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‘Voluntary’ Repatriation of Rwandan Refugees in Uganda: Between Law and Practice-Views from Below

Frank **Ahimbisibwe**

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TABLE OF CONTENTS

ABSTRACT	5
1. INTRODUCTION	5
2. RWANDAN REFUGEE REPATRIATION: BETWEEN LAW AND PRACTICE-VIEWS FROM BELOW	8
2.1. RIGHT TO LEAVE AND RETURN TO ONE'S COUNTRY	8
2.2. PRINCIPLE OF NON-REFOULEMENT	9
2.3. HIGH COMMISSIONER'S ASSISTANCE TO GOVERNMENTAL AND PRIVATE EFFORTS IN PROMOTING REPATRIATION	12
2.4. COOPERATION BETWEEN COUNTRIES OF ASYLUM AND ORIGIN	13
2.5. FACILITATION OF RETURNEES BY COUNTRY OF ORIGIN	13
2.6. NO PENALTY FOR RETURNEES	14
2.7. RETURN IN SAFETY AND DIGNITY	15
2.8. CEASING OF CAUSES FOR FLIGHT	16
2.9. REFUGEES' ACCESS TO INFORMATION ABOUT THE COUNTRY OF ORIGIN	17
2.10. MONITORING RETURNEES AT HOME BY THE UNHCR	18
3. CONCLUSION	18

ABSTRACT

Uganda hosts refugees from neighboring countries including Rwanda. By May 2017, Uganda was the second refugee hosting country in the world, with over 1.2 million refugees. In 2003, a tripartite agreement was signed to repatriate 25,000 Rwandan refugees. Only 850 refugees accepted to return and most of them came back almost immediately to Uganda on the grounds of insecurity and human rights violations in Rwanda. Although legal principles and norms exist on voluntary repatriation, they have been violated in the case of the Rwandans' repatriation. There exists a gap between the legal principles and the practice of repatriation. This article analyzes this discrepancy from the refugees' point of view by focusing on specific legal principles of repatriation.

Keywords: Rwandan refugees, Voluntary repatriation, Refugee law, Human rights law, Uganda, Rwanda

1. INTRODUCTION

According to UNHCR, "by the end of 2015, 65.3 million individuals were forcibly displaced as a result of persecution, conflict, generalized violence or human rights violations. Out of 65.3 million, 21.3 million persons were refugees¹, 40.8 million Internally Displaced Persons and 3.2 million asylum seekers"². Developing regions hosted 86 percent of the world's refugees under UNHCR mandate.³

The UNHCR's annual Global Trends report further notes that, by the end of 2015, Uganda was hosting 512,968 refugees and asylum-seekers, the highest number in the country's history. Uganda then was the 8th largest refugee hosting country in the world and the third largest in Africa.⁴ This number has increased to more than 700,000 with the addition of over 230,000 South Sudanese refugees following renewed fighting in South Sudan in 2016.⁵ This number had risen to 810,000 by the end of 2016.⁶ By May 2017, this number stood at over 1.2 million.⁷ The majority of these refugees come from neighboring countries and the wider region like South Sudan, Democratic Republic of Congo, Burundi, Somalia, Rwanda, Kenya, Ethiopia and Eritrea among others. Around 17,176 of these were Rwandan⁸ who arrived during and after the 1994 Rwandan genocide.

Uganda is a party to international refugee and human rights law which spell

[1] Out of the 21.3 million refugees, 16.1 million refugees are under UNHCR's mandate and 5.2 are Palestinian refugees registered by United Nations Relief and Works Agency.

[2] UNHCR (2016), *Global Trends: Forced Displacement in 2015*, Geneva, UNHCR: 2, Available at <http://www.unhcr.org/576408cd7>, [Accessed on 19th September 2016]

[3] Ibid.

[4] Ibid: 16.

[5] Lule Jeff Andrew (2016), "Uganda Now Hosts More Than 700,000 Refugees", *New Vision*, 19th September, Available at http://www.newvision.co.ug/new_vision/news/1435630/uganda-hosts-700-refugees [Accessed on 19th September 2016].

[6] See President of Uganda's Statement at the Leaders Summit on Refugees at the United Nations General Assembly, New York on 20th September 2016, Available at <https://www.yowerikmuseveni.com/presidents-statement-leaders-summit-refugees-un-general-assembly-new-york> [Accessed on 4th October 2016].

[7] Mafabi David & Ainebyoona Emmanuel (2017), "Uganda struggling to feed refugees-Government", *Daily Monitor*, 10 May 2017, Available at <http://www.monitor.co.ug/News/National/Uganda-struggling-to-feed-refugees--govt/688334-3920468-jdp7byz/index.html> [Accessed on 17th May 2017].

[8] UNHCR (2016), *Uganda-Monthly Refugee Statistics Update*, February, Available at data.unhcr.org/drc/download.php?id=1216, [Accessed on 22nd September 2016].

out the principles of voluntary repatriation as follows: the 1951 Convention⁹ and its 1967 Protocol¹⁰ (principle of non-refoulement)¹¹, the 1969 OAU Convention on Refugees¹² (voluntary character of repatriation, cooperation between countries of asylum and origin, facilitation of returnees by country of origin and no penalty to returnees).¹³ Other principles are provided in UNHCR Executive Conclusions No. 40 (XXXVI) 1985 (ceasing of causes for flight and return in safety and dignity) and No. 18 (XXXI) 1980 (refugees' access to information about the country of origin and monitoring returnees at home by the UNHCR).

Uganda has also ratified international human rights law instruments which provide for the right to leave and return to one's country: the 1948 Universal Declaration of Human Rights¹⁴, the International Convention on the Elimination of All Forms of Racial Discrimination¹⁵, the 1966 International Covenant on Civil and Political Rights (ICCPR)¹⁶ and the 1981 African Charter on Human and Peoples' Rights (ACHPR)¹⁷. Other instruments include: the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR)¹⁸, the 1984 Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment¹⁹, the 1989 Convention on the Rights of the Child²⁰, the 1979 Convention on Elimination of All Forms of Discrimination Against Women (CEDAW)²¹, the 1990 African Charter on Rights and Welfare of the Child (ACRWC)²² and the 2003 Protocol to the African Charter on Human and Peoples' Rights

[9] UN (1951), *Convention Relating to the Status of Refugees*, adopted on, July 28 (hereafter '1951 Convention') by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 14, 1950, entered into force April 22, 1954. Uganda acceded to the 1951 Convention on 27th September 1976.

