



Rwanda: Snapshot of Access to Rights and Services for Children and Young People

June 2024

Contents

Contents	2
Explanatory note	3
Disclaimers.....	5
Background on the research project	5
Acknowledgements.....	6
Who we are.....	6
List of Acronyms.....	7
Sources consulted and reference period	7
International organisations	8
NGOs and think tanks	9
Media sources and blogs	10
COI databases and government bodies	10
1. Access to fair international protection procedures	12
2. Access to the asylum system in Rwanda that is child-centred	21
Legal advice and lawyer training for child clients	24
Access to justice in the context of challenging a refusal of an asylum claim	25
3. Rights to liberty and freedom of movement	27
4. Access to services	29
5. Statelessness and nationality	36
6. Protection	42
Conditions and available support for asylum-seeking / refugee / displaced children.....	43
Support for children disclosing trafficking, torture, and exploitation.....	45
Family reunification process and support	47
Support for separated children turning 18	48
7. Appendices	50
Methodology	50
Bibliography	58

Explanatory note

This Country of Origin Information (COI) report provides a brief overview of access to rights and services available to children and young people in Rwanda. In the report, the definition of a child aligns with Article 3 of the Palermo Protocol¹ and Article 1 of the United Nations Convention on the Rights of the Child (CRC),² in which both uniformly define a child as any human being below the age of 18 years. However, where possible we have also included information on young people (18-24 years), as this is often a gap in COI evidence. The reports' desk-based research is based on a variety of written sources that were published between September 1, 2022, and September 1, 2023.

This snapshot report is part of a larger Thematic Research project on the situation of [children and young people in Sudan](#). The terms of reference for the Sudan report were extended to Rwanda in part in an effort to highlight broader implications of the UK government's agreement with Rwanda,³ in which the UK seeks to send migrants who entered the UK without permission to Rwanda, without considering any claims for international protection by such persons in the UK.⁴ This plan is contentious due to concerns about Rwanda's safety for asylum seekers—a viewpoint supported by a judgement from the UK Supreme Court, which found in November 2023 that Rwanda was not a safe country to which refugees can be removed.⁵ Specifically, children's charities have raised concerns about the potential for unaccompanied children to be wrongly assessed as adults and subsequently sent to Rwanda, or children to be sent to Rwanda with family members.⁶ Despite the Supreme Court's judgement, on 25 April 2024, the UK government enacted the Safety of Rwanda (Asylum and Immigration) Act 2024, which received Royal Assent and became law. Concurrently, the UK ratified its treaty agreement with Rwanda.⁷

Although the Rwanda Act establishes that legal arguments as to the general safety of Rwanda can no longer be made in UK asylum procedures, clause 4 of the Act allows for the Secretary of State and immigration officers to make individual decisions on whether *“the Republic of Rwanda is a safe country for the person in question, based on compelling evidence relating specifically to the person's particular individual circumstances”*. In this context, evidence of wider application, such as country of origin information, is still highly relevant, to the extent that it bears on individual risk.

Notably, the current UK Prime Minister has confirmed that no one will be forcibly removed to Rwanda until 24 July.⁸ However, other countries are considering removing asylum seekers and/or other migrants to third countries⁹, making this research relevant for consideration in other contexts.

Using Asylos' Principles Document¹⁰ which provides a list of relevant terms and phrases in English, Arabic, and French along with a glossary of legal terminology published by the Migrant Children's Legal Unit at Islington Law Centre (MiCLU)¹¹, the following 'legal' terms were used during the desk research:

- **Child/Children:** According to UK law, a child is anyone under the age of 18 years.

1 United Nations, 2000. [Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime](#).

2 The Convention on the Rights of the Child (CRC) 1989, [Article 1](#)

3 UK Government, [Memorandum of Understanding between the government of the United Kingdom of Great Britain and Northern Ireland and the government of the Republic of Rwanda for the provision of an asylum partnership arrangement](#), 14 April 2022, updated 6 April 2023

4 UNHCR UK: [UK-Rwanda Asylum Partnership](#), undated

5 Freedom of Movement: [Supreme Court finds Rwanda is not a safe country to which refugees can be removed](#), 15 November 2023.

6 ECPAT UK, [ECPAT UK signs joint letter to Home Office about Rwanda policy's impact on children](#), 13 June 2022

7 The National Archives, [Safety of Rwanda \(Asylum and Immigration\) Act 2024](#)

8 The BBC, [No Rwanda flights before election, says Rishi Sunak](#), 23 May 2024

9 Reuters, [Denmark in talks with Rwanda on transfer of asylum-seekers](#), 20 April 2022

10 Asylos, [Principles For Conducting Country of Origin Information Research on Children and Young People](#), June 2024, pp. 23-24-25

11 Migrant Children's Legal Unit at Islington Law Centre: [Glossary](#)

- **Young Person/People:** a young person generally means anyone aged 18-24.
- **Unaccompanied minor or unaccompanied child:** This term is used a lot in relation to refugees and asylum seekers. A child who is under 18 years and does not have any parent or responsible older adult to look after them can be described as an unaccompanied minor or unaccompanied child. In the UK, the local authority will be responsible for their care and providing them with a home if the child's age is accepted as being under 18 and they are in need.
- **Separated child:** A person under 18 who is not living with their parent or main caregiver is known as a separated child.

The Terms of Reference of the report is divided into the following six sections:

- Access to fair international protection procedures
- Access to Asylum and Justice Systems
- Rights to Liberty and Freedom of Movement
- Access to Services
- Statelessness and Nationality
- Protection

The report summarises the Rwandan asylum system, including the child-centred asylum system¹², the quality of legal advice, and the processes for challenging asylum refusals. It also covers children's rights to liberty, freedom of movement, education, health, and welfare services, and support for separated children. Additionally, it covers procedures for stateless children to acquire nationality, risks of persecution or harm, support for children disclosing trafficking or exploitation, the family reunification process, and assistance for separated children turning 18.

The information in this report is presented in a reverse chronological order, and top-up research was conducted in April and May 2024.

Despite our efforts to cover as much ground as possible, it's important to understand that our research may not capture the entirety of the situation. In some cases, up-to-date and recent information was limited in the sources identified during our initial desk research, interviews, and the top-up research stage. Therefore, we have included some older sources that predate the established timeframe for this research in instances where the information is relevant. This includes situations where more recent information was not found or where the research terms of reference relate to past events, yet remain relevant. Where information was not found in relation to our terms of reference, a note has been directly placed under the question in bold. It is important to note that the absence of information should not be taken as evidence that an issue, incident or violation does not exist.

Furthermore, some excerpts presented in this report include information from organisations in Rwanda, whose independence and capacity to provide unbiased insights are uncertain. There is a lack of independent oversight to verify that provisions described on paper are functioning effectively or at all in practice.

Critical information gaps remain, and the most pressing of these include:

- **Age assessment process:** *no specific information found that Rwanda has a robust age assessment process in line with international standards for determining the age of unaccompanied asylum-seeking children.*
- **Support to separated children who turn 18 years old:** *limited information was found on what support is available to separated children who turn 18 years.*

¹² For more information, see Asylos' previous reports on [Rwanda; Asylum System: Commentary, Rwanda: Asylum System July 2022 and Rwanda: COI Compilation, Asylum System August 2022](#).

- **Child-specific process in Rwanda:** no specific information could be found on a distinct, child-specific process in Rwanda for making protection claims and assessing welfare needs, comparable to processes in the UK.

Disclaimers

We must recognise that in failing to publish versions of this report in accessible formats (such as easy read, Braille, and audio versions) we exclude many persons with disabilities from reading it and making use of its content, which is inconsistent with the inclusive principles our **Disability COI** research was based upon. Unfortunately, we lacked the resources to make this undertaking and came to the view that it would still be of benefit to publish it in its current form for use as evidence in refugee status determinations.

Please note that as authors of this report we are not legally accredited nor ‘experts’ in the matters we research and so cannot be classified as expert witnesses. We compile primary and secondary information to address certain country-specific questions, but we do not provide an assessment or analysis of the data. Similarly, we do not provide legal advice. The report was researched, written and edited by Asylos’ staff and its network of volunteer researchers.

The Country of Origin Information (COI) presented is illustrative, but not exhaustive of the information available in the public domain, nor is it determinative of any individual human rights or asylum claim. All sources are publicly available and a direct hyperlink has been provided for each. In addition to assisting further research, the list of sources and databases consulted and provided below will enable source assessments. For more information about our research methodology, please consult Appendix A Methodology of this report. This document is intended to be used as a tool to help to identify relevant COI and the COI referred to in this report can be considered by decision makers in assessing protection applications and appeals.

Whilst every attempt has been made to ensure accuracy, the authors accept no responsibility for any errors included in this report.

Background on the research project

This report forms part of a project to produce a series of reports that present new and innovative forms of COI, generated by conducting interviews alongside existing sources. Previous iterations of this project were published in partnership between Asylos and ARC Foundation. All planned reports cover topics related to asylum seekers in the UK for whom an absence of country information forms a barrier to protection. Previous reports include:

Asylos, [Sudan: Children and Young People](#), June 2024

Asylos, Lebanon: [Stateless Palestinians](#), March 2023

Asylos/ARC Foundation, [Nigeria: Children and Young People with Disabilities](#), October 2021

Asylos/ARC Foundation, [Ghana: State treatment of LGBTQI+ persons](#), March 2021

Asylos/ARC Foundation, [Vietnam: Returned victims of trafficking](#), May 2020

Asylos/ARC Foundation, [Albania: Trafficked Boys and Young Men](#), May 2019

Asylos, [Afghanistan: Young male ‘Westernised’ returnees to Kabul](#), August 2017 (Pilot report)

Acknowledgements

This report was written by Fatima Ali with insightful lived experience and expert knowledge on the subject provided by members of our Steering Committee: Kama Petruczenko (Senior Policy Analyst – Children and Young People at Refugee Council), Sian Pearce (Solicitor and PhD student at the University of Exeter), Cynthia Orchard (Consultant Policy Advisor), Mutaz Aljaaly (Lawyer), and Raga Gibreel (Director of Green Kordofan). Critical research assistance was provided by Asylos members (Alessandro Bartolini, Dima Hassouneh, Dina Baslan, Ebunoluwa Iyamu, Fabio Cescon, Indriga Valiukaite, Jessica Howard, Juan Vega Esteve, Kauthar Menhal, Lara Cansizoglu, Loyal Daher, Marine Dubois, Naomi Shencoru, Paola Faraci, Tanya Koshy, and Teris Wetter).

We would like to express our gratitude to Clifford Chance for their crucial top-up research. Additionally, we would like to say thank you to our colleagues at VluchtelingenWerk; Matty Verburg, (Senior Programme Advisor) and Marije Jongejan (Country Information Consultant) for their vital peer assessment of this report's final draft. Special thanks to Jo Pettitt, for her invaluable guidance in finalising this project and Emily Wilbourn for her unwavering support.

The generous financial support provided by the Trust for London for this project is greatly appreciated.



Feedback and comments

Please help us to improve and to measure the impact of our publications. We would be extremely grateful for any comments and feedback as to how the reports have been used in the refugee status and statelessness determination process, or beyond. If you would like to provide feedback, please contact: info@asylos.eu

Who we are

Asylos is a global network of volunteers providing free-of-charge Country of Origin Information (COI) research for lawyers helping people seeking international protection with their claim. Asylos works to ensure that people seeking international protection and their legal counsel have access to crucial sources and data to substantiate their claim. Asylos volunteers and staff use their research and language skills to access detailed information. More information can be found on Asylos' website.

Frontcover image © The hope.
Design by Iris Teichmann.

List of Acronyms

AHA	Africa Humanitarian Action
C/YFS	Child and Youth Friendly Space
CBHI	Community-Based Health Insurance
CPIN	Country Policy and Information Note
CRC	Convention on the Rights of the Child
CRRF	Comprehensive Refugee Response Framework
CVT	Children’s Voice Today
DGIE	Directorate General of Immigration and Emigration
ECD	Early Childhood Development
GBV	Gender-Based Violence
GMO	Gender Monitoring Office
ICGLR	International Conference on the Great Lakes Region
ICRC	International Committee of the Red Cross
IOM	International Organization for Migration
MAM	Moderate acute malnutrition
MHPSS	Mental Health and Psychosocial Support
MINEMA	Ministry in Charge of Emergency Management
NCC	National Commission for Children
NCDA	National Child Development Agency
SAM	Severe acute malnutrition
SCI	Save the Children
SEA	Sexual exploitation and abuse
SGBV	Sexual and gender-based violence
SRHR	Sexual and Reproductive Health Rights
TVET	Technical Vocational Education and Training
UASC	Unaccompanied and separated children
UNHCR	The Office of the United Nations High Commissioner for Refugees
UNICEF	The United Nations Children’s Fund
US DOS	U.S. Department of State

Sources consulted and reference period

We chose to focus on the timeframe 1 September 2022 – 1 September 2023 and so the desk-based research includes written sources published during this period and top-up research was conducted in April 2024.

However, for some of the issues it was relevant to include more historic and cultural information. Therefore exceptions to the timeframe were made for rigorous academic studies addressing the history and culture background that were unlikely to rapidly change. Similarly, where more recent information was unavailable, we chose to include information produced by organisations before the beginning of the timeframe when it was clear that their mandate remained unchanged since.

When a source based its affirmations on other sources, the original source was retrieved and used, with the exception of academic sources and inaccessible internal sources.

All web sources were consulted between 1 September 2022 – 1 September 2023, and top up research conducted in April 2024. Not all of the sources listed here have been consulted for each issue addressed in the report.

Using Asylos' comprehensive Thematic Sources toolkit for Country of Origin Information (COI) researchers, as a starting point.¹³ All web sources were consulted between 1 September 2022 – 1 September 2023, and top up research conducted in April and May 2024. Not all of the sources listed here have been consulted for each issue addressed in the report.

Additional sources to those individually listed were consulted via database searches. This non-exhaustive list is intended to assist in further case-specific research. Anytime they were referenced in this report, a footnote was included.

To find out more about an organisation, view the 'About Us' tab of a source's website.

International organisations

[Anti-Slavery International](#)

[Brookings Institution - London School of Economics \(LSE\)](#) [Project on internal displacement]

[Caritas](#)

[Catholic Relief Services](#)

[Center for International Development and Conflict Management \(CIDCM\)](#) [Minorities at Risk Database]

[Centre for Humanitarian Dialogue](#)

[Centre for Research on Inequality, Human Security and Ethnicity \(CRISE\)](#)

[Country of Return Information \(CRI\) Project](#)

[Forced Migration Review](#)

[Global Coalition to Protect Education from Attack](#)

[Humanitarian Aid Relief Trust](#)

[Humanitarian Response](#)

[Internal Displacement Monitoring Centre \(IDMC\)](#)

[Internal Displacement Monitoring Centre \(IDMC\)](#)

[International Alert](#)

[International Commission of Jurists](#)

[International Committee of the Red Cross](#)

[International Committee of the Red Cross \(ICRC\)](#)

[International Labour Organisation \(ILO\) \[NATLEX\]](#)

[International Organization for Migration \(IOM\)](#)

[International Refugee Rights Initiative](#)

[International Rehabilitation Council for Torture Victims \(IRCT\)](#)

[Joshua Project](#) [CAUTION: check the mandate of this organisation in order to undertake source assessment; list of ethnic groups worldwide]

[Landmine & Cluster Munition Monitor](#)

[Mineaction.org](#)

[Multiple Indicator Cluster Surveys \(MICS\)](#)

[OECD's Social Institutions & Gender Index](#) [Database and country profiles]

[Office of the High Commissioner for Human Rights \(OHCHR\)](#)

[Oxfam](#)

[Refugee Legal Aid Information](#) [Post-deportation monitoring programme]

[Refugee Legal Aid Information](#) [Post-deportation monitoring programme]

[Refugees International](#)

[Save the Children](#) [Staff blogs by country]

[The International Movement Against All Forms of Discrimination and Racism \(IMADR\)](#)

¹³ [Thematic Sources toolkit for Country of Origin Information \(COI\) researchers](#), originally developed by ARC Foundation and inherited and updated by Asylos, tab: Children's rights, November 2023.

The International Society for Prevention of Child Abuse and Neglect (ISPCAN)[Transnational Institute](#)[UK Overseas Development Institute \(ODI\)](#)[UN Committee on Economic, Social and Cultural Rights](#)[UN Committee on Racial Discrimination](#)[UN Committee on the Elimination of Racial Discrimination](#)[UN Development Programme \(UNDP\)](#)[UN Office of the Special Representative of the Secretary-General for Children and Armed Conflict](#)[UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context](#)[UN Special Rapporteur on extreme poverty and human rights](#)[UN Special Rapporteur on freedom of religion or belief](#)[UN Special Rapporteur on the Human Rights of Internally Displaced Persons](#)[UN Special Rapporteur on the Human Rights of Internally Displaced Persons](#)[UN Special Rapporteur on the right to education](#)[UN Special Rapporteur on the sale of children, child prostitution and child pornography](#)[UN Special Rapporteur on trafficking in persons, especially in women and children](#)[UNESCO \[Education Statistics\]](#)[UNESCO \[Education Statistics\]](#)[UNHABITAT](#)[UNHABITAT](#)[UNICEF Data by topic and country](#)[United Nations Children's Fund \(UNICEF\)](#)[United Nations Committee on the Rights of the Child](#)[United Nations Development Programme \(UNDP\)](#)[United Nations High Commissioner for Refugees \(UNHCR\)](#)[United Nations Office for the Coordination of Humanitarian Affairs \(OCHA\)](#)[United Nations Population Fund \(UNFPA\)](#)[United Nations Secretary General reports](#)[United Nations Secretary-General reports](#)[UNOCHA](#)[UNOCHA Humanitarian Response](#)[Unrepresented Nations and Population Organization](#)[Unrepresented Nations and Population Organization](#)[World Bank \[Country Profiles\]](#)[World Bank \[Development Indicators\]](#)[World Bank \[Development Indicators\]](#)[World Childhood Foundation](#)[World Economic Forum](#)[World Food Programme \(WFP\)](#)[World Health Organization \(WHO\)](#)**NGOs and think tanks**[Association for the Prevention of Torture](#)[Atlas of Torture](#)[Christian Solidarity Worldwide](#)[Citizenships Rights in Africa Initiative](#)[Citizenships Rights in Africa Initiative](#)[Constitution Finder](#)[Death Penalty Worldwide \(Cornell Law School\)](#)[ECPAT](#)

End Children Detention

[Equal Rights Trust](#)

[EUAA COI Portal \[European Union Agency for Asylum\]](#)

[European Centre for Minority Issues](#)

[Forced Migration review](#)

[FreedomHouse](#)

[Girls Not Brides](#)

[International Detention Coalition](#)

[International Federation for Human Rights](#)

[International Federation for Human Rights \(FIDH\)](#)

[International Rescue Committee](#)

[International Work Group for Indigenous Affairs \(IWGIA\)](#)

[Jehovah Witnesses](#) [CAUTION: check the mandate of this organisation in order to undertake source assessment]

[Medicine sans frontier \(MSF\)](#)

[Minorities at Risk Project](#)

[Minority Rights Group International](#)

[Open Society Foundations](#)

[Penal Reform International](#)

[Persecution of Christians](#) [CAUTION: check the mandate of this organisation in order to undertake source assessment]

[Pew Research Centre](#)

[Redress](#)

[Refugees International](#)

[Religion and Law Research Consortium](#)

[The Borgen Project](#)

[The Christian Post](#)

[Waging Peace](#)

[War Child](#)

[World Council of Churches \[To find churches\]](#)

[World Prison Brief](#)

[World Watch Monitor \[Reporting on the persecution of Christians\]](#)

Media sources and blogs

[Al Jazeera](#)

[Amnesty International](#)

