

**Review of the UK Home Office Country Information and
Guidance – Uganda: Sexual Orientation and Gender
Identity (August 2014)**

Prepared for the Chief Inspector of Borders and Immigration & the
Independent Advisory Group on Country Information (IAGCI)

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1. Introduction

1.1 Purpose of the Review

This review provides a commentary on the *Country Information and Guidance (CIG) for Uganda: Sexual Orientation and Gender Identity from August 2014* produced by the Home Office. It also examines responses to individual Country of Information (COI) Requests. The review is commissioned by the Independent Advisory Group on Country Information, and is therefore drafted in line with instructions received through the IAGCI Chair.

This review aims to assess the Country of Information in terms of its accuracy and balance, with the objective of ensuring that it offers an up-to-date and comprehensive summary of the most relevant available source material reflecting the human rights situation in Uganda, and relating to the key issues raised in asylum claims made by Ugandan nationals. It does so by checking the citations in the report as well as the original documents from which they are drawn, by evaluating their continued relevance, and by identifying more recent, alternative, readily available sources that will usefully supplement the substantive content of the report.

The scope of the review also includes a more general assessment of the report's coherence and format, commenting on the methods used in its compilation, and offering suggestions on how its structure and/or organisation might be improved to deliver the content more effectively in the context of the report's goals.

2. Overall comments

2.1 Summary of findings

i. CIG for Uganda – Sexual Orientation and gender Identity (August 2014)

On the whole, information provided is balanced, well referenced and up-to-date. A more in—depth perspective on lesbians, transgender and intersex persons should be included, with subheadings for each group.

The **legal section could be improved upon by including information on other laws** (recommendations on other laws to include were made in the review of the Ugandan 2011 COI report in the 2013 Evaluation of LGBTI issues in the Home Office's Country of Origin Reports), including laws relating to NGOs and on sexual relations between consenting adults. It is important to **include information on charges and convictions** (provided in other sections of the CIG relating to State treatment) **in the legal section** to demonstrate how the laws are applied in practice.

Moreover, when references to Bills are made, the **COI should include up-to-date information on whether the Bill has been enacted.**

The CIG provides links for further information, which is good practice. However, in some instances where only limited information is provided with a link for further details, **it would be useful to outline the main findings directly in the CIG.** This is especially important given that LGBTI claims from Uganda are not infrequent. For example, a link is provided in the section on health. As there are substantial issues to report on this topic, main findings should be outlined here.

On the whole, information provided is balanced, well referenced and up-to-date. **A more in—depth perspective on lesbians, transgender and intersex persons should be included, with subheadings for each group.**

ii. Responses to COI Requests

On the whole the responses provide relevant information using up-to-date sources. Some responses explicitly state when information on a specific question has not been identified, which is good practice.

Suggestions relating to the COI Requests:

- Information cited should be **specifically tailored at answering the question** (including background information):
 - o For e.g. in response to the COI request *Somali refugee right of residence (01/15/002)*, requesting whether a Somalian recognised refugee having left the country would be permitted to return to Uganda without an ID card – it is more relevant to provide information on rules applicable to refugees leaving the country and returning, than to cite rules regarding 'permanent residency' for refugees in Uganda.
- Where requests relate to specific rules applicable, if possible it is helpful to **cite the applicable rules and regulation** (for example the Refugee Act in the Somali refugee example cited above).

For specific comments on each response to the COI Requests, please see *section 5* below.

2.2 Understanding of LGBTI issues, content and language

On the whole the CIG and Responses to COI request demonstrate a reasonable understanding of LGBTI issues and uses appropriate language.

The CIG should **include a stronger perspective on transgender and intersex persons and lesbians**. Section 2.8 of the CIG on societal attitudes includes a subheading for transgender persons. This should be done consistently in each section. **Subheadings should also be included for each subgroup**. Where information is not available on a particular sub-group, **this can be stated explicitly**.

2.3 Quality and balance of sources

The sources used are for the most part up-to-date, well referenced and balanced.

3. CIG: Specific comments on each section

3.1 Legal framework

The title 'pre-2014 legal rights'(section 2.1) **should be amended to 'applicable legal framework' or 'The Penal Code Act of 1950'**, as it is the legal framework applicable (the Anti-Homosexuality Bill was annulled in August 2014, as noted in the CIG).

