



**MINISTRY OF  
FOREIGN AFFAIRS  
OF DENMARK**  
*Danida*



**UNHCR**  
The UN Refugee Agency

OCTOBER 2019

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# **JOINT EVALUATION OF THE INTEGRATED SOLUTIONS MODEL IN AND AROUND KALOBYEI, TURKANA, KENYA**

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Evaluation carried out on behalf of Danida and UNHCR



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## ACRONYM LIST

CIDP	County Integrated Development Plan
CRRF	Comprehensive Refugee Response Framework
Danida	Ministry of Foreign Affairs of Denmark – International Development Cooperation
DRC	Danish Refugee Council
EM	Evaluation Manager
EQ	Evaluation Question
ERG	Evaluation Reference Group
ETL	Evaluation Team Leader
EU	European Union
EUTF	European Union Trust Fund
FAO	Food and Agriculture Organisation
FDG	Focus Group Discussion
GIZ	German Corporation for International Cooperation
GoK	Government of Kenya
HSNP	Hunger Safety Net Programme
IDA	International Development Association
IGAD	Inter-Governmental Authority on Development
IRC	International Rescue Committee
KCRS	Kenya Red Cross Society
KES	Kenya Shillings
KFW	German Development Bank
KII	Key Informant Interview
KISED	Kalobeyei Integrated Socio-Economic Development Plan for Turkana West
LAPSSSET	Lamu Port-South Sudan-Ethiopia Transport project
MoU	Memorandum of Understanding
NEDI	North and North-eastern Development Initiative
NGO	Non-Governmental Organisation
NRC	Norwegian Refugee Council
OECD/DAC	Organisation for Economic Co-operation and Development/Development Assistance Committee
QA	Quality Assurance
RAS	Refugee Affairs Secretariat
RCO	Resident Coordinators Office
ToC	Theory of Change



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UN	United Nations
UNDAF	UN Development Assistance Framework
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
WASH	Water, Sanitation and Hygiene
WFP	World Food Program

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# EXECUTIVE SUMMARY

## BACKGROUND AND CONTEXT

1. The Evaluation Service of UNHCR and the Evaluation Department in the Ministry of Foreign Affairs of Denmark have commissioned ADE with the evaluation of the Kalobeyei Integrated Socio-Economic Development Plan (KISED P). KISED P is a multi-sectoral and multi-stakeholder development programme that contributes to transforming the humanitarian model of assistance for refugees towards development-oriented approaches that enhance the self-reliance of refugees and development of host communities in the Turkana West sub-county of Kenya. The evaluation scope includes refugees resident in both Kakuma camp and Kalobeyei settlement – as well as the host communities of Turkana West sub-county, over the period 2016 to 2018. This is a forward-looking evaluation aimed at lesson learning.

2. The KISED P plan emerged over three years with significant evolution in the objectives, leadership, scope and approach over the course of development. The current KISED P plan was approved in December 2018 and is closely aligned to the County Integrated Development Plan for 2018-2022 CIDP. Assistance for on-going humanitarian and emergency assistance, including food assistance, and parts of international protection work, remained largely outside of the KISED P plan.<sup>1</sup>

3. The evaluation drew on interviews with national and international stakeholders, the views of affected populations and a desk review of documents and data – with data gathered and analysed in the first half of 2019. The analysis and synthesis phase included periodic consultations with the Evaluation Reference Group and other stakeholders. The main evaluation limitation was limited access to government ministries at national level.

4. Kenya has been hosting refugees since 1970 with the numbers increasing significantly from 1990 due to refugee influxes from Somalia and South Sudan. Approximately 190,000 refugees are resident in Kakuma camp (established in 1992) and the Kalobeyei settlement (established in 2015) in Turkana County, located in the North-West near

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1 Aspects of international protection work that will remain outside of the scope of KISED P include overseeing access to territory, registration, prevention of refoulement, advocating for rights, and ensuring access to justice and the rule of law.

the border with South Sudan – which represents 40% of all refugees in Kenya.

5. Turkana County remains economically, politically and socially marginalised from the main markets and population centres and with poor infrastructure provision, despite decades of development assistance to Turkana. The economy is principally reliant on pastoralism and data suggests that many refugees in Kakuma camp are better off than their Turkana hosts.<sup>2</sup>

#### **THE KISED P MODEL**

6. A global consensus has emerged on the need to respond to the needs of refugees and asylum seekers with innovative and more developmentally aligned approaches. The New York Declaration for Refugees and Migrants (NYD) and the Comprehensive Refugee Response Framework (CRRF), which the UN General Assembly endorsed in 2016, represented a significant commitment for greater international responsibility sharing and support to refugee hosting countries. In line with the objectives of comprehensive refugee responses, they called conducive laws and policies that enable refugee self-reliance, as well as the overall development of refugee hosting areas in line with national and sub-national planning priorities. This entails that refugee camps should be the exception and refugees should be allowed to live among host communities to reduce the risk of protracted stays and lessen refugees' dependence on humanitarian aid.

7. The KISED P plan was found to be highly coherent with the NYD and the CRRF, with the latter now being embedded as an integral part of the Global Compact on Refugees (GCR) affirmed in December 2018. It is unclear whether the GCR has yet influenced the KISED P design, and it is noted that the GCR was affirmed after launch of the KISED P.