[BBC \[Guide to world religions\]](#)

[BBC Monitoring](#)

[BBC News](#)

[EU Reporter](#)

[Reuters](#)

[The Guardian](#)

[The National News](#)

[The New humanitarian](#)

[Thomson Reuters Foundation News](#)

[UN News](#)

COI databases and government bodies

[Center for International Development and Conflict Management \(CIDCM\)](#) [Minorities at Risk Database]

[CIA World Factbook](#)

[Danish Immigration Service](#) (country reports and country notes)

[Department of Foreign Affairs and Trade \(DFAT\)](#)

[Dutch Immigration and Naturalisation Service](#)

[Dutch Ministry of Foreign Affairs](#)

[Dutch Repatriation and Departure Service](#)

[European Country of Origin Information Network \(ECOI\)](#)

[European Union Agency for Asylum \(EUAA\) COI Portal](#)

[Federal Office for Migration and Refugees \(Germany\) \(BAMF\)](#)

[Finnish Immigration Services \(FIS\) \(Country Information Service\)](#)

[Human Trafficking Search](#)

[Immigration and Refugee Board of Canada](#)

[ReliefWeb](#)

[The Norwegian Country of Origin Information Centre Landinfo](#) (relevant publications include: reports and query responses)

[U.S. Commission on Religious Freedom \[Annual religious freedom reports\]](#)

[U.S. Department of State \[Annual findings on the worst forms of child labour\]](#)

[U.S. Department of State \[Annual religious freedom reports\]](#)

[U.S. Department of State's Trafficking in Persons Reports](#)

[UK Home Office](#) (relevant publications include: Country Policy and Information Notes)

[UNHCR Refworld](#) [Select country > Legal information > National Legislative Bodies]

[US Department of State \(USDOS\): 2022 Country Reports on Human Rights Practices: Rwanda](#)

[US Department of State \(USDOS\): 2023 Country Reports on Human Rights Practices: Rwanda](#)

[US Department of State \(USDOS\): 2023 Trafficking in Persons Report: Rwanda](#)

[World Law Guide](#) [Check Legislation > select country]

1. Access to fair international protection procedures

Do asylum-seeking children sent to Rwanda have adequate access to fair international protection procedures? (eg, access to guardian and/or social worker, access to competent legal advice, decisions that comply with international law without undue delay, right of appeal, age-appropriate counselling / treatment for trauma / mental health conditions, adequate support and protection during the procedure, robust age assessment in line with international standards, age-appropriate information and interviews, best interests of child considered as a primary consideration in all decisions, etc.)? **(in chronological order)**

From the sources consulted, there is no specific information found that Rwanda has a robust age assessment process in line with international standards for determining the age of unaccompanied asylum-seeking children. Notably, the Safety of Rwanda Act does not apply to unaccompanied children.¹⁴ However, if the plan were to proceed, there is a risk that some children may be incorrectly assessed as adults in the UK and consequently sent to Rwanda. Additionally, children within families could be relocated to Rwanda if the plan is fully implemented. Age assessments should be conducted in the UK when age is disputed, but there is a significant risk that some individuals might be improperly assessed as adults.¹⁵ Furthermore, they might not have the opportunity for a proper re-assessment once in Rwanda.

For the excerpt below, it is important to note that this information may pertain, at least in part, to systems that pre-date the UK-Rwanda plan. The system applicable to individuals sent to Rwanda by the UK may differ.

On its undated webpage dedicated to ‘Protection’, UNHCR Rwanda explains that:

“In Rwanda, UNHCR provides protection for all nationalities of refugees, asylum seekers, Rwandan returnees and stateless populations. We focus on providing documentation, registration, protection of those who face violence, child protection case management, legal aid and psychosocial counselling to all those who need our support.

Registration is one of the most fundamental ways that UNHCR protects refugees, by ensuring that their identity is known and documented. This enables humanitarian agencies providing services to refugees and asylum seekers to know how many people need help, and in turn allows refugees and asylum seekers to access services. Registration is also crucial for identifying those individuals who are in vulnerable situation.

In Rwanda, the Government and its relevant Ministries are responsible for civil registration and issuing identification cards to all refugees aged 16 and above as part of their inclusion in national systems. Through its legal partners, UNHCR supports the issuance of birth registration for new-born babies in the camps. Periodically, campaigns are undertaken by partners to ensure that refugees have up to date documentation. Jointly UNHCR and the Government counterpart MINEMA, complements this process by also capturing refugee biometric data, photos, and fingerprints within proGres database.

In addition, UNHCR works with partners to identify unaccompanied and separated children and refugees with specific needs, in an effort to provide them with basic material support, advocate for their needs, and intervene with referrals or service provision when necessary.”

(Source: UNHCR Rwanda – [Protection](#), undated, last accessed 28 May 2024)

A report produced by White & Case LLP in January 2014, provides an overview of the legal framework regarding the age of majority, legal representation, and parental authority in Rwanda:

“The Civil Code of Rwanda fixes the age of majority at 21.¹⁴ An individual who has not yet reached the age of 21 is unable to bring lawsuits or otherwise take legal action in his or her own name. An exception occurs when a child has been emancipated, in which case the child enjoys the legal capacity of an adult.¹⁵ Short of emancipation, a guardian

¹⁴ The Children's Legal Centre (CORAM), [What Will Happen For Unaccompanied Children And Young People Now That The Safety Of Rwanda Act Has Passed?](#), 30 April 2024

¹⁵ The Children's Legal Centre (CORAM), [What Will Happen For Unaccompanied Children And Young People Now That The Safety Of Rwanda Act Has Passed?](#), 30 April 2024

or representative for a child must bring legal action on behalf of the child.

Because parental authority includes legal authority over a child¹⁶, a young child's parents would typically bring a case on the child's behalf. If a child's mother and father disagree, the father's preferences will take precedence, but the mother will be free to appeal to the Court of First Instance.¹⁷ Similarly, a child's father is empowered to represent the child with respect to personal property and civil acts.¹⁸ In the event that a child's parents prove unfit, at the request of any interested person or a public prosecutor the court can deny the parental authority.¹⁹ If a child has no parents or no guardian has been appointed by the child's parents, the court will appoint a guardian."²⁰ (pg. 3)

Under the Law Relating to Rights and Protection of the Child, legal assistance may also be provided to any child without a guardian.²⁴ However, while numerous circumstances may give rise to eligibility for free legal assistance, Rwanda lacks a sufficient number of attorneys to represent all of those eligible for such services.²⁵ (pg. 4)

¹⁴ Article 360 of the Civil Code.

¹⁵ Article 430 of the Civil Code.

¹⁶ Article 349 of the Civil Code.

¹⁷ Article 345 of the Civil Code.

¹⁸ Article 352 of the Civil Code.

¹⁹ Article 359 of the Civil Code.

²⁰ Article 365 of the Civil Code.

²⁴ Article 64 of the Law Relating to Rights and the Protection of the Child, No. 54/2011 of 14 December 2011. Available at: <http://www.ilo.org/dyn/natlex/docs/SERIAL/94100/110333/F2004880212/RWA94100.pdf>.

²⁵ U.S. Dep't of State, Rwanda 2012 Human Rights Report. Available at: <http://www.state.gov/documents/organization/204366.pdf>.

(Source: Ecoi.net, White & Case LLP (Author), published by CRIN – Child Rights Information Network – [Access To Justice For Children: Rwanda](#), January 2014, pg. 3-4, last accessed 4 June 2024)

UNHCR submission to OHCHR provides:

“Rwanda ratified the 1951 Convention relating to the Status of Refugees and its 1967 Protocol in 1980 (hereinafter jointly referred to as the 1951 Convention). The Organisation of African Unity Convention Governing the Specific Aspects to the Problems of the Refugees in Africa was ratified in 1979 and Rwanda has signed and ratified the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the “Kampala Convention”). Rwanda also acceded to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness in 2006.”

“The status and treatment of refugees is governed by Law N° 13ter/2014 of 21/05/2014 Relating to Refugees¹ (the Law relating to Refugees), which complies with international standards. The definition of, and protection against refoulement, are identical to the provisions of the 1951 Convention. The asylum procedure outlined by the law is detailed, and the timeline for the referral process is clearly outlined. It also stipulates refugees' rights and obligations, including their right to naturalization should they qualified under the nationality law. The Law relating to Refugees is complemented by the Prime Minister's Order determining the organization and functioning of the National Refugee Status Determination Committee (NRSDC) and benefits granted to its members², which was adopted on 29 June 2015, as well as Ministerial Instructions No. 02/2016 Determining the Management of Refugees and Refugee Camps.”

The same report highlights that despite a progressive legal framework, practical implementation is challenging. The National Refugee Status Determination Committee (NRSDC) has limited capacity, with only one eligibility officer handling all cases. The UNHCR, despite its role, is often excluded from RSD panel discussions. The basis for RSD decisions, especially rejections, is not well-communicated, even to asylum seekers. Appeals being decided by the Minister of MINEMA raises concerns about the independence and efficiency of the process. Article 8 mandates prompt registration and processing of asylum seekers by local and immigration authorities, but in practice, cases not referred by the immigration service are not addressed by

the NRSDC, despite UNHCR's advocacy. Additionally, LGBTI asylum seekers face verbal rejections from immigration services:

“The vast majority of refugees living in camps have been recognized on prima facie basis. However, refugees who arrive outside of the timeframe for prima facie recognition or of nationalities other than the Burundian, need to be recognized individually by the Government and face obstacles in accessing the RSD procedures.

The 2014 Law relating to Refugees, is fully compliant with international standards and sufficiently details the RSD procedures. The PM Order frames not only the composition of the NRSDC, but also contains provisions outlining access to the asylum procedure. While the legal framework is progressive, its implementation appears challenging in practice. The NRSDC’s capacity needs to be built, with currently only one eligibility officer assessing all of the cases. UNHCR, despite its observatory role, is often not invited to attend the RSD- reviewing panel discussions. Basis of the RSD decisions, particularly rejection, are not known or properly explained including to the asylum seekers. Furthermore, the practice of appeal decisions being taken by the Minister of MINEMA poses questions as to the independency of the appeal process and could further result in bottlenecks once a larger number of applications needs to be processed. Moreover, Article 8 of the Law relating to Refugees states that the “local authority to whom the asylum seeker reports shall take him/her to the nearest immigration and emigration office within twelve (12) hours”. The Immigration Authority (DGIE) shall register the asylum seeker, grant temporary residence permit valid for 3 months and then submit the case to the Secretariat of the NRSDC within 15 days. In case the DGIE fails to submit the asylum application within the specified period, the NRSDC can take a decision upon request by the Minister (Article 8(2) of the PM Order). To date and despite the provisions in the PM Order, the NRSDC has never taken up a case that had not been referred by the immigration service and this despite intense and repeated advocacy by UNHCR at the level of the Minister of MINEMA. Some asylum seekers, i.e. LGBTI asylum seekers, continue to face challenges upon submission of their asylum requests to the immigration service, who verbally rejects their applications. UNHCR is concerned that such practices are subjecting asylum seekers to harsh living conditions as well as placing them at risk of detention and deportation.”

(Source: Refworld, UNHCR – [Rwanda: UNHCR Submission for the Universal Periodic Review – Rwanda – UPR 37th Session \(2021\)](#), July 2020, pp. 1-5, last accessed 28 May 2024)

The Committee on the Rights of the Child in their concluding observations on the combined fifth and sixth periodic reports of Rwanda, expressed concern about the removal of the principle of the best interests of the child from recently adopted Law No. 71/2018. From the sources consulted, it is unclear whether this principle has been applied or not:

“In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee notes with concern the removal of the principle of the best interests of the child from recently adopted Law No. 71/2018 and recommends that the State party: (a) Strengthen its efforts to ensure that the principle of the best interests of the child is explicitly provided, appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions and in all policies and programmes that are relevant to and have an impact on children; (b) Develop procedures and criteria to provide guidance to all relevant professionals for determining the best interests of the child in every area and for giving the best interests of the child due weight as a primary consideration;(c) Evaluate, on the basis of the procedures and criteria described above, all practices, policies and services, including the use of institutional care, orphanages and transit centres.”

On a different page, the report states:

“Respect for the views of the child

17. Noting with concern that Law No. 32/2016 does not provide for children to express their views in adoption procedures or judicial decisions concerning custody or divorce, the Committee reiterates its previous recommendations (CRC/C/RWA/CO/3- 4, para. 24) and recommends that the State party: (a) Ensure that children’s views are given due consideration in courts, schools and relevant administrative processes concerning children

by, inter alia, amending Law No. 32/2016 so that children’s views are respected in administrative and judicial proceedings concerning custody, divorce and all types of adoption, conducting training and developing operational procedures or protocols for professionals working with and for children to ensure respect for the views of children in administrative and judicial proceedings and establishing specific activities at schools, such as children’s newspapers; (b) Allocate sufficient technical, human and financial resources to the effective functioning of the children’s forums and the National Children’s Summit and ensure that their outcomes are systematically fed into public decision-making and that children receive the feedback; (c) Expedite the establishment of children’s centres in all districts and ensure that they are accessible, safe and adequately resourced; (d) Conduct awareness-raising activities to promote the meaningful and empowered participation of all children within the family, communities and schools, paying particular attention to girls, children with disabilities, children deprived of a family environment and Batwa children, and include children in decision-making in all matters related to children, including environmental matters.”

(Source: CRC – [Concluding observations on the combined fifth and sixth periodic reports of Rwanda](#), 28 February 2020, pp. 4-5, last accessed 28 May 2024)

As part of the Memorandum of Understanding between the UK and Rwanda regarding the handling of asylum seekers relocated from the UK to Rwanda, the UK Government outlines the commitments made by Rwanda concerning the treatment and processing of these individuals. Under this partnership agreement, Rwanda agrees to:

“9 Asylum processing arrangement

9.1 Rwanda will ensure that:

9.1.1 at all times it will treat each Relocated Individual, and process their claim for asylum, in accordance with the Refugee Convention, Rwandan immigration laws and international and Rwandan standards, including under international and Rwandan human rights law, and including, but not limited to ensuring their protection from inhuman and degrading treatment and refoulement;

9.1.2 each Relocated Individual will have access to an interpreter and to procedural or legal assistance, at every stage of their asylum claim, including if they wish to appeal a decision made on their case; and

9.1.3 if a Relocated Individual’s claim for asylum is refused, that Relocated Individual will have access to independent and impartial due process of appeal in accordance with Rwandan laws.

9.1.4 If a Relocated Individual does not apply for asylum, Rwanda will assess the individual’s residence status on other grounds in accordance with Rwandan immigration laws.”

(Source: UK Government – [Memorandum of Understanding between the government of the United Kingdom of Great Britain and Northern Ireland and the government of the Republic of Rwanda for the provision of an asylum partnership arrangement](#), Signed in Kigali, 13 April 2022, webpage updated 6 April 2024, para 9.1-9.4)

UNHCR Refugee Policy Review Framework Country Summary for Rwanda (as at 30 June 2020) provides:

“Rwanda has been a State party to the 1951 Convention Relating to the Status of Refugees since 15 November 1979. It is also a State Party to the 1967 Protocol related to the Status of Refugees, the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, as well as the majority of international and regional human rights treaties. Article 95 of the 2003 Constitution of the Republic of Rwanda (as revised in 2015) provides for a hierarchy of laws in which the Constitution prevails, followed by organic laws, international treaties and agreements ratified by Rwanda and then ordinary law and orders. Based on this article, ratified international conventions are locally applied, and should be integrated into the national organic laws. The practice has been to incorporate the provisions of international and regional treaties by integrating the provisions into an amended or new law.”

(Source: UNHCR – [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020 \(March 2022\)](#), 24 March 2022, pg. 5, last accessed 28 May 2024)

It is important to note that the information in the excerpt below may pertain, at least in part, to systems that pre-date the UK-Rwanda plan. It is unclear if unaccompanied minors who are wrongly assessed as adults will be sent to Rwanda.

UNHCR Operational Update (Dec 2022) details that:

“UNHCR Rwanda conducts best interest assessments for unaccompanied and separated children as part of a continuous process to ensure children are protected, have access to services, and that family reunification is conducted with the best interests of the child in mind. During December, UNHCR and child protection partners conducted 65 best interest assessments for refugee children in all the refugee camps and the Emergency Transit Centre.’ [...] ‘Gender based violence incidents among refugee populations continued to be reported to UNHCR in December. 14 new GBV incidents, including rape, sexual assault, physical assault, psychological and emotional abuse were reported and provided with appropriate multi-sectoral support. 58 previously opened GBV cases were also closed in December.’ [...] ‘Basic education is accessible to refugee children through the support of the Government of Rwanda who have committed to refugee inclusion in primary and secondary schools. UNHCR supports refugee education by building classrooms, science laboratories, libraries and contributing to teachers’ salaries in national schools which are attended by refugee children near the camps.” (pg. 3)

The same report states:

“In December, refugees across all camp in Rwanda were enrolled in and attended Early Childhood Development (ECD), primary and secondary education. In Nyabiheke and Mahama camp respectively, 94.9% children and 96.3% attended ECD, 94.8% and 93.5% of school-aged refugee children attended primary school, and finally, 93.2% and 92.5% attended in secondary schools.”

(Source: UNHCR – [UNHCR Operational Update Rwanda](#), December 2022, 14 February 2023, pp. 3-4, last accessed 29 May 2024)

On its webpage dedicated to ‘Q&A: The UK’s policy to send asylum seekers to Rwanda’, the Migration Observatory explained:

“There is no cap on the number of people the UK can relocate to Rwanda. However, the government has not been clear about how many removals can realistically be expected. News reports have said that the numbers sent to Rwanda would initially be low, with Rwanda suggesting it will take 1,000 asylum seekers in the five-year trial period. Small numbers are consistent with the recent capacity of Rwanda’s asylum system to process claims. The government’s May 2022 review of Rwanda’s asylum system shows that in 2020, the country made 228 decisions on asylum claims. In the same year, the UK made around 19,000 asylum decisions. That said, the December 2023 treaty expanded the deal so that people who do not apply for asylum or are not recognised as refugees will still get permanent residence in Rwanda. If people who are relocated there do not apply for asylum, this would lessen the burden on Rwanda’s asylum system.”

The page continues to explain the inadequacies and criticisms of Rwanda's asylum system as highlighted by evidence presented to the Supreme Court by the UN Refugee Agency (UNHCR). It also states that the UK-Rwanda Treaty signed in December 2023 addresses these concerns by stipulating that people relocated from the UK to Rwanda can only be removed back to the UK, not to other countries, however, experts remain concerned that assurances given are insufficient and Rwanda remains unsafe:

“The inadequacy of Rwanda’s asylum system was supported by evidence presented to the Supreme Court by the UN Refugee Agency (the United Nations High Commissioner for Refugees, or UNHCR). The Supreme Court highlighted four particular issues:

- Rwanda’s procedures and institutions for processing asylum claims, such as a lack of legal representation, a risk that lawyers and judges do not act independently of the government in politically sensitive cases, and there being at the time no example of an appeal being brought against an asylum decision, despite a right of appeal existing since 2018.

- The high rejection rate of asylum claims brought by individuals from certain countries. Citizens of Afghanistan, Syria, and Yemen all had a 0% success rate in claims processed by Rwanda from 2020 to 2022. By contrast, in the UK in the same period, the success rates were 74% for Afghans, 98% for Syrians, and 40% for Yemenis.
- Rwanda's practice of removing refugees to countries of origin where they could be at risk of persecution, including since the Rwanda agreement was signed – a violation of the principle of non-refoulement. In its evidence to the Supreme Court, UNHCR reported six recent cases of asylum claimants whose expulsion from Rwanda resulted in refoulement or would have without UNHCR's intervention.
- The Rwandan government's apparent misunderstanding of the Refugee Convention, in particular, the principle of non-refoulement. In its decision, the Supreme Court noted that the Rwandan government appeared to believe that asylum claimants can be expelled if they applied for asylum only after failing to satisfy immigration requirements (according to the Supreme Court, they cannot) and that the expulsion of asylum seekers who use forged documents does not constitute refoulement (for the Supreme Court, it does).

