

Rwanda

Prime Minister's Order determining the Organisation and Functioning of the National Refugee Status Determination Committee and Benefits Granted to its Members

Prime Ministers Order 112 of 2015

Legislation as at 29 June 2015

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Prime Minister's Order determining the Organisation and Functioning of the National Refugee Status
Determination Committee and Benefits Granted to its Members
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Prime Ministers Order 112 of 2015

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Assented to on 19 June 2015

Commenced on 29 June 2015

[This is the version of this document from 29 June 2015.]

The Prime Minister;

Pursuant to the Constitution of the Republic of Rwanda of 04 June 2003 as amended to date, especially in Articles 118, 119, 120, 121 and 201;

Pursuant to Law n° 13ter/2014 of 21/05/2014 relating to refugees, especially in Articles 3 and 6;

On proposal by the Minister of Disaster Management and Refugee Affairs;

After consideration and approval by the Cabinet in its session of 13/02/2015;

HEREBY ORDERS:

Article One – Purpose of this Order

This Order determines the organisation and functioning of the National Refugee Status Determination Committee and benefits granted to its member.

Article 2 – Definitions of terms

For the purpose of this Order, the following terms shall mean:

- 1° **Minister:** Minister of Disaster Management and Refugee Affairs;
- 2° **Committee:** National Refugee Status Determination Committee.

Article 3 – Origin of members of the Committee

Members of the Committee shall come from the following entities:

- 1° Prime Minister's Office;
- 2° the Ministry in charge of refugees;
- 3° the Ministry in charge of foreign affairs;
- 4° the Ministry in charge of local government;
- 5° the Ministry in charge of justice;
- 6° the Ministry in charge of defence forces;
- 7° the Ministry in charge of natural resources;
- 8° the Ministry in charge of internal security;

- 9° the Ministry in charge of health;
- 10° the National Intelligence and Security Service;
- 11° the National Human Rights Commission.

Members of the Committee shall be appointed for a term of office of four (4) years renewable.

Article 4 – Bureau of the Committee

The Bureau of the Committee shall be composed of:

- 1° President;
- 2° Vice-president;
- 3° Secretary.

Article 5 – Election of the Bureau

Members of the Committee shall in the first meeting of the Committee elect among themselves the President and the Vice-President.

The Secretary of the Committee shall be the Director of Refugee Affairs in the Ministry in charge of refugees.

The President and the Vice-President shall be elected for a term of two (2) years renewable.

Article 6 – Convening the first meeting of the Committee

The first meeting of the Committee shall be convened and chaired by the Minister in charge of refugees.

Article 7 – Meetings of the Committee

The Committee shall hold its meeting at least twice (2) in a quarter and whenever it is considered necessary.

The meetings of the Committee shall be convened and chaired by its President or Vice president in case of absence of the President. In case the President and the Vice president are absent, the meetings of the Committee may be convened at the request of one third ($\frac{1}{3}$) of its members. In such case, the meeting shall be convened by the Secretary and chaired by the most senior member.

It shall be held if two thirds ($\frac{2}{3}$) of its members are present. If the committee fails to hold its meeting due to lack of required quorum, the meeting is reconvened within fifteen days (15) and the meeting is held regardless of the number of the members present.

The Committee may invite in its meetings the agency of United Nations for Refugees in Rwanda, any other person or organ from whom or which it may seek advice on certain issues on the agenda. The invitee may give his/her opinion but shall not be allowed to vote.

Article 8 – Decisions of the Committee

Decisions of the Committee shall be made by consensus. If the consensus is not reached, decisions are made by two thirds ($\frac{2}{3}$) of majority of the members present at the meeting.

The Committee shall take decision on the asylum seekers' applications submitted to it by the Service in charge of Immigration and Emigration. In case that Service fails to submit the asylum seekers application to the Committee in the period provided for by the Law, the Committee can take a decision upon request by the Minister.

Article 9 – Replacement of a member of the Committee

In case a member of the Committee is no longer in his/her position in the institution he/she represents, he/she shall be replaced within a period not exceeding three (3) months.

Article 10 – Internal rules and regulations of Committee

The Committee shall prepare its internal rules and regulations, which shall be applied after being approved by the Minister.

Article 11 – Sitting allowances for members of the Committee

Sitting allowances for members of the Committee shall be allocated as follows:

- 1° President: sixty thousand Rwanda francs (60,000 Rwf) net;
- 2° Vice-president: Fifty-five thousand Rwandan Francs (55,000 Rwf) net;
- 3° Member: fifty thousand Rwandan Francs (50,000 Rwf) net

Sitting allowances shall not be granted more than once during a period of one (1) month, even if meetings are held more than once within the same period.

Article 12 – Authorities responsible for the implementation of this Order

The Minister of Disaster Management and Refugee Affairs and the Minister of Finance and Economic Planning are entrusted with the implementation of this Order.

Article 13 – Repealing provision

All prior provisions contrary to this Order are hereby repealed.

Article 14 – Commencement

This Order shall come into force on the date of its publication in *Official Gazette* of the Republic of Rwanda.