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22 January 2008

ZZZ102691.E

Uganda/Rwanda: Whether a Rwandan born in Uganda has citizenship rights; conditions under which individuals whose ancestors are not Ugandan can obtain Ugandan citizenship; whether citizens of Uganda have rights to free university education; whether international students can attend university in Uganda
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Citizenship rights

A Rwandan born in Uganda is not automatically granted Ugandan citizenship (Uganda 18 Jan. 2008; *ibid.* 1995, Chapter 3, Sec. 10; US Mar. 2001, 205). Under Chapter 3, Section 10 of the Constitution of the Republic of Uganda, 1995, persons granted Ugandan citizenship by birth include:

- (a) every person born in Uganda one of whose parents or grandparents is or was a member of any of the indigenous communities existing and residing within the borders of Uganda at the first day of February, 1926, and set out in the Third Schedule to this Constitution; and
- (b) every person born in or outside Uganda one of whose parents or grandparents was at the time of birth of that person a citizen of Uganda by birth.

The constitution also outlines several conditions under which an individual whose ancestors are not Ugandan can obtain Ugandan citizenship (Uganda 1995, Chapter 3, Sec. 11-12). For example, abandoned children of no more than five years of age, whose parents are unknown, are considered citizens of the country (*ibid.*, Chapter 3, Sec. 11). An individual under the age of 18 years who is adopted by a Ugandan citizen may also be granted citizenship (*ibid.*). Chapter 3, Section 12 of the Ugandan constitution outlines the manner in which an individual may obtain citizenship by registration (Uganda 1995). It states the following:

- (1) Every person born in Uganda—
 - (a) at the time of whose birth—
 - (i) neither of his or her parents and none of his or her grandparents had diplomatic status in Uganda; and
 - (ii) neither of his or her parents and none of his or her grandparents was a

refugee in Uganda; and

(b) who has lived continuously in Uganda since the ninth day of October, 1962,

(shall, on application, be entitled to be registered as a citizen of Uganda.

(2) The following persons shall, upon application, be registered as citizens of Uganda—

(a) every person married to a Uganda citizen upon proof of a legal and subsisting marriage of three years or such other period prescribed by Parliament;

(b) every person who has legally and voluntarily migrated to and has been living in Uganda for at least ten years or such other period prescribed by Parliament; (c) every person who, on the commencement of this Constitution, has lived in Uganda for at least twenty years. (ibid.)

University in Uganda

In an 18 January 2008 telephone interview, an official at the Uganda High Commission in Ottawa indicated that Ugandan citizens do not have access to free university education. However, the Official noted that the Ugandan government awards bursaries and scholarships to a certain number of Uganda's top students (Uganda 18 Jan. 2008). Non-Ugandans are permitted to attend university in Uganda (Makerere University n.d.; Uganda 18 Jan. 2008), but they do not have access to the Ugandan government bursaries and scholarships (ibid.).

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 additional sources consulted in researching this Information Request.

References

Makerere University. N.d. "International Students."
<http://mak.ac.ug/makerere/index.php?option=com_content&task=view&id=31&Itemid=90> [Accessed 21 Jan. 2008]

Uganda. 18 January 2008. Uganda High Commission, Ottawa. Telephone interview with an official.

Uganda. 1995. "Constitution of the Republic of Uganda, 1995."
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United States (US). March 2001. Office of Personnel Management. Investigations Service. "Uganda." *Citizenship Laws of the World*.
<<http://www.opm.gov/extra/investigate/IS-01.pdf>> [Accessed 18 Jan. 2008]

Additional Sources Consulted

Internet sites, including: AllAfrica; European Country of Origin Information Network (ecoi.net); Factiva; Internal Displacement Monitoring Centre (IDMC); Minority Rights Group International; Uganda Ministry of Internal Affairs, Department of Immigration; UgandaOnlineLawLibrary.com; United Kingdom Home Office; United Nations Integrated Regional Information Networks; United States Department of State; United States Library of Congress.

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