The Israel-Rwanda arrangement (described below) was said by the Supreme Court to raise questions about the Rwandan government's commitment to non-refoulement. UNHCR presented evidence that asylum seekers who arrived in Rwanda under the agreement were routinely moved clandestinely to Uganda – a serious breach of their rights under the Refugee Convention, to which Rwanda is a signatory.

[...]The Israel-Rwanda scheme

From 2013 to 2018, Israel began sending Eritrean and Sudanese nationals who sought asylum in Israel to Rwanda for their claims to be processed there. They were given a choice to return to their country of origin, be detained in Israel, or be transferred with \$3,500 to Rwanda with the opportunity to claim asylum there. By September 2017, around 4,000 Eritrean and Sudanese nationals had been sent under the policy.

Qualitative research with a small sample of 19 of these asylum seekers in Germany and the Netherlands suggests that some were not, in fact, permitted to claim asylum in Rwanda and continued onward asylum-seeking journeys to Europe. This research and news reports suggest that of the thousands transferred to Rwanda, few remained in the country. Research by UNHCR, presented to the Court of Appeal and Supreme Court, made a similar finding. It conducted interviews with 80 Sudanese and Eritrean asylum seekers in Italy who had been relocated under the Israel-Rwanda scheme, who revealed that they felt they had “no other choice” but to risk their lives again by leaving Rwanda and continuing their asylum-seeking journeys to Europe. In its judgment, the Supreme Court noted that UNHCR found that asylum seekers who arrived in Rwanda under the Israel-Rwanda arrangement “were routinely moved clandestinely to Uganda” and that UNHCR,

“provided evidence relating to more than 100 nationals of Eritrea and Sudan who had arrived in Rwanda under the agreement during 2015 and 2016 and had then been taken to the Ugandan border or put on flights to Uganda. In three cases, refoulement to Eritrea (via Kenya) had only been prevented by UNHCR's intervention.

The UK-Rwanda Treaty signed in December 2023 aims to address this concern by stating that people relocated from the UK to Rwanda could be removed only to the UK, not to other countries.”

(Source: The Migration Observatory – [Q&A: The UK's policy to send asylum seekers to Rwanda](#), 10 January 2024, last accessed 28 May 2024)

On its webpage dedicated to ‘UNHCR finds new UK-Rwanda treaty and Safety of Rwanda Bill are incompatible with international refugee law’, the Electronic Immigration Network noted UNHCR response to the UK government's revised treaty with Rwanda:

“The Government says its new treaty addresses all the issues that led the Supreme Court to rule the Rwanda policy was unlawful in November 2023, but UNHCR does not agree.

The new legal analysis concludes: "UNHCR has reviewed the updated UK-Rwanda scheme in light of the principles and standards set out in its 2022 analysis ... It maintains its position that the arrangement, as now articulated in the UK-Rwanda Partnership Treaty and accompanying legislative scheme does not meet the required standards relating to the legality and appropriateness of the transfer of asylum seekers and is not compatible with international refugee law."

UNHCR says that the deficiencies in the Rwandan asylum system identified by the Supreme Court have yet to be addressed.

The analysis states: "As of January 2024, UNHCR has not observed changes in the practice of asylum adjudication that would overcome the concerns set out in its 2022 analysis and in the detailed evidence presented to the Supreme Court. [...] In short, the treaty lays out an important basis for an improved asylum system, but until the necessary legal framework and implementation capacity is established, the conclusion of the treaty in itself does not overcome continued procedural fairness and other protection gaps."

While a new provision of the treaty will allow failed asylum seekers to remain in Rwanda in an attempt to address the Supreme Court's concerns over refoulement, UNHCR says it "remains concerned that the introduction of this provision may not in practice overcome refoulement risks, in the absence of the wider changes in structures, procedures, attitudes and understanding identified as being required by the Supreme Court."

UNHCR added that clauses 2 and 4(2) in the Safety of Rwanda (Asylum and Immigration) Bill are "deeply worrying" and "not in line with the Refugee Convention". The clauses direct that decision-makers and the courts must treat Rwanda as a safe country and prevent consideration of the risk of onward refoulement from Rwanda.

UNHCR also repeats its view that the UK-Rwanda arrangement amounts to burden-shifting and runs counter to the fundamental principles of global solidarity and responsibility-sharing that underpin the international refugee protection system. Indeed, UNHCR says the enactment of the Illegal Migration Act 2023 has reinforced its view."

(Source: Electronic Immigration Network (EIN) – [UNHCR finds new UK-Rwanda treaty and Safety of Rwanda Bill are incompatible with international refugee law](#), 16 January 2024)

According to the UK Home Office:

"iii) Interview

[...]where the individual is a Child, the Child is accompanied to the interview by a responsible adult. The interview is carried out by an interviewer specifically trained in interviewing children and any other reasonable steps are taken to ensure the safety and welfare of the Child."

(Source: UK Home Office – [Country Information Note Rwanda: Annex 1 \(Government of Rwanda evidence\)](#), May 2024)

On the 10th June 2024, the Independent reported on the ongoing legal challenges against the UK Home Office's plan to transfer asylum seekers to Rwanda. The article highlighted concerns raised by the UNHCR about the risk of refoulement and noted the involvement of the FDA trade union in related legal action:

"Asylum seekers have been removed from Rwanda and transferred to countries where they may be at risk as recently as this year, the High Court has been told.

Several individual asylum seekers are bringing legal action against the Home Office over removals to Rwanda, with some claims to be heard at a hearing in early July.

They include a woman bringing a case against the department, who has been told she is in the first cohort of people to be removed on the first flight to the east African country, on July 24.

At a preliminary hearing on Monday, the UNHCR, the United Nations’ refugee agency, made a successful bid to intervene in the legal challenge.

The High Court in London was told that asylum seekers in Rwanda are at risk of “refoulement” – the process of transferring asylum seekers and refugees to a country where they face persecution – from the Rwandan authorities.

Lawrence Bottinick, on behalf of the UN body, said in a witness statement: “UNHCR is aware of repeated incidents of refoulement from Rwanda and denial of access to the asylum procedure to asylum seekers in Rwanda... subsequent to 27 July 2022.

“These incidents have occurred in a variety of contexts and continued into 2024.”

Mark Vinall, for the Home Office, said in written submissions that the department was “neutral” on whether UNHCR should intervene in the case.

He continued: “It is not clear from the application whether these are allegations which have previously been put to the UK Government, or whether UNHCR sought to ensure that they were placed before Parliament when it came to consider the Safety of Rwanda Bill.

“It is essential that the defendant has a fair opportunity to investigate whatever allegations UNHCR may make, including seeking the government of Rwanda’s side of the story should that be necessary, and to respond to them, in advance of the hearing.”

Monday’s hearing comes after a separate legal challenge over Rwanda removals was heard on June 6.

The FDA trade union, which represents senior civil servants, is bringing legal action over the relationship of the Civil Service Code with the Government’s Safety of Rwanda Act.”

(Source: The Independent – [Asylum seekers removed from Rwanda this year, UN body tells court](#), 10 June 2024, last accessed 11 June 2024)

On the same day, the BBC similarly reported that the UNHCR has informed the High Court that it may have new evidence from 2024 indicating that Rwanda has endangered asylum seekers.

“The United Nations’ refugee agency has warned judges it may have new evidence from 2024 that Rwanda has endangered asylum seekers, despite Parliament passing a law declaring the country is safe.

In a highly significant intervention in the continuing legal battle over the policy, the UNHCR told the High Court on Monday that it is investigating new allegations of abuses.

Those allegations include individuals potentially being sent to countries where they could be tortured, despite Rishi Sunak arguing, during the same period, that Rwanda was a safe partner for the UK.

A judge has granted the UN agency permission to prepare a dossier before a flight of asylum seekers can leave the UK.

The court’s decision is a blow to the government because the agency’s intervention was a deciding factor in the Supreme Court finding that the original Rwanda plan was unlawful.

Home Secretary James Cleverly’s lawyers have told the court that no one will be sent to Rwanda before 24 July. Labour has pledged to scrap the policy if it wins the general election on 4 July.

Despite the uncertainty over the future of the scheme, at least a dozen major challenges are now before the courts - most from individual asylum seekers who want to know their future.

During the first Rwanda legal battle in 2022 and 2023, the UN's evidence was critical to judging whether the country could be considered a safe and fair place to send asylum seekers.

It showed the British courts evidence of Rwanda subjecting refugees to "refoulement" - the practice of illegally returning an asylum seeker to a country they had fled from, despite knowing they may be tortured.

During Monday's hearing, lawyers for the agency said that it wanted time to prepare and present new evidence on what had happened since it compiled its original evidence in 2022.

Lawrence Bottinick, a UN official, told the court in a witness statement that the agency had not seen any improvements.

"In particular, UNHCR is aware of repeated incidents of refoulement from Rwanda and denial of access to the asylum procedure to asylum seekers in Rwanda post-dating my earlier statements,"

he said.

"These incidents have occurred in a variety of contexts and continued into 2024."

Mr Bottinick said the incidents continued to undermine the "fairness, reliability and coherence" of Rwanda's process for assessing refugees- but that the UN's team needed more time to gather and fact-check these incidents before they could be presented in court.

The agency's lawyers also told the court that its staff had met British officials in Kigali, Rwanda's capital, on 7 December last year, and told them they knew of at least seven cases of refoulement during 2023.

That same day, Rishi Sunak unveiled his new Rwanda plan, which bars judges from considering whether the country is unsafe.

Lawyers for Mr Cleverly told the High Court that there was no legal reason why any of the questions potentially being raised by the UNHCR should stop a flight on 24 July.

But Mr Justice Chamberlain ruled the agency's evidence could be important and gave it permission to gather as many facts as possible to present to the court by 28 June.

The judge gave the home secretary until the day after the general election to tell the court what he thinks about the UN's evidence."

(Source: The BBC – [UN agency warns of new Rwanda abuses evidence](#), 10 June 2024, last accessed 11 June 2024)

2. Access to the asylum system in Rwanda that is child-centred

The sources consulted do not provide details on a distinct, child-specific process in Rwanda for making protection claims and assessing welfare needs, comparable to processes in the UK. Furthermore, some excerpts presented in this report include information from organisations in Rwanda, whose independence and capacity to provide unbiased insights are uncertain. There is a lack of independent oversight to verify that provisions described on paper are functioning effectively or at all in practice.

Is there a separate process for children in a similar way it exists in the UK to support children to make protection claims and identify immediate welfare needs?

UNHCR Rwanda Country Refugee Response Plan (Jan-Dec 2023) provides:

“Partners continue to seek ways to recruit more lawyers/legal aid personnel to support legal services in camps/urban areas to respond to the volume of cases, including detention monitoring and conduct legal awareness raising on rights and obligations. Exposure to sexual exploitation and abuse (SEA) also poses a significant risk among refugee communities in Rwanda and more investment is needed to boost capacity for prevention, including expertise to work with child survivors and child-friendly feedback and response mechanisms.” (pg. 10)

The same report notes:

“A national legal aid system exists in Rwanda UNHCR will focus to advocate for inclusion of refugees into national legal aid system while reprioritizing the legal assistance intervention to criminal cases and asylum-related cases including appeal at high court.” (pg. 12)

(Source: UNHCR – [Refugee Response Plan, January – December 2023](#), pp. 10-12, last accessed)

On its undated webpage titled ‘Community Based Protection and Legal Assistance, the Prison Fellowship Rwanda stated that:

“Since January 2020, Prison Fellowship Rwanda in partnership with UNHCR and MINEMA is implementing the project entitled “Community Based Protection and Legal Assistance” in refugee camps, Gashora Transit Centre and urban settings of Huye and Kigali. The overall objective of this project is to strengthen refugee’s communities’ resilience, engagement and empowerment in a systemized and comprehensive manner in collaboration with UNHCR, MINEMA and other partners. The project ensures access to justice and respect of human rights, providing legal assistance, representation, civil registration and documentation to refugees living in the camps and urban areas.”

Legal Assistance Activities

“We provide legal advice to the person of concern and follow up the received cases whenever needed; 1,683 PoC have been assisted through legal advice, advocacy, legal orientation, mediation and enforcement of court decisions. We provide legal representation to PoC (at RIB, prosecution and court levels), Identify cases that need legal representation and prepare case files for advocates; 318 PoC who have been detained 162 among them have been assisted and released from detention, whereby 58 have been convicted and serving their sentence in different prisons across the country, 98 PoC are still in detention in different detention facilities. Legal education (Legal awareness on Rwanda national laws and advocate for refugees for accessing fundamental human rights as nationals), 30761 POCs were sensitized on crime prevention, evidence preservation and SGBV Prevention through national laws.”

Source: Prison Fellowship Rwanda – [Community Based Protection and Legal Assistance](#), undated, last accessed 29 May 2024

On its undated webpage, the Legal Aid Forum website states:

“LAF is the leading non-state legal aid provider in Rwanda, composed of 38 national and international NGOs, professional bodies, universities Legal Aid Clinics, and faith-based initiatives that work to empower the Rwandan population, especially indigent and vulnerable people to use the law, formal and informal justice mechanisms, and dispute resolution to assert their rights and advance their interests. When it comes to rule of law and access to justice in Rwanda, LAF remains one of the key players in ensuring that vulnerable groups are fully protected by the law.”

(Source: The Legal Aid Forum – [About Us](#), undated, last accessed 29 May 2024)

UNHCR Operational Update (Dec 2022) noted that:

“UNHCR Rwanda conducts best interest assessments for unaccompanied and separated children as part of a continuous process to ensure children are protected, have access to services, and that family reunification is conducted with the best interests of the child in mind. During December, UNHCR and child protection partners conducted 65 best interest assessments for refugee children in all the refugee camps and the Emergency Transit Centre.”

(Source: UNHCR – [Operational Update Rwanda, December 2022](#), 14 February 2023, pg. 3, last accessed 29 May 2024)

UNHCR Analysis of the Legality and Appropriateness of the Transfer of Asylum Seekers under the UK-Rwanda arrangement provides:

“17. To be deemed legal, transfer arrangements must ensure access to fair and efficient procedures for the determination of refugee status. UNHCR has serious concerns that asylum seekers transferred from the UK to Rwanda will not have access to fair and efficient procedures for the determination of refugee status, with consequent risks of refoulement. As noted above, structures for determining eligibility for refugee status are still in development in Rwanda and have primarily provided protection to asylum-seekers from neighbouring countries on a prima facie basis. It is UNHCR’s assessment that long-term and fundamental P.5. engagement is required to develop Rwanda’s national asylum eligibility structures with sustainable capacity to efficiently adjudicate individual asylum claims through fair and consistently accessible procedures. (pg. 4)

Furthermore the report states that:

“18. UNHCR has expressed concerns with regard to shortcomings in the capacity of the Rwandan asylum system in its July 2020 submissions to the Universal Periodic Review²² and with both the Rwandan and UK authorities.²³ UNHCR’s concerns in this regard include:

- a. Some persons seeking asylum are arbitrarily denied access to asylum procedures by Rwanda’s Directorate General for Immigration and Emigration (DGIE) and are not referred to the Refugee Status Determination (RSD) Committee for consideration of their claims for international protection. This places those wishing to claim asylum undocumented, at risk of detention and deportation and has resulted in recent incidents of chain refoulement.
- b. Discriminatory access to the asylum procedures is of concern, including the fact that some LGBTIQ+ persons are denied access to asylum procedures.
- c. UNHCR has concerns about the impartiality of the RSD Committee’s decision making, with high rates of rejection observed for asylum applicants originating from both neighbouring and non-African countries.
- d. Lack of representation by a lawyer for asylum seekers during panel deliberations on their case.
- e. Reasons for negative decisions are not provided, rendering the right to appeal difficult or impossible to exercise in practice.
- f. Appeals against rejection at the first instance are made to Rwanda’s Ministry of Emergency Management (MINEMA),

which is also part of the RSD Committee which makes the first instance decisions. This raises concerns about the independent nature of the administrative appeal stage. There is no precedent for asylum appeals at the High Court. g. The efficiency and timeliness of the asylum procedure is of concern, with decisions taking up to one to two years to be issued in some cases. In recent years there has only been one MINEMA eligibility officer tasked to prepare all cases for the RSD Committee.

h. There is insufficient access to interpreters for asylum claimants throughout the process.

i. There is a need for an objective assessment of the fairness and efficiency of the asylum procedures, followed by a range of capacity development interventions including, but not limited to, sustained capacity building and training for all actors working in the Rwandan national asylum system.

j. UNHCR has been unable to systematically monitor the quality of decision making and compliance with procedural standards within the Rwandan asylum system. Over the past years, UNHCR has not been permitted to observe the RSD Committee and information on asylum cases is not shared systematically with UNHCR by the Rwandan authorities.”(pg. 5)

²² UNHCR Submission for the Office of the High Commissioner for Human Rights’ Compilation Report Universal Periodic Review: 3rd Cycle, July 2020.

²³ UNHCR’s comments to the UK authorities in this regard have since been published by the UK Home Office, available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1073961/RWA_CPIN_Review_of_asylum_processing_-_notes.pdf, pages 52-62.

(Source: UNHCR – [Analysis of the Legality and Appropriateness of the Transfer of Asylum Seekers under the UK-Rwanda arrangement](#), 8 June 2022, pp. 4-5, last accessed 29 May 2024)

The Committee on the Rights of the Child in their concluding observations on the combined fifth and sixth periodic reports of Rwanda, provided:

“In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee notes with concern the removal of the principle of the best interests of the child from recently adopted Law No. 71/2018 and recommends that the State party: (a) Strengthen its efforts to ensure that the principle of the best interests of the child is explicitly provided, appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions and in all policies and programmes that are relevant to and have an impact on children; (b) Develop procedures and criteria to provide guidance to all relevant professionals for determining the best interests of the child in every area and for giving the best interests of the child due weight as a primary consideration;(c) Evaluate, on the basis of the procedures and criteria described above, all practices, policies and services, including the use of institutional care, orphanages and transit centres. (pg. 4)

The same report states:

“Respect for the views of the child

17. Noting with concern that Law No. 32/2016 does not provide for children to express their views in adoption procedures or judicial decisions concerning custody or divorce, the Committee reiterates its previous recommendations (CRC/C/RWA/CO/3- 4, para. 24) and recommends that the State party: (a) Ensure that children’s views are given due consideration in courts, schools and relevant administrative processes concerning children by, inter alia, amending Law No. 32/2016 so that children’s views are respected in administrative and judicial proceedings concerning custody, divorce and all types of adoption, conducting training and developing operational procedures or protocols for professionals working with and for children to ensure respect for the views of children in administrative and judicial proceedings and establishing specific activities at schools, such as children’s newspapers; (b) Allocate sufficient technical, human and financial resources to the effective functioning of the children’s forums and the National Children’s Summit and ensure that their outcomes are systematically fed into public decision-making and that children receive the feedback; (c) Expedite the establishment of children’s centres in all districts

and ensure that they are accessible, safe and adequately resourced; (d) Conduct awareness-raising activities to promote the meaningful and empowered participation of all children within the family, communities and schools, paying particular attention to girls, children with disabilities, children deprived of a family environment and Batwa children, and include children in decision-making in all matters related to children, including environmental matters. (pg. 5)

The same report includes information on Special Protection measures for:

Asylum-seeking and refugee children

41. The Committee welcomes the various legislative and policy measures to protect the rights of asylum-seeking and refugee children. In the light of joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, the Committee recommends that the State party: (a) Ensure that all reception centres for asylum-seeking and refugee children are child-friendly and that all unaccompanied and separated children have prompt access to national refugee status determination procedures; (b) Investigate any reports of alleged disappearance of children, in particular adolescent girls, from refugee camps, establish their whereabouts and prosecute those responsible for crimes involved in such disappearance; (c) Continue to cooperate with the Office of the United Nations High Commissioner for Refugees to address the aforementioned issues. (pg. 12)

The same report notes:

“Administration of child justice

47. The Committee notes with appreciation the adoption of the justice for children policy and the national legal aid policy, which provide for measures to ensure child-friendly justice and legal representation for children alleged to have, accused of or recognized as having infringed criminal law. However, the Committee is deeply concerned about: (a) The lack of judges specialized in handling cases concerning child justice; (b) The limited use of non-judicial and non-custodial measures, including restorative justice measures; (c) The existence of “deviant behaviours” such as “prostitution, drug use, begging, vagrancy, informal street vending or other deviant behaviour that is harmful to the public” in Ministerial Order No. 001/07.01 of 19 April 2018, despite their removal from the Penal Code, leading to the deprivation of liberty of children in need of protection; (d) Reports of the ill-treatment and beatings of children during pretrial detention and that children are often held with adults.”