8. Efforts have been made to adapt the legal and policy environment towards Kenya's commitments in line with comprehensive refugee responses, such as the commitments Kenya made at the 2016 Leaders' Summit and in the 2017 Nairobi Declaration and Plan of Action that set in motion the regional CRRF application in the East and Horn of Africa. Through the commitments made at these fora, and in line with the government's decision to become a CRRF roll-out country in autumn

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2 For example, see Turkana County Government, UNHABITAT & UNHCR (2016) KISED P Socio-Economic and Mapping Baseline Survey Report.

2017, the Government of Kenya (GoK)<sup>3</sup> committed to enhance refugees' self-reliance and inclusion in Kenya, through the development of the Kalobeyi Integrated Settlement.

9. However, further national policy reforms, including the approval of the CRRF roadmap and Refugee Bill, have stalled. These delays are associated with domestic policy concerns on maintaining security and the priority placed on job creation for citizens over refugees. At the county level there has been increasing alignment between KISED P and the County Integrated Development Plan (CIDP), with an extremely close, and still evolving, alignment at the time of the evaluation.

10. While donors are also committed to the NYD/CRRF and the GCR at the global level, this has been unevenly translated into donor strategies and priorities for bilateral development assistance at the national level. For some donors this has been crowded out by other priorities or not yet incorporated due to long-term (typically five-year) planning cycles for development cooperation. Support has been most evident where it is aligned with the strategic interest in improving the management of informal migration or seen as a mechanism to reduce long-term humanitarian support to refugees. There is little, and decreasing, appetite amongst donors to support the resettlement of refugees both globally and specifically refugees granted asylum in Kenya, leaving the main responsibility and hosting burden on Kenyan authorities.

11. Other development agencies – including the UN agencies and the World Bank Group – have increasingly included refugee and migration objectives within their development strategies. This is driven by the recognition of the importance of improved refugee responses to achieving their core mission of poverty reduction.

12. UNHCR has been central to initiating and facilitating the development of the KISED P plan. This required a major shift in organisational approach and individual mindsets. UNHCR internal leadership at global, country and field levels have been critical in moving to a developmental approach and the rate of progress is clearly linked to changes in staff. Change has also been supported by evolving corporate policies and processes.

13. While all stakeholders appreciated UNHCR's role as an advocate and facilitator, the KISED P planning exercise would have benefited from

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3 Kenya enacted a new Constitution in 2010 through which it established a system of government akin to a federation, with legislative authority shared between the national Parliament and county legislatures. Where appropriate this report distinguishes between the national government (also referred to here as the GoK) or the county government – and when referring to both levels simply refers to "government".

stronger engagement of key development agencies in a leadership role, who have established expertise in development planning. While World Bank and IFC studies were used to inform the plan, KISED P would have benefitted from stronger engagement of key development partners in the core planning process from the outset, including UNDP and donors.

14. Government authorities at both national and local level have been central actors in moving the KISED P planning process forward. At the national level the traditional UNHCR counterpart have been the Refugee Affairs Secretariat. However, the success of KISED P depends on establishing additional direct relationships with a wider range of counterpart ministries – such as the ministries in charge of education, planning, financing and local administration – and the Executive where responsibility for major policy decisions rests.

15. The County Governor is credited with being a leading force in the development of the approach that has evolved into KISED P. A critical factor which enabled the political leadership to take this position was a change in perception of refugees from vulnerable people requiring external assistance, to productive members of a broader community. Integrating the KISED P as part of the CIDP provided a critical opportunity to integrate refugees within a nationally owned development framework. However, a major constraint to the full participation of the County Government in KISED P planning is related to human capacity constraints.

16. Despite a strong commitment to community involvement and empowerment as part of the planning process, the focus group discussions indicated that many individual refugees felt unconsulted and community leaders had limited effectiveness in disseminating information and acting as a bridge to community consultation. The County Government took the innovative decision to include refugees in CIDP consultations and these consultations were positively evaluated and referenced as a best practice.

#### **ARCHITECTURE FOR DELIVERY**

17. KISED P has succeeded in involving a diverse range, and growing number, of partners in implementation, including greater participation by development (as opposed to humanitarian) agencies and from the private sector. The roles and responsibilities of the different partners are still evolving, driven by considerations of mandate, comparative advantage and capacity.

18. As the owner of the CIDP/KISED P the County Government has the lead responsibility for core functions of planning, coordination and accountability. However, existing efforts in building its own capacity, significant gaps still remain. Until a point at which the County Government has the capacity to take full responsibility for these functions, UNHCR

is providing secretariat staff to reinforce and support coordination, monitoring and evaluation functions. While UNHCR acted in a timely way to fill a gap by leading support to planning and coordination, other agencies may offer comparative advantages in this role.

19. UNHCR has played critical roles in facilitating and encouraging the entry of a range of stakeholders by “opening up the refugees’ space”, establishing Memorandum of Understanding (MoUs) with some UN agencies and through the organisation of thematic planning workshops from 2014 onwards. Improved availability of funding has also been important. Consequently, a wide range of UN agencies have played an increasingly prominent role in Turkana West, in line with their organisational mandates. However, there has been a weak relationship between UNHCR and both UNDP and the Resident Coordinator’s Office for undetermined reasons.