[10] UN (1967), General Assembly, *Protocol Relating to the Status of Refugees*, 31st January (hereafter '1967 Protocol'), United Nations, Treaty Series, Vol. 606, p.267, Available at: <http://www.refworld.org/docid/3ae6b3ae4.html>. Uganda acceded to this Protocol on 27 September 1976.

[11] Article 33 (1) of the 1951 Convention calls upon states not to expel or return refugees to countries where their lives and rights would be threatened due to race, religion, nationality, membership of a particular social group or political opinion.

[12] OAU (1969), *Convention Governing The Specific Aspects of Refugee Problems in Africa* (hereafter '1969 OAU Convention'), Assembly of Heads of African States and Governments, Addis Ababa, September 10, 1969, 1001 U.N.T.S. 45, entered into force June 20, 1974. Uganda acceded to the OAU Convention on 24th July 1987.

[13] See Article V of the 1969 OAU Convention.

[14] UN (1948), *Universal Declaration of Human Rights* (hereafter UDHR), adopted by General Assembly Resolution 217A (III) of December 10, 1948.

[15] UN (1965), *International Convention on the Elimination of All Forms of Racial Discrimination*, adopted and opened for signature and ratification by General Assembly resolution 2106 (XX), 660 U.N.T.S. 195 (1965), entered into force January 4, 1969. Uganda acceded to CERD on 21 December 1980.

[16] UN (1966), *International Covenant on Civil and Political Rights* (hereafter ICCPR), adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of December 16, 1966, UN.Doc.A/6316 (1966), 999 U.N.T.S, entered into force March 23, 1976. Uganda acceded to the ICCPR on 21 September 1996.

[17] OAU (1981), *African (Banjul) Charter of Human and People's Rights*, (hereafter ACHPR), OAU Doc.CAB/LEG/67/3 rev.5, 21 I.L.M. 58 (1981), adopted June 27 1981, entered into force on October 2, 1986. Uganda ratified it on May 10th, 1986.

[18] UN (1966), *International Covenant on Economic, Social and Cultural Rights*. (hereafter ICESCR), Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) Of December 16, 1966, entered into force January 3, 1976. Uganda acceded to the ICESCR on 21 April 1987.

[19] UN (1984), *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*, (hereafter CAT), UN GAOR Supp. (No. 51) at 197, U.N.Doc.A/39/51, adopted by General Assembly resolution 39/46 of December 10, 1984, entered into force June 26, 1987. Uganda acceded to the CAT on 26 June 1987. Article 2 provides for "an obligation not to return any person to a state where there are substantial grounds for believing that he would be in danger of being subjected to torture".

[20] UN (1989), *Convention on the Rights of the Child*, (hereafter CRC), G.A. res.44/25, 1989, annex, 44 U.N.GAOR Supp. (No.49) at 167, U.N.Doc.A/44/49, entered into force September 2, 1990. Uganda ratified it on 16 September 1990.

[21] UN (1979), *Convention on Elimination of All Forms of Discrimination against Women*, (hereafter CEDAW), G.A.res.34/180, 1979, 34 U.N. GAOR Supp. (No.46) at 193, U.N.Doc.A/34/46, entered into force September 3, 1981. Uganda ratified CEDAW on 21 August 1985.

[22] AU (1990), *African Charter on the Rights and Welfare of the Child*, (hereafter ACRWC), OAU Doc.CAB/LEG/24.9/49

on the Rights of Women in Africa (also known as “Maputo Protocol”).²³

The above international refugee and human rights legal instruments have been domesticated with the enactment of the 2006 Refugees Act²⁴ and other domestic human rights laws including the 1995 Constitution and the 1997 Children’s Act.

Although legal principles and norms exist on voluntary repatriation, they have been violated in the case of Rwandans’ repatriation in Uganda. There is a gap between the legal principles and the practice of repatriation. This article analyzes this discrepancy from the refugees’ point of view by focusing on specific principles of repatriation. Refugee claims are verified by external points of view of stakeholders. The paper attempts to bring into the limelight the views of refugees which are at times ignored in refugee policy making.

Although there has been sufficient scholarly attention to repatriation of Rwandan refugees²⁵, there is little scholarly writing focused on the views and perspectives of stakeholders on the legal principles of repatriation especially the refugees. This paper lets the refugees speak.

This study is based on two research visits carried out at different intervals in Nakivale and Oruchinga settlements in south western Uganda. The first visit was June 2010 to December 2011. A second visit took place between June to August 2016. The study focused on Rwandan new caseload refugees²⁶ and used a qualitative research methodology. Semi-structured and key informant interviews, Focus Group Discussions (FGDs), observation and documentary evidence were the main research techniques. Purposive criterion sampling was used to select the study respondents, namely Rwandan refugees, Rwandan and Ugandan government officials, UNHCR and NGOs officials, as well as local hosts around Nakivale settlement, Isingiro District.²⁷In addi-

(1990), adopted on June 27, entered into force on November 29, 1999. Uganda ratified it on August 17, 2004.

[23] AU (2003), “The Maputo Protocol” (hereafter ‘Maputo Protocol’) was adopted by the African Union on 11 July 2003 at its second summit in Maputo, Mozambique and it entered into force in November 2005. Uganda ratified it on 22 July 2010.

[24] Section 42 (1) provides for non-refoulement. It states that “...no person shall be refused entry into Uganda, expelled, extradited or returned from Uganda to any other country or subjected to any similar measures if, as a result of such refusal, expulsion, return or other measure, that person is compelled to return to or remain in a country where- (a) He/she may be subjected to persecution on account of race, religion, sex, nationality, membership of a particular social group or political opinion...”.

[25] Ahimbisibwe Frank (2011) *Repatriation as a durable solution to the Rwandese refugee problem in Uganda*, Saarbrücken, VDM Verlag Publishers; Karooma, Cleophas (2014), “Reluctant to Return? The Primacy of Social Networks in the Repatriation of Rwandan Refugees in Uganda”, *Working Paper Series No. 103*, Refugee Studies Centre, University of Oxford, August; Karooma Cleophas (2013), “Preliminary Observations from the Field: Rwandan Refugees’ Perceptions of ‘Voluntary’ Repatriation from Uganda”, *Oxford Monitor of Forced Migration*, Vol. 3, No. 2, November; Whitaker Beth Elise (2013), “Changing Priorities in Refugee Protection: The Rwandan Repatriation from Tanzania” in Niklaus Steiner, Mark Gibney & Gil Loesher (Eds), *Problems of Protection: The UNHCR, Refugees and Human Rights*, New York & London, Routledge: 141-154; Amnesty International (1997), *Great Lakes Region Still in Need of Protection: Repatriation, Refoulement and Safety of Refugees and the Internally Displaced*, London: International Secretariat, 24th January.