(Source: CRC – [Concluding observations on the combined fifth and sixth periodic reports of Rwanda](#), 28 February 2020, pg. 4-5-12-13, last accessed 29 May 2024)

Legal advice and lawyer training for child clients

Would a child have access to quality legal advice and are lawyers trained to work with children clients?

UNHCR Rwanda Country Refugee Response Plan (Jan-Dec 2023) provides:

“Partners continue to seek ways to recruit more lawyers/legal aid personnel to support legal services in camps/urban areas to respond to the volume of cases, including detention monitoring and conduct legal awareness raising on rights and obligations. Exposure to sexual exploitation and abuse (SEA) also poses a significant risk among refugee communities in Rwanda and more investment is needed to boost capacity for prevention, including expertise to work with child survivors and child-friendly feedback and response mechanisms.” (pg. 10)

The same report notes:

“A national legal aid system exists in Rwanda UNHCR will focus to advocate for inclusion of refugees into national legal aid system while reprioritizing the legal assistance intervention to criminal cases and asylum-related cases including appeal at high court.” (pg. 12)

(Source: UNHCR – [Refugee Response Plan, January – December 2023](#), pp. 10-12, last accessed)

On its undated webpage dedicated to ‘Community Based Protection and Legal Assistance’, Prison Fellowship Rwanda Website provides:

“Since January 2020, Prison Fellowship Rwanda in partnership with UNHCR and MINEMA is implementing the project entitled “Community Based Protection and Legal Assistance” in refugee camps, Gashora Transit Centre and urban settings of Huye and Kigali. The overall objective of this project is to strengthen refugee’s communities’ resilience, engagement and empowerment in a systemized and comprehensive manner in collaboration with UNHCR, MINEMA and other partners. The project ensures access to justice and respect of human rights, providing legal assistance, representation, civil registration and documentation to refugees living in the camps and urban areas.”

Legal Assistance Activities

“We provide legal advice to the person of concern and follow up the received cases whenever needed; 1,683 PoC have been assisted through legal advice, advocacy, legal orientation, mediation and enforcement of court decisions. We provide legal representation to PoC (at RIB , prosecution and court levels), Identify cases that need legal representation and prepare case files for advocates; 318 PoC who have been detained 162 among them have been assisted and released from detention, whereby 58 have been convicted and serving their sentence in different prisons across the country, 98 PoC are still in detention in different detention facilities. Legal education (Legal awareness on Rwanda national laws and advocate for refugees for accessing fundamental human rights as nationals),30761 POCs were sensitized on crime prevention, evidence preservation and SGBV Prevention through national laws.”

(Source: Prison Fellowship Rwanda – [Community Based Protection and Legal Assistance](#), undated, last accessed 29 May 2024)

UNHCR Refugee Policy Review Framework Country Summary for Rwanda (as at 30 June 2020) provides:

“As per Article 18 of the Refugee Law and Article 12/g of the Ministerial Instructions Determining the Management of Refugees and Refugee Camps, asylum-seekers and refugees enjoy the right to access justice. Refugees generally have access to information on these rights and can be provided with free legal counselling and representation at all levels thanks to local UNHCR partners. They can also use a free telephone number, paid for by UNHCR, to access legal aid services.”

(Source: UNHCR – [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020](#), March 2022, pg. 8 last accessed 29 May 2024)

A report produced by White & Case LLP in January 2014, explains the application of the Convention on the Rights of the Child (CRC) in Rwandan domestic courts and the challenges associated with accessing court decisions, particularly those involving children:

“Examples of domestic courts using or applying the CRC have been found, but most court decisions from Rwanda have proven inaccessible. Furthermore, the Law relating to the Rights and Protection of the Child specifies that “The privacy of a child under prosecution must be respected and protected at all stages of criminal proceedings”, which may make access to decisions involving children more difficult.”⁹

⁹ Law Relating to the Rights and Protection of the Child, Article 64.

(Source: Ecol.net, White & Case LLP (Author), published by CRIN – Child Rights Information Network – [Access To Justice For Children: Rwanda](#), January 2014, pg. 2, last accessed 4 June 2024)

Access to justice in the context of challenging a refusal of an asylum claim

Does Rwanda have a process in place that enables children to apply to the courts?

UK Home Office Country Policy Information Note on the Asylum System in Rwanda provides:

“The Law N° 13ter/2014 of 21/05/2014 Relating to Refugees states:

‘If a person applying for refugee status is not satisfied with the decision of the Refugee Status Determination Committee, he/she may appeal to the Minister [of MINEMA] within a period of thirty (30) days from the date he/she was notified of the decision. The Minister to whom the appeal is made shall decide thereon within one (1) month. In case of appeal, the refugee status applicant shall continue to have the right to stay in Rwanda until the Minister decides on the appeal.’

Under legislation enacted in June 2018, the Rwandan High Court adjudicates cases relating to asylum applications Law No. 30/2018 of 02/06/2018, Article 47235.

At a meeting with the HO in January 2022 a senior Rwandan government official explained the process of appeal to the Minister: ‘When rejected, the applicant asylum seeker can make an appeal to the Minister in charge of Emergency Management. She/he submits a letter appealing the RSDC decision. In this case the Minister assigns a special team to assess the decision taken by RSDC for confirmation or revocation... The team is not fixed it depends on the case. The minister gathers a team with the capacity and experience to consider and analyse the case.’

UKHO officials asked whether the judicial consideration/decision at appeal is independent from the RSDC. A senior Rwandan government official explained: ‘There is no connection between the RSD proceedings and the high court proceedings.’

UKHO officials asked whether claimants need to give reasons why they are appealing a negative decision. The Colonel and Special Advisor on Immigration explained: ‘There is a legal right to appeal, and to be not happy with the decision is enough.’

At a later meeting with the government of Rwanda on 22 March 2022, a UKHO official asked what information needs to be provided for an appeal. A DGIE official responded: ‘The appellant has to come up with more credible evidence in order to substantiate their claim, they will have been told that what you gave the Committee wasn’t clear. They may even have an idea where the gaps [in evidence] were.’

The same report states:

“‘If an asylum seeker’s claim is rejected, the main [appeal] option is the courts. They can go to the Courts – by themselves, or with the assistance of LAF. The RSDC doesn’t tell them about it so [asylum seekers] might not know. The appeals process is open to every claim... Asylum seekers can apply to a higher Court, that cannot be denied. The applicant provides the same information for an appeal. Don’t think they are required to provide any additional information. There is no funding from Government for [legal representation].’”

(Source: UK Home Office – [Country Information Note - Rwanda: Asylum system](#), January 2024, pp. 46- 47, last accessed 29 May 2024)

UNHCR submission to OHCHR provides:

“[...] Basis of the RSD decisions, particularly rejection, are not known or properly explained including to the asylum seekers. Furthermore, the practice of appeal decisions being taken by the Minister of MINEMA [Ministry of Emergency Management] poses questions as to the independency of the appeal process and could further result in bottlenecks once a larger number of applications needs to be processed. Moreover, Article 8 of the Law relating to Refugees states that the “local authority to whom the asylum seeker reports shall take him/her to the nearest immigration and emigration office within twelve (12) hours”. The Immigration Authority (DGIE) shall register the asylum seeker, grant temporary residence permit valid for 3 months and then submit the case to the Secretariat of the NRSDC within 15 days. In case the DGIE [Directorate General of Immigration and Emigration] fails to submit the asylum application within the specified period, the NRSDC can take a decision upon request by the Minister (Article 8(2) of the PM Order). To date and despite the provisions in the PM Order, the NRSDC has never taken up a case that had not been referred by the immigration service and this despite intense and repeated advocacy by UNHCR at the level of the Minister of MINEMA.”

(Source: UNHCR – [Rwanda: UNHCR Submission for the Universal Periodic Review - Rwanda - UPR 37th Session \(2021\)](#), July 2020, pp. 4-5, last accessed 29 May 2024)

3. Rights to liberty and freedom of movement

Are rights to liberty and freedom of movement of children sent to Rwanda respected?

UNHCR- Rwanda states:

“Law No 13ter/2014 of 21/05/2014 Relating to refugees mirrors most of the provisions of the 1951 Convention. The 2014 Law is complemented by Prime Minister’s Order No 112/03 of 2015. Article 18 of the 2014 Law stipulates that “without prejudice to other laws, any person having obtained refugee status in Rwanda shall enjoy the rights and liberties provided for by international instruments on refugees ratified by Rwanda”. By virtue of this broad formulation and in the absence of any contradictory legal provisions, refugees are legally entitled to enjoy a wide range of social, economic, civil and political rights. Rights accorded to asylum seekers and refugees are reflected in Law No 13ter/ 2014 of 21/05/2014 relating to Refugees and Ministerial Instructions no02/ 2016 of 1/6/2016.”

On a different page, the same report states:

“Rwanda has ratified the Convention on the Rights of the Child through Presidential Order No 773/16 of September 1991, the optional Protocol to the Convention on the Rights of the Child on the Involvement of children in Armed Conflict through Presidential Order No 32/01 of February 2002 and the Optional Protocol on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography through Presidential Order No 32/1 of February 2002. In 2001, Rwanda passed Law No 27/2001 of 2001 Relating to Rights and Protection of the Child Against Violence and, in 2018, Law No 71/2018 Relating to the Protection of the Child.

A National Commission for Children (NCC) was established by Law No 22/2011 as an independent body under the Ministry of Gender and Family Promotion (MIGEPROF) mandated to promote and protect children’s rights. In 2011, the National Integrated Child Rights Policy (ICRP) was issued with a view to fulfilling all children’s rights, including those of refugee children as per Article 5.7 (“All refugee children in Rwanda, accompanied or unaccompanied by adult family members will have all the rights stipulated in this policy”). Subsequently, a Road Map for National Child Protection Systems and Protection of Refugee Children (2017–2022) was developed by MIGEPROF and NCC with the support of UNHCR and UNICEF. The Government of Rwanda is committed to strengthening child protection systems at all administrative levels through a cadre of professional staff and the involvement of other relevant Ministries. The competent child protection institutions are going through structural reforms and a new Bill is before the Parliament.” (pg. 11)

(Source: UNHCR – [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020 \(March 2022\)](#), 24 March 2022, pp. 4-5-11, last accessed 29 May 2024)

Committee on the Rights of the Child in their concluding observations on the combined fifth and sixth periodic reports of Rwanda, provided:

“Freedom of thought, conscience and religion

19. The Committee recommends that the State party respect the right of the child to freedom of thought, conscience and religion and ensure to every child the right to practice freely his or her religion or belief. Freedoms of expression, association and peaceful assembly 20. The Committee recommends that the State party take all measures necessary to guarantee the freedoms of expression, association and peaceful assembly for all P.6. children, as provided under the Constitution and the Convention, and ensure that children are supported and encouraged to form their own associations and initiatives.” (pg. 5)

The same report stated:

“Right to privacy

21. The Committee recommends that the State party take measures to fully protect the right of the child to privacy,

including developing guidelines for parents, teachers, social workers and other professionals working with and for children to ensure that they understand and respect the right of the child to privacy. Access to appropriate information 22. The Committee commends the State party for the significant increase in Internet access coverage and the adoption of the child online policy and recommends that the State party continue to expand access to the Internet and to information for children in disadvantaged or vulnerable situations and ensure that children are protected from online risks, including by providing training on the child online policy to relevant stakeholders and putting into place online safety measures.” (pg. 6)

[....]

“Corporal punishment

23. While noting with appreciation the repeal of parents’ “right to correction” from legislation and the prohibition of corporal punishment in schools, the Committee remains deeply concerned with the still extensive use of corporal punishment in schools and in the home. The Committee reiterates its previous recommendations (CRC/C/RWA/CO/3-4, para. 28) and urges the State party to: (a) Explicitly prohibit in legislation the use of corporal punishment in all settings, including in the home, childcare institutions and alternative care settings; (b) Ensure that the prohibition of corporal punishment is adequately monitored and enforced and that cases of violations are referred to the competent administrative and/or judicial authorities; (c) Strengthen efforts to raise the awareness of parents, teachers, professionals working with and for children and the general public about the harm caused by corporal punishment and promote positive, non-violent and participatory forms of child-rearing and discipline.” (pg. 6)

(Source: CRC – [Concluding observations on the combined fifth and sixth periodic reports of Rwanda](#), 28 February 2020, pp. 5-6, last accessed 29 May 2024)

4. Access to services

Can children sent to Rwanda access adequate education, health, and welfare services?

UNHCR – Rwanda Update on DRC New Arrivals, 30 September 2023 provides:

“UNHCR protection staff continue to be present providing fundamental protection and assistance, alongside partners in Nkamira and Mahama refugee camp as well as other camps where new arrivals are accommodated. Child protection and gender-based violence (GBV) response services are available through Plan International Rwanda (PIR) in Nkamira and SCI in Mahama, while legal assistance and community-based protection services, including assistance to people with specific needs, are provided by Prison Fellowship Rwanda (PFR). GBV response services are provided to survivors who experienced GBV incidents during flight and during their asylum. UNHCR through its NGO partner Plan International, has received and managed nine new GBV cases in September.

At the end of September, in Nkamira Transit Centre, there were 122 unaccompanied and 393 separated children (UASC). In addition, 144 children at risk were identified during the reporting period and were assisted accordingly. During the month, 983 adolescents participated in targeted youth programs.

Community-based protection mechanisms are functioning and monitored in Nkamira by UNHCR partners. Community-based protection structures are contributing to addressing the gap in the community by raising awareness on child protection and GBV prevention and mitigation. In this period, 1,180 individuals (659 men and 521 women and girls) participated in targeted empowerment activities on GBV prevention. In September 2,094 people (320 boys, 315 girls, 912 men and 547 women) were also reached during child protection prevention activities, including parental evenings.

In September, 1,653 (835 boys and 818 girls) children participated in child-friendly spaces programs, where activities like drawing, painting, drama, modern and traditional dances, football, and volleyball were organized. In addition, 28 asylum seekers were trained on child protection programs and children’s rights.”

The same report also provides:

“UNHCR and partners continue to support the education of school-age children in Nkamira Transit Centre and existing refugee camps. With the start of the new school year, 2,645 school-age children who were relocated to refugee camps across Rwanda were integrated in national public schools next to the camps where they live. Children aged 3 to 5 years old were integrated in the camp-based Early Childhood Development (ECD) centres. All of them received uniforms and scholastic materials.

In Nkamira transit centre, a total of 1,190 students (612 male and 578 female) are attending curriculum and language orientation program. Pending relocations to different camps, UNHCR is exploring ways of supporting the Nkamira school-aged children to continue their learning through appropriate linkage to formal education system. A blended learning approach which combines online educational materials and opportunities for interaction with trained and qualified refugee teachers could be implemented pending the decision to integrate the students into the local public schools. UNHCR, along with WVI, would facilitate access to online education resources which require ICT equipment such as computers/tablets, and reliable electric power. “

(Source: UNHCR – [UNHCR Rwanda, DRC New Influx to Rwanda: Update #20](#), 30 September 2023, last accessed 26 April 2024)

The UNHCR- Country Summary as at 30 June 2023 further provides that:

“In line with Article 18 of the 2014 Refugee Law, refugee children in Rwanda have continued to enjoy full access to the national education system, from early childhood education and primary education to secondary education and

tertiary education. The Government has been continuously making efforts to integrate refugee students into the national public education system. Over 90 per cent of the refugee children in primary and secondary schools are integrated into the national system where the Ministry of Education is managing refugee hosting schools except two schools in Kiziba camp that are still managed by UNHCR and its partners, with a clear roadmap in place to handover these schools to the management of the Ministry of Education. To this end, classrooms and related facilities have been constructed for over 43,000 refugee students.”

“The 2018/19–2023/24 Education Sector Strategic Plan makes no reference to refugee education or education in emergency situations, however, in the absence of a specific policy document on refugee education, Article 18 of the 2014 Refugee Law continues to apply in such situations. This provision provides refugee children access to learning in the same way as nationals. In practice, in Rwanda, refugee children access the national education system, from early childhood education and primary school to secondary and tertiary education, under the same conditions as nationals. As a result, over 90 per cent of refugee children are absorbed into the national education system, which is managed by the Ministry of Education. Currently, around 40 per cent of refugees are of school age (3-17). “

“As of 30 June 2023, 72 per cent of early childhood development (ECD)-aged refugee children are enrolled in ECD programmes, compared to 33.2 per cent for the host community. This higher enrolment rate in ECDs by refugees is partly due to ECDs’ location within the camps and the fact that they are run by UNHCR partners free of charge for refugee children. In other locations, ECDs are often fee-based. For the school year of 2021-2022, the gross enrolment rates of primary school stand at 125 per cent. The gross enrolment rate for secondary education is 73 per cent while only 9 per cent of refugees are enrolled in higher education (including TVET). On an even more encouraging note, the gross enrollment rate for secondary education among refugees in Rwanda in 2022 increased to 73 per cent (78 per cent for males and 67 per cent for females), compared to a 62 per cent in 2020. This progress is noteworthy, especially when considering that the average gross enrollment rate for secondary education in the East and Horn of Africa and Great Lakes region is 21 per cent.”

“Although the school tuition is free in public schools, in the camps, UNHCR and partners provide all-inclusive packages for the refugee children, given the inability of most parents to pay for school materials, while in urban settings, the parents must pay for school feeding, uniforms, and scholastic materials, making education less affordable for urban refugees. UNHCR and partners also cover tuition and other costs for over 750 students to attend upper secondary schools of excellence for cases where students cannot find appropriate subject combinations in their current schools.”

(Source: UNHCR – [Country Summary as at 30 June 2023](#), last accessed 26 April 2024)

Save the Children Endline Evaluation Report (2021) provides:

“Findings from the endline evaluation indicate that the overwhelming majority of children attended formal education in Rwanda (urban areas). The evaluation found that 93.75% of school-aged refugee children living in urban areas were attending formal education. Of these, 80% were in primary education (ordinary: 28.89%, and upper: 51.11%) and 20% in secondary education (ordinary: 28.89%, and advanced:3.33%). The large number of children (93.75%) attending formal education can be attributed to the support they received from the project which entailed continuous follow up through family visits, working through the community-based child protection committees to ensure that, all refugee children attended and remained in schools within their communities of habitation.

The findings revealed that refugee children in the urban area were attending formal school education. Unfortunately, 6.25% of school-going age were not participating in any formal education during the endline evaluation, due to lack of schooling materials (uniform and stationary), and others did not want to attend the school.”

