



Monthly Update - Refugee Status Determination (RSD) October 2018



The Ugandan government is responsible for refugee status determination (RSD). The UNHCR works with the Refugee Department within the Office of the Prime Minister and other partners to build and enhance the capacity of national RSD procedures.

Key Figures of the Month

1,670	# of new asylum applications registered at the Refugee Desk
779	# of asylum applications granted by the REC
196	# of asylum applications rejected by the REC

Current Status and Achievements (January – October 2018)

6,509	# of asylum applications granted
566	# of asylum applications rejected
7,075	# of asylum applications adjudicated by the REC
120	# of pending asylum appeals

NOTE: As of writing, South Sudanese and certain Congolese asylum seekers are granted refugee status on prima facie basis in settlements in accordance with Section 25 of the 2006 Refugees Act.

Key Highlights

Monthly Trend of Asylum Seekers:

- During the reporting period, a total of 1,670 new asylum seekers were registered at the Refugee Desk in Kampala including 901 Somalis, 614 Eritreans and 54 Burundians, which indicated continuous onward trend compared to the previous month.
- The number of asylum seekers from the Democratic Republic of Congo (DRC) was continuously rising in south west of the country, while that of in mid-west declined. The main reasons of flight included ongoing tension and violence in North Kivu and Ituri Provinces.
- More than 1,000 new asylum seekers from South Sudan, largely women and children, were reported because of reasons such as lack of access to livelihood and basic services as well as inter-clan fights between Nuer and Dinka.
- Continuous influx of Burundian asylum seekers was recorded in Nakivale settlement owing to continuous threats and arrests linked to refusal to vote and voting against the May 2018 referendum.

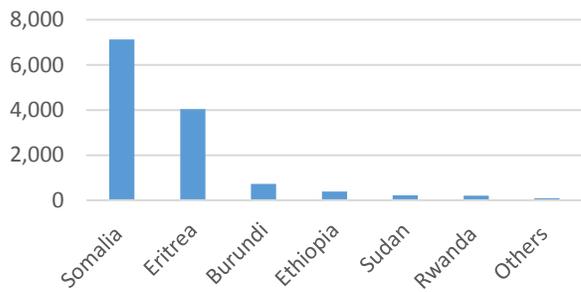
Status Determination:

- The **Refugee Eligibility Committee (REC)**, during the session of 9 -13 October in Rwamwanja settlement, adjudicated asylum claims of 332 HH/ 768 individuals largely from the DRC. A total of 315 HH/741 individuals was granted refugee status.
- The **REC**, during the sessions of 15-19 October and 29 October -2 November in Jinja, granted 1,188 out of 1,416 applications for refugee status, the majority of which were Congolese and Somalis.
- The **Refugee Appeals Board (RAB)**, during the session of 23 - 25 October, reviewed 18 appeal cases involving 36 individuals, the majority of which were Eritreans. The RAB set aside 4 REC decisions, confirmed 8 REC decisions and decided to hold a hearing of 6 cases.

Capacity Development:

- UNHCR Senior Regional Protection Officer (RSD) attended the REC session during 15-19 October, where he provided advisory comments on individual applications as well as technical guidance on various topics including well-founded fear analysis, credibility assessment, updated country of origin information about Eritrea, concept of fair and efficient RSD, and case processing methodology.

Countries of Origin of Asylum Seekers in Kampala (Jan-Oct 2018)



Strategy

UNHCR supports the Ugandan authorities with the assumption of responsibility for individual refugee status determination with the following objectives:

- To strengthen the capacity of the government to deliver a fair, credible and efficient refugee status determination
- To advocate for improvement of the national legislation and related by-laws on asylum in line with applicable international and regional standards
- To actively engage with the government to ensure access to asylum in face of mixed flows of asylum seekers and migrants

Challenges

- **Backlog of asylum claims:** According to the Refugee Information Management System (RIMS), as of July 2018, 47,205 asylum claims are registered, out of which 42,019 cases are not yet either interviewed or adjudicated by the REC and 5,186 cases are either under review of the RAB or reconsideration of the REC.¹
- **Lack of adequate physical condition at the Refugee Desk:** The poor physical condition of the Refugee Desk hampers an initial screening of asylum seekers in Kampala effectively. The current set-up does not equip for proper file management but also significantly compromises the principle of confidentiality and privacy.
- **Insufficient quality of RSD interview:** A combination of several factors such as limited number of interview officers (in light of the current caseload), sub-standard quality of interpretation service as well as lack of unified approach to interview undermines the quality of RSD interview.
- **Gaps in law and practice of asylum procedure:** The review process of the Refugees Act and Regulations has been ongoing since 2015. Coupled with lack of proper application of certain provisions, there are several deficits such as limited authority of Refugee Appeals Board, lack of clear definition in certain terms as well as absence of the clear provision regulating the reception/admission procedure for asylum seekers in Kampala.
- **Increasing mixed migration flows:** The government has increasingly faced difficulties in recognizing the situation of refugees and asylum seekers within migratory movements, which results in tightening an access to asylum procedure.

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¹ The latest OPM-UNHCR verification exercise confirms that there are 13,167 asylum seekers in Kampala. The analysis of backlog will be soon conducted based on the verified data in developing a strategy for backlog reduction.