[26] Rwandan new caseload refugees refer to Hutu that came during and after the 1994 genocide. Before them, Uganda hosted old case load Rwandan Tutsi refugees who arrived in 1959 and the early 1960s. The majority returned to Rwanda after the genocide while a significant number stayed in Uganda.

[27] The first visit involved 162 respondents. 1 FGD, each with 12 Rwandans was organized in each of the 3 zones in Nakivale; Base Camp, Juru and Rubondo. In each of the zones, I interviewed 10 refugee leaders. I also interviewed 10 recyclers, 10 Isingiro district officials, 11 Officials from Office of the Prime Minister (OPM), 16 NGOs staff, 10 police officers, 36 local hosts (6 locals from each of the 6 sub-counties bordering Nakivale), 1 expert on refugee studies and 2 officials from the Rwandan High Commission in Kampala. In the second visit, a total of 182 respondents participated in the study. 4 FGDs each with 10 Rwandan refugees were organized in 4 zones of Nakivale settlement; Base Camp, Juru, Rubondo and Kabazana. The 5th FGD with 10 Rwandan refugees was organized in Oruchinga settlement. I interviewed 10 refugee leaders from each of the 4 zones in Nakivale. 10 refugee leaders were interviewed in Oruchinga settlement. Apart from the refugees, I interviewed 16 recyclers (10 in Nakivale and 6 in Oruchinga), 10 new asylum seekers (6 in Nakivale and 4 in Oruchinga), 6 OPM officials (4 in Nakivale and 2 in Oruchinga), 4 Isingiro district officials, 34 local hosts (24 in Nakivale and 10 in Oruchinga), 10 NGOs staff (6 in Nakivale and 4 in Oruchinga) and 2 officials from the Rwandan High Commission in Kampala.

tion, ‘recyclers’²⁸ were identified through snowball sampling. Rwandan refugees and other categories of respondents answered questions on themes like refugee physical security, refugee rights and obligations, voluntary and forced repatriation, local integration, resettlement, the so-called cessation clause and, in general, avenues to find durable solutions.²⁹ The analysis further makes use of secondary data, both scholarly articles and grey literature.

The paper is structured as follows. The first section addresses the views of refugees verified by the external points of view of stakeholders on Rwandan repatriation. The paper finally concludes with methodological and policy implications.

2. RWANDAN REFUGEE REPATRIATION: BETWEEN LAW AND PRACTICE-VIEWS FROM BELOW

2.1. Right to leave and return to one’s country

One of the principles of repatriation is the right to leave and return to the country of origin. The United Nations Human Rights Committee recalled in its General Comment 27 on Freedom of Movement that: “the right to return is of the utmost importance for refugees seeking voluntary repatriation”.³⁰ Even more precisely, the right to return constitutes the legal precondition to realize repatriation.³¹ In other words, voluntary repatriation presupposes that refugees are entitled to exercise the human right to return to their country of origin. As a corollary of this right, the state of origin is bound to admit its nationals.³²

Rwandan refugees observed that they fled due to violence and persecution. The respondents noted that their right to return had been respected. However, the majority argued that conditions in Rwanda did not favor return.

A refugee observed: “In 2003, we were told to go home. We welcomed it and went to Rwanda. The problem is that our country is not peaceful. The fact that we were consulted and facilitated to go home was a good gesture on the part of the Ugandan government and UNHCR”.³³ The refugees argued that it was not safe to return. One respondent said, “Each one of us has a right to return to Rwanda. It is our motherland. However, almost all of us feel that it is not yet the right time to return to Rwanda because of dictatorship and human rights violations”.³⁴ A refugee man noted: “if we don’t want to exercise our right to return, why should we be forced to return?”.³⁵ Another respondent argued: “I thought that I have freedom to decide whether to return or not”.³⁶ It was clear that the refugees knew that they have a right to return but were not ready to make use of this right. To them, those forcing them to return home had

[28] Recyclers are Rwandan refugees who have been repatriated to Rwanda but have returned to Uganda claiming human rights violations, insecurity, persecution and inability to recover land and property in Rwanda.

[29] The study observed ethical principles in research. The study was cleared by the Office of the Prime Minister and Isingiro District in Uganda. During the data collection exercise, the respondents were briefed on the purpose of the study which was purely academic. Their confidentiality, informed consent and voluntary participation were observed and respected.

[30] United Nations Office of the Human Rights for Human Rights (1999), CCPR General Comment No. 27: Article 12 (Freedom of Movement) Adopted at the Sixty-seventh session of the Human Rights Committee, on 2 November CCPR/C/21/Rev.1/Add.9, General Comment No. 27. (General Comments) quoted by Chetail Vincent (2004), Voluntary Repatriation in Public International Law: Concepts and Contents, *Refugee Survey Quarterly*, 23 (3):26.

[31] Chetail Vincent, “Voluntary Repatriation in Public International Law”, *Ibid.*

[32] *Ibid.*

[33] Focus Group Discussion, Rubondo zone, Nakivale on 8th July 2010.

[34] Interview with a refugee man, Kigali village, Nakivale on 23rd June 2010.

[35] Interview with a refugee man, Kabazana village, Nakivale settlement on 14th June 2016.

[36] *Ibid.*

ulterior motives.

NGOs, UNHCR and OPM officials observed that the refugees' right to return was respected. This was through signing of a tripartite agreement, consultations, sensitization, registration and transportation. A UNHCR official noted: "We have provided an environment where refugees who are interested in returning are able to do so. We believe that the right to return is a fundamental human right that should be respected. However, a significant number of Rwandan refugees are not interested in return. For us we will continue to support those willing to return".³⁷

2.2. Principle of Non-refoulement

Rwandan refugees pointed at non-refoulement as the most abused legal principle. The refugees were aware that return to their country of origin should be voluntary rather than forced. All the interviewed refugees agreed that they have experienced pressure to return. They stressed that this was a violation of the laws that govern refugees in the world. The following excerpts from the interviews are testimony of their views:

