel and Special Advisor on Immigration – There is a legal right to appeal, and to be not happy with the decision is enough. <u>Figures from 2019</u> –</i></p> <p><i>Refugee status granted: 44 cases comprised of 62 individuals</i></p> <p><i>Refugee status rejected – 64 cases comprised of 124 individuals Pending: 2 cases comprised of 3 individuals</i></p> <p><u>Missing : 2</u></p> <p><i>Number of appeals : 24</i></p> <p><i>Number of appeals change of decisions 2</i></p> <p><i>Number to High court 0 [law was promulgated only last year by official gazette. This will increase the rights of applicants]</i></p> <p>Suggestion: Figures relating to the asylum process have been provided for 2019. It is surprising that figures for 2020, 2021 and up to March 2022 have not been sought as they provide a useful and important picture of the asylum system and its functionality.</p> <p>Should the figures have been sought but not provided this should have been noted in the <i>interview notes CPIN</i>.</p> <p>Recommendation: Also it is not clear what the category ‘missing’ relate to. Again clarification would have been beneficial.</p>	<p>Suggestion noted – we will include updated statistics where available.</p> <p>Recommendation: Not accepted.</p> <p>See HO comments</p> <p>#1 #27 #29 #31 #32 #33 #37 #39 #40</p>
<p>Q – <i>The number of people moved from urban areas to camps is there data on reasons why/gender/nationality split/?</i></p> <p>A – <i>Senior Official from MINAFFET <u>Yes, we do have that data.</u></i></p> <p>Q – <i>Do you know the value of average income for a refugee and how that compares to a RWA citizen?</i></p> <p><i>MINEMA <u>can provide stats.</u></i></p> <p><i>How many cases are considered in a typical RSDC meeting?</i></p> <p><u>DGIE unable to provide that information at present</u></p> <p>Suggestion: Similar to my previous point, in the following examples the question is “where is that data?”. No further information is provided in the <i>interview notes CPIN</i> on whether the data was provided and not included or no follow-up has taken place by the Home Office to ask for that data.</p>	<p>Suggestion noted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>
<p>Q – <i>If a person is a failed asylum seeker, do they have less rights?</i></p> <p>A – <i>Colonel and Special Advisor on Immigration – <u>The right to work is provided by the law for asylum seekers or refugees.</u> You don’t have any disadvantage you can work as a migrant, <u>failed asylum seeker</u> or refugee the rights are all the same.</i></p> <p><i>When is it possible for a person to work like a Rwandan national?</i></p> <p><i>[DGIE or MINEMA – not specified] There is a difference between jobseeker visa and work permit. An asylum seeker can apply for jobseeker visa if they have a passport and they have a job offer. Asylum seeker cannot apply for a visa unless they have police clearance. Once granted refugee status, they can work. <u>Otherwise asylum seeker cannot work.</u></i></p> <p>Suggestion: It appears that slightly contradictory information was provided or information that may be interpreted in conflicting ways. On the one hand, the Colonel and Special Adviser is reportedly stating that the right to work is provided by the law to asylum seekers, but then in his next sentence only mentions ‘failed asylum seekers’, whilst the DGIE/MINEMA official(s) suggest that asylum seekers are not allowed to work. Clarification should have been sought on this important point.</p>	<p>Suggestion noted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>

