

Solutions Strategy Kakuma Refugee Camp and Kalobeyei Settlement Kenya

Introduction

UNHCR together with partners advocates for a comprehensive solutions strategy for refugees in Kakuma refugee camp and Kalobeyei settlement including voluntary repatriation, resettlement, local integration and complementary pathways.

The adoption of the New York Declaration for Refugees and Migrants by all 193 UN Member States on 19 September 2016 was a pivotal moment underpinning a commitment to action in response to protracted refugee crises. Solutions include resettlement as well as complementary pathways of admission. While resettlement remains an essential protection tool additional efforts should be directed to family unity seizing the opportunities offered by States to permit eligible family members to reunite through legal immigration procedures. In addition, UNHCR's involvement on private/community sponsorship programs for refugees complements the expansion of labor migration programs.

*Operations Strategy on the Voluntary Repatriation of Somali refugees from Kenya (2015-2019)*¹ facilitated the repatriation of 73,614 refugees including 2,120 from Kakuma to their home country in safety and with dignity to re-establish their lives. Based on the result of "Intention to Return Survey" from December 2017, and individual cases, UNHCR Kakuma will also focus on facilitating the repatriation on other nationalities.

In light of these developments, UNHCR Kakuma redesigned Solutions Unit comprising of Resettlement, Vol-Rep and Complementary Pathways and outlines the content of the strategy for solutions.

Guiding Principles

UNHCR action to provide solutions to refugees is guided by the following guiding principles:

- **Transparency.** The selection process and criteria for any solutions-related programmes should be communicated with refugees in clear manner in the language that they understand.
- **Participatory.** Refugees should be recognised as agents of protection and involved in all solutions affecting them in accordance with their age, gender, and diversity.
- **Voluntary.** Refugees must be given the opportunity to make a free and informed decision on decisions related to solutions.
- **Equity.** A non-discriminatory approach to refugees in need of solutions, irrespective of their nationality and place of residence.
- **Safety and Dignity.** Refugees must be able to return to their home countries in safety and in dignity.
- **Personal Data Protection and Confidentiality:** Processing of the personal data of persons of concern must comply with relevant policies and guidance set out in the *UNHCR Data Protection Policy* and the *UNHCR 2010 Policy on Information Classification, Handling and Disclosure*, as appropriate.

¹ Voluntary Repatriation of Somali Refugees from Kenya: Operations Strategy, 2015-2019. Developed by UNHCR and partners for a pilot project to support return processes under the auspices of the Tripartite Commission.

Strategic Objectives

In finding solutions for persons of concern, UNHCR will prioritize the following five strategic objectives:

Objective 1: Refugees who are identified in need of resettlement are submitted for resettlement.

Resettlement is an important protection tool to address immediate protection needs and to maintain the asylum space for most refugees living in a protracted situation. Kakuma Refugee Camp and Kalobeyei Settlement host a diverse population consisting of refugees from 19 countries with a population of over 185,000. Many refugees have been living in a protracted situation and a high number of refugees in Kakuma refugee camp and Kalobeyei settlement are unaccompanied and separated children, women and girls at risk of abuse, single women heads of household without effective male protection, children with special needs, survivors of violence and torture, minorities including LGBTIs who are at risk of discrimination and threats within the camp, and limited access and availability to medical treatment and facilities for persons with disability.

Resettlement together with voluntary repatriation has been one of the preferred durable solutions by refugees. Scaling down of resettlement activities on a global scale has greatly impacted similar activities in Kakuma. Especially, the United States has been the biggest recipient of refugees out of Kakuma, with about 90% of cases being referred to US, hence the Resettlement Unit has been left with few alternatives to filling this huge gap.

In addition to the global developments, in September 2016, resettlement processing, including submissions to resettlement any State, was suspended following investigations surrounding fraud and corruption-related activities that were alleged to have been perpetrated by UNHCR staff and external entities. One of the reason had been identified, is for accessing resettlement to third countries. Following this incident, UNHCR Kakuma has further implemented several measures to prevent any fraudulent activities in all UNHCR processes.