"In 2010, the Uganda Minister for Refugees came here in Nakivale together with officials from the Rwandan government and told us that we had lost our refugee status and had to return to Rwanda. He said that Rwanda was now peaceful and willing to receive us and there was no longer need for us to be here in the settlement. Our pieces of land where we used to grow food for our children were given to Congolese refugees in 2009. Since then life has changed. Our Congolese colleagues continue to harass us telling us to return to Rwanda. In some cases they call us names like murderers, Interahamwe and we feel this is an abuse. Our food rations have been reduced. Our children are hungry and no longer go to school. We are always turned away from hospitals telling us that our medicine is in Rwanda not in Nakivale. Life is very hard and miserable. We do not know what is next".³⁸

"When we came here in Nakivale, we were told that Rwandan refugees were no longer wanted here in Uganda and any time we were going to lose our refugee status. We defended ourselves saying that there was no peace for us in Rwanda. We did not understand until we were denied most of our rights through banning cultivation, reducing food rations and other discriminatory practices. We have continued to talk to the Settlement Commandant and UNHCR but they don't want to listen and have kept a deaf ear. Some of us have contemplated committing suicide by throwing ourselves in the nearby Lake Nakivale. But when we think of our children and their future without parents we see that committing suicide will bring more misery to them. We are here but we are not here".³⁹

"We used to enjoy our rights until 2009 when things started to change. They took land away from us. We started getting verbal attacks that we had overstayed in Uganda. They started turning us away from health centers. We know that all this is being done to make life hard and force us back to Rwanda".⁴⁰

"Our rights are being violated by forcing us to return to Rwanda. If you are to understand the matter very well, you find that UNHCR has a hand in sending people back home by force. For instance in Tanzania and DRC, they forced Rwandan refugees to return home. Even in Burundi refugees were sent away by force. When you remained behind they would fire at you. This was a violation of their

[37] Interview with UNHCR Protection Officer, Mbarara on 20th August 2010.

[38] Focus Group Discussion, Juru zone, Nakivale settlement on 30th June 2010.

[39] Focus Group Discussion, Kabazana village, Nakivale settlement on 15th June 2016

[40] Focus Group Discussion, Rubondo zone, Nakivale settlement on 12th July 2016.

rights. It looks like now is our turn to return home by force”.⁴¹

“In 2010 they tricked our fellow Rwandans that they were going to give them food rations and inform them of the decision on their application for refugee status. As they were gathered the army and police came and forced them on trucks and drove to Rwanda. We were here and saw everything with our eyes. People died and others were injured while children were separated from parents. They claimed only taking rejected asylum seekers but we know of genuine refugees who were returned at gun point. Was this right? This was illegal returning refugees to a country where they will be persecuted”.⁴²

One respondent claimed that “Kagame has been pushing ahead to see us being forced to Rwanda. He is on record to have said that Rwandan refugees in Nakivale will have to return home just like they did in Tanzania, DRC and Burundi”.⁴³ Another refugee man said: “Kagame said on national television and radio that he will not rest until all the refugees in Nakivale have returned home. He asked why we are not returning. To him our continued stay in exile meant that we are running away from justice and reconciliation”.⁴⁴ It was reported by others that the violation of Rwandan refugees’ rights was very common including forced repatriation.⁴⁵ Others also mentioned that their right to voluntary repatriation had been violated because they were forced to go back to Rwanda.

A refugee woman notes: “Even if they stop us from cultivation, we will not return to Rwanda. Our refusal to return home is not connected to land in Nakivale. We would have returned immediately when they told us not to carry out cultivation activities. Our failure to return is closely related to politics, human rights and justice in Rwanda”.⁴⁶ In one of the focus group discussions, refugees argued: “We know Kagame is trying to force Uganda to expel us. We know Uganda has no problem with us. We have been living here without harassment from the government. We request President Museveni to resist Kagame’s plan of repatriating us by force”.⁴⁷

The current repatriation of Rwandan refugees going on currently in Uganda cannot be called voluntary. It is indeed forced return as evidenced by ultimatums, verbal abuse and threats, deadlines, anti-Rwandan refugee rhetoric, destruction of crops and huts, restriction of access to humanitarian assistance, denial of refugee status, and starvation. Furthermore Rwandan refugees also face the possibility of invocation of the cessation of refugee status as recommended by UNHCR in December 2011.⁴⁸ It is very clear that the threats of declaration and implementation of the cessation clause violate refugee rights and undermine the voluntary nature of repatriation. In circumstances where refugees are not given optional durable solutions like local integration or resettlement, invocation of cessation of refugee status means forced repatriation to Rwanda. These are some of the tactics used by the Government of Uganda to force the refugees to return to their country of origin.⁴⁹

[41] Focus Group Discussion, Sangano Base Camp, Nakivale settlement on 24th June 2010.

[42] Focus Group Discussion, Sangano Base Camp, Nakivale settlement on 10th June 2016.

[43] Interview with a refugee woman, Juru zone, Nakivale settlement on 24th June 2010.

[44] Interview with a refugee man, Sangano, Nakivale settlement on 23rd June 2010.

[45] Focus Group Discussion, Oruchinga settlement on 29th August 2016.

[46] Interview with a refugee woman, Juru zone, Nakivale Settlement on 3rd July 2016.

[47] Focus Group Discussion, Rubondo zone, Nakivale Settlement on 12th July 2016.

[48] The cessation of refugee status was initially set for implementation by 30th June 2013 and later suspended by government. After the 2016 UNHCR Executive Committee meeting in Geneva, the new proposed date for implementation of the cessation clause is December 2017.

[49] The same view is reported by the following reports: Amnesty International (1997), *Human Rights Overlooked in*

Although most officials from government and humanitarian agencies submitted that repatriation of Rwandan refugees was voluntary in nature, some government and NGO officials interviewed said it was forced. An employee of GIZ stated: “I must say that the repatriation of Rwandan refugees was not voluntary. There was indirect force used because UNHCR and Governments of Uganda and Rwanda have argued that Rwandan refugees had overstayed in Uganda and yet their country is peaceful. They therefore should go back home”.⁵⁰ Another official said “We don’t call the repatriation of Rwandans voluntary. The repatriation of Rwandans is forced as shown by push factors like deadlines to return, ban on cultivation, reduction in assistance, verbal attacks and threats and the recommendation of cessation clause in 2011. All these conditions undermine the voluntary nature of repatriation”.⁵¹

There were also threats from government officials putting pressure on Rwandan refugees to return. According to the Refugee Law Project, in November 2004, Moses Ali, First Deputy Prime Minister and Minister for Disaster Preparedness and Refugees (as he then was), on a visit to Nakivale told a group of Rwandan refugees: “You came here when you had problems at home and we granted you asylum. Today your country is very peaceful, why don’t you want to go home?”⁵² In addition Christine Aporu, State Minister for Disaster preparedness and Refugees (as she then was), told Rwandan refugees: “Pack your bags and go home. Rwanda is ready to receive you”.⁵³ Such threats from government officials undermined the voluntary nature of repatriation.