20. In line with changes under KISED, INGO and NGO partners are adapting towards more inclusive and market-oriented solutions. Diverse roles have been identified for the private sector. The IFC Challenge Fund for Kakuma and Kalobeyei is a core strategy for supporting the development of the private sector in Turkana West. However, with KISED implementation only starting there was limited evidence at this point on the effectiveness of NGOs or the private sector in filling these new roles.

21. Significant progress has been made in establishing KISED coordination structures, which have grown out of existing UNHCR operational coordination and the original KISED planning workshops. However, the new implementation phase requires more regular, structured and strategic processes of coordination and increased County Government leadership. Coordination of the different development initiatives in Turkana West, which complement KISED, remains fragmented.

22. UNHCR has recognised some of the needs of the next phase of coordination with its proposed new structure. Stakeholders perceive that the KISED plan includes insufficient detail on how the complex processes of change envisioned in KISED will occur and how they will be addressed in the new coordination structures. This included changes from humanitarian assistance to government leadership, adopting market-based approaches, the inclusion of host communities in an area based approach, moving from blanket assistance to targeted assistance, and from direct service provision to cash-based approaches. Given this, the specific coordination challenges in KISED include defining the evolving roles of partners, laying out the pathway towards changes in financing of services and inclusion of refugees and host communities in services and plans to build capacity of government to take on its increased leadership role.

23. The first amalgamated, multi-partner and multi-year budget for KISED P was presented in December 2018 and continues to be a dynamic document with more detailed planning underway. However, there are significant exclusions from the KISED P budget, including the majority of humanitarian funding needs, protection activities such as advocacy for rights or an estimate of the number of refugees expected to become self-reliant. Consequently, the budget does not provide a comprehensive overview of financing needs, gaps and potential financial impact of the plan.

24. There are some new sources of external support coming into Turkana West associated with KISED P, notably from the World Bank and EU Trust Funds. However, the volume of additional financing falls far short of needs. While the budget includes significant contributions from the GoK, but there are very different opinions on how these total costs should be proportioned with donors.

25. A collective funding and fund-raising plan for KISED P is missing and there is no means to track funding and gaps – however this may be addressed as one of the tasks of the new secretariat. Funding KISED P through the new UNDP Multi-Party Trust Fund for Turkana – possibly as a separate envelope – offers potential advantages in terms of efficiency, balanced support and a clearer picture of contributions and funding gaps, but donor interest is currently limited due to focussing on selected priorities within the overall KISED P plan and concerns on accountability.

26. Robust monitoring and learning systems are critical functions to support a continual process of reflection and programme adjustment as KISED P evolves. Effective reporting is also required to maintain donor support and buy-in. However, the monitoring system for KISED P is at a very early stage of development and in need of significant investment.

27. Key priorities for M&E development include a) the building of County Government capacity to track progress against CIDP objectives as well as b) more strategic level monitoring of KISED P against its goal and strategic objectives as well as process indicators of changes in relation to moves towards self-reliance and the buy-in of different stakeholders. There are currently a number of parallel initiatives being established to monitor different aspects of programme and different initiatives progress in Turkana West. Currently, these systems are not yet brought together.

#### **INCLUSION AND EQUALITY OF ACCESS**

28. The KISED P seeks to transition refugees from basic services provided through parallel humanitarian systems to receiving services through government systems and extend improved basic service provision to the host community. There has been significant progress towards

the inclusion of refugees in national services, so far mainly at the policy level for education and health.

29. The transition has been heavily influenced by the comparative quality of government and humanitarian services. In some cases, the specific needs of refugees – such as the disproportionate levels of trauma and deprivation – justify continued assistance for refugees above national norms or through parallel services. Given the anticipated protracted relief needs of refugees, the opportunities to include refugees within targeted national social protection schemes should be explored. There is also an emerging role for the private sector in service delivery for both refugees and host communities.

30. As an interim measure, the host community have been afforded access to humanitarian services, but this has limited coverage and risks adding to tensions when these are phased out in favour of chargeable national services. Limited progress has so far been made in expanding government service provision to areas of Turkana West which cannot access facilities shared with refugees.

31. A major change introduced by KISED P is the goal to increase the self-reliance of refugees. One strand of this has been encouraging private sector investment to expand employment opportunities for both refugees and host populations. However, the remoteness and poorly developed infrastructure in Turkana are structural barriers to private sector investment, compounded by legal restrictions that largely restrict refugees to poorly regulated informal employment opportunities.

32. Consequently, the more viable route to develop refugee livelihoods may lie through self-employment. There is considerable interest in expanding agricultural livelihoods for refugees and host communities alike – but inadequate infrastructure, including water supplies for irrigation and livestock use, are a major limitation. KISED P required the strong participation of a much more experienced development actor to conduct a rigorous and robust economic analysis of such investment opportunities, rather than the lighter analyses typically conducted to support humanitarian intervention.

33. The increased use of cash transfers has increased the circulation of cash in the local economy, which has promoted small-scale local businesses with positive effects on self-reliance. However, a restrictive policy and legal environment was a major obstacle to business development, especially as these challenges are exacerbated by the vulnerability of refugees to rent seeking behaviour and little is being done to mitigate these heightened risks.

