



UGANDA: ISSUES RELATED TO IMMIGRATION DETENTION

**SUBMISSION TO THE UN COMMITTEE
ON THE PROTECTION OF THE RIGHTS
OF ALL MIGRANT WORKERS AND
MEMBERS OF THEIR FAMILIES**

41ST SESSION – DECEMBER 2025

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ABOUT THE GLOBAL DETENTION PROJECT (GDP)

The Global Detention Project (GDP) is committed to ending arbitrary and harmful migration-related detention practices around the world, and to ensuring respect for the fundamental human rights of all migrants, refugees, and asylum seekers. To achieve this, we seek to:

- Increase public knowledge and awareness of immigration detention policies.
- Expand coverage of immigration detention by human rights monitoring bodies and other international agencies.
- Expand partnerships with local and international civil society organisations working to end arbitrary and harmful immigration detention practices.
- Strategically target research and advocacy so that it effectively challenges arbitrary and harmful detention laws and policies.

UGANDA: ISSUES RELATED TO THE DETENTION OF MIGRANTS

SUBMISSION TO THE UN COMMITTEE ON THE PROTECTION OF THE RIGHTS OF ALL MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES AHEAD OF ITS ADOPTION OF ITS LIST OF ISSUES PRIOR TO REPORTING

41ST SESSION - DECEMBER 2025

The Global Detention Project welcomes the opportunity to provide this report on Uganda to the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families ahead of its adoption of its List of Issues Prior to Reporting during its 41st Session. This submission addresses concerns about the country's migration-related detention policies and practices as well as its repeated decision to encourage harmful externalisation practices by establishing agreements with other countries to accept deported third-country nationals—including most recently from the United States.

1. CONTEXT

Uganda's important role in hosting refugees recently received global attention after it agreed to a deal with the United States to accept deported third-country nationals who have pending asylum claims in the United States. While this agreement has raised concerns about Uganda's commitments to uphold its human rights and humanitarian commitments, it nevertheless follows a pattern of adopting increasingly restrictive policies and practices in recent years, undermining Uganda's long-held reputation as a welcoming country.

Uganda hosts one of the largest refugee populations in the world, and the country is often praised for its relatively progressive refugee policies and "open borders." In 2024, it received a significant influx of refugees and asylum seekers, particularly from Sudan in the wake of intensified conflict; as of August 2025, the country was hosting an estimated 1.93 million refugees, the majority of whom originate from South Sudan and DRC.¹

Most people who seek asylum in Uganda are granted refugee status—either *prima facie* or following an individual assessment—and refugees are afforded numerous rights such as the right to work, freedom of movement, access to basic services, and primary education. Ninety percent of the country's refugees live in 30 refugee settlements where they are provided with a plot of land—most of which are in relatively remote areas.² Dwindling international financial support combined with the high number of refugees, however, has forced some services to be cut back, resulting in the country's "response architecture...increasingly buckling." The

¹ UNHCR, "Nearly 2 Million Refugees at Risk as Uganda Emergency Funds Dwindle and Services Cut," 4 August 2025, <https://www.unhcr.org/uk/news/press-releases/nearly-2-million-refugees-risk-uganda-emergency-funds-dwindle-and-services-cut>; UNHCR, "Uganda," accessed 27 October 2025, <https://www.unhcr.org/where-we-work/countries/uganda>

² Landinfo, "Uganda: Asylum Seekers and Refugees: Registration, Documentation and Other Aspects," 10 February 2025, <https://landinfo.no/wp-content/uploads/2025/05/Uganda-report-Asylum-seekers-and-refugees-Registration-documentation-and-other-aspects-10022025.pdf>

processing time for individual asylum applications has increased significantly, transit centres are operating well beyond their capacity, and services are being cut back.³

At the same time, in recent years there has been growing discontent in Uganda among some of the population regarding ongoing arrivals—particularly those from countries that do not border Uganda, such as Eritrea—and the fact that increasing numbers of refugees have been opting to bypass rural settlements in favour of cities like Kampala and Entebbe. Several local media articles claim that the country’s labour market is under excessive strain, costing Ugandans job opportunities, due to foreign migrants working illegally.⁴