(Source: Save the Children – [Next - Generation: Kids and Integration project. Endline Evaluation Report](#), April 2021, pg. 10, last accessed 29 May 2024)

UNHCR Refugee Policy Review Framework Country Summary for Rwanda (as at 30 June 2020) provides:

“The Government of Rwanda thus implements inclusive policies that positively contribute to social cohesion among refugee and host communities in a holistic sense in line with the Comprehensive Refugee Response Framework (CRRF) and pledges made at the Global Refugee Forum (GRF). For example, as provided for by the Strategic Plan for Refugee Inclusion 2019–2024, refugees are integrated into national services such as education and health and benefit from socioeconomic and financial inclusion.”

Furthermore, the report states:

“The 2018/19–2023/24 Education Sector Strategic Plan makes no reference to refugee education or education in emergency situations. In the absence of a specific policy document on refugee education, Article 18 of the 2014 Refugee Law applies; this provides refugee children access to learning in the same way as nationals. In practice, refugee learners are included in the national education system at all levels (following the national curriculum, participating in the same extracurricular activities, etc.) and are expected to meet the same standards for certification and accreditation as nationals. Refugee students are integrated into national education systems.”

The same report also states that:

“Kinyarwanda is the language of instruction in pre-primary and lower primary education, whereas English is the language used at all other levels. To ensure the adequate and timely integration of refugees into the national education system, learners are supported with language training in Kinyarwanda, by humanitarian partners. Students who arrive after the start of the academic year are provided with catch-up classes supported by humanitarian actors. However, this latter programme has been scaled down as students have been progressively integrating into the national system.’ [...]’ Following up on the commitments made during the 2016 New York Leaders’ Summit on Refugees, the Government took the necessary policy steps in 2019 to integrate urban refugees into the national Community-Based Health Insurance (CBHI), a scheme managed by the national insurance administrator. All urban refugees who wish to enrol and present refugee ID Cards are enrolled in the Community-Based Health Insurance system. Thanks to their enrolment in the CBHI, urban refugees have access at 10 per cent cost to all the primary care services provided by public health centres and can be referred to secondary or tertiary reference hospitals if required.’ [...] ‘Refugees in camps receive health-care services from the UNHCR-supported health facilities run in collaboration with the Government and partner organizations as part of the humanitarian refugee response in the country. These include primary health care, sexual and reproductive health services, mental health and psychosocial support, care for non-communicable diseases as well as nutrition screening and management. Secondary-level health care is provided at district and national hospitals with which agreements exist. At tertiary level, one implementing partner of UNHCR has an agreement with various health facilities and receives refugee patients from locations all across the country. [...] ‘Urban female refugees enrolled in CBHI can access sexual and reproductive health services, including maternal and neonatal health services, and other women’s services through the national health system. Even if not yet enrolled in CBHI, refugee women and girls can, like Rwandan women, access sexual and reproductive services that are free of charge for nationals. Other sexual and reproductive health services are accessible, but they are not free, such as antenatal care, normal and C-section delivery, management of childbirth complications, treatment of sexually transmitted infections, etc. HIV and Hepatitis screening and treatment, as well as contraceptives, are available free of charge at public facilities for nationals and refugees equally, regardless of CBHI enrollment. In rural areas, all refugee women and girls can access sexual and reproductive health services through humanitarian NGOs. Refugees routinely and fully avail themselves of the right to these services.”

(Source: UNHCR – [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020](#), March 2022, pp. 3-9-10, last accessed 29 May 2024)

Support for separated children: care, housing, education, and healthcare needs

What support is available to separated children in terms of their care and housing needs, and access to education and healthcare?

UNHCR Operational Update (February 2024) reported that:

“Currently around 40 per cent of refugees are of school age (3-17 years). the gross refugee enrolment rates in primary and secondary school stands at 93 percent while only 3.4 per cent of refugees are enrolled higher education. Despite this, refugee education enrollment is in line with the national rate and the policy allows for 100 per cent of refugees to access the national education system. In 2023, partners will focus on improving the quality and inclusion of education for refugees at all levels.” (pg. 8)

“For the 2023/24 academic year, the gross enrolment rate for refugee students currently stands at 91 percent. Among these students, on average 96 percent of students are attending school regularly As part of the Rwandan government’s policy to expand Technical Vocational Education and Training (TVET) schools and colleges, a Technical Secondary School opened this year at GS Paysannat LD school in Mahama and has now enrolled 176 refugee students who are studying electricity technology and building construction. Despite this, the school lacks some equipment to enable practical lessons in these areas.”

“UNHCR is managing eight camp-based health care facilities in Rwanda in cooperation with Save the Children (SCI) and Africa Humanitarian Action (AHA) at the ETM. The health centres and posts offer a broad range of primary health care services, including laboratory tests and vaccinations. In addition, some services including the provision of TB and HIV medications are provided through district government health centres. In February, 19,026 primary health care consultations took place at the camp-based facilities making the ratio 48 consultations per day, per clinician. The local Rwandan host community also have access to these health facilities. “

(Source: UNHCR – [Operational Update Rwanda](#), February 2024, pg. 3, last accessed 29 May 2024)

UNHCR Rwanda Country Refugee Response Plan (Jan- Dec 2023) explained that:

“In 2023, health and nutrition programmes for refugees will focus on the maintenance and improvement of existing services to make them more efficient, accessible and responsive. A key component of this will include increasing the capacity and preparedness for future health emergencies in collaboration with MINEMA, district authorities, and the Rwanda Biomedical Centre. This includes, but is not limited to, disease surveillance, COVID-19 vaccination and management measures, and health promotion mainly against diarrheal diseases.

On a day-to-day basis, partners will continue to deliver primary health care service for refugees in camps and facilitate referrals to hospitals where necessary. Health information systems will be enhanced, and the quality of data will be improved where possible. Maternal health, sexual reproductive health interventions, mental health and psychosocial support activities will be strengthened including in the ETM.

The nutrition response for refugees will prioritize the prevention, screening/detection, referral, and treatment of acute malnutrition and micronutrient deficiencies, to keep malnutrition rates in refugee camps low. Existing referral mechanisms to care for patients with severe conditions within government facilities will be maintained and pregnant and lactating mothers will receive nutritional support. Nutrition education and awareness-raising for behavioral change at the community level will be a continuous process.” (pg. 19)

(Source: UNHCR – [Rwanda Country Refugee Response Plan, January-December 2023](#), pp. 8, 19, last accessed 29 May 2024)

UNHCR Refugee Policy Review Framework Country Summary for Rwanda (as at 30 June 2023) provides:

“The national legal and policy frameworks governing freedom of movement and choice of residence remain unchanged in the prescribed period. Article 18 of the 2014 Refugee Law enshrines into national law the enjoyment of all rights accorded to refugees by the 1951 Refugee Convention, including freedom of movement and residence.

However, camp-based refugees need to request permission to leave the camp temporarily if they wish to maintain their residence in camps and access to assistance, in line with Article 25 (2) of the 2014 Refugee Law. In practice, refugees have normally settled in camps, as it enables them to receive humanitarian assistance. Asylum-seekers in possession of a Temporary Residence Permit can request relocation to a camp to receive assistance by approaching MINEMA.

This permission to leave the camp is issued in the form of a permit to leave the camp for a period of three months, on the MINEMA camp management's decision and must be renewed at the camp. In practice, this permit is readily accessible to refugees and can be renewed without challenges. If not renewed, the refugees lose their entitlement to camp-based assistance, except access to healthcare and legal support. While living outside the camp with such a permit and if the individual is in need of healthcare, the individual must return to the camp to access camp-based health care because he/she is not covered by Community Based Health Insurance (CBHI). In practice, once refugees have settled in a new place of residence, they must report to the local authority, as do citizens. Like nationals, refugees are expected to carry an identity document whenever moving around (PoR or refugee ID card)."

(Source: UNHCR – [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2023](#), 13 March 2024, pg. 8, last accessed 29 May 2024)

On its undated webpage dedicated to 'Child Protection', Save the Children official website states that:

"[...] Save the Children continues to implement child protection interventions in Mahama Camp. We provide case management for survivors of abuse including sexual and gender-based violence (SGBV) using the Steps to Protect common approach. In addition, SC uses the Parenting without Violence common approach to support the placement of unaccompanied and separated children in alternative care by upskilling foster parents. SC delivers diverse prevention activities aimed at increasing social wellbeing, reducing distress through child and youth friendly spaces (CFS/YFS) and home-based recreation and empowering children, families and communities to protect and promote child rights."

(Source: Save the Children – [Child Protection](#), undated, last accessed 29 May 2024)

UNHCR – Rwanda Update on DRC New Arrivals, 31 August 2023 provides:

"UNHCR protection staff continue to be present providing fundamental protection and assistance, alongside partners in Nkamira and Mahama refugee camp as well as other camps where new arrivals are accommodated. Child protection and Gender Based Violence (GBV) response services are available through Plan International Rwanda (PIR) in Nkamira and Save the Children International (SCI) in Mahama, while legal assistance and community-based protection services, including assistance to people with specific needs, are provided by Prison Fellowship Rwanda (PFR). GBV response services are provided to survivors who experienced GBV incidents during flight and during their asylum.

At the end of August, in Nkamira Transit Centre, there were 71 unaccompanied and 372 separated children (UASC), In Mahama refugee camp, there are also 151 UASCs who are being supported by SCI. Most have now been registered as asylum seekers and settled with foster families in the communities. Six children were reunified with their families during the registration process.'

Community-based protection mechanisms are functioning and monitored in Nkamira and Kijote by UNHCR partners. Community-based protection structures are contributing to addressing the gap in the community by raising awareness on child protection and GBV prevention and mitigation. In this period, 1,498 individuals were reached with messages on child's rights, Sexual and Reproductive Health Rights (SRHR), and prevention of gender-based violence."

The same report states:

“UNHCR provides primary health services for the new arrivals at Nkamira Transit Centre in partnership with Save the Children International (SCI). From November 2022 to 2 September 2023, a total of 21, 897 health consultations were conducted for asylum seekers, while 421 individuals were subsequently referred to a higher level of care for more investigation and treatment. In August, over 3,620 primary health care consultations were carried out in Nkamira in partnership with SCI and UNICEF. Asylum seekers who are living in other existing refugee camps continue to receive health services through the established health centres. Sessions on sexual and reproductive health and family planning are also regularly conducted by SCI and UNFPA at Nkamira Transit Centre.’ [...] ‘Asylum seekers at Nkamira are currently being accommodated in 45 communal hangars which have been constructed since the site’s opening. Each hangar is partitioned into 20 rooms where men and women are assigned separate living areas. Nkamira Transit Centre is now considered full and there is no additional space for construction of hangars. [...] In Mahama, the Congolese asylum seekers that were registered and cleared by the Government of Rwanda are provided with shelter and settled in communities with the other refugees.’ [...] ‘School-age children who were transferred from Nkamira Transit Centre to other camps as well as those who remain in Nkamira continue to attend language and curriculum orientation programme to help facilitate their integration in public schools. The newly arrived children who do not possess school reports will sit for placement examination when the new academic year resumes at the end of September. In existing refugee camps, children aged 3 to 5 years old will be supported to attend camp based Early Childhood Development (ECD) centres, while primary and secondary students will be integrated in nearby public schools. In Nkamira Transit Centre, conversations are ongoing with the local district about the new arrivals attending local schools but the education in emergency curriculum continues in the meantime.’ [...] ‘WFP through its cooperating partner ADRA distributed two hot meals per day to all asylum seekers hosted in Kiziba, Nyabiheke and Mahama refugee camps, the Nkamira transit site and the Kijote transit centre. The hot lunches and dinners include fresh vegetables and alternate maize meal with rice. In addition, the most vulnerable groups also received nutritious morning porridge benefitting children under five, pregnant and breastfeeding women and girls, as well as persons with HIV or TB. Nutrition screening was conducted for newly arrived children as well as 50 children with moderate acute malnutrition (MAM) and 19 children with severe acute malnutrition (SAM) among asylum seekers hosted in those locations.” (pg. 3)

(Source: UNHCR – [Rwanda Update on DRC New Arrivals](#), 31 July 2023, pp. 2-3, last accessed 29 May 2024)

UNHCR Operational Update (Dec 2022) provides:

“Basic education is accessible to refugee children through the support of the Government of Rwanda who have committed to refugee inclusion in primary and secondary schools. UNHCR supports refugee education by building classrooms, science laboratories, libraries and contributing to teachers’ salaries in national schools which are attended by refugee children near the camps.”

The same report adds:

“In December, refugees across all camp in Rwanda were enrolled in and attended Early Childhood Development (ECD), primary and secondary education. In Nyabiheke and Mahama camp respectively, 94.9% children and 96.3% attended ECD, 94.8% and 93.5% of school-aged refugee children attended primary school, and finally, 93.2% and 92.5% attended in secondary schools.”

(Source: UNHCR – [UNHCR Operational Update Rwanda, December 2022](#), 14 Feb 2023, pp. 3-4, last accessed 29 May 2024)

UNHCR Rwanda Country Refugee Response Plan (Jan – Dec 2021) provides:

“Though SGBV prevention and response services are in place in all refugee settings, there remained challenges of limited knowledge and awareness (on the available response mechanisms, including remote case management

during the lockdown) of the community on such issues, difficulty collecting or preserving evidence for justice mechanisms, and delayed or lack of reporting.”

The same report states:

“While primary health care is prioritized, secondary and tertiary health referrals are limited due to meager funds. Health posts in Mugombwa and Kigeme require upgrading the centers in structure, staffing, and logistics. Rehabilitation of Kiziba, Gihembe, and Nyabiheke health centers is needed. The inclusion of urban refugees, including students in boarding schools away from camps into a community-based health insurance system was implemented in 2020 with the hope of extending it to refugees in camps in the coming years. The health component of the COVID-19 response is being mainstreamed into the CRP, and sustainable efforts must be maintained so RRP partners can continue supporting the National Coronavirus Prevention and Response Plan. In the education sector, financial support will be needed to increase host community schools’ absorption capacity in the vicinity of camps by constructing additional education facilities, such as classrooms, latrines, laboratories, libraries, IT labs, and girls’ rooms. Financial support will also be needed to upgrade campbased education infrastructures, where the district will take over the school once the Ministry of Education standards is achieved. Response partners will continue towards ensuring that refugee children enjoy their basic needs, including education, by providing supplies and reinforcing students’ welfare with the provision of meals at school. UNHCR will also initiate a connected learning pilot project in 14 public schools in refugee-hosting areas.”

(Source: UNHCR – [Rwanda Country Refugee Response Plan, January-December 2021](#), pp. 11-12-13, last accessed 29 May 2024)

The UK Home Office Country Policy Information Note on the Asylum System in Rwanda provides:

“8.1.1 During the meeting with the Rwandan government on 18 January 2022, HO officials asked where asylum seekers live during the 3-month period when they have a temporary residence permit and the Director of Response and Recovery Unit at MINEMA explained: ‘The asylum seeker has choice between living in transit/reception centre/refugee camp or urban area.’ The government further explained that a person is unable to choose his/her camp: ‘It depends on their arrival and availability. They don’t have a choice, they go where settlement is available.’¹⁴⁵”

¹⁴⁵ Notes of interviews, Annex A1, Meeting between HO and Govt of Rwanda, 18 January 2022

(Source: UK Home Office – [Country Policy Information Note on the Asylum System in Rwanda](#), 9 May 2022, pg. 32, last accessed 29 May 2024)

UNHCR Refugee Policy Review Framework Country Summary for Rwanda (as at 30 June 2020) provides:

“For several decades, refugees have settled upon arrival in Rwanda in camps designed to host and take care of them. They usually settle in camps according to their regions of origin, which determines the location of the camp and their affiliations. Article 18 of the Refugee Law enshrines into national law the enjoyment of all rights accorded to refugees by the 1951 Convention, including freedom of movement. Refugees can therefore move and settle wherever opportunities are available within the country including in urban areas. However, camp-based refugees need to request permission to leave the camp. Those who chose to reside outside of the camp may do so in line with Article 25 (2) of the Refugee Law.

This permit is issued for a period of three months, on the recommendation of the camp management, and must be renewed at the camp. If not renewed, the refugees lose their entitlement to camp-based assistance, except access to health insurance and legal support. In practice, once refugees have settled in a new place of residence, they have to report to the local authority at village level, as do citizens. Like nationals, refugees are expected to carry an identity document whenever moving around (PoR or refugee ID card).

(Source: UNHCR – [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020](#), March 2022, pg. 8, last accessed 29 May 2024)

5. Statelessness and nationality

Do stateless children sent to Rwanda have access to a statelessness determination procedure and acquisition of Rwandan nationality? Are there any barriers to them acquiring Rwandan nationality?

A joint report from the ICGLR (International Conference on the Great Lakes Region) and UNHCR states that:

“Rwanda’s 2021 nationality law establishes the most comprehensive protections against childhood statelessness. However, the law also imposes the requirement that all children must apply for recognition of nationality, rather than providing for (automatic) attribution of nationality by operation of law in most cases, potentially leaving some children at risk of statelessness even if both their parents are Rwandan nationals.” (pg. 2)

“The Rwandan constitution of 2003, as amended 2015, provides that “All persons of Rwandan origin and their descendants are, upon request, entitled to Rwandan nationality.”⁶¹ This article has been the foundation for provisions in the 2004, 2008, and 2021 nationality laws enabling automatic or facilitated acquisition of Rwandan nationality for people of Rwandan origin returning to Rwanda. The 2021 Rwandan nationality law has somewhat altered the framework, establishing a general distinction between “nationality of origin” and “nationality by acquisition”, rather than providing for facilitated acquisition of nationality for those of Rwandan origin. Those eligible for nationality “of origin” are those who have at least one parent “who is a Rwandan not through acquisition but by virtue of Rwandan ancestry”, supported by corroborating testimony and evidence.⁶² There is, however, some ambiguity about this definition and the meaning of “Rwandan ancestry”.⁶³ The law states that the child of a naturalised parent acquires automatically nationality at birth; however, the child inherits the status of nationality “by acquisition” rather than “of origin”, with implications for political rights and for the possibility of deprivation of nationality, and for its recovery.⁶⁴ In all other cases, the 2021 nationality law requires every person to apply for nationality, even if one or both parents are citizens, rather than providing for attribution by operation of law at birth to the child of a Rwandan parent.⁶⁵ The intention of the application procedure appears to be procedural rather than legal, and the ministerial order implementing the law places the application obligation mainly on those born outside the country who are not recorded within the Rwandan civil registry.⁶⁶ Despite positive reforms in the 2021 law, there are therefore concerns about the ambiguity of these provisions. It is too soon to evaluate the interpretation and impact of this framework in practice.” (pg. 18)

⁶¹ Rwanda Constitution 2003, revised 2015, art. 25. The original version of the article also included the provision that “Rwandans or their descendants who were deprived of their nationality between 1st November 1959 and 31 December 1994 by reason of acquisition of foreign nationalities automatically reacquire Rwandan nationality if they return to settle in Rwanda.” See discussion in Frank Dusabe, ‘Report on Citizenship Law: Rwanda’ (Fiesole: GlobalCit, European University Institute, 2020), <https://cadmus.eui.eu/handle/1814/66908>.

⁶² Law No. 002/2021.OL, arts. 2(7), 5, 6 & 7; see also Ministerial Order N° 007/01 of 23/03/2022.

⁶³ For comments from the Rwandan authorities on the analysis of these provisions, see Annex 4, heading on Rwanda, subheading on access to Rwandan nationality.

⁶⁴ Law No. 002/2021.OL, art. 20.

⁶⁵ Law No. 002/2021.OL, Chapter II ‘Applying for and granting Rwandan Nationality’.

⁶⁶ Ministerial Order N° 007/01, art.3(2).