The 2011 Uganda COI report had **headings for different categories among LGBTI groups**, including a distinction between LGB and transgender groups under the legal rights section. This was good practice and **should be repeated here** (or at least a heading at the end of the section providing identity specific information).

The 2011 Uganda COI report included a **separate section on transgender persons**, including information on sexual reassignment surgery laws (citing a 2010 ILGA report that confirmed that Uganda has no law recognising SRS). This was good practice and **should be repeated in this CIG report**.

On point 2.2, Anti-Homosexuality Act:

A cross-reference is made to Annex C for more details on the AHA. The cross-reference should be to **Annex B** as Annex C relates to case-law.

A good description of the context running up to the passing of the bill is provided through the cited sources, including the original text of the bill omitted from the Act that was signed into law, reference to the Ugandan Constitutional Court annulment and motion by the Attorney General to appeal the decision. **An update on this appeal should be provided in the update to this COI report:**

- Uganda planning new anti-gay law despite opposition, 10 November 2014, <http://www.bbc.com/news/world-africa-29994678>
- Gay Ugandans face new threat from anti-homosexuality law- LGBT community prepares for round two in the battle for their rights, as new government legislation is expected to outlaw the ‘promotion’ of homosexual acts, 6 January 2015, <http://www.theguardian.com/world/2015/jan/06/-sp-gay-ugandans-face-new-threat-from-anti-homosexuality-law>
- Uganda drafts new anti-gay laws- Politicians want seven-year prison term for ‘promotion’ of homosexuality, according to leaked copy, 8 November 2015, <http://www.theguardian.com/world/2014/nov/08/uganda-drafts-anti-gay-laws-prison-promotion-homosexuality>
- Ugandan anti-gay law is dead, but court challenge lives on, Posted on February 18, 2015 by Colin Stewart, Erasing 76 Crimes, <http://76crimes.com/2015/02/18/ugandan-anti-gay-law-is-dead-but-court-challenge-lives-on/>
- The Prohibition of Promotion of Unnatural Sexual Practices Bill of 2014, <http://www.scribd.com/doc/245855111/The-Prohibition-of-Promotion-of-Unnatural-Sexual-Practices-Bill-of-2014>

The law is cited directly in 2.2.8-2.2.9, which is good practice. **It would be better to cite these relevant offence provisions first**, before the BBC main aspects (2.2.6) as the latter is more precise and a primary source. Moreover, the 2.2.6 BBC source cited states that ‘homosexual acts are already illegal in Uganda but clarifies that [under the Anti-Homosexuality Act 2014] lesbians are covered by the bill for the first time’. This is incorrect and misleading as while not explicitly mentioned, lesbians face arrest, and incarceration under the broad interpretation of the Penal Code’s section 145.

Other laws affecting LGBT persons:

This section provides useful information on other laws affecting LGBT persons, including the Interception of Communications law passed in 2010.

The report refers to the Anti-Pornography `Bill of 2010 and makes a cross-reference to 1.2.15 for an update on the law. There is no hyperlink to a section 1.2.15, and no section 1.2.15 in the CIG Uganda: Sexual Orientation and Gender Identity August 2014 report. **The CIG should include an update in the text on this bill** - the Anti-Pornography Act was passed by Parliament on 19 December 2013 and signed into law on 6 February 2014. It came into force on 9 May 2014:

- Rule By Law, Discriminatory Legislation and Legitimised Abuses in Uganda, Amnesty International, p. 17, <http://www.amnestyusa.org/sites/default/files/afr59062014en.pdf>

The report also refers to the HIV and Aids Control Bill of 2009 – an update on the bill from mid-March is cited from New Vision, ‘MPs reject compensation for HIV infection on duty, 19 March 2014) (the CIG does not include the link to the article: <http://www.newvision.co.ug/news/653705-mps-reject-compensation-for-hiv-infection-while-on-duty.html>).