In an interview with a Senior Protection Officer in the Office of the Prime Minister in Kampala the issue of Rwanda strongly pushing for repatriation and the cessation clause came out clearly. “Our colleagues from Rwanda have been pushing us in our tripartite commission meetings to buy their point of view of declaring cessation clause and forced repatriation of Rwandan refugees. At times we don’t agree with them but we are forced to compromise on our positions and policy regarding Rwandan refugee case load because of the need to maintain good interstate diplomatic relations”.⁵⁴ This was confirmed by an official working with the Refugee Law Project: “Obviously Rwanda is strongly pushing other countries to force all Rwandan refugees to return. Kagame knows very well the implications of failure to repatriate refugees outside Rwandan territory. Remember there is an active rebel group opposed to the Kigali government. Who knows Rwandan refugees in Uganda are a recruiting ground for these rebels. Because of national security interests, Kagame has made refugee repatriation one of his foreign policy priorities”.⁵⁵

According to an OPM official, “[t]here was a belief that Rwandan refugees were not willing to return to Rwanda because of the accessibility of land in Nakivale. Rwandans were

Mass Repatriation Report, 14th January, available at http://www.essex.ac.uk/armedcon/story_id/Human%20Rights%20Overlooked%20in%20Mass%20Repatriation.pdf [Accessed on 12th November 2012] ; Amnesty International (2004), *Rwanda: Protecting their rights: Rwandese refugees in the Great Lakes region*, available at <http://www.amnesty.org/en/library/asset/AFR47/016/2004/en/f22d9445-d556-11dd-bb24-1fb85fe8fa05/af470162004en.pdf> [Accessed on 4th April 2012] ; Human Rights First (2004), *A Decade of Unrest: Unrecognized Rwandan Refugees in Uganda and the Future of Refugee Protection in the Great Lakes*, available at: <http://www.humanrightsfirst.org/wp-content/uploads/pdf/Decade-of-Unrest.pdf> [Accessed on 30th June 2013].

[50] Interview with a humanitarian official of GIZ, Mbarara on 26th July 2016.

[51] Interview with a Protection Officer, Centre for Refugee Rights, Mbarara, 1st July 2016.

[52] Refugee Law Project (2005), *Update: Repatriation of Rwandan Refugees from Uganda*, March, Available at www.refugeelawproject.org/joint_statement.html, [Accessed on 20th June 2013].

[53] Ibid.

[54] Interview with Senior Protection Officer, Directorate of Refugees, Office of the Prime Minister, Kampala on 16th August 2010.

[55] Interview with an official of Refugee Law Project, Kampala on 15th August 2010.

the most productive refugee groups producing good harvests of mainly maize and beans which they would sell and get huge amounts of money. Our Rwandan colleagues (Rwanda Government Officials) thought that by denying Rwandans land, they would be encouraged to return to Rwanda. They asked us to implement this policy of putting a ban on cultivation as a way of encouraging repatriation”.⁵⁶ The same view was raised by an official working with the International Refugee Rights Initiative: “Rwanda at first thought that refugees were not returning due to land access in Nakivale. This issue of land was raised in the Tripartite Repatriation Commission and an agreement was reached to stop Rwandan refugees’ access to land. They thought this would encourage refugee returns. However, this policy has backfired since there are no refugees voluntarily registering for repatriation”.⁵⁷

According to the Settlement Commandant, Rwandan refugees were relying on food assistance from humanitarian agencies like the World Food Programme. Despite the fact that the ban on cultivation was implemented, few Rwandan refugees were willing to return. Thus, “we thought a good number of them would have returned home by now but no one is interested in leaving Nakivale”.⁵⁸ The above observations by government officials all confirm the forced nature of Rwandans’ repatriation.

2.3. High Commissioner’s assistance to governmental and private efforts in promoting repatriation

The UNHCR Statute calls upon the High Commissioner to facilitate and promote voluntary repatriation.⁵⁹ The respondents were of the view that the UNHCR colluded with the Ugandan and Rwandan governments in the forced repatriation of Rwandan refugees.

The refugees argued that much as UNHCR has worked closely with the two governments, this was at the expense of refugees’ rights. A number of refugees interviewed pointed out that UNHCR only listens to governments’ views and interests and not to the refugees. For example, UNHCR is said to have participated in the recommendation of cessation clause for Rwandan refugees in December 2011 when it was very clear that Rwanda is not a peaceful country. The majority of the refugees expressed their unwillingness to return home despite the invocation of cessation clause. One of the refugees noted that “UNHCR only listens to governments. It does not listen to us refugees. Why should UNHCR listen to the views of Rwanda that there is peace and stability when we the refugees know very well that this is a complete and open lie? UNHCR should be renamed ‘United Nations High Commissioner for States’ (UNHCS) and not for Refugees”.⁶⁰

A Protection Officer noted: “The relationship between UNHCR and the two governments of Uganda and Rwanda has been cordial because the three of them had actively participated in the repatriation of Rwandan refugees. They signed a tripartite agreement in July 2003 and this is a legal basis for the repatriation exercise. The three partners have done sensitization of Rwandan refugees together and have shared information on repatriation”.⁶¹ The above view of the officials was positive about the role of UNHCR contrary to the refugees who saw the

[56] Interview with Refugee Desk Officer, Office of the Prime Minister (OPM), Mbarara on 22 July 2010; Interview with Refugee Desk Officer, Office of the Prime Minister (OPM), Mbarara on 27th August 2016.

[57] Interview with an official of International Refugee Rights Initiative, Kampala on 22nd August 2016.

[58] Interview with the Settlement Commandant, Nakivale Settlement on 25th June 2010; Interview with the Settlement Commandant, Nakivale Settlement on 26th August 2016.

[59] Article 8(c).

[60] Focus Group Discussion, Sangano Base Camp, Nakivale on 24th June 2010.

[61] Interview with a Protection Officer, Office of the Prime Minister, Kampala on 17th August 2010.

organization as being more on the side of states.

