



UNHCR Monthly Protection Update Refugee Status Determination (RSD) November and December 2019

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.



The REC session at Nakivale settlement

Key Figures of the month

2,922	# of new asylum seekers registered at the Refugee Desk
7,800	# of new arrivals from DRC registered in settlements
3,544	# of new arrivals from South Sudan registered in settlements
874	# of new asylum seekers from Burundi registered in Nakivale settlement

Key Achievement of 2019

25,327	# of asylum applications adjudicated by the REC
24,024	# of asylum applications granted
94%	% of recognition rate in the first instance
18	# of asylum appeals reviewed by the RAB
10	# of appeals set aside by the RAB

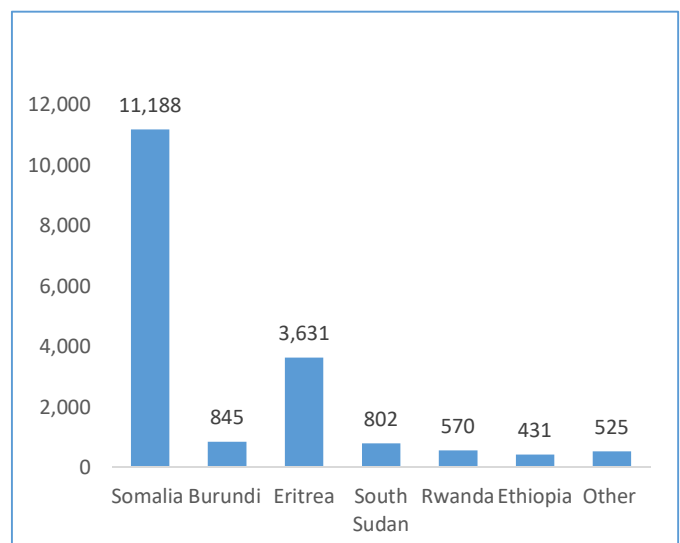
NOTE:

As of writing, DRC nationals (*who enter Uganda via designated border points*) and South Sudanese are granted refugee status on prima facie basis in accordance with Section 25 of the Refugees Act

Monthly Trend of Asylum Seekers

- During the reporting period, a total of 2,922 new asylum seekers were registered at the Refugee Desk in Kampala including 1,967 Somalis and 590 Eritreans.
- 7,800 new arrivals from the Democratic Republic of Congo (DRC) were recorded in south west and mid-west of the country. Most of them fled from ongoing insecurity and violence in North and South Kivu, and Ituri Provinces.
- 3,544 new arrivals from South Sudan were reported in West Nile districts. The reasons of their displacement included violence and insecurity, seeking family reunification as well as lack of access to humanitarian assistance and basic service.
- 874 Burundian asylum seekers were newly registered in Nakivale settlement largely owing to continuous insecurity caused by Imbonerakure militia.

Country of origin of asylum seekers registered at the Refugee Desk in Kampala in January - December 2019



Refugee Status Determination

- The Refugee Eligibility Committee (REC), during the session of 5-8 November at Nakivale settlement, adjudicated 1,134 asylum applications of 3,139 individuals, largely concerning nationals of DRC and Burundi. Approximately 95 % of applicants were granted refugee status. Another session was held during 10-12 December where 843 asylum applications of 2,557 individuals, largely concerning nationals of DRC and Burundi were adjudicated. Approximately 96 % of applicants were granted refugee status.
- The REC, during the session of 12-15 November at Kyaka settlement, adjudicated 1,133 asylum applications of 3,727 individuals, largely concerning national of DRC. Approximately 93 % of applicants were granted refugee status.
- The REC, during the session of 19-22 November in Kyangwali settlement, adjudicated 1,153 asylum applications of 1,153 individuals, largely concerning national of DRC. Approximately 89 % of applicants were granted refugee status.
- The REC, during the session of 26-30 November in Kampala, adjudicated 2,279 asylum applications of 2,988 individuals, largely concerning national of Somalia. Approximately 97 % of applicants were granted refugee status.
- The REC, during the session of 3-6 December at Rwamwanja settlement, adjudicated 636 asylum applications of 1,478 individuals, largely concerning nationals of DRC. Approximately 83 % of applicants were granted refugee status.

Capacity development:

- UNHCR sponsored the participation of two OPM representatives at RSD unit in the course on international refugee law which was organized by International Institute of Humanitarian Law during 10-14 December 2019 in Sanremo, Italy, The course was primarily designed to promoting law, principles and policies relating to refugee protection through discussion and case studies of key thematic topics including RSD and communication and interviewing.

Strategy

UNHCR supports the Ugandan authorities with the assumption of responsibility for individual RSD with the following objectives:

- To strengthen the capacity of the government to deliver a fair, credible and efficient RSD
- 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 refugees and migrants.

Challenges

- Limited capacity to process asylum claims: As of December 2019, there are 21,658 asylum seekers across the country, out of which approximately 79 % represents asylum applications filed in Kampala.
- Lack of adequate space for initial screening: 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 and interpreters (in light of the current caseload), inadequate quality of interpretation service and limited capacity to handle complex cases 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 its 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 refugees within migratory movements, which results in tightening an access to asylum procedure.

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