<p><i>DGIE and MINEMA meeting 22nd March 2022</i></p> <p>Recommendation: No further information is provided as to the additional individuals present at the meeting – assumption is Home Office officials – the location of the meeting and the length of the meeting. Moreover, the answers have not been attributed to the DGIE and/or MINEMA officials who attended the meeting.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #27 #31 #32 #33 #37 #39 #40</p>
<p><i>Q – On giving the person the decision – to what extent do you give reasons for decisions?</i></p> <p><i>A – Senior Official from MINAFFET We <u>may explain the decision</u>. The applicant will then be able to expand on anything they didn't mention for the appeal. We always communicate the decision to the applicant.</i></p> <p><i>If rejected are reasons given?</i></p> <p><i>[DGIE/MINEMA] No details relating to each & every piece of information given by the applicant are given. No, it's not a very detailed explanation.</i></p> <p><i>If someone appeals to the minister, what is required at point of appeal?</i></p> <p><i>[DGIE/MINEMA] The appellant has to come up with more credible evidence in order to substantiate their claim, they will have been told that what you gave the committee wasn't clear. <u>They may even have an idea where the gaps [in evidence] were.</u></i></p> <p>Suggestion: On the one hand the interviewees said that a decision on a protection claim is shared with the asylum seeker, but not a detailed reasoning of the decision. At the same time, one interviewee stated that the asylum seekers may have been told where the “gaps [in evidence] were”. A clarification/follow-up question would have been very useful here as to the exact nature of the information provided to asylum seekers when their claim for protection is refused, which relates also back to the previous made concern that the Home Office were not provided with the resources to fully read and review “• a decision outcome: Dated 8th June 2020; • a written appeal to the Minister of Immigration: Dated 1st July 2020; • a ministerial appeal outcome: Dated 3rd August 2020”.</p>	<p>Suggestion noted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>
<p>A2. Meeting at Gashora Transit Centre, 18 January 2022</p>	
<p><i><u>We consider different aspects such as gender, nationality, age, and specific needs for example disability, when considering accommodation and how we house people together. Because it is a transit centre, and they are passing through, <u>we</u> go through their cases individually to see how they can best be supported for the future.</u></i></p> <p>Suggestion: It is interesting to note that the second interview notes have been written in the 1st person compared to some of the other interview notes which have been written in the 3rd person. Such differences in approach would have been useful to explain in a background note on the adopted methodology (see discussion on general methodological concerns at section 1.4 Understanding of the themes addressed in the CPINs).</p>	<p>Suggestion noted</p> <p>See HO comments</p> <p>#1 #27 #31 #32 #33 #37 #39 #40</p>

<p><i>A resident told us it was good at Gashora, he was from Libya and was awaiting re settlement to Canada. He had undergone all health checks and was waiting for his flight.</i></p> <p>Suggestion: No further information is provided as to the nature of this encounter i.e. was it organised or by chance, and the exact questions asked and by whom.</p>	<p>Suggestion noted</p> <p>See HO comments</p> <p>#1 #27 #31 #32 #33 #37 #39 #40</p>
<p>A3. Kepler University, meeting on campus 19 January 2022</p> <p><i>Present – CEO, Staff member at University, 5 graduates from Kepler, Senior Official from MINAFFET, Senior Official from DGIE, 4 representatives from the Home Office.</i></p> <p><i>In the request of the source, we have agreed not to publish the notes at the current time.</i></p> <p>Recommendation: This meeting raises a number of questions. For example, why are two senior government officials also attending the meeting as no obvious reason exists for their presence raising concerns about how independently this source was able to be. Also, why is no further information provided as for the reasoning behind meeting the staff member and graduates of Kepler University, the location of the university, length of meeting, and any indication as to the content of the questions sought, asked and answered. The suggestion is made that notes may be published in future though, but again no indication on the reason when this and how this decision may be made.</p> <p>However, on a positive note, it is good that the wishes of the source not to publish the interview notes was respected.</p>	<p>Recommendation: Not accepted</p> <p>The way the information is presented is with source agreement. No further information will be disclosed.</p>
<p>A4. Isange One Stop Centre, meeting at the hospital 19 January 2022</p> <p><i>Present – Senior Official MINEMA, MINAFFET, Manager and Co-ordinator IOSC, 2 colleagues from IOSC, 4 representatives from the Home Office.</i></p> <p>Suggestion: It is not apparent why it was decided to visit the Isange One Stop Centre and speak to its workers. Moreover, none of its content was included in any of the CPINs. This reinforces my observation made earlier that a ToR or Topic Guides would have been useful or in their absence it would have been useful to provide some context and explanation as to why this Centre was chosen, by whom and with what intention.</p>	<p>This is incorrect. Information on Isange, including reference to the notes, is in the Human Rights CPIN in sections 8.3, 8.5 and 8.8.</p>
<p><i>[Tour of facility] We have a children’s counselling room, medical-legal examination room, children’s interview room, adult counselling room.</i> <u><i>Samples are taken on site.</i></u></p> <p>Recommendation: It is not clear to what the underlined sentence refers to. Seek clarification.</p>	<p>Recommendation: Not accepted</p> <p>Understanding which samples are taken on site is not considered to be a substantial COI gap.</p>