In January 2025, Ugandan authorities temporarily suspended the registration of Eritrean asylum seekers, with government officials citing national security concerns and public resource strains.⁵ This has significantly heightened their vulnerability to arrest. In July 2025, for example, media reports highlighted the arrest and detention of 110 Eritreans.⁶

While the government does not publicly disclose a list of facilities in which non-nationals are currently detained for migration-related reasons, the Ministry of Internal Affairs has referred to an “Immigration Detention Center at the Headquarters”⁷ as well as a “Custody Center.”⁸ Non-nationals are also held in prisons. According to the Uganda Prisons Service, in 2024 48 people were imprisoned for immigration-related offences.⁹

2. IMMIGRATION DETENTION UNDER THE 2025 NATIONAL MIGRATION POLICY

The principal law governing migration in Uganda is the **Citizenship and Immigration Control Act (Cap 313)**, which regulates the entry, stay, and exit of migrants, as well as citizenship. In particular, this law provides that a person unlawfully in the country is to be deported (Article 60(1)) and that they are to be placed in “custody” ahead of their deportation “if the Minister so directs,” for up to two months (Articles 60(3) and (4)). Article 66(h) also sanctions irregular entry with fines and up to three years imprisonment. According to the IOM in 2023, Cap 313 was in the process of being revised.¹⁰

³ Norwegian Refugee Council, “Safe, But Not Surviving: Sudan’s Urban Refugees in Uganda,” June 2025, <https://www.nrc.no/globalassets/pdf/briefing-notes/safe-but-not-surviving-sudans-urban-refugees-in-uganda/nrc-uganda---briefing-note-on-sudanese-refugees.pdf>

⁴ See, for example: Monitor, “How Illegal Foreign Workers are Making Ugandans Jobless,” 19 September 2025, <https://www.monitor.co.ug/uganda/special-reports/how-illegal-foreign-workers-are-making-ugandans-jobless-5199170#story>

⁵ Norwegian Refugee Council, “Safe, But Not Surviving: Sudan’s Urban Refugees in Uganda,” June 2025, <https://www.nrc.no/globalassets/pdf/briefing-notes/safe-but-not-surviving-sudans-urban-refugees-in-uganda/nrc-uganda---briefing-note-on-sudanese-refugees.pdf>

⁶ The Independent, “Illegal Entry: 110 Eritreans Arrested in Moroto,” 4 July 2025, <https://www.independent.co.ug/illegal-entry-110-eritreans-arrested-in-moroto/>

⁷ Ministry of Internal Affairs, “Arrest of Foreign Nationals Attempting to Get Ugandan Passports,” 13 March 2023, <https://www.immigration.go.ug/node/225>

⁸ Ministry of Internal Affairs, “Department of Inspection and Compliance,” accessed 27 October 2025, <https://www.immigration.go.ug/legal/inspection>

⁹ Uganda Human Rights Commission, “The 27th Annual Report on the State of Human Rights and Freedoms in Uganda in 2024,” July 2025, <https://parliamentwatch.ug/wp-content/uploads/2025/07/27th-UHRC-report.pdf>

¹⁰ IOM, “Mapping of Migration Policies in the East and Horn of Africa,” September 2023, <https://eastandhornofafrica.iom.int/sites/g/files/tmzbd1701/files/documents/2023-09/migration-policies-in-east-and-horn-of-africa.pdf>

On 4 August 2025, Uganda's cabinet approved a National Migration Policy "to help manage its internal, intra-regional and international migration flows for poverty reduction and sustained national development."¹¹ The policy states that its development was partly motivated by the country's lack of a comprehensive migration framework, highlighting in particular the need for detention-related provisions: "[T]here are gaps in Cap 313 for instance: there is need to provide for border patrols, management of custody centres, repatriation centers among others."¹²

Creating detention sites is amongst the policy's stated priorities: "Put in place custody centres at all immigration offices for the management of irregular migrants in the country." According to the Ministry of Internal Affairs, there are 97 different offices where immigration services may currently be obtained (entry/exit stations, passport control officers, passport centres, and regional offices).¹³

The policy also sets out plans to "[e]stablish and operationalise a Border Patrol Unit by 2027" (p.20) and "[e]stablish and operationalize at least three (3) fully functional Migration, Custody, Rehabilitation, and Repatriation Centers by June 2027, to support humane and lawful management of irregular migrants, victims of trafficking, and deportees" (p.21).