The HIV Bill was passed into law on 13 May 2013. **This information should be provided in the CIG.** For relevant sources, see:

- Uganda: Parliament passes deeply flawed HIV law, takes giant leap backwards: urge President Museveni to veto, <http://www.hivjustice.net/news/uganda-parliament-passes-deeply-flawed-hiv-law-takes-giant-leap-backwards/>;
- Uganda: Civil Society Coalition Condemns President Museveni for Signing HIV Prevention and Control Bill into Law <http://www.hivjustice.net/news/ugandas-president-museveni-signs-hiv-prevention-and-control-bill-into-law-contradicting-evidence-and-human-rights/>.

The review of the Ugandan 2011 COI report in the 2013 Evaluation of LGBTI issues in the Home Office's Country of Origin Reports¹ recommended including information on the following:

- The definition of NGOs under Article 1 of the NGO Act in Uganda which limits activity areas for LGBTI NGOs. NGOs engaged in advocacy or public policy activities, for example, are vulnerable to government discretion (<http://www.icnl.org/research/monitor/uganda.html>)
- Laws regulating sexual relations between consenting adults, including extra-marital sexual relations, divorce, restrictions on women or men to live on their own, and sex work. See for e.g.:
 - Amnesty International, Making Love a crime: Criminalization of same-sex conduct in Sub-Saharan Africa, 4.3 The impact of laws criminalizing consensual same sex conduct, April 2013, <http://www.amnesty.org/en/library/asset/AFR01/001/2013/en/9f2d91b7-bc0e-4ea7-adae-7e51ae0ce36f/afr010012013en.pdf>, cited in point 3.18..11 of the Home Office Operational Guidance Note for Uganda, December 2013)
- Laws on expression and association.
- Reference to the application of Sharia law to personal status issues (such as marriage, divorce).

The above laws are not mentioned in the 2014 CIG for Uganda on Sexual Orientation and Gender Identity and should be included.

The report should also include a reference to:

- The **Public Order Management Act** passed in October 2013- the law has been used to restrict freedom of assembly and political opposition. For a discussion on impact on LGBT defenders see:
 - Smoking Out the Gays - Frank Mugisha, Aids Alliance, http://www.aidsalliance.org/assets/000/001/006/INSIGHT5_FrankMugisha_Original.pdf?141294431 *The criminalisation of gay-identified people themselves, as well as of their sexual behaviour, must be confronted on both human rights and public health grounds. Yet without an environment in which human rights defenders can operate, successful legal or social challenges are unlikely. In other contexts, angry citizens might march for change. In Uganda a permit is now required before this can happen.*
- **Exemption from Protection by the Equal Opportunities Commission** - under Section 15(6)(d) of the Equal Opportunities Commission Act, the Commission is prohibited from investigating “any matter involving behavior which is considered to be (i) immoral and socially harmful, or (ii) unacceptable, by the majority of the cultural and social communities in Uganda.” The Equal Opportunities Commission Act (2007) is available at: http://www.hrapf.org/sites/default/files/publications/equal_opportunities_commission_act_2007.pdf.

¹ <http://icinspector.independent.gov.uk/wp-content/uploads/2014/11/IAGCI-evaluation-of-the-Home-Offices-COI-Reports-Coverage-on-LGBTI.pdf>.

- **Legislation barring NGOs in Uganda from “promoting homosexuality” drafted in April 2014** (The International Centre for Non-Profit Law, NGO Law Monitor: Uganda (Last updated Aug. 2, 2014), available at <http://www.icnl.org/research/monitor/uganda.html>: *The proposed law will prohibit Ugandan NGOs from advocating for sexual minority rights, an act previously punishable under the Anti-Homosexuality Act. The legislation will also bar international NGOs, or NGOs receiving funding from abroad, from commenting on Uganda’s politics. Moreover, the 2013 report referred to charges brought under alternative offence provisions, including trafficking obscene publications.*

Information on charges and convictions (as provided in section 2.5 and 2.6 of the CIG) **should be regrouped and feature in the legal section**, to illustrate how the legal framework is applied in practice.

