



## UNHCR Monthly Protection Update Refugee Status Determination (RSD) November 2018

The Ugandan Government is responsible for Refugee Status Determination (RSD). 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

|              |   |
|--------------|---|
| <b>1,721</b> | # of new asylum applications registered at the Refugee Desk |
| <b>864</b>   | # of asylum applications granted by the REC                 |
| <b>54</b>    | # of asylum applications rejected by the REC                |

### Current Status and Achievements (January – November 2018)

|              |   |
|--------------|---|
| <b>7,881</b> | # of asylum applications granted                |
| <b>679</b>   | # of asylum applications rejected               |
| <b>8,560</b> | # of asylum applications adjudicated by the REC |
| <b>123</b>   | # 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 Refugees Act.

### KEY HIGHLIGHTS

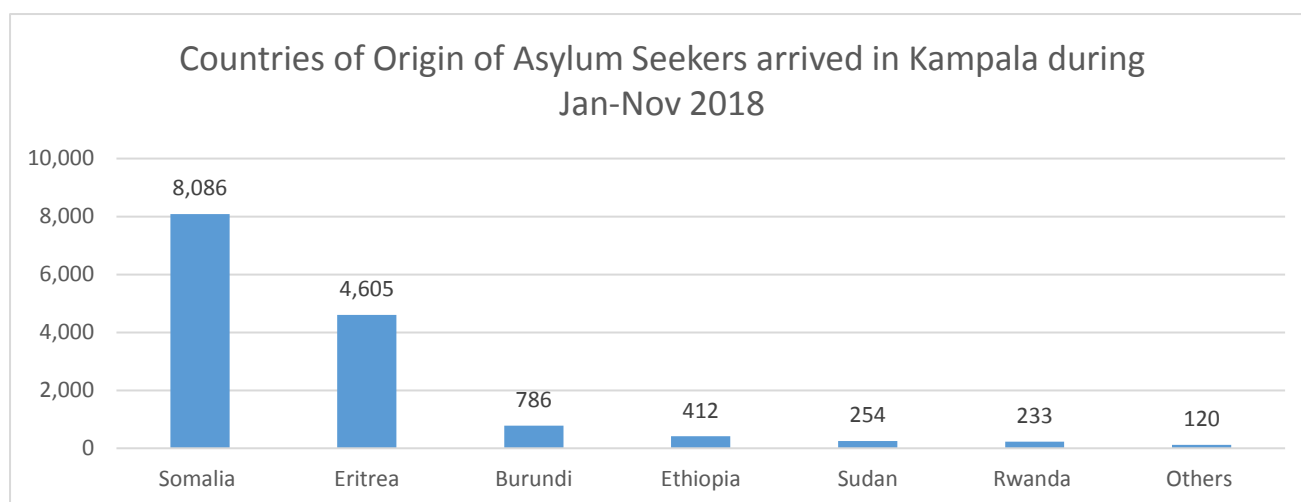
#### Monthly Trend of Asylum Seekers:

- Of the 1,721 new asylum seekers registered at the Refugee Desk in Kampala, 959 were Somalis, 568 Eritreans and 65 Burundians indicating a continuous and onward trend compared to previous months.
- 3,713 asylum seekers from Democratic Republic of Congo (DRC) were recorded in the south west and mid-west operations, which was lower than previous months. The main reasons of flight included tension and violence in North Kivu and Ituri Provinces.
- More than 600 new asylum seekers from South Sudan, largely women and children, were reported. Although the numbers declined over the past month, they fled largely due to human rights violations perpetrated by government and rebel groups and breakdown of livelihoods and basic services.
- Continuous arrival of Burundian asylum seekers (253 individuals) was recorded in Nakivale settlement owing to continuous threats and arrests linked to refusal to vote/voting against the May 2018 referendum.

#### Status Determination:

- The Refugee Eligibility Committee (REC), during the session of 20-23 November in Kyaka settlement, adjudicated asylum claims of 406 HH/1,093 individuals largely from the DRC. A total of 371 HH/1,007 individuals were granted refugee status.
- The REC, during the session of 28-30 November in Kyangwali settlement, adjudicated 513 HH/1,187 individuals, largely from the DRC. A total of 493 HH/1,158 individuals were granted refugee status.
- The Refugee Appeals Board (RAB), during the sessions of 6 – 8 November and 20 – 22 November, reviewed 29 appeal cases involving 43 individuals, the majority of whom were Eritreans. The RAB set aside 08 REC decisions, confirmed 12 and decided to hold a hearing of eight cases. In addition, one case was deferred to the RAB secretariat to clarify procedural questions.

## Country of origin of asylum seekers registered for RSD in Kampala between Jan-Nov 2018



### Strategy

UNHCR supports 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

- **Limited capacity to process asylum claims:** The latest OPM-UNHCR verification exercise confirms that there are 13,167 asylum seekers in Kampala as of end of October 2018. An analysis will soon be conducted based on the verified data aimed at developing a strategy for backlog reduction.
- **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/decision-making:** A combination of several factors such as limited number of interview officers (in light of the current caseload), sub-standard quality of interpretation service and improper practice to carry out inclusion and exclusion assessment undermines the quality of RSD decisions.
- **Gaps in law, and gaps between 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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