The activities that UNHCR undertakes may include:

- Develop and implement a new resettlement identification tool for protection and solutions using different available protection information available within UNHCR and other partners. The new tool allows UNHCR to enhance solutions from data silos to data warehouse that will end both internal and external referral systems;
- Advocate for increased intake by resettlement countries during donor missions to Kakuma;
- Revise the SOPs for resettlement to mitigate risk related to fraud and corruption and new identification process;
- Closely manage resettlement resources including staffing in line with allocated quotas while adopting innovative approaches globally recognised where appropriate in Kakuma;
- Increase efficiency and procedural integrity through use of existing registration and biometric data (Iris Scan and BIMS) to verify family composition and identity ;
- Manage expectations and maintain integrity of the process by providing updated information to refugees on a regular basis through individual and group counseling sessions;
- Follow up the recommendations from Inter-Agency Retreat (16-17 October) on “Managing the risk of fraud, corruption and exploitation in Kakuma operations” especially related to resettlement process.

Objective 2: The number of refugees that benefit from complementary pathways increases

Resettlement will be the main protection tool to the search for durable solutions for refugees in Kakuma and is vital for protecting vulnerable individuals, though places are insufficient to meet overall needs. Recent commitment of States offered new opportunities to establish and expand access of

refugees to complementary pathways of admission to protection and solutions. A number of refugees have benefitted from the complementary pathways but there is no accurate statistics in Kakuma level as the involvement of UNHCR Kakuma has been often minimal. Following the Global initiatives linked New York Declaration and UNHCR commitment on the Declaration, UNHCR will establish a process to facilitate the complementary pathways and advocates for issuance of non-humanitarian visas like private/community sponsorships, scholarship opportunities and widened family reunification criteria by resettlement states.

Specific Interventions

Family Reunification with Extended Family Members

Family reunification is an important safe, orderly and regular pathway of admission to lasting solutions for refugees. Assisting extended family reunification process for refugees in Kakuma will help protect their right to family unity, reduce the need for refugees to undertake irregular journeys or fall victim to exploitation schemes.

Although there are special State programs that promote family unification, UNHCR identifies that there are some administrative and structural barriers like inability to access embassies due to the encampment policy, lack of access to accurate and reliable information, high cost associated with the applications like translation, verification of documents and additional protection/security risks including increasing attempts to submit fraudulent document to overcome the administrative, legal, and financial challenges. In enhancing this solution, UNHCR will:

- Conduct a survey to establish the potential for family reunification amongst the refugee population, including a comparative analysis of nationalities vis-à-vis common links (relationships, nationality and asylum status) in specific resettlement states;
- Develop a Standard Operating Procedure on how to process extended family reunification cases;
- Improve data collection of UNHCR and RAS at all stages registration, to identify and record refugee family links in the country of asylum and other countries;
- Provide access of refugees to reliable information in different languages on family reunification eligibility and application procedures for various countries;
- Assist refugees with required documents and completing applications to facilitate accurate, timely submissions and efficient application processing;
- Provide counselling to refugees through individual or group counselling on their options, timeline and prospects so that they have informed decision on regular family reunification processing and risks related to alternative illegal onward movement;
- Increase efficiency and procedural integrity through use of existing registration and biometric data to verify family composition and identity;
- Advocate for more flexible Resettlement quotas with resettlement countries on strong family links.