3.2 Section 2.4: Attitudes of State Officials

The section on attitudes of State officials includes remarks from President Museveni on same-sex relations. **A perspective from other State officials such as members of Parliament would be useful here.** See for e.g.:

- Odongo Otto, MPs Forum: I Can’t Believe Some People’s Stand on Gays, The Observer, 28 February 2010
http://www.observer.ug/index.php?option=com_content&task=view&id=7449&Itemid=6.; (opposition leader Odonga Otto stated that “*allowing gays and lesbians to be alive in our lifetime in Uganda will not happen . . . Gays should suffer death not only by hanging but also by stoning at a public marketplace.*”)
- Evidence of government officials repressing public discussion on LGBTI rights - Human Rights Watch, World Report 2013: Uganda, available at <http://www.hrw.org/world-report/2013/country-chapters/uganda?page=2> (In February, the minister of ethics and integrity closed down a meeting organized by Sexual Minorities Uganda)

3.3 Section 2.5 Arrests, Detentions and Convictions

Comments on structure:

Information on prosecutions should be included in the legal section under a discrete subheading (i.e. information in 2.5.1 on convictions and charges ‘in acts against the order of nature and indecency’; information in 2.5.5 on charges brought against LGBT persons for being idle and disorderly, inciting violence, public nuisance. The specific reference to transgender persons being charged for impersonation should be included under a discrete subheading for transgender persons in the legal section).

Information relating to family pressures and denouncements should be included in the section 2.8 on societal attitudes and treatment (i.e. information provided in 2.5.6 on families, partners, employers informing the police).

Information on ‘intrusive and degrading medical test’ in detention cited in 2.5.8 and the reference to ‘anal examinations’ in 2.5.9 should be cited in the subheading below on Treatment in Detention.

Comments on content

The section includes information on police acting on their own will and the impact of highly mediated events (such as the AHA) act on an increase in arrests of LGBTI persons. The CIG also discusses how the police are not proactively arresting LGBTI

persons, that they are not the main security concern (compared to society). **Sources on the actions by the police could be regrouped and additional sources cited:**

- IGLHRC Shadow Report, ORAM, Blind Alleys, Part II, Country Findings: Uganda, February 2014, available at http://www.oraminternational.org/images/stories/PDFs/blindalleys/20130301%20oram_ba_uganda.pdf, *SGN Ugandans also face abuse and mistreatment from police forces. LGBT persons being arbitrarily arrested and detained, sometimes as a means of extorting money*
- Human Rights First, Communities under Siege: LGBTI Rights Abuses in Uganda, (2010), <http://www.humanrightsfirst.org/wpcontent/uploads/Discrimination-against-LGBTI-Ugandans-FINAL.pdf> *There also have been several reports of gay men disappearing after being abducted or detained. In June 2010, men claiming to be members of the Criminal Investigation Directorate detained a gay man from a school in Kibuli. The victim of the abduction has not been seen since*
- Sexual Minorities Uganda (SMUG), From torment to Tyranny: Enhanced Persecution in Uganda Following the Passage of the Anti-Homosexuality Act 2014, December 2013=1 May 2014, May available at <http://www.sexualminoritiesuganda.com/Torment%20to%20Tyranny%2009-05-2014%20FINAL.pdf> - *According to a report from May 2014, thirteen incidents in which LGBTI individuals were intimidated by police officers were reported since the beginning of 2014.*

The COI should also **include information on protection available from State authorities** in this section. Suggestion of source:

- IGLHRC Shadow Report, ORAM, Blind Alleys, Part II, Country Findings: Uganda, February 2014, available at http://www.oraminternational.org/images/stories/PDFs/blindalleys/20130301%20oram_ba_uganda.pdf, *SGN individuals are often unable to receive police protection from abuse by non-state actors. Many SGN individuals do not feel comfortable reporting incidents of sexual harassment, rape, or abuse to the police for fear of being ignored, or arrested and further abused.*

Information on State treatment of transgender persons should also be included under a separate heading:

- IGLHRC Shadow Report, ORAM, Blind Alleys, Part II, Country Findings: Uganda, February 2014, available at http://www.oraminternational.org/images/stories/PDFs/blindalleys/20130301%20oram_ba_uganda.pdf *In 2010, a transgender activist was arrested for protesting at a meeting; while in detention, he was tortured by the police with verbal and sexual abuse and held for three days without being allowed to use the toilet.*
- Transgender Equality Uganda, blog entry „Ugandan Transsexual Woman Molested, Hospitalised For Looking Abnormal, 25 January 2012, http://transgenderuganda.blogspot.be/2012_01_01_archive.html (Information on challenges faced by Transgender persons, including difficulties to obtain Passport).