34. In the specific context of Turkana West there are serious challenges to the underlying assumption of increased self-reliance amongst



refugees. While some refugees may find jobs and others may be able to run small businesses, in the absence of greater freedoms for refugees, many more are expected to continue to struggle over long periods and require continued social assistance.

### CONCLUSIONS AND RECOMMENDATIONS

35. A key KISED P achievement has been the systematic inclusion of refugees in the Kenyan owned CIDP planning process. This has supported a progressive transition in the primary responsibility for providing assistance and services to refugees falling on the Kenyan authorities, rather than the international humanitarian community and as a developmental priority. However, the KISED P plan only conveys a part of the overall picture as the large continuing humanitarian part of the refugee response, aspects of international protection and private sector involvement, and partially devolved sectors such as education and health are incompletely incorporated. This lack of clarity is compounded by the changing nature of the plan.

#### 36. RECOMMENDATION 1: REVIEW AND REVISE THE KISED P PLANNING PROCESS AND DOCUMENTS

- a. Move to fully align the scope of the KISED P plan within the Turkana CIDP by removing activities that are additional to the responsibilities of the County Government. The rationale for this change is to clarify and promote the full ownership and accountability of the County Government on development matters pertaining to refugee hosting areas.
- b. Supplement the CIDP/KISED P document with a document summarising the overall strategy and response including CIDP/KISED P development plan, the sectors supported at national level, the UNHCR led humanitarian and emergency response and other relevant international protection elements, and (if possible) elements of the private sector response. This comprehensive document should include an analysis of the interrelationships between these different elements.
- c. Future plans should include strengthened community engagement in the planning process, enhanced analysis of the links to durable solutions and complementary pathways and a risk analysis and mitigation plan.
- d. Develop a comprehensive communication strategy to communicate the overall approach to partners at all level, including refugee and host communities and Nairobi based stakeholders and update them on a regular basis. An overall objective would be to seek broadened and sustainable stakeholder engagement and mobilization of support.

37. While there has been political support from the GoK to the NYD/ CRRF and GCR at the global level, there has also been ambivalence in implementation. Further national policy reforms are needed to fully realise the CRRF ambitions of allowing refugees to live among host communities, gaining access to education and labour markets, and

becoming self-reliant. Realising KISED P needs to reconcile competing domestic policy goals – such as maintaining security and prioritising local employment creation – with the CRRF agenda.

### **38. RECOMMENDATION 2: INITIATE A HIGH-LEVEL POLITICAL DIALOGUE IN KENYA BETWEEN THE GOK AND DONORS.**

Initiate a political dialogue at the highest possible level between donors (preferably at the ambassadorial level) and the National Government (preferably within the Office of the president) to focus on the collective response to refugees in Turkana. The agenda for this dialogue would include (1) discussion on the various legal and bureaucratic restrictions on the rights of refugees to work, (2) mechanisms for responsibility- and burden-sharing arrangements in Kenya, and (3) opportunities for solutions, such as through voluntary repatriation and resettlement, building on the four interdependent and interlinked objectives of the GCR and comprehensive refugee responses.

39. The County Government has provided exceptional leadership and political commitment to KISED P and this has been essential to the whole KISED P process. This required significant political courage. The challenge is to build on this high-level political support by strengthening the ownership of the process across the County Government. Strengthened capacities for coordination and accountability have been identified as clear priorities for reinforced government capacity.

### **40. RECOMMENDATION 3: STRENGTHEN THE CAPACITY OF THE COUNTY GOVERNMENT TO COORDINATE, MONITOR AND REPORT AGAINST THE KISED P RESULTS.**

Development partners, including UNHCR, the World Bank (DRDIP) and UNDP, should pool resources to support the establishment and operation of the proposed Secretariat housed within the County Government.

41. UNHCR played a leading role in initiating a process of change, underpinned by progressive leadership, new staffing profiles, a supportive policy environment, with a willingness to pilot new approaches. However, it is appropriate that overtime progressively greater responsibility for refugees should be taken on by other development actors as part of the SDG agenda and commitments. While partnerships in support of KISED P have greatly expanded, some notable gaps remain – including the choice of UNDP not to engage substantively.

#### **42. RECOMMENDATION 4: STRENGTHEN SUPPORT TO KISED P BY TECHNICAL DEVELOPMENT AGENCIES.**

Review and improve the specificity of UNHCR MoU with other development partners (including UNDP) to reinforce the predictability of the participation of other agencies in CRRF settings. This may include establishing formal stand-by arrangements to assist in areas such as development planning, coordination and monitoring.

43. KISED P is aligned with the CRRF goal of allowing refugees to benefit from national services. Credible pathways have been established to integrate refugees within government systems of service provision in sectors such as education and health. However, weaknesses of government delivery systems in sectors such as household water, mean management of national systems will have to be improved prior to the inclusion of refugees. Furthermore, as the specific needs of refugees differ from the host population, the continuation of some parallel services, including protection, are justified.

44. As most government services involve charges or an element of cost recovery, including education and health. The best way of meeting this is through the adapted inclusion of refugees within national social protection systems – something that is yet to be explored under KISED P.

