



NRC steps up to support the accelerated refugee status determination exercise in Kampala

Background

The Office of the Prime Minister (OPM) with support from UNHCR, launched an accelerated Refugee Status Determination (RSD) exercise in Kampala targeting asylum seekers from Eritrea, Burundi, Congo, and Pakistan amongst other nationalities. ¹As of the end of September 2023, there was a backlog of more than 47,000 asylum seekers in Uganda. The exercise was led by the Refugee Eligibility Committee, comprised of representatives from OPM, various government ministries and agencies in collaboration with UNHCR. It commenced on 10 October and ended on 1 December 2023.²

According to OPM, 7,235 households equivalent to around 11,000 individuals were assisted. The overall recognition rate at first instance stood at 96 per cent. 240 households (347 individuals) received rejection decisions and 31 households (44 individuals) were deferred to hearings in 2024. The Office of the Prime Minister provided the detailed breakdown included in figure 1 below.

Figure 1: OPM statistics for the accelerated RSD exercise³

Code	Nationality	No of Cases handled					Granted					Rejected				Deferred			
		House Holds	Individuals in HH				House Holds	Individuals in HH				House Holds	Individuals in HH			House Holds	Individuals in HH		
			(HH)	Total	UN-M	M		F	(HH)	Total	UN-M		M	F	(HH)		Total	UN-M	
COD	Democratic Republic of Congo	25	84	-	42	42	24	83	-	42	41	1	1	-	-	1	-	-	-
SUD	Sudan	461	1,248	4	655	598	458	1,240	4	651	594	2	4	-	2	2	1	4	-
ERT	Eritrea	6,339	9,036	44	3,942	5,040	6,118	8,714	44	3,798	4,862	200	291	-	129	162	21	31	-
BDI	Burundi	350	512	-	306	206	304	452	-	266	186	37	51	-	32	19	9	9	-
ETH	Ethiopia	5	5	-	3	2	5	5	-	3	2	-	-	-	-	-	-	-	-
TUR	Turkey	1	4	-	2	2	1	4	-	2	2	-	-	-	-	-	-	-	-
SOM	Somalia	1	2	-	1	1	1	2	-	1	1	-	-	-	-	-	-	-	-
PAK	Pakistan	53	107	-	63	44	53	107	-	63	44	-	-	-	-	-	-	-	-
Total		7,235	10,998	48	5,014	5,935	6,964	10,607	48	4,826	5,732	240	347	-	163	184	31	44	-

During the same period, the Refugee Appeals Board held three sessions to deliberate on 19 appeal applications involving 62 individuals. The Board confirmed the decisions of the Refugee Eligibility Committee for 9 households (30 individuals) and rejected them for 8 households (22 individuals).⁴

¹ The brief was researched and written by Muriel Iyanu and Laura Cunial with support from Jovinia Nakimbugwe, and Fauzia Nkuringi. Support for the layout was provided by Dixon Odur.

² OPM Report on the Accelerated RSD Exercise, OPM February 2024.

³ OPM Report on the Accelerated RSD Exercise, OPM February 2024.

⁴ Inter-Agency Coordination Unit, UNHCR, Uganda Operational Update | 7 Dec + SitReps | 12 December 2023.



Role of NRC:
A multi-purpose desk providing legal and protection services

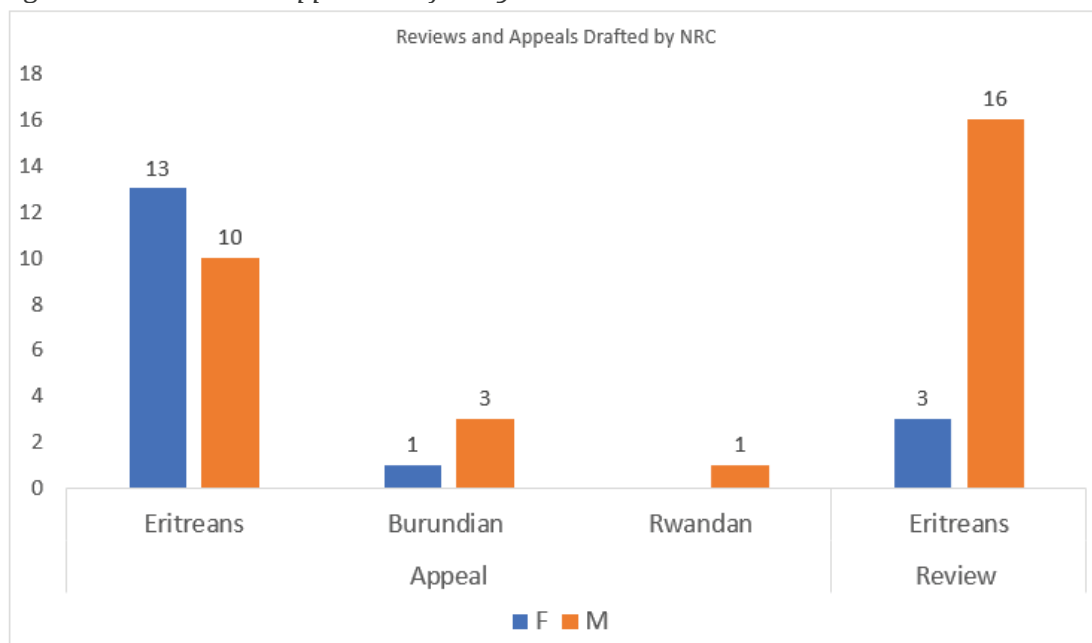
As UNHCR’s main partners in Kampala, NRC and African Humanitarian Action (AHA) set up a multi-purpose desk at the OPM office to offer a large range of services to the asylum seekers present for their interviews. For NRC, this included two staff members: one from the ICLA ⁵ (legal aid) team and one from the Protection from Violence team.

