



Home Office

Eaton House  
581 Staines Road  
Hounslow  
Middlesex  
TW4 5DL

Tel 020 8814 5242

Fax 087- 336 9249

Web [www.gov.uk/uk-visas-immigration](http://www.gov.uk/uk-visas-immigration)

Ms Peace Abilowale  
Date of birth: 14/08/1990  
Nationality: Ugandan

Our ref: A157006  
Your ref: xxxxxx  
Date 22/05/2014

*The factual accuracy of statements recorded in this letter  
has been assessed for immigration purposes only*

Dear Miss Abilowale,

## REASONS FOR REFUSAL

### Legal Framework

1. You have applied for asylum in the United Kingdom and asked to be recognised as a refugee under the 1951 Convention relating to the Status of Refugees (the Convention) on the basis that it would be contrary to the UK's obligations under the Convention for you to be removed from or required to leave the UK. You claim to have a well-founded fear of persecution in Uganda. A person is refugee where, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, that person is outside the country of his nationality and is unable or, owing to such a fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence, is unable, or owing to such a fear, is unwilling to return to it and is not excluded from the protection of the Convention.

2. Your application has not been considered by the Secretary of State personally, but by an official acting on behalf of the Secretary of State.

3. Considering has also been given to whether or not you qualify for a grant of Humanitarian Protection in accordance with paragraph 339C of the Immigration Rules. A person will be granted Humanitarian Protection if the Secretary of State is satisfied that:

- the person is in the UK or has arrived at a port of entry in the UK;
- the person does not qualify as a refugee as defined in regulation 2 of The Refugee or Person in Need of International Protection (Qualification) Regulations 2006;
- substantial grounds have been shown for believing that the person concerned, if the person returned to the country of return, would face a real risk of suffering serious harm and is unable, or, owing to such risk, unwilling to avail him or herself of the protection of that country.

### **Decision**

25. Your claim has been considered, but for the reasons given below it has been concluded that you do not qualify for asylum or Humanitarian Protection. It has also been concluded for the reasons given below that you do not qualify for limited leave to enter or remain in the UK in accordance with the published Asylum Instruction on Discretionary Leave.

26. In considering your claim the objective evidence contained within the Country of Origin Information Report for Uganda, dated 15<sup>th</sup> March 2013, has been considered.

### **Consideration of Claim**

29. Your claim has been considered following the guidance in Karanakaran. The material facts of your claim have been examined and either rejected, accepted, or left in doubt. If any aspects of your claim are left in doubt these have been considered in conjunction with Section 8 of the 2004 Treatment of Claimants Acts, 339L and 339N of the immigration rules.

30. Any documents that you have submitted have been considered where appropriate within the consideration of the material fact of your claim to which they relate. They have also been considered inline with the case-law of Tanveer Ahmed IAT [2002] UKIAT 00439 STARRED. This case states that:

- “In asylum and human rights cases it is for an individual claimant to show that a document on which he seeks to rely can be relied on.” (Para 38.1)
- “A document should not be viewed in isolation. The decision maker should look at the evidence as a whole or in the round (which is the same thing).” (Para 3)

### **Detention, Rape and Torture in Uganda**

35. You state that you were arrested and imprisoned because of your activities on behalf of the women’s section of the Forum for Democratic Change. However, from your description of your role in that organisation, it is clear that at most you would have been seen as a low level activist. There is no reason to believe that you would have been of any interest to the authorities and it is therefore not accepted that you were imprisoned.

36. You have not produced any medical evidence in the form of a body map, compliant with the Istanbul Protocol showing that any injuries you may have are consistent with or could only have been caused by torture.

37. It is therefore not accepted that you were tortured or raped.