(Source: ICGLR and UNHCR – [Refugees from Generation to Generation: Preventing statelessness by advancing durable solutions in the Great Lakes Region](#), 18 July 2023, pp. 2-18, last accessed 29 May 2024)

In a study by Dr. Bronwen Manby for the International Conference on the Great Lakes Region with the support of UNHCR, titled *Refugees from generation to generation- Preventing statelessness by advancing durable solutions in the Great Lakes Region*, the author wrote that:

“Rwanda is a party to the 1961 Convention on the Reduction of Statelessness, which establishes the minimum protections against statelessness that should be included in national laws”. (p.17)

The author also stated that:

“All countries in the Great Lakes region have refugee determination procedures; none, however, has a stateless person determination procedure. Rwanda has recently made the first move in this direction: the 2021 nationality law and ministerial order adopted in 2022 provided for the first time for acquisition of nationality by stateless persons (see Annex 4)¹⁶. For this reason, there are no current holders of stateless person identity or travel documents issued by states in the region. [...] Where a person already has refugee status, however, there is likely to be no immediate additional benefit to undertaking a stateless person status determination procedure, since no additional rights would be granted.”

Furthermore, the author noted that:

“Access to Rwandan nationality

Applicable law: Organic Law N° 002/2021.OL of 16/07/2021 governing Rwandan Nationality, supplemented by Ministerial Order N° 007/01 of 23/03/2022 relating to Rwandan Nationality.” (p.64)

The same report stated that:

“Any person not of “Rwandan origin” can only be granted nationality “by acquisition”. Detailed requirements are established for eleven separate grounds to acquire nationality, which are: birth on the territory of Rwanda; foundlings; marriage; adoption; national interest; special skills or talent; substantial sustainable investments or activities; residence in Rwanda; honour; being an immigrant; statelessness.”

The same report added that:

“In line with the general scheme of the 2021 nationality law, and by contrast to the 2008 law,²⁶¹ an application is required for a child of unknown parents found in the territory to acquire Rwandan nationality.²⁶² An application for nationality by acquisition as a foundling requires only that the person be found in the territory of Rwanda, without any restriction relating to the age at which the person is found. The only requirements are an application letter on behalf of the child and a written summary on circumstances and place where the foundling was found.²⁶³ An application on the grounds of statelessness requires that the person is a stateless person resident on the territory of Rwanda on the date of application and does not pose a threat to national security.²⁶⁴ There is no requirement that the person be born in the territory.”

²⁶¹ The 2008 nationality code (Law No. 30 of 2008, art.9) stated simply that “Any child born in Rwanda from unknown or stateless parents or who cannot acquire the nationality of one of his or her parents shall be Rwandan”, implying that Rwandan nationality was automatically attributed by operation of law.

²⁶² Especially in the case of the presumption of nationality for foundlings and otherwise stateless children, the distinction between automatic attribution and an application can seem artificial, since in all countries the authorities will need to conduct an investigation and make a determination of the child’s status. However, the legal principle of automatic attribution is important, since it only requires the person concerned to prove the facts for acquisition of nationality to be a legal entitlement.

²⁶³ Law N° 002/2021.OL, art. 10; Ministerial Order N° 007/01, art. 8.

²⁶⁴ Law N° 002/2021.OL, art. 19; Ministerial Order N° 007/01, art. 9.

“Rwandan law provides for the civil registry and courts to be able to substitute civil status records where they are absent – whether the event occurred in Rwanda or abroad. In case of an individual applicant, the person submits

¹⁶ Annex 4: refers to National Legal Frameworks

“all possible evidence proving the existence or non-existence of that record” and the competent court may order further investigations if considered necessary, and order restoration or registration of data.²³² This procedure could potentially be of use for refugees (and others) not born in Rwanda whose birth has not been registered in their country of birth or who may have fled without their birth certificate in their possession – in line with the provision in Article 25 of the Refugee Convention that such administrative assistance should be provided to refugees.”

²³² Articles 86-91 of Law n° 32/2016, as amended’.

(Source: International Conference on the Great Lakes Region (ICGLR) & UNHCR, Bronwen Manby – [Refugees from Generation to Generation: Preventing Statelessness by Advancing Durable Solutions in the Great Lakes Region](#), April 2023, pp. 17-47-64-70-71, last accessed 29 May 2024)

Organic Law governing Rwandan nationality states:

“CHAPTER II: APPLYING FOR AND GRANTING RWANDAN NATIONALITY

Article 8: Grounds for applying for or granting Rwandan nationality by acquisition

Grounds for applying for or granting Rwandan nationality by acquisition are the following:

- 1° birth on the territory of Rwanda;
- 2° foundling;
- 3° marriage;
- 4° adoption;
- 5° national interest;
- 6° special skills or talent;
- 7° substantial sustainable investments or activities;
- 8° residence in Rwanda;
- 9° honour;
- 10° being an immigrant;
- 11° statelessness.” (pp. 15-16)

Article 9: Conditions for applying for Rwandan nationality by acquisition on grounds of birth on the territory of Rwanda

Conditions for applying for Rwandan nationality by acquisition on grounds of birth on the territory of Rwanda are the following:

- 1° to have been born to foreigners who were legally residing in Rwanda at the time of his or her birth
- 2° to have the age of majority by the date of application;
- 3° be a person of integrity and good conduct;
- 4° to have knowledge and respect for Rwandan culture and traditions;
- 5° to have knowledge of civic values;
- 6° to demonstrate social integration;
- 7° to have sufficient means;
- 8° to not pose a threat to national security. (pp. 16-17)

Article 10: Conditions for granting Rwandan nationality by acquisition to a foundling

Granting Rwandan nationality by acquisition to a foundling is done upon one of the following conditions:

- 1° to be found on the territory of Rwanda;
- 2° to be found in an area that is not subject to the sovereignty of any State;
- 3° to be found on board a Rwandan-registered vessel;
- 4° to be found on board a Rwandan-registered aircraft

The provisions of item 3^o and 4^o of paragraph One of this Article only apply where refusal to grant Rwandan nationality by acquisition to the foundling would result in him or her being stateless. (pp. 18)

Article 11: Conditions for applying for Rwandan nationality by acquisition on grounds of marriage
Conditions for applying for Rwandan nationality by acquisition on grounds of marriage are the following:

- 1^o to be legally married to a Rwandan national;
- 2^o to have been married for at least five (5) years on the date of application;
- 3^o to still live in marital union with his or her spouse;
- 4^o to be a person of integrity and good conduct;
- 5^o to have knowledge and respect for Rwandan culture and traditions;
- 6^o to have knowledge of civic values;
- 7^o to demonstrate social integration;
- 8^o to not pose a threat to national security. (pp. 18-19)

Article 12: Conditions for granting Rwandan nationality by acquisition on grounds of adoption
Conditions for granting Rwandan nationality by acquisition on grounds of adoption are the following:

- 1^o the adoption of a foreign child by a Rwandan;
- 2^o an adoptee is not a threat to national security. (pg. 19)

Article 13: Conditions for applying for Rwandan nationality by acquisition on the grounds of national interest
Conditions for applying for Rwandan nationality by acquisition on national interest grounds are the following:

- 1^o existence of a national interest in connection with the applicant;
- 2^o existence of a document that the relevant organ addresses to the organ in charge of Rwandan nationality, describing the national interest that would justify granting Rwandan nationality by acquisition to the applicant.
- 3^o an applicant is not a threat to national security. (pg. 20)

Article 14: Conditions for applying for Rwandan nationality by acquisition on the grounds of national interest
Conditions for applying for Rwandan nationality by acquisition on special skills or talent grounds are the following:

- 1^o the applicant possesses special skills or talent that are needed in Rwanda
- 2^o existence of a document that the relevant organ addresses to the organ in charge of Rwandan nationality, describing why the applicant's special skills or talent are needed in Rwanda and that this would justify granting Rwandan nationality by acquisition to the applicant;
- 3^o to be a person of integrity and good conduct;
- 4^o to not pose a threat to national security. (pp. 20-21)

Article 15: Conditions for applying for Rwandan nationality by acquisition on grounds of substantial sustainable investment or activities

Conditions for applying for Rwandan nationality by acquisition on grounds of substantial and sustainable investment or activities are the following:

- 1^o to have substantial sustainable investment or activities in Rwanda;
- 2^o a document that a relevant organ addresses to the organ in charge of Rwandan nationality describing the applicant's substantial sustainable investment or activities in Rwanda that would justify granting Rwandan nationality by acquisition;
- 3^o to be a person of integrity and good conduct;
- 4^o to not pose a threat to national security. (pp. 21-22)

Article 16: Conditions for applying for Rwandan nationality by acquisition on grounds of residence in Rwanda

Conditions for applying for Rwandan nationality by acquisition on grounds of residing in Rwanda are the following:

- 1^o to have legally resided and physically lived on the territory of Rwanda for at least fifteen (15) years on the date of application;
- 2^o to be a person of integrity and good conduct
- 3^o to have knowledge and respect for Rwandan culture and traditions;
- 4^o to have knowledge of civic values;
- 5^o demonstrate good social relations within the Rwandan society;
- 6^o to have sufficient means;
- 7^o to not pose a threat to national security.

The way of calculating the period referred to in item 1^o of Paragraph One of this Article is determined by the organ in charge of Rwandan nationality. (pp. 22-23)

Article 17: Conditions for granting Rwandan nationality by acquisition on grounds of honour

Conditions for granting Rwandan nationality by acquisition on grounds of honour are one of the following:

- 1^o recognition of one's distinguished character;
- 2^o recognition of one's distinguished achievements;
- 3^o such other condition as may be determined. (pg.23)

“Article 18: Conditions for applying for Rwandan nationality by acquisition on grounds of being an immigrant

Conditions for applying for Rwandan nationality by acquisition on grounds of being an immigrant are the following:

- 1^o to have immigrated to Rwanda for social, political or economic reasons;
- 2^o to be a descendent of a person who migrated to Rwanda for social, economic or political reasons;
- 3^o to have been residing and physically living on the territory of Rwanda at least for twenty-five (25) years and have lost connection to his or her country of origin;
- 4^o to be a person of integrity and good conduct;
- 5^o to have knowledge and respect for Rwandan culture and traditions;
- 6^o to have knowledge of civic values;
- 7^o to demonstrate social integration;
- 8^o to have sufficient means;
- 9^o to not pose a threat to national security.

The way of calculating the period referred to in item 3^o of Paragraph One of this Article is determined by the organ in charge of Rwandan nationality. (pp. 24-25)

Article 19: Conditions for personal or third-party application for Rwandan nationality by acquisition on grounds of statelessness

Conditions for personal or third-party applying for Rwandan nationality by acquisition on grounds of statelessness are the following:

- 1^o the applicant or the beneficiary is stateless person on the territory of Rwanda on the date of application;
- 2^o to not pose a threat to national security.” (pg. 25)

(Source: Refworld – [Rwanda: Organic Law Governing Rwandan Nationality N° 002/2021.OL of 16/07/2021](#), 16 July 2021, last accessed 28 May 2024)

UNHCR Refugee Policy Review Framework Country Summary for Rwanda (as at 30 June 2020) provides:

“Rwanda has been a State party to the 1951 Convention Relating to the Status of Refugees since 15 November 1979. It is also a State Party to the 1967 Protocol related to the Status of Refugees, the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, as well as the majority of international and regional human rights treaties. Article 95 of the 2003 Constitution of the Republic of Rwanda (as revised in 2015)

provides for a hierarchy of laws in which the Constitution prevails, followed by organic laws, international treaties and agreements ratified by Rwanda and then ordinary law and orders. Based on this article, ratified international conventions are locally applied, and should be integrated into the national organic laws. The practice has been to incorporate the provisions of international and regional treaties by integrating the provisions into an amended or new law.’[...] “Rwanda has been a State party to the 1951 Convention Relating to the Status of Refugees since 15 November 1979. It is also a State Party to the 1967 Protocol related to the Status of Refugees, the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness, as well as the majority of international and regional human rights treaties. Article 95 of the 2003 Constitution of the Republic of Rwanda (as revised in 2015) provides for a hierarchy of laws in which the Constitution prevails, followed by organic laws, international treaties and agreements ratified by Rwanda and then ordinary law and orders. Based on this article, ratified international conventions are locally applied, and should be integrated into the national organic laws. The practice has been to incorporate the provisions of international and regional treaties by integrating the provisions into an amended or new law.”

The same report notes:

“Refugees not born in Rwanda whose birth has not been registered in their country of birth or who may have fled without their birth certificate in their possession may have access to substitute birth registration documentation. This practice, in line with administrative assistance provided to refugees under the 1951 Convention, is not commonly used by refugees.”

(Source: UNHCR – [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020, March 2022](#), pp. 5-7, last accessed 29 May 2024)

6. Protection

What protection is available to refugees and children in Rwanda?

The Steering Committee members for this project posed the question, ‘Are there any child-specific risks of persecution or other harm for children sent to Rwanda?’ Following our methodology, we reformulated the question into a suitable research question, and we found information covering two key areas:

- a) the legal frameworks in place, and**
- b) the conditions and available assistance for refugee, asylum-seeking, and displaced children.**

Legal frameworks pertaining to refugees and children

UNHCR Refugee Policy Review Framework Country Summary for Rwanda (as at 30 June 2020) provides:

“The Constitution of Rwanda (Articles 10, 16, and 100) commits to protecting citizens and foreigners in Rwanda against discrimination and division based on ethnic origin, family or ancestry, clan, skin colour or race, sex, region, economic categories, religion or faith, opinion, fortune, cultural differences, language, economic status, physical or mental disability, or any other form of discrimination. Rwanda is also one of a few African countries whose constitutions criminalize discrimination. Different laws have been enacted to deal with the offence of discrimination, which is punishable under Article 163 of Law No 68/2018 determining offences and penalties in general. Overall, refugees in Rwanda enjoy a conducive protection environment and there is no systematic discrimination or denial of rights targeting refugees based on the grounds mentioned above. While discrimination might occur in some situations, for instance in relation to sexual orientation and gender identity, this is true for both refugees and members of the host community.

The same report notes:

Law No 13ter/2014 of 21/05/2014 Relating to refugees mirrors most of the provisions of the 1951 Convention. The 2014 Law is complemented by Prime Minister’s Order No 112/03 of 2015. Article 18 of the 2014 Law stipulates that “without prejudice to other laws, any person having obtained refugee status in Rwanda shall enjoy the rights and liberties provided for by international instruments on refugees ratified by Rwanda”. By virtue of this broad formulation and in the absence of any contradictory legal provisions, refugees are legally entitled to enjoy a wide range of social, economic, civil and political rights. Rights accorded to asylum seekers and refugees are reflected in Law No 13ter/ 2014 of 21/05/2014 relating to Refugees and Ministerial Instructions no02/ 2016 of 1/6/2016.

The same report states:

Rwanda has ratified and incorporated key regional and international instruments on gender equality and women’s empowerment. Law No 59/200813 criminalizes sexual and gender-based violence in all its forms, including trafficking, especially of women and girls, and marital rape. Organic Law No 01/2012/OL of 2 May 2012/15 prohibits the sale of children, child prostitution and child pornography. The Gender Monitoring Office (GMO) is the responsible government entity monitoring gender mainstreaming and actions against GBV and gender-based discrimination in the society as a whole, but has minimal involvement in refugee settings. National structures offer multisectoral response to child victims of abuse and to GBV survivors across the country and are fully accessible to refugees. In parallel, UNHCR implements GBV prevention and response activities for refugees in the camps, with a focus on awareness-raising among all stakeholders and reinforcing the capacity of law enforcement forces.

The same report adds:

Rwanda has ratified the Convention on the Rights of the Child through Presidential Order No 773/16 of September 1991, the optional Protocol to the Convention on the Rights of the Child on the Involvement of children in Armed Conflict through Presidential Order No 32/01 of February 2002 and the Optional Protocol on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography through Presidential Order No 32/1 of February 2002. In 2001, Rwanda passed Law No 27/2001 of 2001 Relating to Rights and Protection of the Child Against Violence and, in 2018, Law No 71/2018 Relating to the Protection of the Child.

A National Commission for Children (NCC) was established by Law No 22/2011 as an independent body under the Ministry of Gender and Family Promotion (MIGEPROF) mandated to promote and protect children’s rights. In 2011, the National Integrated Child Rights Policy (ICRP) was issued with a view to fulfilling all children’s rights, including those of refugee children as per Article 5.7 (“All refugee children in Rwanda, accompanied or unaccompanied by adult family members will have all the rights stipulated in this policy”). Subsequently, a Road Map for National Child Protection Systems and Protection of Refugee Children (2017–2022) was developed by MIGEPROF and NCC with the support of UNHCR and UNICEF. The Government of Rwanda is committed to strengthening child protection systems at all administrative levels through a cadre of professional staff and the involvement of other relevant Ministries. The competent child protection institutions are going through structural reforms and a new Bill is before the Parliament.”

(Source: UNHCR – [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020](#), 24 March 2022, pp. 4-5-8-11, last accessed 29 May 2024)

Conditions and available support for asylum-seeking / refugee / displaced children

UNHCR Rwanda Country Refugee Response Plan (Jan-Dec 2023) provides:

“While refugees enjoy a favourable protection environment in Rwanda, challenges exist. Gender-Based Violence (GBV), including Sexual Exploitation and Abuse, remains one of the biggest protection concerns for refugee women and children and addressing GBV prevention and response is a priority to address sexual violence and psychological and emotional abuse. Strengthening community-based facilities, the provision of protection services, and outreach to raise awareness of issues such as child labour, neglect, drug/alcohol abuse as well as other health and developmental issues will remain a priority over the coming year.”

The same report adds:

“Partners continue to seek ways to recruit more lawyers/legal aid personnel to support legal services in camps/urban areas to respond to the volume of cases, including detention monitoring and conduct legal awareness raising on rights and obligations. Exposure to sexual exploitation and abuse (SEA) also poses a significant risk among refugee communities in Rwanda and more investment is needed to boost capacity for prevention, including expertise to work with child survivors and child-friendly feedback and response mechanisms.”

On a different page, the same report adds:

“A national legal aid system exists in Rwanda UNHCR will focus to advocate for inclusion of refugees into national legal aid system while reprioritizing the legal assistance intervention to criminal cases and asylum-related cases including appeal at high court.”

The same report notes:

“Identification of children at risk who face violence, neglect, abuse and exploitation will be carried out by front-line workers and child protection partners who will also initiate best interests procedure including for alternative

care arrangement for unaccompanied and separated children, services including psychosocial support, responses to child survivors of GBV, and identification of appropriate durable solution such as facilitated return and family reunification. Child protection community-based structures including child protection committees, children clubs, youth clubs, community volunteers and mobilizers will support with identification of children at risk, monitoring of low at-risk children, supporting student mothers with community day care, facilitating awareness-raising sessions to promote children to stay in school, avoid early sex and unwanted pregnancy and early marriages. Increased collaboration with national structures on integration of refugee children in national structures and their access to services will be ensured. Child and Youth Friendly Space (C/YFS) will be upgraded/rehabilitated and made more accessible, including for children with disabilities, and continue to operate to ensure wider population of children access Mental Health and Psychosocial Support (MHPSS) programs through play, drama and dance as a mechanism to restore psychological and developmental well-being of the children. Appropriate staffing and continuous capacity building is essential to effective child protection programme implementation. Partners will continue to conduct resource mobilization and will conduct capacity building of available workforce to ensure implementation of quality best interests procedures with the engagement of MINEMA and DGIE in best interest determination panels. Advocacy to include refugee children in the national Rwanda child protection case management system, as it is rolled out, will also take place, while strengthening the capacity of the national system to respond to the specific needs and experience of refugee children.”