#### **45. RECOMMENDATION 5: EXPLORE THE INCLUSION OF REFUGEES WITHIN NATIONAL SOCIAL PROTECTION MECHANISMS.**

- a. Review the relevance and feasibility of incorporating refugees within national social protection mechanisms. This may require examination and discussion of whether the targeting criteria applied to refugees, and the levels of assistance provided, should vary from those used for host communities.
- b. Analyse the comparative cost-effectiveness of delivery of basic services through government and humanitarian delivery channels.

46. Overall, progress towards creating livelihood opportunities has been very challenging. Turkana is a particularly challenging environment for business and entrepreneurship given its remoteness, limited resources, poor communications and weak internal market. Decades of development assistance have done little to transform the situation. Furthermore, the significant legal constraints, including issues of identity, freedom of movement, financial inclusion, land ownership and work permits compound the situation. It would clearly have been preferable to develop refugee self-reliance in an environment with suitable land and water resources – and is a lesson for future consideration.

47. In the current situation there are two main options for accelerating progress in employment creation. Firstly, negotiation is needed with the GoK on establishing a more supportive policy and legal environment for refugees. Secondly, investment in infrastructure could improve livelihoods opportunities. Large-scale investment in water supply has been identified as an important pathway to enhance refugee self-reliance. However, this is capital intensive and requires close analysis of the costs and benefits – financial, economic, environmental and social – prior to an investment decision.

### **48. RECOMMENDATION 6: STRENGTHEN PATHWAYS TO SELF-RELIANCE**

- a. Develop an evidenced and shared view of scenarios of the rate at which self-reliance may be developed and an estimate of the requirement for continued direct assistance.
- b. Undertake a robust cost-benefit analysis of the proposed dam to support agriculture livelihoods in Kalobeyei.
- c. Explore the possibility of piloting alternative approaches that may facilitate improved prospects of self-reliance for refugees. For example, this might include the controlled settlement of limited numbers of refugees in other areas of Turkana or other counties.

49. KISED P was supported by a range of some new and more appropriate sources of financing including contributions from multi-year and development budgets. However, it is apparent that there is so far very limited additional investment by either government or donors and funding is far short of the budget requirements.

50. Underlying this situation is the near absence of dialogue on burden- and responsibility-sharing. There is a dangerous assumption by donors that inclusion of refugees in national systems equated to a willingness on the side of the government to assume full financial responsibility, despite the NYD commitment to shared international responsibilities borne equitably. The GCR and programme of action that followed the NYD/CRRF has so far had little observable impact on clarifying arrangements for burden- and responsibility-sharing – as was its intent.

**51. RECOMMENDATION 7: STRENGTHEN FUND RAISING STRATEGIES**

- a. Develop a collective fund-raising plan for KISED P and means to track funding and gaps (KISDP/CIDP Secretariat).
- b. Explore the potential and appetite for funding KISED P through the new UNDP Multi-Party Trust Fund for Turkana.
- c. Consider including refugees as target group as part of the education budget support provide to GoK (donors).
- d. At global level the GCR stakeholders should clarify the principles and mechanisms for responsibility- and burden-sharing arrangements.

52. *KISED P is still in the early stages and so conclusions are necessarily preliminary.* However, it is clear that KISED P represents a serious and promising attempt to support a protracted refugee crisis in a new and more appropriate manner. The Kenyan Government, at both national and county levels, has provided leadership and refugees are now being included in national development plans. Other actors, with UNHCR to the fore, are fundamentally adapting their approach.

53. Moving forward the evaluation identifies both challenges and opportunities. Overall KISED P holds the potential for providing a good example of how to implement the CRRF. But in order to realise this potential continued commitment and support will be required by all agencies and levels of Government.

# **1 INTRODUCTION**

## **1.1 Evaluation features**

### **RATIONALE AND OBJECTIVES**

54. The Evaluation Service of UNHCR and the Evaluation Department in the Ministry of Foreign Affairs of Denmark have commissioned ADE with the evaluation of the “Kalobeyi approach”<sup>4</sup>, a new approach to respond to the developmental needs of both refugees and host communities in Turkana West sub-county of Kenya. Given the global need to find new solutions for refugees, the innovative nature of the new approach being rolled out in Turkana is of significance beyond the region and Kenya.

55. The full Terms of Reference (TOR) for this evaluation are included as Annex A. The main purpose of the evaluation is to:

- i Generate and distil context-specific lessons and assess their broader applicability and usefulness. This evaluation can help policy makers to better understand the opportunities and challenges – both institutional and contextual – for inclusive refugee responses in a variety of contexts and countries.
- ii Provide forward looking recommendations to the key actors and stakeholders engaged in KISED P and related efforts assisting refugees and host communities in Turkana County.

56. The evaluation emphasises learning over accountability. As such, the methodology did not assess performance against programme funding by a specific donor, nor was it limited to an assessment the activities of a single implementing agency (such as UNHCR). Instead, the frame of reference is a forward-looking evaluation aimed at lesson learning.

57. The evaluation is designed to be of use to stakeholders globally and in Kenya who are responsible for, or involved in, providing protection, assistance and solutions to refugees and stakeholders supporting host communities. In Kenya this includes national and county authorities in Turkana, UNHCR Kenya, other development and humanitarian actors.

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4 In the report the term “Kalobeyi approach” is used interchangeably with the Kalobeyi Socio-Economic Development Programme (KISED P).

Other global users are governments, agencies and organisations involved in ensuring protection, assistance and solutions for refugees, whether through humanitarian efforts or development activities.