3.4 Section 2.6: Healthcare

The CIG mainly cites sources on the effects the AHA would have (and might still have if successfully challenged) on the country's response to HIV and on cut backs to healthcare for LGBTI persons. The Ugandan Minister is cited as stating that LGBTI healthcare would not be compromised. This is juxtaposed with a source from HRW questioning how this would work in practice, which is good practice.

The report refers to the Danish FRM 2014 report and advises to consult the site for further issues. Given the substantial issues faced by LGBTI persons in accessing healthcare in Uganda, **it would be good practice to cite relevant parts of the report directly in the CIG.** It would also be useful to have a **greater diversity of sources on this issue, including local sources.**

A transgender and intersex perspective should be reflected in the CIG (including discrimination, issues with lack of hormonal replacement therapy in public health facilities).

Regarding intersex persons specifically, **information on the health care approach to intersex persons, including using the concealment orientated approach, resorting to surgery without the express consent of intersex individual could also be included** (see SIPD and other suggested sources below).

Finally, **access to health for lesbians should also be reported separately**, see for e.g.:

- Article on issues with healthcare faced by lesbians: Lesbian Dies After Being Deported by UK back to Uganda, 17 March 2013, ILGA, <http://ilga.org/ilga/en/article/o0m0Cat1QT>

3.5 Section 2.7 Restrictions on Civil Society Groups

Comments on structure

Section 2.7 on restrictions on civil society groups and section 2.9 on NGO and Civil Society activism could be merged into one section as they focus on the same issues.

Subheadings could be included and the information re-organised for the sake of clarity.

Sub-headings could include for e.g.:

- LGBTI NGOs and issues with registration
- Perception of activists by State authorities
- State treatment and repression of LGBTI activists by the State
- Effects of the annulled Anti Homosexuality Act on NGO activities
- LGBTI Pride Parades

Information on the **High Court ruling on repressing LGB activities because they amount to ‘incitement to commit homosexual acts and conspiracy to effect an unlawful purpose’ under the Penal Code reported in Section 2.7.8** should be discussed under the legal section.

Information provided on lesbians in section 2.9.5 should be moved to the section on societal attitudes and treatment.

3.6 Section 2.8 Societal Attitudes and Treatment

Comments on structure

The issues on section 2.8.2 relating to the mandate of Equal Opportunities Commission – should be reported in the legal section.

Comments on substance

The section cites sources explaining the causes of homophobia stemming from religious beliefs – it would be useful to **include information on public incitement from religious leaders.**

It would be good to have a **discrete subheading on lesbians regrouping information on harassment specific to this subgroup including corrective rapes.**

This section includes a subheading for transgender persons, which is good practice. The subsection discusses harassment specific to transgender persons. **More information could be included on family and societal pressures, bullying at school, evictions from landlords, rape endured to prove they are women** (see suggested sources below).

3.7 Section 2.9 NGO and Civil Society Activism

See comments in section 3.5 above.

3.8 Annexes

Annex B provides a link to the Anti-Homosexuality Act (AHA). While the Act was annulled in August 2014 the text provides an indication of the legislator's stance towards LGBTI persons, and of what further legislation may well be expected in the future (especially given that the Constitutional Court decision annulling the AHA has been appealed and that the law was only struck out on a technicality).

The title to Annex B could be amended to explicitly mention that the AHA has been annulled so as not to mislead a case-worker. I.e. it could read:

- Annex B: Anti-Homosexuality Act, 2014 (please note that the Act was annulled in August 2011 following a Constitutional Court Decision ruling that the bill had been passed without the requisite quorum. The Constitutional Court ruling has been appealed).

It would also be useful to include an Annex citing the relevant applicable law (i.e. Article 145 of the 1950 Penal Code).

4. Additional recommendations for sources

- Country of Origin Report: Sexual Minorities Uganda, October 2014, Organisation for Refugee, Asylum and Migration, ORAM http://www.oraminternational.org/images/stories/PDFs/Countryoforigin_report.pdf?utm_source=Uganda+COI+Launch&utm_campaign=Uganda+COI+Launch&utm_medium=email
- [see sources suggested in section 3 above].

