



# Refugee Law Project

Faculty of Law, Makerere University



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RLP FACT SHEET NO. 1

## SUDANESE ASYLUM SEEKERS STRANDED IN KAMPALA

### Current Situation:

On the 7<sup>th</sup> of February 2001, the Office of the Prime Minister (OPM) and the Uganda Office of the United Nations High Commission for Refugees (UNHCR) implemented a joint policy to prohibit Sudanese asylum seekers from registering for refugee status in Kampala. The stated reason for this decision, according to UNHCR, is to stop recognised refugees in the north from seeking placement in Kyangwali refugee settlement, Hoima District, from where, according to rumour, it is relatively simple to be resettled to Australia. This movement by refugees was increasing UNHCR's administrative workload, as such refugees were registering themselves in Kampala, even though they had already registered themselves in the North.

Currently, there are over 150 Sudanese asylum seekers in Kampala who have been told to return to entry points in the North to register. They are presently sleeping outside Old Kampala Police Station and InterAid (the UNHCR implementing agency). The asylum seekers include unaccompanied minors ranging in age from five years upwards. The Refugee Law Project has been collecting the testimonies of the many asylum seekers who have come to us for help.

### Problems with the Policy Itself:

- The policy was implemented without prior notice, so Sudanese coming to Kampala were unaware of it until arriving in the city.
- No attempt has been made to identify asylum-seekers who had not already registered in the North.
- Many of these Sudanese, including both those who have not registered and those who have, left the North because of specific or general danger in or outside the settlements. Ex-Sudanese People's Liberation Army (SPLA) soldiers, in particular, would face the most serious reprisals if they stayed in the North.
- The joint policy ignores the wider problem of general insecurity and inadequate living standards in Northern settlements.
- The policy is discriminatory in that it focuses upon Sudanese alone.

### Situation of Sudanese Asylum Seekers in Kampala:

- There is a severe lack of basic humanitarian aid for these asylum seekers.
- Although InterAid has offered some Sudanese asylum seekers funds for transport back to the north, such assistance has been offered sporadically and unevenly, and does not address the well-founded fear of staying in the north that forced many of the Sudanese to journey to Kampala.
- As asylum seekers cannot receive identification papers until after they register, they are left vulnerable to arrest for illegal presence and illegal entry.
- With the upcoming elections and concomitant increased sensitivity to the presence of foreigners, these homeless asylum seekers are an easy target for harassment and abuse.

### Recommendations:

- Allow the Sudanese asylum seekers already in Kampala to have their cases considered on an individual basis to see if they have registered before and to determine the nature of the security risks they face in the North.
- InterAid should be instructed to allow humanitarian assistance to these individuals in the meantime.
- There should be better communication in advance from OPM and UNHCR over policy changes to allow effective implementation and avoid confusion.