2.4. Cooperation between countries of asylum and origin

The refugees observed that Uganda and Rwanda cooperated in the repatriation process. The two countries hosted each other's repatriation teams on several occasions. They also exchanged visits and held joint meetings on the repatriation of refugees. A refugee woman noted: "We have attended meetings addressed by officials from both countries. They told us to return home".⁶² A refugee man observed that: "the two countries have cooperated in harassing us. They have carried out forced repatriation and plan to implement cessation clause".⁶³ In a FGD refugees noted that "Uganda and Rwanda have a close working relationship. Rwanda has influenced policies on refugees in Uganda. For example the decision to stop cultivation and forced repatriation is an example of the cooperation between the two countries".⁶⁴

An official in the Office of the Prime Minister noted that "Rwanda has cooperated with Uganda in the repatriation of refugees because it wants her nationals to go home. The fact that the two are signatories to the 2003 Tripartite Agreement is enough proof that there has been cooperation between the two countries".⁶⁵ An OPM protection officer noted: "Uganda and Rwanda are members of the Tripartite Commission. They meet regularly to share information, update each other and plan for the repatriation of refugees".⁶⁶ Other sources have reported on the cooperation of Uganda and Rwanda in the repatriation of Rwandans.⁶⁷

2.5. Facilitation of returnees by country of origin

The refugees interviewed observed that there had not been enough facilitation of returnees in Rwanda. In fact most of them claimed that instead of being facilitated to reintegrate in the Rwandan society, they had been harassed, persecuted, imprisoned and even killed. Here are quotes of recyclers (former returnees) about their experiences in Rwanda.

"We went back to Rwanda but found out that our land was taken by a soldier in the Rwandan army. When we asked for our land, my husband was arrested and taken to prison but has never been tried. I know anytime the government will kill him. Fearing for my safety, I returned to Uganda".⁶⁸

"We went to Rwanda in November 2009. Governments of Uganda and Rwanda and UNHCR persuaded us to return arguing that it was peaceful. I found four families living on my father's land. When I requested for a portion of my father's land, they told me to wait for ten years. When I refused to accept they took me to prison for two days. One person came and told me that in Rwanda they don't speak out openly. This person advised me to forget about my father's land. When I saw that my life

[62] Interview with a refugee woman, Kabazana village, Nakivale settlement on 15th June 2016.

[63] Interview with a refugee man, Rubondo zone, Nakivale settlement on 11th July 2016.

[64] Focus Group Discussion, Sangano Base Camp, Nakivale settlement on 10th June 2016.

[65] Interview with a Government official, OPM, Kampala on 17th August 2010.

[66] Interview with a Protection Officer, OPM, Kampala on 1st June 2016.

[67] Ahimbisibwe Frank (2015), *The Host State and Refugee Security in Uganda: The Case of Rwandan Refugees in Nakivale Settlement*, Doctoral Dissertation, Unpublished, Mbarara, Mbarara University of Science and Technology; Karooma Cleophas (2013), *Rwandan Refugees and their Attitudes to Repatriation, 1994-2012*, Doctoral Dissertation, Unpublished, Mbarara, Mbarara University of Science and Technology; International Refugee Rights Initiative, Refugee Law Project & Social Science Research Council (2010), *A Dangerous Impasse: Rwandan Refugees in Uganda*, 9 June:8, available at: http://refugeelawproject.org/others/10_06_28_A_Dangerous_Impasse_Rwandan_Refugees_in_Uganda.pdf [accessed on 15 November 2016].

[68] Interview with a recycler, Juru zone, Nakivale settlement on 30th June, 2010.

was in danger, I decided to come back to Nakivale”.⁶⁹

“I did not find Rwanda a peaceful country. There is ‘Umuganda’ which is compulsory for everybody. Another problem is ‘Trondo’ (night patrols) and this is a source of fear for many people. Some people are picked from their homes and taken. At least here in Uganda we sleep till morning without any worry”.⁷⁰

The hardships faced by returnees in Rwanda are confirmed by UNHCR in its Global Appeal Report 2011 Update.

“Returnees to Rwanda receive three-month food rations as well as basic non-food items (NFIs), before their transport to their districts of origin is facilitated. But there is also a need for reintegration projects, including skills training, income-generation and livelihood activities. The returnees face extreme poverty, as well as land and shelter issues, lack of medical coverage, a dearth of job opportunities and the need to walk long distances in search of water”.⁷¹

Furthermore, Rwandan Minister for Disaster Management and Refugees summarized the challenges facing returnees as follows:

“(1) Over 60% of returnee households were on permanent aid, (2) 96% needed support to re-build their shelters, (3) 72% had not received any kind of **poverty alleviation** assistance, **(4) 50% of them did not possess any health insurance** scheme, (5) 11% of returnees had no identification cards, (6) the vast majority of children born to returnees did not possess an adequate **birth certificate**, and (7) despite access to 12-years basic education the majority struggled to provide their children with school materials and uniforms”.⁷²

2.6. No Penalty for returnees

According to the respondents, especially the former returnees, the Rwandan government was interested in penalizing the returnees for their role in the 1994 genocide. This affected almost everybody whether or not he/she participated in the genocide. They claimed that the fact that one was a Hutu was enough evidence to accuse them of genocide crimes. The following quotes illustrate the returnees’ experiences with regard to penalties faced.

“I have a brother who returned to Rwanda and was penalized for not stopping his dog from eating the dead bodies of Tutsi. This was after failing to get any evidence against him in the participation of the 1994 genocide”.⁷³

“I reached Rwanda and one neighbor accused me of killing his relative. I was taken to Gacaca and forced to accept the charge. I am innocent and don’t know the person they were referring to. I found that people tell lies in Gacaca. I was taken to prison for one year. After coming out of prison I decided

[69] Interview with a recycler, Kabazana village, Nakivale settlement on 15th June 2016.

[70] Interview with a recycler, Kabahinda village, Nakivale settlement on 10th July 2010.

[71] UNHCR (2011), *Global Appeal Report Update: Rwanda*, Available on <http://www.unhcr.org/4cd926aeg.html>, [Accessed on 15th May 2014].

[72] Ibid.

[73] Interview with a refugee man, Juru zone, Nakivale on 3rd July 2016.

to return to Uganda”.⁷⁴

“There is collective guilt for all Hutu in Rwanda. People have been accused of cases they did not commit. Being a Hutu is enough evidence to implicate you in killing someone. I was falsely accused in Gacaca of assisting the Interahamwe kill people in a local church. I denied this accusation and asked them to bring evidence. Two people came out and said they saw me. I don’t know these people and have never seen them. A friend of mine who worked with Gacaca helped me to escape because he knew I was innocent”.⁷⁵

“I don’t advise anyone to return to Rwanda. There are two Rwandas. ‘Rwanda day’ and ‘Rwanda night’. Most people and the world know ‘Rwanda day’ that is peaceful without any problems. However, ‘Rwanda night’ is full of insecurity where people are arrested, tortured and harassed. I was harassed for not supporting the RPF in the 2010 elections. But I said ‘this is how democracy works that everyone has a party of his choice’. After a few days I was accused of promoting the genocide ideology”.⁷⁶

However, the High Commissioner of Rwanda to Uganda claimed that “Some Rwandan refugees fear to go home because of their participation in the 1994 Genocide. Certainly when they are repatriated, they will be required to answer some questions”.⁷⁷The High Commissioner’s views are an illustration of the Rwandan government attitude towards the refugees.