58. The temporal focus of the evaluation includes the implementation of the KISED P preparatory phase during 2016-2017 and the first year of implementation in 2018.<sup>5</sup> However, the evaluation also reviewed events prior to 2016 to properly contextualise the development of the KISED P plan.

59. The evaluation scope includes refugees resident in both Kakuma camp and Kalobeyei settlement – as well as the host communities of Turkana West sub-county. This is aligned to the target population of the current KISED P plan.<sup>6</sup>

### **EVALUATION APPROACH**

60. The evaluation was undertaken by an independent external evaluation team recruited through ADE. The evaluation team consisted of Nick Maunder (team leader), Jock Baker (humanitarian specialist), Teresa Hanley (organisational specialist), Evans Muriungi Muchege (local expert) and Arsene Francois (ADE Research Analyst). The evaluation is jointly managed by Marianne Vestergaard (MFA EVAL) and Emilie Wiinblad Mathez (UNHCR, Evaluation Service). Quality Assurance was provided by Edwin Clerckx (ADE).

61. The evaluation methodology is set out in full in Annex B and summarised below. The evaluation was structured around the three main areas of enquiry:

- i lessons in the development of the KISED P model,
- ii lessons on the architecture used for delivery, and,
- iii lessons on promoting inclusion and equality of access to basic services and livelihood opportunities for both refugees and the host community.

62. These three broad areas of enquiry were developed into a set of nine Evaluation Questions (EQs) (see Table 1) and further refined into a number of sub-evaluation questions and corresponding sources of evidence into an evaluation matrix (see Annex B) which guided the evaluation process.

5 The first implementation phase of KISED P runs from 2018 to 2022.

6 UNHCR (2018) Kalobeyei Integrated Socio-Economic Development Plan in Turkana West (KISED P). Phase One: 2018-2022 Comprehensive Refugee and Host Community Plan in Turkana West, Kenya. 2018.

**TABLE 1 EVALUATION QUESTIONS**

### **THE KISED P MODEL**

EQ 1. How does the KISED P model align with the mandates, policies and programmes of different stakeholders?

EQ 2. What were the barriers, drivers and opportunities to developing a multi-agency plan to deliver integrated solutions for refugees?

EQ 3. What risks are associated with the KISED P model and what has been learnt on how to mitigate these risk factors?

### **THE ARCHITECTURE**

EQ 4. What factors have promoted and enabled partnerships in delivering the KISED P and how have these evolved over time?

EQ 5. What factors have promoted effective coordination amongst KISED P partners?

EQ 6. What factors have promoted adequate and appropriate financing of KISED P objectives?

EQ 7. Where does accountability for the KISED P rest and how is it ensured?

### **INCLUSION AND EQUITY**

EQ 8. What factors influence the inclusion and equality of access by refugees and host communities to basic services?

EQ 9. What factors influence the inclusion and equality of access by refugees and host communities to employment and livelihood opportunities?

63. The EQs were found to be relevant and sufficient in scope during the evaluation field work, although there was some refinement at the level of sub-questions. Consequently, these EQs has been maintained as a framework for the presentation of the findings.

64. The main sources of evidence gathered in the evaluation process included:

- National and international stakeholder views: (UN, Kenyan authorities, donors; national and international NGOs, community-based organisations, other international organisations,
- Views of affected populations: (KISED P beneficiaries, other refugee and host community members collected through Focus Group Discussions based on age, gender and diversity criteria)
- Desk Review of polices, strategies and operational plans: (International and regional legal and policy frameworks for refugees, UNHCR



Corporate Policies, strategies and SOPs; government policies and strategies; UN Kenya Strategies and Plans; KISED Operational Plans and Project Documents, donor strategies, policies and strategies of multilateral development agencies such as the WBG and other IFIs and the EU)

- Monitoring and evaluation data and reports: (Programme Monitoring briefs, updates, factsheets; feedback and complaints data; evaluations)

65. Key Informant Interviews (KIIs) have been conducted in Kenya during a field mission in March 2019, in Geneva in April 2019 and through follow-up calls in April 2019. All KIIs were treated as confidential. A total of 109 interviews were conducted with 215 stakeholders, of which 134 were male and 81 female (see Annex C for a list of stakeholders interviewed). Approximately 250 documents have been gathered for review (see the library list in Annex D).

66. The evaluation methodology included a strong focus on affected people throughout the evaluation process. Information from affected populations, both refugees and host populations, was systematically captured and analysed. A total of 24 Focus Group Discussions (FGDs) were conducted in Turkana amongst refugee and host communities in Kakuma and Kalobeyei (see Table 2). This included the perspectives of affected populations, both beneficiaries in different activities and non-beneficiaries, and the views of both women and men.

