



UNHCR Monthly Protection Update Refugee Status Determination (RSD) December 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.



An Interpreters' training conducted by UNHCR and OPM on 13 Dec 2018

Key Figures

1,180	# of new asylum applications registered at the Refugee Desk
156	# of asylum applications granted by the REC
134	# of asylum applications rejected by the REC

Current Status and Achievements (January – December 2018)

8,038	# of asylum applications granted
871	# of asylum applications rejected
8,909	# of asylum applications adjudicated by the REC
131	# 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

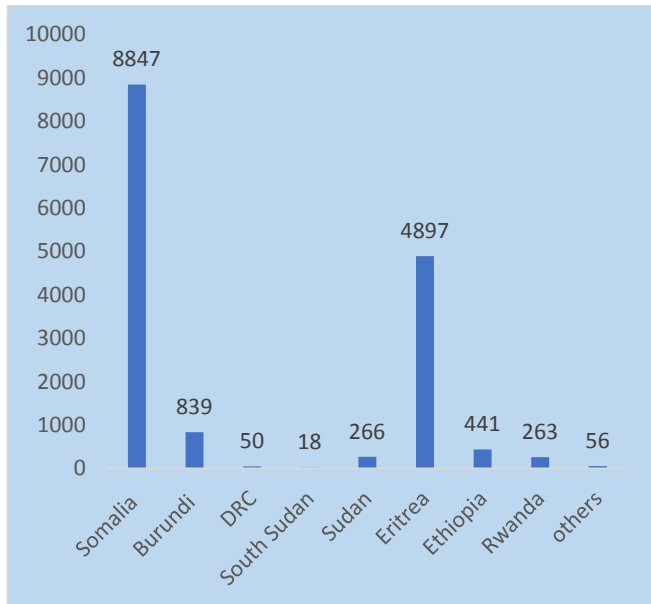
- During the reporting period, a total of 1,180 new asylum seekers were registered at the Refugee Desk in Kampala including 761 were Somalis, 292 Eritreans and 53 Burundians. The figure indicates a 31% decrease in the number of asylum seekers registered as compared to the previous month.
- Although the number has declined over the last months, 2,668 new asylum seekers from the Democratic Republic of Congo (DRC) were recorded in south west and mid-west of the country. The majority of them fled from ongoing tension and violence in North Kivu and Ituri Provinces and (anticipated) electoral violence in the presidential election.
- 1,053 new asylum seekers from South Sudan, largely belonging to Nuer and Dinka tribes, were reported in Adjumani and Lamwo districts. The reasons of their displacement included due to lack of access to humanitarian assistance, tribal clashes between the Nuer and Dinka tribes as well as human rights violations committed by both government and rebel groups.
- 306 Burundian asylum seekers were newly registered 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 3rd – 7th December in Jinja, adjudicated 307 asylum claims largely from the DRC, out of which 156 granted.

- The Refugee Appeals Board (RAB), during the session of 12 December reviewed four appeal cases involving six individuals from Eritrea and Ethiopia. The RAB set aside two REC decisions and confirmed other two REC decisions.

Country of origin of asylum seekers registered for RSD at Refugee Desk in Kampala between Jan-Dec 2018



Capacity Development

UNHCR, in cooperation with OPM, conducted for the first time, a training workshop on interpretation. 23 interpreters (19M/4F) involved in the RSD process attended interactive sessions with focus on the roles and responsibilities of interpreters, code of conduct and interpretation skills and techniques. The workshop also provided an opportunity to identify existing needs and concerns of interpreters which will be addressed in 2019.

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

- **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. The analysis of backlog will be soon conducted based on the verified data in developing a strategy for backlog reduction.
- **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), sub-standard 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 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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