Other sources have argued that the Rwandan government is hostile to refugees/returnees and treats them as genocidaires and traitors.⁷⁸ This hostile reception to returnees undermines the principle of not penalizing returnees on account of their social group, collective guilt or time spent in exile.⁷⁹

2.7. Return in safety and dignity

According to Guy Goodwin-Gill and Jane McAdam, “the right of safe and free return is important in refugee protection. The countries of origin have responsibility of ensuring that refugees are able to return safely and freely.”⁸⁰

The refugees observed that their return was not safe and that the problem came after reaching Rwanda.⁸¹They said that UNHCR facilitated their return by providing transport. However, on reaching Rwanda there was either little or no assistance at all from both the UNHCR and the Rwandan government.⁸²They claimed that they received equipment like hoes, jerry cans, saucepans and food around the period of 2004 and 2005. These items became scarce afterwards.⁸³

[74] Interview with a recycler, Nyarugugu village, Nakivale settlement on 27th June 2010.

[75] Interview with a recycler, Juru trading centre, Nakivale settlement on 1st July 2010.

[76] Interview with a recycler, Sangano Base Camp, Nakivale settlement on 10th June 2016.

[77] Interview with Rwanda’s High Commissioner to Uganda, Rwanda High Commission offices, Kampala on 1st September 2010.

[78] See International Refugee Rights Initiative, Refugee Law Project & Social Science Research Council, “A Dangerous Impasse”, op.cit; Whitaker Beth Elise, “Changing Priorities in Refugee Protection”, op.cit.

[79] Ahimbisibwe Frank, “The Host State and Refugee Security”, op.cit.

[80] Goodwin-Gill, Guy S and McAdam Jane (2007), *The Refugee in International Law*, 3rd Ed., Oxford, Oxford University Press: 6.

[81] Focus Group Discussion, Oruchinga settlement on 29th August 2016.

[82] Ibid

[83] Focus Group Discussion, Rubondo zone, Nakivale settlement on 12th July 2016.

In addition, the respondents said that although the journey through Uganda was safe up to Rwanda, they experienced harassment, imprisonment and murder after being settled in their local communities.⁸⁴ The majority of former returnees agreed that they escaped from prisons and local communities for fear of being killed.⁸⁵ The researcher observed one refugee who was undergoing medication treatment. He claimed that he sustained wounds all over his body while in the custody of Rwanda authorities.⁸⁶

Other sources have reported on the challenges faced by returnees in Rwanda. According to IRIN, returnees were facing difficulties reintegrating in the local communities. Thus,

“Rukomo⁸⁷ had capacity for 500 people and lacked water and adequate sleeping space, forcing some to sleep in the open. ‘The camp was basically an abandoned facility,’ an aid worker told IRIN. During a visit to the camp on 28 October, a source told IRIN the returnees were held under armed guard”.⁸⁸

IRIN further notes that:

“Sources told IRIN some of the returnees were struggling to settle in their villages and to be accepted by their former neighbors. Felicien Mutemberezi, 48, a farmer from the northern Gicumbi District, told IRIN: ‘It is a disgrace that some of us are being treated as second-class citizens by our neighbors.’ Most of the people in his community, he added, referred to his family as ‘refugees’ because they had been away for 16 years. He acknowledged that the Rwandan government had provided some housing and domestic requirements, although he had failed to regain ownership of his land”.⁸⁹

Similar views are shared by UNHCR Rwanda⁹⁰, Amnesty International⁹¹ and Human Rights Watch⁹².

2.8. Ceasing of causes for flight

The refugees observed that Rwanda is not yet a peaceful country to allow repatriation. The former returnees observed that there are still cases of harassment, torture, imprisonment and murder of Hutu. In fact, the refugees accused the Rwanda government and the UNHCR of telling them lies about their country. They observed that there was no freedom of speech and anyone who dared oppose the government was looked at as a traitor.

In a FGD refugees argued that: “I cannot return to Rwanda because there is a deliberate policy to kill returnees especially the educated ones because they know we are going

[84] Focus Group Discussion, Sangano Base Camp, Nakivale settlement on 10th June 2016.

[85] Interview with a recycler, Juru zone, Nakivale settlement on 1st July 2016.

[86] Personal Observation of a recycler, Juru zone, Nakivale settlement on 1st July 2016.

[87] According to IRIN, Rukoma camp is a reception centre for returnees in Rwanda. This is where returnees are kept for some time before being taken to their villages.

[88] Integrated Regional Information Network (IRIN) (2010), Rwanda: More Returnees to Head Home from Uganda, 4th November, Available at <http://www.irinnews.org/report/90981/rwanda-more-returnees-to-head-home-from-uganda> [Accessed on 15th May 2014].

[89] Ibid.

[90] UNHCR, Rwanda Global Appeal 2010; UNHCR, Rwanda Global Appeal 2011.

[91] See Amnesty International Annual Reports (2003-2013) on the status of human rights, justice and democracy in Rwanda.

[92] See Human Rights Watch (2008), *Law and Reality: Progress in Judicial Reform in Rwanda*, available at <http://www.hrw.org/en/reports/2008/07/24/law-and-reality-o> [Accessed on 20th June 2014].

to oppose them. We have on several occasions told UNHCR that Rwanda is insecure but it has refused to listen to us”.⁹³ A refugee woman noted: “Rwanda is not yet peaceful. There are still human rights violations, political persecution and harassment. These are not easily seen by outsiders. We Rwandans know very well what takes place inside the country”.⁹⁴

The general view among the refugees was that the reasons which forced them to flee Rwanda still exist. Although there was no open war in Rwanda, the refugees believed that there was a silent war going on.

Other sources have reported on human rights violations, dictatorship and injustice in Rwanda⁹⁵. According to these sources the socio-economic and political conditions in Rwanda are responsible for the continued displacement of asylum seekers into neighboring countries. The same sources have warned that Rwanda may explode again.