<p>A5. Harambee Youth Employment Accelerator, meeting at their premises in Kigali 19 January 2022</p> <p><i>Present in the meeting: Regional Manager, Accounts Manager, Senior Official from MINAFFET, Senior Official from DGIE and 4 representatives from the UK Home Office.</i></p> <p>Recommendation: Again it is unclear what the purpose of this particular visit and meeting is, especially as they do not collect data on how many asylum seekers and refugees its network assists nor do they offer any specific or targeted training for asylum seekers and refugees. This reinforces my observation made earlier that a ToR or Topic Guides would have been useful or in their absence it would have been useful to provide some context and explanation as to why this project was chosen, by whom and with what intention.</p>	<p>Recommendation: Not accepted</p> <p>We seek to explore a wide range of sources and consider Harambee provided useful information in relation to employment, as noted in Section 10.</p> <p>See HO comments</p> <p>#1 #26 #34 #35 #36 #39 #40</p>
<p>A6. Visit to Kinigi Integrated Development Program (IDP) Model Village (Musanze) 20 January 2022</p> <p><i>Visit to health centre [...]</i></p> <p><i>Q How many nurses are there? [...]</i></p> <p><i>Senior MINEMA official: <u>everyone has CBHI</u>, paying 10% of cost is not a big deal. [...]</i></p> <p><i>School [...]</i></p> <p><i>The <u>ECD caters</u> for around 200 children, has 6 classrooms, office, sleeping rooms, and a kitchen.</i></p> <p>Suggestion: With regards to the underlined answers, without a list of acronyms or spelling out what the acronyms stand for it is difficult to understand the implications of what is being said.</p>	<p>Suggestion noted – we will continue to explain acronyms where appropriate. We have also included a table of frequently referred to acronyms in the forthcoming CPINs.</p>
<p>A7. Meeting with Legal Aid Forum (LAF), 21 March 2022</p> <p>Recommendation: This meeting raises a number of questions. For example who attended the meeting? Where was the meeting held and for how long? Who is/represents/finances the Legal Aid Forum (LAF)? How independent is LAF given that during a meeting with Rwandan government officials they were recorded in the interview notes as stating that “For cases submitted to the High Court [appeal] we have an implementing partner (NGO) so if there is a need to provide legal assistance, that NGO would be able to provide help” (p. 7 of the <i>interview notes CPIN</i>).</p> <p>It would have been useful to include more context and background as to who the organisation is, some of which can be found on its website: https://www.legalaidrwanda.org/</p> <p>Suggestion: It would have been useful to enquire whether it is possible to view a Reason for Refusal letter from 1st, 2nd (Minister level) or 3rd (court level) instance.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #27 #31 #32 #33 #37 #39 #40</p>
<p><i>The representative was unable to provide details of how many asylum seekers LAF had assisted with their claims and <u>would need to check this information</u>.</i></p> <p>Recommendation: This information is rather important in order to understand the capacity, input and outcome of LAF’s involvement. It would have been useful to follow this up with the LAF representative directly.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>

<p><i>Appeals</i></p> <p><i>If an asylum seeker's claim is rejected, the main [appeal] option is the courts. They can go to the courts – by themselves, or with the assistance of LAF. The RSDC doesn't tell them about it so [asylum seekers] might not know.</i></p> <p><i>The appeals process is open to every claim. Even the committee has levels of appeals. <u>Process is: immigration, Minister, then courts – but need to check. Don't think it is the case anymore so might just be the committee and the courts. The court option is always there. Think can appeal to a higher court. Don't know [numbers of appeals]. You need to ask for stats from Rwandan government.</u></i></p> <p>Recommendation: Surprising to read that LAF wasn't sure about the current appeal process, especially as this appears to be the only time they are able to provide legal advice. I'm also surprised that there was no follow-up question to clarify this point as such an important one.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>
<p><i>Legal aid is a finite resource. <u>The Law says only children have access to Legal Aid.</u> LAF are pushing for a legal aid bill.</i></p> <p>Suggestion: Unsure whether the underlined sentence also refers to the asylum process as elsewhere LAF states that they "provide assistance from the very beginning of the asylum process through to the Appeal stage" (p. 47 of the <i>interview notes CPIN</i>).</p>	<p>Suggestion noted</p>
<p><i>Legal support [...]</i></p> <p><i>LAF lawyers are Immigration lawyers who have trained extensively (with the assistance of UNHCR). <u>LAF have 15 Immigration lawyers.</u> There may be others and the Immigration Department has its own Immigration lawyers.</i></p> <p>Recommendation: It would have been useful to ask follow-up questions regarding capacity in case the UK-Rwanda Memorandum of Understanding is put into practice.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>
<p><i>Complaint mechanisms</i></p> <p><i>[Re citizens dissatisfied with public services] <u>Rwanda has a lot of complaints mechanisms.</u> There are many structures: the courts (including appeals), the Ombudsman, Committees, NGOs, Family Council. The country is very rich in terms of help. The Government has put many things in place for handling complaints.</i></p> <p><i>For asylum seekers there is country-based mediation or a referral to the Immigration Department. If an asylum seeker wishes to complain about the length of time waiting for a decision or an ID card, they can complain to the Minister by letter but [the question is] whether they know about their rights.</i></p> <p><i><u>What is written in Law might be different from procedures.</u></i></p> <p><i><u>Bureaucracy can also cause issues.</u></i></p> <p>Recommendation: It would have been useful to follow these answers with additional questions as to the practicalities of lodging complaints, challenges experienced, and enquiring how many complaints were lodged, how easy it is in practice, and what the follow-up rate/ outcome has been.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>