**TABLE 2 FOCUS GROUP DISCUSSIONS BY LOCATION AND GROUP MEMBERS**

	Kakuma		Kalobeyei	
	Refugees	Host Community	Refugees	Host Community
Leaders	1	1	1	1
Women	1	1	1	1
Youth	1	1	1	1
Entrepreneurs	1	1	1	1
Vulnerable groups	1	1	1	1
CBO representatives	1	1	1	1

67. Validation has taken place through dialogue with key stakeholders throughout the evaluative process. Regular briefings were held to

ensure stakeholders' strong and continued engagement in the process. This included:

- Consultation of stakeholders in the evaluation design during the inception phase in February 2019
- A meeting with the Evaluation Reference Group (ERG) in March 2019 to discuss and refine the inception report
- A presentation to UNHCR Kenya in April 2019 to validate the preliminary findings following the evaluation field mission to Kenya
- A preliminary findings and conclusions paper was shared and discussed with UNHCR, DANIDA and the ERG in May 2019
- A validation workshop with a cross section of stakeholders was organised in Kenya in June 2019.

68. The evaluation adopts a systematic approach to analysis, ensuring validity and transparency in the relationship between findings, conclusions and recommendations. Triangulation methods include (i) different team members exploring the same aspect of the evaluation and ensure that findings are fully endorsed by all team members; (ii) the use of different methods to explore the same aspect, and (iii) the use of multiple sources and types of data. Moreover, the use of structured tools ensures that findings are directly traceable to evidence, while any tensions or contradictions within the evidence are transparently recorded.

69. Some limitations were experienced by the evaluation. The availability of monitoring data on performance was found to be limited during the inception. However, as this evaluation is not primarily focussed on outcomes this did not compromise the overall validity of the evaluation. However, this did significantly compromise the ability to disaggregate data and analysis by gender, age and disability. The majority of planned interviews with government ministries at national level could not be arranged, with consequent limitations in capturing national government perspectives.

### 1.2 The Kenya context

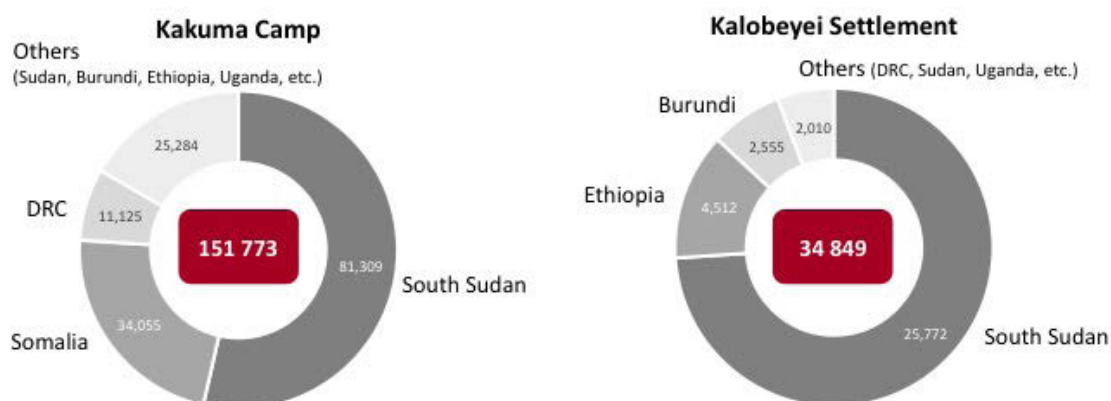
70. Kenya has been hosting refugees since 1970 with the numbers increasing significantly from 1990 due to refugee influxes from Somalia and South Sudan. As of 31 May 2019, UNHCR reported that Kenya hosted 476,695 refugees making it the fourth biggest refugee-hosting countries in Africa after Uganda, Sudan and Ethiopia. The majority of the refugees originate from Somalia (54.5%) and South Sudan (24.4%), with the remainder from Democratic Republic of Congo (8.8%), Ethiopia

(5.9%), and smaller numbers from Sudan, Rwanda, Eritrea, Burundi and Uganda.<sup>7</sup>

71. Approximately 40% of refugees (190,000) in Kenya live in Kakuma camp and Kalobeyei settlement in Turkana County, located in the North-West near the border with South Sudan. The remainder of refugees in Kenya reside in Dadaab camp located close to the Somali border and in urban areas (mainly Nairobi). The refugees are mainly supported by the international community through UNHCR.

72. Kakuma refugee camp was established in 1992 following the arrival of the “Lost Boys of Sudan” from Ethiopia. The new settlement of Kalobeyei (20km from Kakuma town) was established in 2015 to relieve congestion in Kakuma (see Annex E for map). The breakdown of nationalities of refugees resident in the two camps in Turkana is given in Figure 1. While some refugees in Kakuma and Kalobeyei arrived directly – principally the South Sudanese – others have been relocated from Dadaab and Nairobi.

**FIGURE 1 KAKUMA AND KALOBEYEI POPULATION BY NATIONALITY**



Source: UNHCR (as of 30<sup>th</sup> April 2019)

73. The refugee hosting area of Turkana County is considered to be one of the poorest of Kenya’s 47 counties. 79% of the population are living under the poverty line (using the national poverty line of USD 1.90).<sup>8</sup> More than 90% of the Turkana population experience food poverty. Turkana West, one of six sub-Counties making up Turkana County (see Map in Annex E) has an estimated population of 320,000 and hosts an

7 <https://www.unhcr.org/ke/wp-content/uploads/sites/2/2019/06/Kenya-Infographics-31-May-2019.pdf>

8 <http://devinit.org/post/the-needs-of-kenyans-by-county-exploring-the-latest-poverty-data/>

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additional 190,000 refugees. The population is predominantly made up of young people with 60% below the age of 19 and an average of population growth rate of 3.35 % per annum.

