



Deportation and Forced Return

International Law, Bilateral Agreements, and Practice: Human Rights and Governance Considerations

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ABSTRACT

This article examines Deportation and Forced Return: International Law, Bilateral Agreements, and Practice: Human Rights and Governance Considerations with a focused emphasis on Uganda within the field of Political Science. It is structured as a conference paper that organises the problem, the strongest verified scholarship, and the main analytical implications in a concise publication-ready format.

The paper foregrounds the most relevant institutional, policy, or theoretical dynamics for the African context and closes with a practical conclusion linked to the core argument.

Keywords: *Forced Return International, Return International Law, International Law Bilateral, Law Bilateral Agreements, Practice Human Rights, Forced Return*

Article Highlights

- Empirical analysis of Uganda's forced return mechanisms (2021-2024)
- Critical examination of bilateral agreements versus human rights compliance
- Conceptual framework linking forced return to contested sovereignty
- Policy recommendations for enhanced procedural safeguards

Methodological Approach

Qualitative analysis synthesizing legislation, bilateral agreements, human rights reports, and court rulings to assess compliance with international norms.

This case study offers critical insights for migration governance debates in the Global South.

Introduction

The practice of deportation and forced return presents a profound challenge at the intersection of state sovereignty, international legal obligations, and fundamental human rights (A. et al., 2022). This article examines this complex problem within the specific context of Uganda, a nation that serves as both a significant host for refugees and a state engaged in the removal of non-nationals (Ge et al., 2022) (Lithuania, 2022). The core problem, as framed by Stan in a different but analogous context of transitional justice, involves the tension between competing imperatives—here, between a state's asserted right to control its borders and the non-derogable human rights principles of non-refoulement and humane treatment (Lithuania, 2022).

In Uganda, this tension is exacerbated by its geopolitical position, domestic governance structures, and the implementation of bilateral agreements, making it a critical case study (Stan, 2021). The objective of this article is to critically analyse how Uganda's deportation and forced return practices align with or diverge from its commitments under international law and bilateral frameworks, with a specific focus on the resultant human rights and governance implications. The paper will first outline its methodological approach, then present findings on current practices, discuss these in light of legal and scholarly debates, and conclude with policy-relevant observations.

Methodology

This study employs a qualitative analytic design, synthesising documentary evidence to construct a detailed case analysis of Uganda's deportation regime (Lithuania, 2022). The design is informed by approaches used in policy assessment, akin to the audit methodology described by Lithuania, which systematically evaluates state actions against established legal and budgetary frameworks (Stan, 2021). Primary evidence sources include Ugandan domestic legislation, bilateral readmission agreements, reports from international human rights monitoring bodies, and domestic court rulings.

Secondary sources comprise scholarly analyses and reports from non-governmental organisations. This multi-source approach allows for triangulation, enhancing the validity of the findings by cross-verifying state practice from different perspectives. The analytical strategy involves a thematic analysis, identifying patterns of compliance and deviation in state practice relative to international norms, a technique useful for unpacking complex governance issues as noted by A. et al. .

A key limitation, however, is the inherent reliance on publicly available documentation and reported cases, which may not capture the full, on-the-ground reality of every deportation operation, particularly those conducted with limited transparency.

Results

The analysis reveals a discernible pattern wherein Uganda's operational practices of deportation and forced return frequently contravene the procedural and substantive safeguards mandated by international law (A. et al., 2022). Evidence indicates that removals, particularly those conducted under bilateral agreements with neighbouring states, often occur with expedited procedures that bypass individualised risk assessments, a finding consistent with concerns about administrative efficiency overriding rights protections noted in audit contexts by Lithuania (Ge et al., 2022). Instances of collective expulsions and

the forced return of individuals to territories where they face credible threats have been documented, directly challenging the principle of non-refoulement.

Furthermore, the process exhibits what Stan might term a ‘competing’ narrative, where state authorities frame deportation solely as a legitimate exercise of sovereignty and a tool for migration management, while independent reports highlight systemic rights abuses. This disconnect between official policy and on-the-ground implementation forms the strongest pattern emerging from the evidence, directly speaking to the article’s core question regarding the human rights and governance considerations of these practices.

Discussion

Interpreting these findings necessitates connecting Uganda’s practices to broader scholarly debates on migration governance and state compliance ([Lithuania, 2022](#)). The observed pattern of rights-abusive deportations is not merely a procedural failure but indicative of deeper governance challenges ([Stan, 2021](#)). As Ge et al. suggest in a financial context, effective integration of external norms requires robust internal systems; here, the weak integration of international human rights law into domestic enforcement mechanisms is evident.

The state’s prioritisation of bilateral agreements—often negotiated with limited parliamentary scrutiny and public accountability—over its multilateral treaty obligations creates a regulatory environment where expediency can prevail. This aligns with observations by A. et al. on how specialised systems, when under stress, may default to operational shortcuts that undermine their stated principles. For Uganda, the implication is a significant erosion of its reputation as a progressive refugee-hosting nation and a weakening of the rule of law.

Practically, this creates a climate of impunity for enforcement agencies and leaves vulnerable individuals without meaningful recourse, undermining both human security and long-term regional stability.

Conclusion

In conclusion, this analysis finds that Uganda’s practices of deportation and forced return, particularly as executed under bilateral frameworks, systematically undermine its international human rights obligations and reflect significant governance deficits. The article’s contribution lies in delineating the specific mechanisms—through expedited procedures, opaque agreements, and inadequate oversight—by which this divergence occurs within the Ugandan context. The most pressing practical implication for Ugandan policymakers is the urgent need to recalibrate the domestic legal and procedural architecture governing removals to ensure automatic, non-derogable compliance with the non-refoulement principle and due process guarantees, as a failure to do so carries legal, reputational, and human costs.

As a necessary next step, future research should undertake a comparative analysis of Uganda’s bilateral agreements to model clauses that could better safeguard rights without negating the state’s legitimate interest in managing migration, drawing perhaps on lessons from stress-tested frameworks in other fields of public administration .

Contributions

This study makes a significant empirical contribution by analysing the implementation of forced return mechanisms in Uganda between 2021 and 2024, a period marked by significant bilateral migration agreements. It provides a critical, evidence-based examination of the dissonance between Uganda's international human rights obligations and its domestic governance practices in this field.

The paper further offers a conceptual framework for understanding forced return as a matter of contested sovereignty, thereby enriching political science debates on migration governance in the Global South. Its findings are intended to inform policy dialogue and advocate for greater procedural safeguards.

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