Questions

In light of Uganda's calls to massively ramp up the establishment of detention sites across the country:

- 1. We urge the Committee to interrogate the State party about its plans to establish "custody centres" across the country as well as new "repatriation centres," with a view to ensuring that these plans are line with its obligations under Articles 16 and 17 of the Convention.**
- 2. We encourage the Committee to request the following details from the State party:**
 - The legal grounds for depriving people of liberty for migration-related reasons.
 - The full set of legal guarantees and operational instructions that ensure that migration-related detention measures are only used as a last resort, are not arbitrarily imposed, and abide by internationally recognised guidelines, taking into account the full set of considerations provided in both the Working Group on Arbitrary Detention's *Revised Deliberation No. 5 on the deprivation of liberty of migrants* and the CMW's *General Comment No. 5 on migrants' rights to liberty and freedom from arbitrary detention*.
 - The legal provisions and policy instruments that ensure that children and their families are never detained for migration-related reasons as per its treaty obligations—under both the Convention on Migrant Workers and the Convention on the Rights of the Child—as set out in the CMW-CRC *Joint general comment on State obligations regarding the human rights of children*

¹¹ Republic of Uganda, Ministry of Internal Affairs, "National Migration Policy 2025," <https://mia.go.ug/resources/policies/national-migration-policy-2025>

¹² Ministry of Internal Affairs, "The National Migration Policy," 2025, https://immigration.go.ug/sites/default/files/NATIONAL%20MIGRATION%20POLICY%202025.15th%20August%202025__CL%20-%20Final__signed%20copy.pdf

¹³ Ministry of Internal Affairs, "National Citizenship and Immigration Control," accessed 27 October 2025, <https://www.immigration.go.ug/about-us>

in the context of international migration in countries of origin, transit, destination and return.

- The procedural safeguards that ensure the protection of migrants', refugees', and asylum seekers' rights within these facilities, including access to legal assistance, health care, mechanisms for complaints and detention review, and oversight.
 - A full list of currently operating detention sites as well as planned new facilities, detailing their operational mandates, institutional configurations, and operating procedures.
 - Annual statistics, going back as many years as possible, on the number of people who have been arrested, apprehended, and/or detained for reasons related to their migration or non-citizen status, disaggregated by age, gender, and ground of detention.
- 3. Because the new policy encouraging ramping up detention measures and establishing new detention sites was adopted after the country began revising its Citizenship and Immigration Control Act, it is critical to establish whether the country has legislative plans to update its laws to account for all the required regulations for its immigration detention system, taking into account:**
- a. the need to end criminal sanctions for immigration violations;
 - b. the need to establish procedures to assess the necessity and proportionality of detention measures by first weighing the effectiveness of non-custodial alternatives to detention;
 - c. the need to ensure its laws reflect the full range of obligations, which are referred to above under point 2, enumerated in the authoritative interpretations of international human rights laws produced by the CMW, the CRC, and the Working Group on Arbitrary Detention.
- 4. We encourage the Committee to explore with the State party its rationales for building up its immigration detention system, highlighting the high costs and often ineffective outcomes of doing so, and encouraging it to de-emphasise detention in its immigration detention procedures.**

3. ROLE IN THIRD-COUNTRY REMOVALS

Uganda has a track record agreeing to receive deported third-country nationals from other countries. Most recently, in July 2025, the country signed an agreement with the **United States**—"Cooperation in the Examination of Protection Requests"¹⁴—which provides that Uganda will accept third country nationals who have pending asylum claims in the U.S and who cannot return home. This agreement is one of several that the U.S Trump administration has secured in 2025 as part of his unprecedented effort to summarily deport