<p>A8. Meeting with UNHCR, 21 March 2022</p> <p>Recommendation: This meeting raises a number of questions. For example who attended the meeting? Where was the meeting held and for how long? Who represented UNHCR?</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #27 #31 #32 #33 #37 #39 #40</p>
<p><i>Overview and UNHCR's view of, and role in, the RSD process [...]</i></p> <p><i>The Eligibility officer prepares a brief summary of the case. There is only one eligibility officer for the whole country. The claim is presented to the RSDC.</i></p> <p>Recommendation: It would have been useful to follow these answers with additional questions as to where within the RSD process the eligibility officer sits (i.e. which government department), what their background/training is; whether they can conduct their own COI research for example; and whether more eligibility officers are in training.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>
<p><i>Removal</i></p> <p><i><u>UNHCR believed there</u> was some risk of a person being detained or deported at point of rejection [...]</i></p> <p><i>Complaint Process [...]</i></p> <p><i><u>UNHCR felt</u> there is no way a refugee to complain about process [...]</i></p> <p><i>Trafficking and SGBV [...]</i></p> <p><i>The issue that <u>UNHCR felt they were struggling with</u> was regarding girls. [...]</i></p> <p><i><u>UNHCR felt limited</u> in that they can only provide basic services, and therefore there's a gap between what they need and what [the organisation] can offer [...]</i></p> <p>Recommendation: In the above underlined instances it feels like the opinion or feelings of the note taker has been included raising the question in how far UNHCR signed off these summary notes. Requires clarification and amendment.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #27 #31 #32 #33 #37 #39 #40</p>
<p><i>Policing, and incident at Kiziba (2018) [...]</i></p> <p><i>However, [UNHCR] are not aware of any other similar incidents. Occasionally people (1 or 2) sit in front of [UNHCR's] offices, but security remove peacefully. Students demonstrate in secondary school, smashing windows. <u>Now lots of care about how these are handled, refugees also more careful since.</u></i></p> <p>Recommendation: It would have been useful to clarify what exactly is meant with "lots of care about how these are handled" and the answer that "refugees also more careful since" as the assumption could be made that a climate of fear exists to raise criticism.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>