Education Scholarships

In 2017, 1,395 refugees (365 female and 1,030 male) have benefitted from various scholarship programs in Kenya. World University Service of Canada (WUSC) has accepted 925 individuals; DAFI (Albert Einstein German Academic Refugee Initiative) has accepted 328 individuals; DD Puri Foundation has accepted 34 individuals; Windle Trust International has accepted 105; and BPRM has funded 3 female scholars. These scholarships allow deserving students to attend tertiary institutions within and outside Kenya, and in some instances to obtain permanent residency upon completion of

studies in a third country. The benefits of scholarships are significant to not only the recipients, but also the refugee community at large in the host country. In enhancing this solution, UNHCR will:

- Advocate for additional educational scholarship opportunities for high-achieving students in Kakuma;
- Advocating for the removal/simplification of the procedures or reduction of threshold rather than removal of barriers of admission; documentation, transcripts, travel documents, visas etc;
- Advocate for studies that meet certain criteria such as no mandatory international travel or internship within Kenya;
- Advocate to Kenya authorities for the legal status of refugee students who are studying abroad or in Kenya, like the procedure of renewing Convention Travel Documents;
- Develop a Standard Operation Procedure to define the role and responsibilities of UNHCR;
- Compile test scores of students at primary and secondary school level and examine the possibility for consideration under complementary pathways especially for the ones who cannot continue further studies due to lack of facilities or opportunities in Kakuma;
- Identify and assess cases of refugee children with foreign certificates relative to potential complementary pathways to states where similar language/s spoken;
- Provide counseling to refugees on general protection/ welfare issues, legal obligations and post-study prospects in the third country;
- Increasing efficiency and procedural integrity through use of existing registration and biometric data to verify the identity.

Private and Community Sponsorships

Since 2000, thousands of refugees in Kakuma have been resettled to various countries and re-established their lives. UNHCR regularly receives request for information on the part of remaining family members in Kakuma. To facilitate this process, UNHCR will;

- Conduct and analysis of all cases in Kakuma refugee camp with family and/or communal ties in resettlement countries for possible access to complementary pathways;
- Advocate with Resettlement States for more slots other than refugee resettlement quota through HQ RST Service, BO Nairobi and Regional Service Centre;
- Advocate with Resettlement States through HQ RST Service, BO Nairobi and Regional Service Centre for flexible and responsive admission of refugees using humanitarian visa schemes that are complementary and additional to regular resettlement and private sponsorship programmes;
- Develop a Standard Operation Procedure;
- Encourage and establish contact with diaspora communities to play a key role in facilitating complementary pathways for refugees in particular those from South Sudan and Somali given the high number of resettled refugees in Kakuma refugee camp.
- Increasing efficiency and procedural integrity through use of existing registration and biometric data to verify family composition and identity with States;

Labour Mobility

As a result of scholarships provided to refugees, significant number of refugees have opted to move out of Kakuma camp to locations where they can gainfully use their skills and abilities. Some of the refugees who have applied for skilled immigration with different countries have faced various administrative and procedural barriers. In order to increase the number of refugees benefitting from labour mobility, UNHCR will:

- Conduct a study on number of refugees with advanced/higher education and high skilled professionals residing in the refugee camp to determine possibilities for labour mobility through non-humanitarian visas with the assistance of Livelihood staff;
- Regularly meet with Embassies to reduce administrative and procedural barriers for refugees and facilitate the applications of refugees to these schemes.

Objective 3: Refugees who have established links with Kenya are permitted to integrate in Kenya.

Significant number of refugees have established economic and/or family ties with Kenyan nationals since their arrival in the country. They have strong interest to regularise their status and remain for a longer period in Kenya. UNHCR will,

- Conduct a survey or data collection of refugees officially married with Kenya nationals, or having a Kenyan parent;
- Explore the option of local integration/citizenship in close coordination with BO Nairobi and Kenyan authorities.

Objective 4: More refugees voluntarily repatriate to their country of origin in safety and with dignity.

Voluntary repatriation remains a viable option for some refugees. Since the inception of voluntary repatriation activities for Somali refugees out of Kakuma refugee camp, 1,852 individuals have been assisted to return to select areas of Somalia². As of today, 83 refugees from countries other than Somalia requested for voluntary repatriation. UNHCR in coordination with the government and partners helps refugees have access to information, receive counseling and assistance with voluntary repatriation activities.