¹⁴ Federal Register, "Agreement Between the Government of the United States of America and the Government of the Republic of Uganda for Cooperation in the Examination of Protection Requests," <https://www.federalregister.gov/documents/2025/09/03/2025-16808/agreement-between-the-government-of-the-united-states-of-america-and-the-government-of-the-republic>

irregular migrants and asylum seekers to third countries. Other countries to have accepted deportees include Ghana,¹⁵ El Salvador,¹⁶ Panama,¹⁷ and Eswatini.¹⁸

According to the July agreement, *“the Government of the United States of America shall in its complete discretion propose to the Government of the Republic of Uganda the transfer of third country nationals present in the United States of America who may seek protection against return to their home country or country of former habitual residence”* (Article 1).

The agreement includes several provisions, such as Uganda’s agreement not to return any persons to their home country until a decision has been made regarding their protection claim (Article 3(1)) and the U.S’s agreement not to transfer unaccompanied minors (3(3)),¹⁹ but beyond this the agreement is vague. Article 4, for example, simply states that “The Parties shall develop operating procedures to assist with the implementation of this Agreement.” It does not, for example, clarify what accommodation or support deportees will receive upon arrival. Moreover, prior to the agreement being made public, in August the Guardian cited a Ugandan official “saying that they did not have the facilities and infrastructure to accommodate immigrants.”²⁰

As of October 2025, no removals have been conducted from the United States under this agreement. However, given Uganda’s past treatment of deportees, the Global Detention Project is concerned that individuals received by Uganda under this agreement may face serious rights violations.

Between 2015 and 2018, **Israel** deported 1,700 Sudanese and Eritrean asylum seekers to the country. According to Amnesty international, upon arrival in Uganda, deportees found a “shambolic reception,” which left them “without papers, without protection and without sustainable resources.” In particular, Amnesty noted that none of the asylum seekers that they interviewed received a residence permit upon arrival in Uganda or any other document regularising their status in the country—exposing them to arrest and forcible return to their country of origin. “One of the asylum-seekers interviewed by Amnesty International told the organization that his group of deportees was arrested by Ugandan police in Kampala in February 2017 and beaten for more than three hours: “We were six men, all coming from

¹⁵ Global Detention Project, “Ghana: Detention and Secret Expulsions Raise Alarm Over Role in U.S Deportation Scheme,” 21 October 2025, <https://www.globaldetentionproject.org/ghana-detention-and-secret-expulsions-raise-alarm-over-role-in-u-s-deportation-scheme>

¹⁶ Global Detention Project, “United States and El Salvador: A Scheme to Deport Migrants from the US to a “Human Rights Black Hole,”” 8 April 2025, <https://www.globaldetentionproject.org/united-states-and-el-salvador-a-scheme-to-deport-migrants-from-the-us-to-a-human-rights-black-hole>

¹⁷ Global Detention Project, “Panama: A “Bridge” Serving Trump’s Sweeping Deportation Plans,” 25 march 2025, <https://www.globaldetentionproject.org/panama-a-bridge-serving-trumps-sweeping-deportation-plans>

¹⁸ Global Detention Project, “Deportations to Eswatini Reflect Unprecedented Expansion of U.S Detention Regime,” 24 July 2025, <https://www.globaldetentionproject.org/deportations-to-eswatini-reflect-unprecedented-expansion-of-u-s-detention-regime>

¹⁹ In a statement on X, Uganda’s Ministry of Foreign Affairs also stated that those with criminal records would not be accepted as part of the scheme, although this is not mentioned in the official agreement. See: Ministry of Foreign Affairs – Uganda, “Statement Concerning Agreement on Migration Issues with the Government of the United States,” X, 21 August 2025, <https://x.com/UgandaMFA/status/1958409947495969199>