<p>A9. Meeting with National Commission for Human Rights (NCHR), 22 March 2022</p> <p>Recommendation: This meeting raises a number of questions. For example who attended the meeting? Where was the meeting held and for how long? Who represented the NCHR at this meeting? Who finances the NCHR? How independent is the NCHR from the Rwandan government?</p> <p>In addition, the picture it portrays about the human rights situation in Rwanda for people with disabilities, non-Rwandans, refugees, religious groups, women in general and those victims of SGBV, LGBTQI+ persons, and detainees, is almost too good to be true – no country is without its human rights issues. The NCHR often state they have not received complaints and speak in generalisations (e.g. ‘there is no law against them on LGBT issues’) – they seem not to engage very deeply with the questions asked. The answers provided are very much process-driven and therefore do not provide any usable substance as to the situation on the ground. No follow-up or prompting questions have been asked to address this and find out more about the practical implications and challenges these various groups face.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #27 #29 #31 #32 #33 #37 #39 #40</p>
<p><u>Representatives at the current meeting can respond to technical issues – would need to speak to commissioner for refugee rights for other issues [this representative is not available at present]</u></p> <p>Suggestion: Given the importance of speaking to relevant representatives it is surprising that no follow-up interview took place with the Commissioner responsible for refugee rights.</p> <p>Comment: The underlined sentence also implies that those at the meeting had limits to what they were able to say, though it is not too clear what ‘technical issues’ would cover.</p>	<p>We do not accept the comment that sources were restricted by what they could say, rather they were acknowledging that they were not the specialists to speak to on that particular issue.</p>
<p><u>SGBV [...]</u></p> <p><i>Q Police response to victims of GBV (including domestic violence)?</i></p> <p><i>If someone assaults you, call number/write email and police will come directly to home. One stop centre in every hospital around country. Sometimes if violated, [the victim] doesn’t want people to know – when you call, arrange how can meet in secret places</i></p> <p>Recommendation: Given the importance of this question, I would have expected follow-up questions with regards to police procedures, investigation capacities, witness protection mechanisms, and figures with regards to conviction rates etc.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>
<p><u>Q Institutions in place?</u></p> <p><i>Gender Monitoring office, consider specific issues related to GBV; also national women’s council, represented from village level and every level above – channel for sharing information on anything re GBV. Among admin structure, responsibility of local leaders to ensure no GBV issue in their area of control.</i></p> <p><i>Police monitor what’s going on, they can investigate and come up with a report/action. Minister for Gender can talk more about it.</i></p> <p><i>There is a tradition of a weekly meeting about gender at village level, we call it “parents evening” to share and address issues. We have a traditional court (Abunzi mediators) at local village level e.g. if there is a quarrel between husband and wife, their mandate is to address the issues to see if they can mediate before going to Court. If they fail then it can be escalated [to court].</i></p> <p>Recommendation: I am unsure about what this question wants to find out and whether the answer provided really fulfils that purpose. The answer is very much about mechanisms and processes in place, in theory, but nothing mentioned about practical challenges, shortcomings or actual implementations of these mechanisms, which are in essence what decision-makers require to make an assessment.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>

<p>LGBT</p> <p>NCHR has not received complaints from that group so far. <u>Some are open about their status – on social media, TV; majority of them are not known – their choice.</u></p> <p><u>The law is not against them, it doesn't talk about them. Not yet something which is a significant issue in society. [...]</u></p> <p>Q Attitudes of parents of LGBT people?</p> <p><u>Can't speak for parents – would need to research. Gay is not widespread in culture, something that's emerging – no discrimination from NCHR's perspective. LGBT can express themselves but as the Commission we have not received any complaints from them.</u></p> <p>Recommendation: Given the importance of this question, I would have expected follow-up questions as to the answers provided especially regarding the law and societal attitudes, as well as prompted on the notion that sexual minorities are not open about their sexuality and that it is not 'widespread in culture' and just 'emerging'.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>
<p><u>Policing [...]</u></p> <p><u>If someone is arrested & detained, they should be aware of their rights. When go to detention area, there is a checklist of people's rights (e.g. right to silence) – NCHR has asked to put posters etc in cells, working on it. NCHR ask police to tell people about their rights every morning when they go to visit the cell. In the police station, they have a list of advocates including phone numbers so they can ask police to call lawyer. <u>Monitoring is about finding out if [detainees] rights are respected – NCHR speak to detainees etc to ask if family know where they are, do they know their rights, have you been interrogated, do they know why they're here, how many days have they been there, have they been assisted?</u></u></p> <p><u>During Covid 19, a policeman as mentioned was charged. So no other cases.</u></p> <p>Recommendation: Given the importance of this question, I would have expected follow-up questions with regards to monitoring outcomes and findings, as well as prompting whether really only one policeman was charged for misconduct during the past two years?</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>
<p>A10. Meeting with Alight, 23 March 2022</p> <p>Recommendation: This meeting raises a number of questions. For example who attended the meeting? Where was the meeting held and for how long? Who represented Alight at this meeting? Were any government officials attending the meeting? Who finances Alight?</p> <p>Recommendation: In addition, the way notes are written and presented makes it very difficult to follow and understand the correct meaning of what was said. Consider reviewing.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #27 #29 #31 #32 #33 #37 #39 #40</p>
<p><u>Do police respond to complaints (harassment / violence) raised by urban refugees and AS]</u></p> <p>Yes</p> <p>Recommendation: Given the importance of this question, I would have expected follow-up questions or further prompting. I am very surprised that a simple answer of 'yes' would be considered as sufficient an answer for decision-makers to consider this as 'evidence' in their assessment of an asylum claim where availability and efficiency of state protection would be of relevance.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>