The activities that UNHCR and partners undertake may include:

- Strengthen existing SOPs in consultation with Nairobi and Dadaab (if there is a need) to ensure effective support and assistance to Somali refugees who wish to voluntarily return to their home country in safety and with dignity;
- Increase efficiency and procedural integrity through use of existing registration and biometric data to verify family composition and identity during the whole process;
- Coordinate meetings to discuss return activities to Somalia with full participation of agencies;
- Increase the number of Integrated Return Help Desks (IHRD) to be able to provide information to refugees;
- Convene regular inter-agency Focus Groups Discussions (FGDs) in coordination with refugee leaders to disseminate information on return activities;
- Strengthen inter-unit referral processes for vulnerable individuals who express interest in returning to their country of origin;
- Facilitate 'Go and See' visits to different areas of return in Somalia. Visits will be strictly coordinated with the UNHCR colleagues in Somalia and attended by refugee leaders, UNHCR, RAS and partners, and all information on these visits will be disseminated to the wider Somali refugee community in the camp;
- Undertake a Return Intention Survey to assess the willingness of all refugees to return to their country of origin;
- Conduct a study to determine whether repatriation will be possible to other countries of origin which should be also in line with UNHCR Return Policies to the specific countries upon expressed interest to return by persons of concern from particular nationalities;
- Conduct regular counselling and awareness sessions with refugee community (non-Somalis) to disseminate information;

² Somali Volrep statistics as of 27 August 2017.

- Assess the requests of refugees for voluntary repatriation on case by case basis.

Objective 5: Improved data and information management informs programs related to solutions.

In all activities, UNHCR will prioritize the improvement of data collection activities and harmonize existing information systems such as proGres, Education Management Information System (EMIS), Child Protection Information Management System (CPIMS) and Gender-Based Violence Information Management System (GBVIMS), in order to accurately capture the needs of refugees and to have a mechanism through which cases may be identified for solutions. By reinforcing existing systems and protection indicators, refugees with heightened protection risks will be identified in a timely manner and the proper intervention, including solutions, are provided.

The activities that UNHCR undertakes may include:

- Strengthen the collection of individual student data on secondary and tertiary education and technical and vocational education training (TVET) ;
- Facilitate the issuance of identification documents for refugees under complementary pathways;
- Facilitate and monitor the departures of refugees under complementary pathways through Kenyan authorities and partners;
- Strengthen the data collection of relevant information at different stages of process using ProGres and other databases;
- Regularly collect individual data on livelihood activities, newly acquired skills;

Strategic Approaches

Coordination and Partnerships

Resettlement, complementary pathways, local integration and voluntary repatriation can only be feasible with the collaboration of different partners, particularly resettlement states, Country of Asylum, Country of Origin, IOM, NGOs, and Private Sector. UNHCR will strengthen collaborative activities with partners who play a role in making solutions efficient especially in areas of legal, social and medical assistance. They may include, but are not limited to Embassies, LWF, Windle Trust (Education and UAMs/SCs), Kenya Red Cross (Tracing), IOM (medical assessments and movement), JRS (specific needs/vulnerable cases), and RAS (refugee identification documents and exit clearance permits). UNHCR will try to explore alternative and innovative models for solutions through meetings with donors including private sector in Kakuma, Nairobi or HQ level.

Advocacy and Awareness

UNHCR will coordinate advocacy campaigns including anti-fraud awareness, to keep refugees fully informed on resettlement, voluntary repatriation, local integration and complementary pathways activities. UNHCR will organize regular advocacy forums and focus groups with concerned communities, government officials and implementing partners to create awareness on resettlement and repatriation processes. The community will also be involved in these advocacy strategies to ensure dissemination to the wider community. Openness and sharing of information with persons of concern will safeguard the integrity of the various solutions processes.

04 November 2017
UNHCR Kakuma