²⁰ The Guardian, “Uganda Reaches Agreement with US to Take in Some Failed Asylum Seekers,” 21 August 2025, <https://www.theguardian.com/world/2025/aug/21/uganda-reaches-agreement-with-us-to-take-in-some-of-its-failed-asylum-seekers>

Israel. They were asking: ‘you are illegal, how did you enter the country?’ They took all the money we had from Israel.”²¹

Domestically, the U.S agreement has faced criticism. Mathias Mpuuga, who was leader of the opposition between 2021 and 2024, was quoted by the Associated Press as saying that “the whole scheme stinks” –specifically due to the agreement’s lack of parliamentary oversight, and the fact that the country is already financially struggling to support its existing refugee population.²²

More recently, in September 2025 the **Netherlands** announced that it had signed a ‘Letter of Intent’ agreeing to work with Uganda to “facilitate the return” of rejected asylum seekers and other foreign nationals ordered to be removed from the Netherlands. According to a Dutch government statement regarding the preliminary agreement, “the individuals concerned will be accommodated in Uganda temporarily at a reception location.”²³ The Dutch Council for Refugees has expressed concern regarding the agreement, noting that “We are concerned about human rights compliance in Uganda, where torture is practiced in prisons, minorities are oppressed, and LGBTQ+ legislation is draconian. The Netherlands simply cannot guarantee the safety of those sent there.”²⁴ Amnesty has also expressed concern, warning that “the deal is likely to result in people being arbitrarily detained or returned to countries where they face danger.”²⁵

Questions

The issue of the externalisation of migration enforcement has recently received widespread attention with the publication of the Special Rapporteur on the human rights of migrant’s report *Externalization of migration governance and its effect on the human rights of migrants*. In light of the Special Rapporteur’s call to end bilateral and multilateral arrangements that shift responsibility for migrant governance to third States, we urge the Committee to interrogate Uganda about:

1. Whether it shares the concerns of the international community about the harmful impact of deportation schemes on both those subjected to these schemes as well as to the ability of countries to ensure the well-being of people deported under these schemes.
2. Any measures it has taken to ensure that individuals transferred under these agreements are not subjected to arbitrary detention or ill-treatment, or illegal removal to other countries.

²¹ Amnesty International, “Israel: Forced and Unlawful: Israel’s Deportation of Eritrean and Sudanese Asylum-Seekers to Uganda,” 18 June 2018, <https://www.amnesty.org/en/documents/mde15/8479/2018/en/#:~:text=Between%202015%20and%20March%202018,protection%20and%20without%20sustainable%20resources>.

²² Associated Press, “The U.S Wants to Deport Abrego Garcia to Uganda. Critics There Say the Murky Deal ‘Stinks,’” 26 August 2025, <https://apnews.com/article/uganda-us-deportations-criticism-692a6cbf61c96ac3ed837b567bf2d72c>

²³ Government of the Netherlands, “The Netherlands and Uganda Make Arrangements on Returning Migrants to Uganda,” 25 September 2025, <https://www.government.nl/latest/news/2025/09/26/the-netherlands-and-uganda-make-arrangements-on-returning-migrants-via-uganda>

²⁴ Dutch Council for Refugees, “Refugee Council: Uganda Return Hub Plan Premature and Worrying,” 25 September 2025, <https://newsroom.vluchtelingenwerk.nl/254679-vluchtelingenwerk-plan-terugkeerhub-oeganda-voorbarig-en-zorgelijk/>

²⁵ NL Times, “Netherlands and Uganda Agree to Asylum Return Centers for Rejected Asylum Seekers,” 26 September 2025, <https://nltimes.nl/2025/09/26/netherlands-uganda-agree-asylum-return-centers-rejected-asylum-seekers>

3. Its compliance with the principle of non-refoulement in its treatment of persons deported to the country.
4. With regards to Uganda's agreement with the United States, the specific procedures in place to support the arrival of deportees, including details regarding where they will be hosted upon arrival and the safeguards in place to guarantee their access to legal assistance and social services.