(Source: UNHCR – [Refugee Response Plan, January – December 2023](#), pp. 7- 10-12-17, last accessed 29 May 2024)

US DOS Rwanda Report on Human Rights Practices (2021) provides:

“Displaced Children: There were numerous street children throughout the country. Authorities gathered street children in district transit centers before returning them to their home areas or placing them in rehabilitation centers. In 2020 HRW reported authorities abused street children in the transit centers and held them under harsh conditions (see section 1.c., Prison and Detention Center Conditions). Conditions and practices varied at 29 privately run rehabilitation centers for street children.”

(Source: US DOS, Bureau Of Democracy, Human Rights, And Labor – [Country Reports on Human Rights Practices: Rwanda](#), 2021, pg. 38, last accessed 29 May 2024)

Save the Children Endline Evaluation Report (2021) provides:

“However, it was mentioned by local officials that there are some specific issues for refugee children that would require advocacy and these includes: children used to live in the street, they sold what was provided to them, some children choose to live in isolation from their families, they are not free in the community, being chased away from schools, difficulties to find school fees which cause absenteeism in some, lack of accommodation for some children, insufficient food as well as early pregnancy to some refugee girls.”

(Source: Save the Children – [Next - Generation: Kids and Integration project. Endline Evaluation Report](#), April 2021, pp. 14-15, last accessed 29 May 2024)

The Committee on the Rights of the Child in their concluding observations on the combined fifth and sixth periodic reports of Rwanda, provided:

“H Education, leisure and cultural activities (arts. 28–31)

(d) Develop and promote vocational training for children and adolescents, including children with disabilities, asylum-seeking and refugee children and children in street situations; (pg. 11)

On a section covering Asylum-seeking and refugee children the report stated the following:

41. The Committee welcomes the various legislative and policy measures to protect the rights of asylum-seeking and refugee children. In the light of joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, the Committee recommends that the State party: (a) Ensure that all reception centres for asylum-seeking and refugee children are child-friendly and that all unaccompanied and separated children have prompt access to national refugee status determination procedures; (b) Investigate any reports of alleged disappearance of children, in particular adolescent girls, from refugee camps, establish their whereabouts and prosecute those responsible for crimes involved in such disappearance; (c) Continue to cooperate with the Office of the United Nations High Commissioner for Refugees to address the aforementioned issues.’ (pg. 12)

On a section covering Education, including vocational training and guidance, the report provided the following relevant information:

44. While noting the explanation by the State party that transit centres are not places of detention, the Committee is deeply concerned at allegations of the detention, ill-treatment and beating of children in street situations, sometimes for prolonged periods, in such centres, where they may be deprived of their liberty, albeit for a short time.

45. In the light of its general comment No. 21 (2017) on children in street situations, the Committee recommends that the State party: (a) Ensure that the rights of children in street situations are fully respected by the police and that they are not subject to arbitrary detention or ill-treatment; (b) Issue guidance to the police and transit centre personnel on the child’s right to freedom from all types of violence, investigate reported cases of the ill treatment, including beatings, of children in street situations by the police and transit centre personnel and prosecute alleged perpetrators; (c) Develop programmes that facilitate the reunification of children in street situations with their families and communities when possible, taking into account the best interests of the child, and support their long-term education and developmental needs, including through the provision of psychological support.” (pg. 13)

(Source: CRC – [Concluding observations on the combined fifth and sixth periodic reports of Rwanda](#), 28 February 2020, pp. 6-7-12-13, last accessed 29 May 2024)

UNHCR Rwanda Country Refugee Response Plan (Jan – Dec 2021) provides:

“The 2016 inter-agency gender assessment revealed a heightened risk of refugee women and children driven by poverty to engage in survival sex and begging, making them easy targets for human traffickers. IOM launched a multi-year project targeting trafficking in refugee settings, and recommendations are expected to be implemented during 2021.” (pp. 10-11)

The same report adds:

“The result of the 2020 Participatory Assessment revealed that SGBV, survivor sex, begging, child defilement, and teenage pregnancy were the main concerns of the refugee women and youth in all locations indicating the negative coping mechanism of the socio-economic impact of COVID-19 on PoCs. Given the effects of COVID-19, and the limited ability of RRP partners to intervene, it is expected that protection risks for the vulnerable groups are heightened and require specific focus in 2021.’ [...] ‘In general, most security problems linked to Child Protection and SGBV stem from harmful coping mechanisms, limited access to higher-level schooling, vulnerabilities relating to age and disability, service provision issues such as insecurity in the context of CBI, power imbalance between husband and wife on decisions related to family financials, inadequate lighting in and around camps and transit centers, and lack of lifesaving information or safe and confidential reporting channels.’ [...] ‘Though SGBV prevention and response services are in place in all refugee settings, there remained challenges of limited knowledge and awareness (on the available response mechanisms, including remote case management during the lockdown) of

the community on such issues, difficulty collecting or preserving evidence for justice mechanisms, and delayed or lack of reporting.” (pg. 11)

(Source: UNHCR – [Rwanda Country Refugee Response Plan](#), January – December 2021, pp. 10-11, last accessed 29 May 2024)

Support for children disclosing trafficking, torture, and exploitation

What support is available to children who disclose trafficking, torture and other forms of exploitation?

On its undated webpage dedicated to ‘Protection’ UNHCR Rwanda noted that:

“Child Protection and Gender Based Violence (GBV) Prevention

In Rwanda, women and children make up 75% of the refugee population, and like refugee men and boys, they are at risk of incidences of violence such as physical aggression, domestic violence, rape, child abuse, neglect, and survival sex. Many cases go unreported due to social and cultural norms, limited knowledge on child rights, and a lack of awareness on available supportive services.’

To respond to these issues, UNHCR in Rwanda works with partner organizations to prevent incidents of sexual and gender-based violence (SGBV) as well as child abuse, neglect, exploitation. Together, we provide individual case management and services such as pro bono legal assistance, psychosocial counselling and referrals to health care if needed. Since 2015, UNHCR, the Government of Rwanda and the One UN have established One Stop Centers for holistic support to SGBV survivors in each district of Rwanda.”

(Source: UNHCR Rwanda – [Protection](#), undated, last accessed 29 May 2024)

Save the Children Newsletter of January-June 2023 states:

“SC [save the Children] raised awareness which was intended to fight against child labor and promote children’s rights in Mahama Refugee Camp The awareness raising was undertaken after realizing the increase of children exposed to child labor and going to Gas sites to earn money by carrying gas. This put most children at risk of physical harm, abuse, exploitation, and dropping out of school. Community and local leaders committed to working with SC to handle this issue by identifying children with protection concerns, timely reporting of child labor cases, and strengthening the Child Protection Committees in their activities to prevent violence against refugee children with or without disabilities.’

Children who have been empowered by Save the Children in partnership with Children’s Voice Today (CVT) through Sida CSOs Project engaged local leaders to advocate for children who dropped out of school and ended up in streets. The young advocates reported that their fellow children dropped out and joined the streets due to various reasons including poverty, violence in different settings, and conflicts in their families.”

(Source: Save the Children – [Rwanda and Burundi Country Office, January - June 2023](#), January-June 2023, pg. 2, last accessed 29 May 2024)

UNHCR Rwanda Country Refugee Response Plan (Jan-Dec 2023) provides:

“Identification of children at risk who face violence, neglect, abuse and exploitation will be carried out by front-line workers and child protection partners who will also initiate best interests procedure including for alternative care arrangement for unaccompanied and separated children, services including psychosocial support, responses to child survivors of GBV, and identification of appropriate durable solution such as facilitated return and family reunification. Child protection community-based structures including child protection committees, children clubs, youth clubs, community volunteers and mobilizers will support with identification of children at risk, monitoring of low at-risk children, supporting student mothers with community day care, facilitating awareness-

raising sessions to promote children to stay in school, avoid early sex and unwanted pregnancy and early marriages. Increased collaboration with national structures on integration of refugee children in national structures and their access to services will be ensured. Child and Youth Friendly Space (C/YFS) will be upgraded/rehabilitated and made more accessible, including for children with disabilities, and continue to operate to ensure wider population of children access Mental Health and Psychosocial Support (MHPSS) programs through play, drama and dance as a mechanism to restore psychological and developmental well-being of the children. Appropriate staffing and continuous capacity building is essential to effective child protection programme implementation. Partners will continue to conduct resource mobilization and will conduct capacity building of available workforce to ensure implementation of quality best interests procedures with the engagement of MINEMA [Ministry in Charge of Emergency Management] and DGIE [Directorate General of Immigration and Emigration] in best interest determination panels. Advocacy to include refugee children in the national Rwanda child protection case management system, as it is rolled out, will also take place, while strengthening the capacity of the national system to respond to the specific needs and experience of refugee children.”

(Source: UNHCR – [Refugee Response Plan, January – December 2023](#), pg. 17, last accessed 29 May 2024)

UNHCR Rwanda Country Refugee Response Plan (Jan – Dec 2021) provides:

“Though SGBV prevention and response services are in place in all refugee settings, there remained challenges of limited knowledge and awareness (on the available response mechanisms, including remote case management during the lockdown) of the community on such issues, difficulty collecting or preserving evidence for justice mechanisms, and delayed or lack of reporting.’

Operational challenges include inadequate funding to support SGBV/Child Protection staff recruitment in all camps and to ensure qualitative and specialized services. Moreover, a significant gap is the lack of sufficient children and youth-friendly spaces for both where services can be provided while supporting children and youth’s resilience.”

(Source: UNHCR – [Rwanda Country Refugee Response Plan](#), January- December 2021, pg. 11, last accessed 29 May 2024)

UNHCR Refugee Policy Review Framework Country Summary for Rwanda (as at 30 June 2020) provides:

“At camp level, UNHCR leads the protection response for at-risk refugee children in collaboration with the partners & authorities, notably the camp management & national social service workforce, and within the framework of the existing roadmap for child protection. In parallel, efforts have been made at the district level by the NCC to engage with refugees and host communities to address child protection issues and build their respective capacities. The best interest determination process for refugee children involves government staff. Best care options are explored in line with national alternative care policies and in coordination with the NCC.’

National structures like Isange One-stop Centres provide multisectoral responses to child abuse and SGBV cases. They are accessible to refugees. UNHCR continues to provide SGBV-related services in the camps through its non-governmental partners. A National Technical Working Group on protection against sexual exploitation and abuse (PSEA) and Gender has been established, by the United Nations country team, in collaboration with ONE United Nations and a national PSEA action plan has been developed. It is on a quarterly basis to discuss updates, issues and challenges. Several trainings have been organized under the action plan.”

(Source: UNHCR – [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020 \(March 2022\)](#), 24 March 2022, pg. 12, last accessed 29 May 2024)

Family reunification process and support

Would children be supported to reunite with their family members and how this process works for children (i.e. is it the same as for adults and are there restrictions on family members they can be reunited with, do they get support in advice with pursuing a family reunion)?

ICRC, Facts and Figures Uganda Rwanda Burundi 2022, provides:

“10,731 PHONE CALLS made by refugees and evacuees from Libya. Rwanda hosts Libyan refugees and evacuees under the UN Emergency Transit Mechanism.

102 REUNITED families received a post-reunification assistance kit according to their needs.

1,762 RED CROSS MESSAGES (containing brief family news) distributed, including 111 from unaccompanied minors. 87 tracing cases closed positively.

49 PEOPLE reunited with their families, including 31 children who were reunited with their families in Rwanda.

403 FOLLOW-UPS visits conducted in Mahama refugee camp for minors waiting to be reunited with their families.”

(Source: ICRC – [Facts and Figures Uganda Rwanda Burundi 2022](#), 16 May 2023, pg. 6, last accessed 29 May 2024)

UNHCR Rwanda Country Refugee Response Plan (Jan – Dec 2021) provides:

“Family tracing and reunification are being respected and facilitated with the support of ICRC. Improved referral systems and the presence of a local legal protection partner had significantly improved access to civil registration, including birth registration with almost 100% of refugees (age one day- 4 years) issued with birth certificates.”

(Source: UNHCR – [Rwanda Country Refugee Response Plan](#), January – December 2021, pg. 11, last accessed 29 May 2024)

Rwanda National Integrated Child Rights Policy provides:

“1. Identity and Nationality

‘Every child has the right to identity and nationality.

All children born in Rwanda, of one or both Rwandan parents have the right to Rwandan nationality. Children who find themselves in Rwanda without parents and without known nationality of parents also have the right to Rwandan nationality.

[...]

1.2. All children in Rwanda who are without parents and who do not know the nationality of their parents will be assisted to trace their parents. Those who will have failed to trace their parents will be registered by the appointed local administrative officer as Rwandans at the earliest and provided with a national identification card when they turn 16 years or earlier if required. ‘ (pg. 10)

2.5. The Government will make maximum efforts in reuniting children who are separated from their parents.

2.5.1. Biological parents/ families of these separated children will be traced and children will be reintegrated with such parents/ families.’

(Source: ILO | NATLEX – [National Integrated Child Rights Policy, Ministry of Gender and Family Promotion](#), August 2011, pp. 10-11, last accessed 29 May 2024)

Support for separated children turning 18

What support is offered to separated children who turn 18 years old?

Although not specifically related to children who turn 18, on its undated webpage dedicated to ‘Child Protection’, UNHCR Rwanda provides:

“Where to seek help or services to support children?

Save the Children provides child protection services in Mahama refugee camp, Kigali Urban, Huye Urban, Gashora ETM, Nyanza and Gatore reception centres. You can contact them Toll Free on: 8855

Plan International provides child protection services in Mugombwa, Kigeme, Nyabiheke, Kiziba refugee camps and Nkamira Transit center.

Toll free contact details for Plan International:

Kigeme camp: 0788317355

Kiziba camp: 0788317354

Nkamira TC: 078814144

Mugombwa Camp: 0788317364

Nyabiheke camp: 0788317364

ICRC/Rwanda Red Cross provides services related to family tracing and reunification.

National Child Development Agency (NCDA) is the national child protection agency.”

(Source: UNHCR – [UNHCR Help Rwanda, Child Protection](#), undated, last accessed 22 March 2024)

7. Appendices

Methodology

Step 1: Scoping for research topics

The scoping phase will identify what the most pressing COI gaps are for UK asylum applicants and therefore which topics of Thematic COI reports have the potential to benefit both a large number of applicants and those most vulnerable to poor decision making.

To identify the most pressing topics for our research reports, Asylos will:

- regularly consult their networks of legal representatives and refugee community organisations that support asylum seekers in the RSD procedure (asking partners to specify why exactly the topic is so important, asking them to point to Home Office country specific asylum policy known as Country Policy and Information Notes (CPINs) and Reasons for Refusal Letters (RFRLs) where appropriate)
- Contact the Refugee and Asylum Forum / IAGCI / Chief Inspector for Borders and Immigration for input on relevant topics.
- launch an open call for topic suggestions and disseminate it to its respective lists of subscribers.

In addition, Asylos will:

- monitor such forums as the Refugee Legal Group and the Refugee and Migrant Children's Consortium on an ongoing basis
- monitor the requests it receives for research assistance on individual cases
- record the statistics for common themes in the reports it produces for individual cases
- invite suggestions from partners who have requested our services as part of the ongoing feedback collection.

Asylos will assess which topics to select on the basis of greatest potential impact, with reference to analysis of:

- the number of asylum seekers generated by nationality (UK asylum statistics are not published on convention ground/profile)
- Appeal success rates by nationality
- any existing upcoming Country Guidance (CG) cases that the Tribunal is to hear [to avoid duplication]
- A need for an evidence base to challenge existing CPINs [e.g. where it relies on outdated or uncorroborated COI].

Throughout the scoping exercise, we will approach actors that represent groups, particularly vulnerable, to information gaps and thus poor quality decision-making, such as women, children and young people.

In addition, Asylos will set up a Steering Committee who will assist in the selection and prioritisation of strategic research report topics, as well as manage any risks arising from the project. Members of the committee will be approached at least once during the early project phase in order to review and comment on the planned methods and execution. The Steering Committee consists of the following members: Kama Petruczenko (Senior Policy Analyst - Children and Young People at Refugee Council), Sian Pearce (Solicitor and PhD student at the University of Exeter), Cynthia Orchard (Consultant Policy and Advocacy Advisor), Mutaz Aljaaly (Lawyer), and Raga Gibreel (Director of Green Kordofan).

Step 2: Identifying preliminary Terms of Reference (ToR)

Once a research topic has been chosen, the following steps will be taken in order to identify the preliminary research headings (i.e. draft ToR):

- Read relevant Country Guidance (CG) cases from tribunal (identifying which evidence is outdated)
- Read relevant Home Office Country Policy and Information Notes (CPINs)
- Reference other COI guidance/policy publications from international organisations such as EUAA, UNHCR as well as sources from media, human rights organisations and academic research
- Include input from other stakeholders (project partners).

Asylos will draw up the draft ToR, providing input from our topic scoping activities.

Step 3: Training session for Asylos volunteers

Asylos will source from its volunteer network a group of approximately 5 volunteer researchers for each report to conduct the COI desk research and to assist with interviewing stakeholders.

Volunteer researchers will be fully briefed on the project purpose, design and research methodology. They will then be required to attend a zoom training session which will cover the following:

- Advanced COI research techniques
- The nature and scope of the research gap that the report aims to address
- Any Home Office guidance and policy related to the topic
- How experts are instructed in the UK, including how to ensure experts are aware of guidelines for expert testimony in a UK court

Step 4: COI Desk Research

For each report, we will undertake a review of the publicly available COI. This desk research will be coordinated by Asylos's Programme Manager, working with a team of volunteers.

Before the research begins, Asylos will devise and commit to consulting an agreed list of sources from an agreed period of time. This list will be divided among the volunteers to consult and to submit any relevant findings which will be included in the final report. When any additional sources are identified in the desk research volunteers will record them alongside the initial list, and submit any relevant information. The additional list will then be redistributed among the volunteers to consult.

Once this list has been exhausted, each volunteer will also be designated several of the ToR and asked to do some final research on those topics to ensure that any further sources are identified and included.

Research will be conducted in line with Asylos's internal COI research training and handbook and adhering to accepted COI research standards, including elements of the EASO country of origin information report methodology (EASO, 2012), the ACCORD COI training manual (ACCORD, 2013) and the Common EU Guidelines for Processing COI (European Union, 2008). Researchers should consult these documents throughout the research process and training sessions with volunteers will reflect these standards.

To support the collection of research data, researchers will submit their sources using Google Docs. The google form template will be provided to them by the UK Programme Manager. When using Google Docs, researchers should:

- Include links to full sources/ citations. Where the source is not publically available they will need to obtain permission for Asylos to share on request. Particular attention needs to be paid to copyrights issued as the report will be publicly available (e.g. written permission is needed from the author before including a map or photo in the report). Researchers can refer to the Licence or Terms and Conditions of the repository in which the article is stored to find out what the restrictions are. If in doubt, they should consult the holder of the copyright. Where it is not possible to get consent, the link to the journal with the paywall will have to suffice;
- If citing from Home Office FFMs then use the information in the transcripts rather than what has been summarised by the Home Office in the body of the report.
- Include original wording when translating and specify the translator and their qualification;
- Keep source summaries very concise and ensure neutrality by not offering an ‘assessment’ of the source or drawing any conclusions ourselves such as propositions about ‘risk on return’;
- Raise any concerns about the source (e.g. reliability, currency, contradictory content etc) within the source summaries;
- Ensure that sources which are submitted are as recent as possible and within the reporting period;
- Ensure page numbers, paragraph numbers or section headings are included for each excerpt. Insert them in brackets in the ‘citation from source’ box after each excerpt. For example;

“There is little understanding or support for men and boys who have experienced trafficking. The focus of support for women and children was apparent from discussions and there is a gap in understanding about the causes of trafficking of males or their support needs. (Pg 8)

[...] Research undertaken within Albania often provides the best picture of the characteristics of individuals who have been trafficked. (Pg 19)”

Please note! These thematic research reports aim to identify, and fill gaps in COI on certain topics. This will mean that it may be difficult to find sources which address certain parts of the research brief. This is to be expected! When this happens, researchers should submit any findings which relate to the topic more generally and we will ask the experts to comment on how this evidence relates to the specific research question at the next stage in the project. For the same reason, researchers are asked to report back to Asylos’ Programme Manager where they have encountered information gaps.