<p>A11. Meeting w/ representatives of the LGBT+ community, 5 April 2022</p> <p>Recommendation: This meeting raises a number of questions. For example who and how many attended the meeting (e.g. representative of LGBT+ organisations, sexual minority representatives)? Did all attendees agree with what was said (i.e. the notes do not differentiate amongst individual answers provided)? Where was the meeting held and for how long? Who represented the LGBT+ community? Were any government officials attending the meeting?</p> <p>In addition, the way notes are written and presented makes it extremely difficult to follow and understand the correct meaning of what was said and by whom. Also, some of the answers provided require follow-up or prompting questions to investigate further.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #27 #29 #31 #32 #33 #37 #39 #40</p>
<p><i>Relationship with other institutions</i></p> <p><u>LGBT community doesn't currently work much with NHRC – need to think about how to do so best.</u></p> <p><i>NHRC or local civil society organisations working on human rights <u>don't often promote LGBT rights specifically</u>; feeling that NHRC not that progressive re LGBT.</i></p> <p>Recommendation: Given the importance of this question, I would have expected follow-up questions or further prompting to find out more, especially in light of the responses provided by the NHRC representative(s) to the Home Office in their meeting.</p>	<p>Recommendation: Not accepted</p> <p>See HO comments</p> <p>#1 #29 #39 #40</p>

Treatment of LGBTI persons generally/Society

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

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

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

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

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

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

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

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

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

If you report mistreatment of police, no repercussions

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

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

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

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

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

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

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

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

Recommendation: I've extracted this particular section of the interview notes as it exemplifies what I mean with unclear/badly written notes which potentially leave a lot of room for interpretation and assumptions. The notes raise potentially a few very serious concerns. Without follow-up or prompting questions I wonder how these can be relied upon as evidence for decision-makers Consider serious and prompt review.

Recommendation: **Not accepted**

See HO comments

#1
#27
#29
#31
#32
#33
#37
#39
#40

Treatment of LGBTI Asylum Seekers

In general, attendees didn't have much to raise here. [...]

Otherwise, no one could say much on LGBT asylum seekers having issues with asylum process. [...]

Recommendation: The underlined sentence appears to be the opinion of the note taker, which should not feature in interview notes. This is poor practice and should be removed. The only possible way I could see it being acceptable to include the view of the note taker is if it were in annotations next to a verbatim transcript, but even then it would raise questions as it could bias the interpretation of the 'user' of the primary research.

Recommendation: **Not accepted**

See HO comments

#1

#27

#29

#31

#32

#33

#37

#39

#40

Information about the reviewer

As a specialist country of origin information (COI) researcher, Stephanie Huber has over 15 years experience of conducting COI research for individual asylum and human rights claims, for use in representations to the UK Home Office, the Immigration and Asylum Chambers and to international refugee decision making bodies. She has also provided COI research for a number of Country Guidance (CG) cases both in her current position as Director of Asylum Research Centre (ARC), previously Asylum Research Consultancy, former co-Director of the charity ARC Foundation, and in her former role as Research Officer at the Immigration Advisory Service (IAS). Since 2010 she has reviewed the case law and COI content of UK country specific asylum policy documents, now known as Country Policy and Information Notes (CPINs), as well as COI products produced by other government and intergovernmental organisations, such as the European Union Agency for Asylum (EUAA – formerly known as the European Asylum Support Office (EASO)), with whom ARC holds a framework agreement. ARC has previously won four tenders to review Home Office COI products for the IAGCI for which she co-reviewed the Home Office country reports on Gambia (2011) and Sudan (2012) in conjunction with a country expert, and in 2013 took the lead in reviewing the Syria country report and Operational Guidance Note. In 2016 she was personally commissioned to review two Country Information Guidance reports and eight Responses to COI Requests on Sudan for the IAGCI and in 2019 won the tender to review two CPINs and nine Information Requests on Ethiopia. Stephanie Huber is also in her 10th year of undertaking thematic and country-specific COI research on behalf of the United Nations High Commissioner for Refugees (UNHCR). Furthermore, she is also listed as an external remunerated expert of the EUAA, an Associate member of the European Network on Statelessness and most recently has become a trustee of Asylos.