Legal services

Every day, the ICLA staff carried out awareness sessions on legal protection issues for the asylum seekers present at the venue. Sessions included information on legal identity and securing civil registration (birth, marriage and death certificates), housing, land and property rights (for instance how to enter into a tenancy agreement) and employment law and procedures. The team provided information on how to access basic services in Kampala to newly arrived asylum seekers.

The ICLA lawyer provided legal counselling to applicants before and after their interview – these sessions covered issues related to RSD procedures and requirements as well as legal identity documentation. NRC supported 47 (30 M and 17 F) asylum seekers with drafting of review and appeal applications (19 reviews and 28 appeals). When a case is rejected first, it is taken for review with the Refugee Eligibility Committee whilst upon rejection from the review process, the case can be appealed in front of the Refugee Appeal Board. In terms of nationalities, cases included Eritreans, Burundians and Rwandans for appeal and Eritreans for review as illustrated in the chart below.

Figure 2: Reviews and Appeals Drafted by NRC



⁵ Information, Counselling and Legal Assistance (ICLA).



Many reviews and appeals have not yet been scheduled but are meant to take place during the first half of 2024. As they wait for their case to be heard again, all applicants maintain their asylum seeker status and keep their asylum seeker certificates which can be renewed upon expiration (three months duration).

CASE STUDY: Asmerit and the challenges of securing refugee status in Kampala

“When I arrived in Sudan, I could not be granted refugee status for the two years I stayed there. The government gave me a temporary stay document; no reason was ever given. With that document, we could not access most of the services that other refugees enjoyed so I decided to come to Uganda.”

The story of Asmerit is not different from many Eritrean Pentecostal asylum seekers who have experienced unbelievable hardship as they are forced to leave their home and go in search of a better life. Asmerit is a single mother from Eritrea. She is 32 year old and lives in Kampala with her 7-year-old son. Asmerit fled to Sudan in 2016 when the Eritrean Government increased its persecution of Pentecostal Christians.

“It all worsened in 2016. My fellow brethren were attacked from a church, rounded up and detained in the Mai Serwa Prison. A few days later, the government sent motor graders to raze our houses: suddenly we were homeless.”

With the help of a middleman, Asmerit took the difficult decision to flee to Sudan. Her journey was long and traumatic: she was exposed to sexual harassment, harsh weather and days of starvation. In Sudan, she sought asylum, but was only granted temporary stay. After two years of waiting, in 2018, she fled to Uganda, with the hope of becoming a refugee. Upon arrival in Kampala, she was granted asylum seeker status. She was given an Asylum Seeker Attestation valid for three months which OPM kept renewing. After five years of waiting, the accelerated Refugee Status Determination exercise gave her a glimpse of hope: this was her chance to finally be granted refugee status and secure a better future for her family.

Asmerit narrates her powerful story, reflecting her strengths within, as she justifies why she deserves to be granted refugee status. Unfortunately, however, her case was rejected and sent for review:



“I appeared before the Committee and informed them that I fled due to the government’s violent treatment towards Pentecostals Christians. They did not believe me as most of the Eritreans fled for fear of serving in the army. My reason was genuine. But I was denied refugee status.”

An NRC lawyer supported her to draft an application for review. The application describing Asmerit’s fear of persecution and why cannot return to Eritrea, was submitted on 24 October. Reviews are not yet scheduled, but Asmerit remains hopeful for positive feedback.

“When I was told that I had been rejected, I thought it was the end of the line for me. I did not know that I could write to the office to hear me out again. With this letter, I am praying that I finally get refugee status for myself and my child, after these 5 years of waiting. Having status will make it easy for us to access most of the services without being disturbed.”

Protection services

The legal services were complemented by protection services offered to 40 asylum seekers (21 F and 19 M) including 33 (19 F and 14 M) persons with specific vulnerabilities and risks. Many of these included youth, elderly, people with disabilities or serious medical conditions, pregnant women, women with newborn babies and single parents. Among these, the team identified eight (4 F and 4 M) cases with serious medical conditions which were immediately referred to the medical partner for immediate support. Seven (3 F and 4 M) unaccompanied minors were referred to the local child protection partner to be assessed and possibly placed under foster care arrangement until a durable solution was identified. NRC Protection from Violence team also identified GBV survivors who were also referred for follow up by the local GBV partner and as a result one GBV survivor was relocated to a safe space in Mbarara to receive multi sectoral services such as medical and psychosocial services. NRC staff identified and recommended IPA-individual protection assistance as a one-off cash support to all identified at risk groups. These services targeted people at risk and their families. All legal and protection services were offered in several languages thanks to the support of interpreters who shadowed NRC staff during the entire exercise.

The ICLA and Protection Programmes are supported and funded by:

