



RESPONSES TO INFORMATION REQUESTS (RIRs)

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17 March 2009

UGA103053.E

Uganda: The Ugandan refugee identity card; the rights and obligations of a holder of this card; whether possession of the card is evidence of refugee status; whether the status granted by this card must be renewed or can be cancelled; whether the card allows a person to live permanently in Uganda, to exit and re-enter Uganda, to work, to study, and to access social services

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Rights and obligations

Under Uganda's *Refugees Act, 2006*, a recognized refugee is issued an identity card and is allowed to reside in Uganda (Uganda 2006, 29). The Act states that a refugee has the right to "fair and just treatment without discrimination on grounds of race, religion, sex, nationality, ethnic identity, membership of a particular social group or political opinion" (ibid.). Furthermore, the right of association with non-political and non-profit organizations and "free access to courts of law" is protected by law (ibid.).

According to the Act, refugees have the right to the same treatment as nationals with respect to elementary education, religious practice and religious education, and intellectual property rights (ibid.).

Under the law, a refugee has the right to the same treatment as other foreign nationals with respect to property rights, transferring assets into Uganda, and education beyond elementary school (ibid.). The refugee also has the right to access employment, practise a profession, and participate in business activities (ibid.).

Refugees are obligated to follow Ugandan law (Uganda 2006, 35). They must not endanger "state security," "public interests," or the "public order" (ibid.). In addition, refugees must

not engage in any activity contrary to the principles of the Charter of the United Nations and the Statute of the African Union, and in particular, shall not undertake any political activities within Uganda against any country, including his or her country of origin.

Refugees must also pay taxes if employed (ibid.).

Refugee status

The Uganda refugee identity card is evidence that the bearer has been recognized as a refugee by the government of Uganda (RLP 19 Jan 2009; Uganda 2006, 29).

Renewal of card

According to the U.S. Committee for Refugees and Immigrants (USCRI), "[a]sylum seekers received renewable identification cards good for three months while the REC [Ugandan government's Refugee Eligibility Committee] reviewed their cases. If the REC granted them refugee status, they received an official refugee identity card" (USCRI 2008). Information on the renewal of the official refugee identity card could not be found within the time constraints of this Response.

Cancellation of card

Within the Ugandan *Refugees Act, 2006*, Section 6, the cessation clause, allows for a person's refugee status to be revoked if:

- that person voluntarily re-avails himself or herself of the protection of the country of his or her

nationality, or voluntarily re-establishes himself or herself in the country of origin;

- that person surrenders his or her refugee status;
- having lost his or her nationality, he or she acquires it again;
- that person becomes a citizen of Uganda or acquires the nationality of some other country and enjoys the protection of the country of his or her new nationality; or
- the circumstances in connection with which that person was recognized as a refugee have ceased to exist, but he or she without compelling reasons arising out of previous persecution -
- continues to refuse to avail himself or herself of the protection of the country of origin or nationality; or
- continues to refuse to return to the country of former habitual residence or to take on another available nationality;
- being of a class of persons declared to be refugees in accordance with section 25 of this Act -
- that person has committed a serious non-political crime outside Uganda after admission into Uganda as a refugee; or
- that person has seriously infringed the purposes and objectives of the Geneva Convention or the [Organisation of African Unity] OAU Convention. (Uganda 2006, 6)

Section 25 states that an individual can be conferred refugee status individually or as part of a group (Uganda 2006, 25).

In 19 January 2009 correspondence, a representative of the Refugee Law Project (RLP) at Uganda's Makerere University stated that the cessation clause is rarely applied (RLP 19 Jan 2009). However, there have been reports of (Rwandan) refugees being pressured to return to their country of origin (AI 15 Dec 2004, 20; RLP 10 Mar 2005; VOA 5 Oct 2007). Amnesty International reports that "the invocation of the cessation clauses, could be viewed as a mechanism to pressure refugees" (15 Dec 2004, 20). However, Voice of America (VOA) indicates that most of those who returned to Rwanda had never achieved refugee status (5 Oct 2007).

Refugee status may also be revoked if an individual was erroneously recognised as a refugee (Uganda 2006, 39). For example, if the individual misrepresents himself or herself or his or her situation (RLP 19 Jan 2009). In such cases, the government can cancel and "withdraw" the refugee identity card (RLP 19 Jan 2009).

Right to live permanently in Uganda

Holders of a valid refugee card are allowed to live permanently in Uganda (RLP 19 Jan 2009; Uganda 2006, 29).

Right to travel outside of Uganda and return

In order to travel outside of Uganda, a refugee must obtain a travel document [Convention Travel Document] from the Ugandan government (RLP 19 Jan 2009; Uganda 2006, 31). With this document, the refugee can travel anywhere outside Uganda except to his or her country of origin or where restrictions apply (ibid.). According to the Representative of the Refugee Law Project, a refugee may also be required to present his or her refugee identity card before departing from or upon returning to Uganda (RLP 19 Jan 2009).

Right to study

Under Ugandan law, refugees have the same right to elementary school education as Ugandan nationals (Uganda 2006, 29). Refugees have the right to receive the same treatment as other foreign nationals for education beyond elementary school (ibid.). Details on what constitutes "same treatment" could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to Education International (EI), an international teacher's union, Uganda provides free universal primary education to refugee children and allows some access to secondary vocational education (EI 18 June 2007).

Right to access social services

According to the Refugee Law Project Representative, the refugee identity card allows its holder to access social services, education, and employment (RLP 19 Jan 2009). Specifics regarding these social services could not be found within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Amnesty International (AI). 15 December 2004. *Rwanda. Protecting Their Rights: Rwandese Refugees in the Great Lakes Region*. (AFR 47/016/2004) <<http://amnesty.org/en/library/info/AFR47/016/2004/en>> [Accessed 12 Feb. 2009]

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Voice of America (VOA). 5 October 2007. "Uganda Deports 3,000 Rwandan Refugees." <<http://www.voanews.com/english/archive/2007-10/2007-10-05-voa38.cfm>> [Accessed 12 Feb. 2009]

Additional Sources Consulted

Oral sources: An officer at the Uganda High Commission in Ottawa did not provide information within the time constraints of this Response.

Internet sites, including: British Broadcasting Corporation (BBC), European Country of Origin Information Network (ecoi.net), Human Rights Watch (HRW), Office of the United Nations High Commissioner for Refugees (UNHCR) (Refworld), *Jeune Afrique*, United Kingdom (UK) Border Agency, United States (US) Department of State.

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