2.9. Refugees’ access to information about the country of origin

Most refugees noted that they obtain information about Rwanda through video-tapes, go-and-see-visits and delegations of Rwanda and Uganda and of UNHCR. However, they observed that they did not get accurate information on the conditions in Rwanda. They claimed that the UNHCR and the Rwandan government told them lies as a way of convincing them to return.

In a FGD refugees noted that: “they brought video tapes to educate us on repatriation. They showed us the conditions in Rwanda and how they have improved. However, I was not convinced because they only showed us the good things about Rwanda. We know that inside the rural areas things are different”.⁹⁶ A refugee man argued that: “The Rwandan government has sent several delegations to talk to us. However, we believe that these government officials have not told us the truth. They only say positive things about Rwanda and this is not true”.⁹⁷ A refugee woman noted: “We don’t trust the views of UNHCR, Rwandan and Ugandan government officials about the conditions in Rwanda. They always want to paint a rosy picture. We have our own sources that give us correct information about Rwanda”.⁹⁸

UNHCR and OPM officials argued that they have given refugees accurate information about Rwanda. This was through “go-and-see-come-and-tell visits”, brochures, meeting and engaging refugees, hosting Rwandan government delegations among others. They observed that despite all sensitization efforts, refugees did not trust the information given to them.

One can argue that the refugees themselves know the problems affecting them. When the majority of refugees question the accuracy of the information given to them, the voluntary nature of repatriation becomes questionable. Why would returnees and new asylum seekers continue to flee Rwanda if it is peaceful and secure?

[93] Focus Group Discussion, Sangano Base Camp, Nakivale on 24th June 2010.

[94] Interview with a refugee woman, Juru zone, Nakivale settlement on 3rd July 2016.

[95] See Reyntjens Filip (2013), *Political Governance in Post Genocide Rwanda*, New York, Cambridge University Press; Reyntjens, Filip (2004), “Rwanda, Ten Years on: From Genocide to Dictatorship”, *African Affairs*, 103: 177-210; Straus Scott & Waldorf Lars (2011) (Eds), *Remaking Rwanda: State Building and Human Rights After Mass Violence*, Madison & London, The University of Wisconsin Press; Fahamu Refugee Programme (2011), *Rwanda: Cessation of Refugee Status is Unwarranted – Memo of Fact and Law*, September, available at: <http://www.refugeelawinformation.org/sites/sr-lan/files/fileuploads/Memo%20of%20Fact%20and%20Law.pdf> accessed on 27 January 2014]; International Refugee Rights Initiative, Refugee Law Project & Social Science Research Council, “A Dangerous Impasse”, op.cit.

[96] Focus Group Discussion, Sangano Base Camp, Nakivale on 24th June 2010.

[97] Interview with a refugee male leader, Kigali village, Nakivale settlement on 18th June 2016.

[98] Interview with a refugee female leader, Sangano Base Camp, Nakivale settlement on 11th June 2016.

Other sources have reported on the inaccuracy of the information given to the refugees about Rwanda.⁹⁹

2.10. Monitoring returnees at home by the UNHCR

The refugees especially the former returnees noted that there was either minimal or no monitoring of returnees by the UNHCR. Many claimed that after reaching Rwanda, the returnees were left on their own without any assistance from the UNHCR. A former male returnee had this to say: “Those who go back to Rwanda stay in a place called “imidugudu” – a small town with no land. Here returnees look after themselves with no assistance from either the Rwandan government or UNHCR”.¹⁰⁰ A recycler noted: “I returned to Rwanda in 2004 but we did not get assistance from UNHCR inside Rwanda. The only assistance we got was before we left Uganda. Returnees look after themselves with no assistance and monitoring by UNHCR”.¹⁰¹

A UNHCR official observed that the organization is overstretched and may not be able to carry out all its responsibilities. The organization faces challenges of limited funding. This affects its performance in meeting all its obligations.¹⁰² Other sources have reported on UNHCR’s limited monitoring of returnees in Rwanda.¹⁰³

3. CONCLUSION

This article has argued that although legal principles and norms exist on voluntary repatriation, they have been violated in the case of the repatriation of Rwandan refugees living in Uganda. From the refugees’ point of view, there exists a gap between the legal principles and the practice of repatriation. Views from government, UNHCR and NGO officials to a large extent agreed with the refugees’ views.

The insights in this article have methodological and policy implications. From a methodological perspective, more work needs to be done to identify and explore the gap between the official narrative of government, UNHCR and NGOs and the views of refugees who are at the receiving end. Most times, the official narrative supports the view that repatriation is voluntary and done in accordance with the law. All that is presented is how UNHCR, NGOs and government fulfill their legal and moral obligations in the repatriation process. It might be argued that the findings in this article do not correspond with the view that repatriation was done legally. The approach of exploring the views of refugees helps us to understand ‘voluntary’ repatriation from their point of view. There is need for further research on refugees’ lived experiences and fears.

From a policy point of view, the insights in this article call for a review of how policies and decisions are made with regard to voluntary repatriation. Most times policies are made by governments, UNHCR and NGOs without listening to the refugees. The decision to repatriate Rwandan refugees was made by Uganda, UNHCR and Rwanda when they signed a tripartite agreement in July 2003. More than thirteen years later, a significant number of refugees have not

[99] International Refugee Rights Initiative, Refugee Law Project & Social Science Research Council, “A Dangerous Impasse”, *op.cit*; Fahamu Refugee Programme, “Rwanda: Cessation of Refugee Status is Unwarranted”.

[100] Interview with a refugee man (formerly a returnee), Kigali village, Nakivale on 25th June 2010.

[101] Interview with a recycler, Kabazana village, Nakivale settlement on 15th June 2016.

[102] Interview with a UNHCR official, Mbarara on 20th August 2016.

[103] Amnesty International, “Rwanda: Protecting their rights”, *op.cit*; Amnesty International, “Human Rights Overlooked in Mass Repatriation”, *op.cit*; International Refugee Rights Initiative, Refugee Law Project & Social Science Research Council, “A Dangerous Impasse”, *op.cit*.

returned. Some of those who returned have moved back to Uganda.¹⁰⁴ This raises questions of whether there were consultations of Rwandan refugees before the repatriation process started. This calls for a bottom up as opposed to top down approach in refugee policy making. The approach that involves refugees will help in making policies and decisions that protect their rights, security, welfare and well-being.

[104] Email communication with the Refugee Desk Officer, Mbarara, Office of the Prime Minister on 8th December 2016. According to this official, there are no official statistics of Rwandan refugees in Uganda.



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