Specific to transgender/intersex persons:

- LGBTI Africa: A Trans Woman in Uganda, By Cleo Kambu, July 16, 2013, the Independent, <https://www.independent.org/2013/07/16/lgbti-africa-trans-woman-uganda>
- Trans Support Initiative - Uganda commemorates the International Day Against Homophobia and Transphobia (IDAHOT), 17 May 2012, <http://www.pambazuka.org/en/category/advocacy/82225>
- Transgender Equality Uganda, blog entry 'Ugandan Transsexual Woman Molested, Hospitalised For Looking Abnormal', 25 January 2012, http://transgender-uganda.blogspot.be/2012_01_01_archive.html
- Press Release Kampala, 15 May 2012, Human Rights defenders call for action to protect intersex children and people in Uganda, SIPD, <http://sipd.webs.com/newsarticles.htm>
- Ugandan Transwomen Demand an End to Gender Based Violence and Institutional Prejudice Against Them, 1 October 2013, IGLHRC Press release <http://iglhrc.org/content/ugandan-transwomen-demand-end-gender-based-violence-and-institutional-prejudice-against-them>

5. Review of responses to COI requests

i. COI request – Forum Democratic Change (08/14-043)

Information on the current treatment of members of the Reform Agency, currently known as the Forum for Democratic Change (FDC) back in Uganda. Do general supporters/members of the party face ill-treatment amounting to persecution?

The response is well structured using pertinent and balanced sources. **Direct references could also be made to sources cited in the Operational Guidance note for Uganda from December 2013** (for e.g. point 3.17.8) (if still up-to-date).

ii. COI request –Uganda National Front Army (12/14-047)

1. *Is there an active rebel organisation called UNFA (Uganda National Front Army)?*
2. *Is there any record of an army captain called Rogers Muyomba?*

The response cites a relatively recent (2012) source from the Ugandan media. The source includes names of suspects apprehended who are part of UNFA. The response also states explicitly that no information on the second question could be identified which is good practice.

iii. COI Request – Media ‘outings’ (09/14 – 045)

The specific question in the request is not included in the response document. It is therefore not possible to assess precisely whether all the elements of the questions have been addressed.

Point 2 source from Associated Press is not fully referenced.

Information on the Red Pepper Articles is mostly provided from a Blog from a US equality activist. **The COI researcher should consider whether the information cited will provide factual precise information for assessing an asylum claim.** Some parts cited do not have to be included in the response, *‘I.e. Also I hear Mr. poop Ssempe has US residency because his wife is a USA citizen is planning to come to the USA. I cannot wait for his arrest’*.

The response could also **refer to sources cited in the Uganda Sexual Orientation and Gender Identity report from August 2014** which provides information on media outings (in points 2.8.7 to 2.8.11).

iv. COI Request – Exit checks for summonsed individual (11/14-059)

Information on security checks and exit procedures at Entebbe airport, Uganda.

The response provides pertinent information on security checks at Entebbe airport.

The response does not include specific information on whether non-attendance when summoned would place a person on a monitored list. The European COI network notes the following information obtained from the High Commission for Uganda on Entry Control Lists:

- *Uganda maintains an Exit Control List, composed of names of persons who are forbidden to leave Uganda due to outstanding warrants or for other reasons. ... the Ugandan government maintains an Entry Control List of names of persons who are forbidden to enter Uganda or who are to be arrested upon entry. No security and/or background checks are conducted against persons who desire to leave or enter Uganda, unless in specific cases if necessary (European Country of Origin Information Network, Entry and exit controls; the possibility of obtaining false passports [UGA34600.E], http://www.ecoi.net/local_link/197359/316225_de.html).*

Note that the source above cites correspondence with the High Commission for Uganda dating from 2000. The FCO could be contacted for more up-to date information.

v. COI Request – Somali refugee right of residence (01/15-002)

Would a recognised Somali refugee in Uganda be permitted to return to Uganda from the UK without her refugee ID card?

The response cites a source referring rights of refugees with permanent residency status (which does not refer to rights for refugees with permanent status to leave and return), as well as a source on immigration requirements for nationals including possessing a valid passport or visa.

The response does not address the issue of whether a recognised refugee would be able to return having left Uganda and having had their refugee ID card withdrawn upon exiting the country.