Step 5: Finalising ToR and drafting interview questions

Once the researchers have submitted all of their sources, Asylos’s Programme Manager will create a master draft report using Google Docs. Whilst editing the report, the manager will finalise the ToR and arrange the findings according to the headings that were identified. Whilst doing so, the programme manager should assess which topics do not seem to be adequately covered in existing COI and consider where expert evidence would be particularly helpful in order to fill these gaps, for example where there is a total absence of COI, a lack of corroborative COI or where there is contradictory COI.

Once the gaps have been identified, Asylos’ Programme Manager will draft a list of interview questions for stakeholders alongside the ToR for review. The interview questions will address the gaps identified and will be carefully phrased to generate the most accurate and useful answers. These will be approved by the project review committee.

Step 6: Identifying interviewees / stakeholders

The aim is to identify stakeholders that have extensive professional experience or recently published credible research on the topic and those that have recently been in the country of research.

The EU Common Guidelines on (Joint) Fact Finding missions suggest that:

- Possible sources may include academics, research institutes and think tanks, NGOs, INGOs, UN agencies, experienced news reporters and journalists, community leaders or other representatives, religious authorities, or political parties, government representatives¹⁷
- It is important that a variety of sources are identified and interviewed so that information can be cross checked¹⁸
- The guidelines state “try to avoid sources with too similar agendas, standpoints, backgrounds and interests, which can be a challenge – especially when using the ‘Snowballing’. It is generally useful to consult at least three different sources that are independent of each other on each main topic of the ToR”¹⁹
- It also suggests that interviewing mid-level staff, rather than those in more senior roles, may be more helpful as they are likely to have more experience working on the ground / in the field²⁰.

Asylos will source relevant stakeholders by reference to those cited in UK case law, those having published academic material on the issue in question (e.g. JSTOR search), those recommended on the Refugee Legal Group, Electronic Immigration Network (EIN), AMERA International, and the Refugee Rights in Exile Programme.

Relevant organisations will be sourced and relevant representatives from these identified by reference to human rights material or media sources, for example published on COI databases such as the Austrian Centre for Country of Origin and Asylum Research and Documentation’s (ACCORD) ecoinet, UNHCR’s Refworld or Reliefweb.

Asylos will also seek recommendations from our respective boards of trustees and networks of legal representatives. Other project partners with relevant specialist knowledge may also be consulted.

All individuals and organisations contacted will be asked to recommend other potential stakeholders for interview.

We will include in the final report, as part of the “Sources and databases consulted” section, a list of all the places in which we looked for stakeholders. Researchers will be required to make a note of any website, organisations and other sources consulted when carrying out the desk based research to help identify stakeholders.

Any potential experts should be recorded in a document (including such information as who recommended them, credentials, contact details, any notes on their validity as a potential source). The Asylos Programme Manager will discuss the list of potential experts with Asylos team members at the end of the exercise.

¹⁷ P. 10 “Identifying potential sources”

¹⁸ P. 11 “Deciding between potential sources”

¹⁹ ibid

²⁰ ibid.

In order to assess the validity of individuals and organisations as a potential source, the following questions will be considered:

- Who is the source and do they have specific knowledge / experience which makes them have expertise on the topic?
- What context do they work in and to what extent might this context influence them or create any bias?
- How does the source formulate any information they present? Is it presented in an objective, neutral and transparent way?

It is anticipated that all stakeholders with the relevant knowledge/experience in question may be contacted for an interview unless there are compelling reasons not to do so. It is our aim to conduct at least 5 interviews per report, from a range of different disciplines. Given that not all stakeholders will respond, a target number of 15 will be initially contacted by email requesting an interview. We will aim at ensuring that represented in this initial list of contacts is a balance between those who are academics, professionals on the ground and government representatives.

Step 7: Instructing interviewees

Once a list of experts to contact has been agreed, the Asylos UK Programme Manager will send an initial email introducing the project and asking if they would consider contributing their expertise. They may ask project partners for support in making first contact with potential interviewees where their connections may increase the chance of a positive response. Where the manager does not receive a response from potential interviewees, they will follow up with them by email and/or phone. It is our aim to conduct a total of at least five interviews per report, from a range of different disciplines. Given that not all experts will be able to respond or be interviewed, at least 15 experts will initially be contacted by email requesting an interview.

If a stakeholder provisionally agrees to take part, the manager sends a follow-up email attaching the following documents:

- an edited version of the 'Asylos information sheet for interviewees' [which explains how responses will be used and how the preferred level of anonymity and confidentiality will be guaranteed]
- a copy of the ToR and the interview questions.

The manager will also ensure that they are aware that the following can be made available to them on request:

- The COI desk research report
- The Thematic COI Report Methodology.

Once a stakeholder has had sight of this further information and confirms their willingness to take part, arrangements will be made for how they will submit their answers. The information sheet asks the stakeholder to indicate if they would prefer to submit their contribution in written form or through an oral interview. If possible, the manager will encourage each participant to agree to an interview (unless interviewees are very experienced in providing written expert testimony for RSD procedures) as we have found that interviews are more likely to yield usable information. Once these arrangements have been made, each participant is asked to provide a short bio, or link to their CV, which will be published alongside the final report.

Step 8: Interviewing stakeholders

Interviews will primarily be conducted by Asylos's Programme Manager with assistance from Asylos volunteers where appropriate. Each interview should be recorded, unless interviewees have indicated that they do not wish for this to happen. In this case interviewers should take notes while conducting the interview. Those conducting the interviews are asked to stick to the following guidelines:

At the beginning of each interview, the interviewer should start by introducing themselves, thanking the interviewee for taking part, and asking for permission to record the interview. Once this has been agreed they should check that the interviewees have received, and have reference to, the report containing our findings from the desk research and have read and understood 'Asylos information sheet for interviewees' (contained in appendix 2) which sets out our recommendations for supplying their evidence. All interviewees have received these guidelines but should be reminded of following key points during the introduction:

- Interviewees should not attempt to answer any questions which fall outside of their expertise or about which they have insufficient information
- Interviewees should make clear if the information they are providing is based on direct experience or other evidence throughout the interview
- If interviewees have obtained the information from other sources they should make sure they confirm where they obtained that information
- Interviewees should not withhold any information on the basis it may detract from their view, rather if interviewees are aware of information conflicting with their views, they should be asked to acknowledge it and explain why their opinion departs from this information.

Before launching into the questions, the interviewer should double check how the source wants to be referenced in the final report and whether or not they would prefer to be anonymous. The interviewee will have already indicated this in their Confidentiality and Anonymity agreement, so this serves to ensure that interviewees are still in agreement with what they initially indicated.

Once the introduction is over the interviewer may commence asking questions, working through the questions in a structured and methodical way. Whilst doing so, volunteers are asked to pay attention to the following points on interview techniques:

- Ensure that your manner remains impartial at all times. Do not use 'leading questions'
- Be mindful that certain topics might be sensitive to ask
- Do not be afraid to interrupt! This may mean asking for clarification or politely suggesting to move on to the next question if the interviewee goes off topic or it becomes apparent they do not have the appropriate expertise or sufficient information to speak authoritatively on the topic
- If it is unclear what information the interviewee is basing their statements on, seek clarification

The EU common guidelines states:

"Additionally, it may also be useful to ask a respondent to clarify or give more factual background to support a statement. This will often be the case where a declaratory statement or Policy position has been given on a particular topic. Requesting additional factual information to back up a statement or position will help give a clearer perspective or a rationale to what has been said, and may also remind the respondent why they have a particular viewpoint. In some instances it may challenge their own assumptions or bring out any potential bias or advocacy on

the part of the respondent in a neutral, non-confrontational way.” (Pg 20-21)

In the interest of source validation, ask the interviewees to identify where any information they rely on can be found by our researchers after the interview.

Step 9: Citing the interviews and writing up the full report

After each interview, the interviewer will transcribe the recording in full and verbatim, with only very minor adaptations being made to enhance comprehensibility. Interview transcripts will be saved under a unique reference number, rather than using interviewees’ names if requested. The document which links interviewees’ names to each unique reference number will be password protected and only accessible to project staff. This transcript will then be returned to the interlocutor, giving them 14 days to sign it off. This transcript should then be sent to the Programme Manager which will be appended in full in the report. If the interviewee wishes certain excerpts to be made anonymous, they will be cited as such in the body of the report and not included in the appended full transcripts.

The report drafters will select relevant excerpts from the interviews and present these under the corresponding research headings in the report alongside the findings from the desk review. The manager should use this opportunity to add any additional COI that was mentioned in interviews and then make any further edits to the report, ensuring that the following points have been addressed:

- General formatting should be in line with Asylos’s ‘research handbook’
- Each source should be introduced separately with a concise summary identifying any patterns in convergence or disagreement in the sources consulted, rather than summarising the content of the sources
- Ensure the list of sources consulted is complete, with access links and information about when the sources were accessed (this is crucial for the user of the report to trace back the original source)
- To further aid transparency it is crucial to provide page numbers, paragraph numbers and section headings (where appropriate) for each excerpt to facilitate access to the original source
- When using Fact-Finding Mission reports it is important to extract excerpts from the transcripts provided (if applicable) and to assign the excerpt to the interlocutor interviewed rather than including the summary provided by the authors of the fact-finding mission report
- The final report should include a note on who instructed the interviewees and when (month and year), and a list of the documents the interviewees were provided with
- A full transcript of each interview should be included as an appendix at the end of the report, excluding any excerpts that the interviewee wished to keep anonymous
- Fully anonymous interviews are included as an appendix without any further identifying information

Following final edits, the report will be sent to Asylos Director for review. Asylos will use this opportunity to revise and update the findings from the desk based research. Once Asylos Director has made her edits, the full report will be sent to each stakeholder detailing how they have been cited, with a copy of their interview transcript / written submissions, to sign off. Stakeholders should be given a 14 day deadline for this, after which we will assume that they are satisfied.

Once the report is published, interviewees can no longer withdraw but we will be able to make additions by issuing addendums, should they wish to provide more up to date sources or information which was not previously available to them.

Step 10: Dissemination

Once the report has been signed off, the Programme Manager will be responsible for publishing it on Asylos' website, eoi.net, Refworld and EIN (Electronic Immigration Network). Efforts should also be made to promote the report through sharing the report via the RLG mailing list and other platforms such as the RMCC (Refugee and Migrant Children's Consortium). The manager will also consider promoting it through websites such as Free Movement and EIN.

Step 11: Evaluation of impact

This information will be made publicly available to all, so that it can be reviewed and used by asylum seekers, Home Office case workers, legal representatives and appeal court immigration judges alike. The reports will be accessible internationally, meaning they will also be used by and influence institutions like the UNHCR and European Union Agency for Asylum (EUAA), as well as decision makers in other countries' asylum determination systems.

Asylos will track progress and impact throughout the project cycle by:

- Recording the number of downloads from its website and asking ACCORD for data from eoi.net
- Collecting feedback from Asylos' networks of legal representatives to review how well the report met the information needed we identified, as well as how the report has been used.
- Consulting members of the COI Experts Group which it moderates to review how well the report met the information need we identified, as well as how the report has been used
- Tracking how the reports have been used by decision makers (e.g. in Home Office policy documents, UK case law, EUAA reports).

Learning will be fed back into the project on an ongoing basis and an evaluation of its overall impact will be shared with interested stakeholders on its completion.

Further reading

- [Tribunal's Practice Directions on instructing experts from the outset](#) (Section 10)
- [Best Practice Guide on expert country evidence in asylum procedures](#)
- [EU Common Guidelines on Joint Fact Finding Missions](#)
- [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#)
- [European Asylum Support Office's research guidelines, Country of Origin Information report methodology](#) (note that a revised methodology is due to be published soon)
- [ACCORD COI Training Manual](#)
- [UNICEF - Methodology Guidance on Child Notice](#)

Bibliography

All sources were consulted between 1 September 2022- 1 September 2023 with top up research conducted in April and May 2024.

1. UNHCR Rwanda, [Protection](#), undated, last accessed 28 May 2024
2. Ecol.net, White & Case LLP (Author), published by CRIN, Child Rights Information Network – [Access To Justice For Children: Rwanda](#), January 2014, pg. 3-4, last accessed 4 June 2024
3. Refworld, UNHCR, [Rwanda: UNHCR Submission for the Universal Periodic Review - Rwanda - UPR 37th Session \(2021\)](#), July 2020, pp. 1-5, last accessed 28 May 2024
4. CRC, [Concluding observations on the combined fifth and sixth periodic reports of Rwanda](#), 28 February 2020, pp. 4-5, last accessed 28 May 2024
5. UK Government, [Memorandum of Understanding between the government of the United Kingdom of Great Britain and Northern Ireland and the government of the Republic of Rwanda for the provision of an asylum partnership arrangement](#), Signed in Kigali, 13 April 2022, webpage updated 6 April 2024, para 9.1-9.4
6. UNHCR, [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020 \(March 2022\)](#), 24 March 2022, pg. 5, last accessed 28 May 2024
7. UNHCR, [UNHCR Operational Update Rwanda, December 2022](#), 14 February 2023, pp. 3-4, last accessed 29 May 2024
8. The Migration Observatory, [Q&A: The UK's policy to send asylum seekers to Rwanda](#), 10 January 2024, last accessed 28 May 2024
9. Electronic Immigration Network (EIN), [UNHCR finds new UK-Rwanda treaty and Safety of Rwanda Bill are incompatible with international refugee law](#), 16 January 2024
10. UK Home Office, [Country Information Note Rwanda: Annex 1 \(Government of Rwanda evidence\)](#), May 2024
11. The Independent, [Asylum seekers removed from Rwanda this year, UN body tells court](#), 10 June 2024, last accessed 11 June 2024
12. The BBC, [UN agency warns of new Rwanda abuses evidence](#), 10 June 2024, last accessed 11 June 2024
13. UNHCR, [Refugee Response Plan, January – December 2023](#) pp. 10-12, last accessed
14. Prison Fellowship Rwanda – [Community Based Protection and Legal Assistance](#), undated, last accessed 29 May 2024
15. UNHCR, [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020](#), March 2022, pg. 8 last accessed 29 May 2024
16. Ecol.net, White & Case LLP (Author), published by CRIN – Child Rights Information Network, [Access To Justice For Children: Rwanda](#), January 2014, pg. 2, last accessed 4 June 2024
17. UK Home Office, [Country Information Note - Rwanda: Asylum system](#), January 2024, pp. 46- 47, last accessed 29 May 2024
18. UNHCR, [Rwanda: UNHCR Submission for the Universal Periodic Review - Rwanda - UPR 37th Session \(2021\)](#), July 2020, pp. 4-5, last accessed 29 May 2024
19. UNHCR, [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020 \(March 2022\)](#), 24 March 2022, pp. 4-5-11, last accessed 29 May 2024
20. CRC, [Concluding observations on the combined fifth and sixth periodic reports of Rwanda](#), 28 February 2020, pp. 5-6, last accessed 29 May 2024
21. UNHCR, [UNHCR Rwanda, DRC New Influx to Rwanda: Update #20](#), 30 September 2023, last accessed 26 April 2024

22. UNHCR, Country Summary as at 30 June 2023, last accessed 26 April 2024
23. Save the Children, [Next - Generation: Kids and Integration project. Endline Evaluation Report](#), April 2021, pg. 10, last accessed 29 May 2024
24. UNHCR, [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020](#), March 2022, pp. 3-9-10, last accessed 29 May 2024
25. UNHCR, [Operational Update Rwanda](#), February 2024, pg. 3, last accessed 29 May 2024
26. UNHCR, [Rwanda Country Refugee Response Plan](#), January-December 2023, pp. 8, 19, last accessed 29 May 2024
27. UNHCR, [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2023](#), 13 March 2024, pg. 8, last accessed 29 May 2024
28. Save the Children, [Child Protection](#), undated, last accessed 29 May 2024
29. UNHCR, [Rwanda Update on DRC New Arrivals](#), 31 July 2023, pp. 2-3, last accessed 29 May 2024
30. UNHCR, [UNHCR Operational Update Rwanda, December 2022](#), 14 Feb 2023, pp. 3-4, last accessed 29 May 2024
31. UNHCR, [Rwanda Country Refugee Response Plan](#), January-December 2021, pp. 11-12-13, last accessed 29 May 2024
32. UK Home Office, [Country Policy Information Note on the Asylum System in Rwanda](#), 9 May 2022, pg. 32, last accessed 29 May 2024
33. UNHCR, [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020](#), March 2022, pg. 8, last accessed 29 May 2024
34. International Conference on the Great Lakes Region (ICGLR) and UNHCR, [Refugees from Generation to Generation: Preventing statelessness by advancing durable solutions in the Great Lakes Region](#), 18 July 2023, pp. 2-18, last accessed 29 May 2024
35. International Conference on the Great Lakes Region (ICGLR) & UNHCR, Bronwen Manby, [Refugees from Generation to Generation: Preventing Statelessness by Advancing Durable Solutions in the Great Lakes Region](#), April 2023, pp. 17-47-64-70-71, last accessed 29 May 2024
36. Refworld, [Rwanda: Organic Law Governing Rwandan Nationality N° 002/2021.OL of 16/07/2021](#), 16 July 2021, last accessed 28 May 2024
37. UNHCR, [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020](#), March 2022, pp. 5-7, last accessed 29 May 2024
38. UNHCR, [Refugee Response Plan, January – December 2023](#), pp. 7- 10-12-17, last accessed 29 May 2024
39. US DOS, Bureau Of Democracy, Human Rights, And Labor, [Country Reports on Human Rights Practices: Rwanda](#), 2021, pg. 38, last accessed 29 May 2024
40. Save the Children, [Next - Generation: Kids and Integration project. Endline Evaluation Report](#), April 2021, pp. 14-15, last accessed 29 May 2024
41. CRC, [Concluding observations on the combined fifth and sixth periodic reports of Rwanda](#), 28 February 2020, pp. 6-7-12-13, last accessed 29 May 2024
42. UNHCR, [Rwanda Country Refugee Response Plan](#), January – December 2021, pp. 10-11, last accessed 29 May 2024
43. UNHCR, [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020](#), 24 March 2022, pp. 4-5-8-11, last accessed 29 May 2024
44. UNHCR Rwanda, [Protection](#), undated, last accessed 29 May 2024
45. Save the Children, [Rwanda and Burundi Country Office, January - June 2023](#), January-June 2023, pg. 2, last accessed 29 May 2024

46. UNHCR, [Refugee Response Plan, January – December 2023](#), pg. 17, last accessed 29 May 2024
47. UNHCR, [Rwanda Country Refugee Response Plan](#), January- December 2021, pg. 11, last accessed 29 May 2024
48. UNHCR, [Rwanda: Refugee Policy Review Framework Country Summary as at 30 June 2020 \(March 2022\)](#), 24 March 2022, pg. 12, last accessed 29 May 2024
49. ICRC, [Facts and Figures Uganda Rwanda Burundi 2022](#), 16 May 2023, pg. 6, last accessed 29 May 2024
50. UNHCR, [Rwanda Country Refugee Response Plan](#), January – December 2021, pg. 11, last accessed 29 May 2024
51. ILO | NATLEX, [National Integrated Child Rights Policy, Ministry of Gender and Family Promotion](#), August 2011, pp. 10-11, last accessed 29 May 2024
52. UNHCR, [UNHCR Help Rwanda, Child Protection](#), undated, last accessed 22 March 2024

**We stand for asylum
decisions based on
evidence.**



www.asylos.eu