Suggested sources:

Information on the Ugandan refugee identity card; the rights and obligations of a holder of this card, whether the status granted by this card must be renewed or can be cancelled; whether the card allows a person to exit and re-enter Uganda is provided in a response to information request from the Research Directorate, Immigration and Refugee Board of Canada, Ottawa 17 March 2009 (http://www.justice.gov/eoir/vll/country/canada_coi/uganda/UGA103053.E.pdf):

- 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.. 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).
- 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 surrenders his or her refugee status;*
 - *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 [...]*
- Renewal of card: *According to the U.S. Committee for Refugees and Immigrants (USCRI), "if the Ugandan government's Refugee Eligibility Committee granted [asylum seekers] 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.*

The Refugee Regulations (issued by the Government in 2010 to give effect to the 2006 Refugee Act) can also be consulted on <http://www.refworld.org/pdfid/544e4f154.pdf> (Uganda 2010 No. 9. The Refugees Regulations 2010):

The 2010 No. 9. The Refugees Regulations 2010 specify that a refugee identity card should be surrendered before the holder departs from Uganda:

- *Article 43: Identity card. (1) A person who has applied for refugee status or a refugee shall produce his or her identity card for inspection, whenever required to do so by*

an immigration officer or a police officer. (2) The identity card referred to in sub regulation (1) shall be surrendered to the nearest immigration officer or police officer— (a) before the holder departs from Uganda; [...]

The 2010 No. 9. The Refugees Regulations 2010, also specify that a person having been granted refugee in another country will not be eligible to apply in Uganda:

- *Article 14: Person with refugee status of another country:*
(1) *A person who enters Uganda or wishes to remain in Uganda after having been granted refugee status in another country shall not be eligible to apply for refugee Uganda online Law Library 8 status in Uganda.*
(2) *Notwithstanding sub regulation (1), a person who enters Uganda or wishes to remain in Uganda after having been granted refugee status in another country shall not be precluded from applying for refugee status in Uganda where he or she establishes that he or she is likely to suffer persecution on the grounds of race, religion, ethnicity, gender or political affiliation in the country of his or her refuge.*

A local NGO working with refugees could also be contacted to obtain the relevant information, for e.g. the Refugee Law Project in Uganda (info@refugeelawproject.org).

vi. COI Request – Refugee status (01/15-241)

Information on how long asylum seekers are granted refugee status for, is it the same as five years as in the UK? If she was granted refugee status, which has no expired, what legal rights does she have in Uganda, is she eligible to reapply?

The response cites a relevant source from the CIRB providing information on the Ugandan refugee Identity card. The source provides that a holder of a refugee Identity card are allowed to live permanently in Uganda.

However, no information is provided on how often this would have to be renewed, whether the refugee would lose their status as a refugee, and whether they would be eligible to reapply.

Other parts of the CIRB source provides more relevant information on this which should be cited in the response, i.e.:

- **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).
- **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 surrenders his or her refugee status;*
 - *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 [...]*

The 2010 No. 9. The Refugees Regulations 2010 specify that a refugee identity card should be surrendered before the holder departs from Uganda:

- *Article 43: Identity card. (1) A person who has applied for refugee status or a refugee shall produce his or her identity card for inspection, whenever required to do so by*

an immigration officer or a police officer. (2) The identity card referred to in sub regulation (1) shall be surrendered to the nearest immigration officer or police officer— (a) before the holder departs from Uganda; [...]

The 2010 No. 9. The Refugees Regulations 2010, also specify that a person having been granted refugee in another country will not be eligible to apply in Uganda:

- *Article 14: Person with refugee status of another country:*
 - (1) *A person who enters Uganda or wishes to remain in Uganda after having been granted refugee status in another country shall not be eligible to apply for refugee Uganda online Law Library 8 status in Uganda.*
 - (2) *Notwithstanding sub regulation (1), a person who enters Uganda or wishes to remain in Uganda after having been granted refugee status in another country shall not be precluded from applying for refugee status in Uganda where he or she establishes that he or she is likely to suffer persecution on the grounds of race, religion, ethnicity, gender or political affiliation in the country of his or her refuge.*

A local NGO working with refugees could also be contacted to obtain the relevant information, for e.g. the Refugee Law Project in Uganda (info@refugeelawproject.org).