**TABLE 3 KEY DEVELOPMENT INDICATORS FROM TURKANA WEST<sup>9</sup>**

Access to electricity	5%
Under five mortality rate	20/1000
Access to safe and clean water	41%
Percentage of population who are pastoralist	41%
Number of students enrolled at public schools	121,820
Schools with government deployed teachers	57%
Delivery of babies by skilled midwives	43%
Latrine coverage	22%

Source: <http://devinit.org/post/the-needs-of-kenyans-by-county-exploring-the-latest-poverty-data/>

74. One survey found that, based on metrics such as number of meals per day, diversity of diet, ownership of clothing, a mobile phone or television, and access to electricity living standards, Congolese and Somali refugees in Kakuma camp are better off than their Turkana hosts.<sup>10</sup> South Sudanese, who account for the majority of the refugee population have relatively lower average standards of living that could be attributed to a variety of factors, including their status as relatively new arrivals<sup>11</sup> and the high proportion of women headed households whose husband is either dead, missing or living in South Sudan.<sup>12</sup> Gender has played a significant role in determining employability and creation of employment opportunities that puts women at a disadvantage, especially those trying to start businesses or looking for work outside the refugee camp.

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9 Refers to the socio-economic conditions of the host population and do include data for refugees and asylum seekers.

10 For example, see Turkana County Government, UNHABITAT & UNHCR (2016) KISEDIP Socio-Economic and Mapping Baseline Survey Report.

11 Alexander Betts, Naohiko Omata and Olivier Sterck (2018) Refugee Economies in Kenya. University of Oxford

12 Alexander Betts, Remco Geervliet, Claire MacPherson, Naohiko Omata, Cory Rodgers, Olivier Sterck (2018) Self-Reliance in Kalobeyi? Socio-Economic Outcomes for refugees in North-West Kenya. University of Oxford & WFP.

75. Approximately 41% of the Turkana West population are pastoralists. This context requires agencies to adapt service provision to low population densities and nomadic pastoral communities. Livestock production constitutes the main economic activity and accounts for as much as 90% of household income. However, Turkana people's pastoralist livelihoods have experienced multiple shocks and setbacks over the past two decades. Droughts have been longer and more frequent. In addition, there has been a change in land use in recent years to more non-pastoral activities.

76. Turkana County remains economically, politically and socially marginalised from the main markets and population centres and with poor infrastructure provision, despite decades of development assistance. Potential new economic opportunities have been identified including: green energy tapping into geothermal, wind, solar and bio-fuels; mining opportunities particularly oil, but also various mineral resources; the discovery of the Lotikipi Basin aquifer and infrastructure developments underway including the Lamu Port-South Sudan-Ethiopia Transport project (LAPSSET). However, oil extraction is located in the south of the County and boreholes exploiting the newly identified Lotikipi aquifer had disappointing yields of saline water.

### 1.3 The KISED P Approach

77. UNHCR has a well-established mandate for ensuring international protection, assistance and durable solutions for refugees, including providing continued assistance in protracted refugee situations. These elements of UNHCR's work were, and continue to be, included in the Regional Response Plan for South Sudan and the Kenya Chapter of Global Appeal. However, as evidenced by the NYD, CRRF and GCR, a global consensus has emerged on the need for change and a more developmental approach.

78. On September 19, 2016, the United Nations General Assembly unanimously adopted the New York Declaration for Refugees and Migrants. The New York Declaration reaffirms the importance of the international refugee regime and contains a wide range of commitments by Member States to strengthen and enhance mechanisms to protect people on the move (see Box 1).<sup>13</sup>

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13 Resolution adopted by the General Assembly on 19 September 2016. Seventy-first session. Agenda items 13 and 117.

### BOX 1 THE NEW YORK DECLARATION AND COMPREHENSIVE REFUGEE RESPONSE FRAMEWORK

The New York Declaration reaffirmed the obligations of Member States to fully respect the human rights of refugees and migrants; agreed that protecting refugees and supporting the countries that shelter them are shared international responsibilities and must be borne more equitably and predictably and pledged robust support to those countries affected by large movements of refugees and migrants.

Member States recognize that refugee camps “should be the exception,” and a temporary measure in cases of emergency. Instead, refugees should be allowed to live among host communities to reduce the risk of protracted stays and lessen refugees’ dependence on humanitarian aid. The logic being that when refugees gain access to education and labour markets, they can build their skills and become self-reliant, contributing to local economies and fuelling the development of the communities hosting them. It is argued that allowing refugees to benefit from national services and including them into national development plans is essential for both refugees, and the communities hosting them.

The NYD commits to actively promoting durable solutions, particularly in protracted refugee situations, with a focus on sustainable and timely return in safety and dignity. This will encompass repatriation, reintegration, rehabilitation and reconstruction activities.

The New York Declaration incorporates a Comprehensive Refugee Response Framework (CRRF) to be applied to large-scale movements of refugees and protracted refugee situations. The CRRF focuses on the importance of supporting those countries and communities that host large number of refugees, promoting the inclusion of refugees in host communities, ensuring the involvement of development actors from an early stage, and developing a ‘whole-of-society’ approach to refugee responses.

The CRRF aspires to a multi-stakeholder approach, including national and local authorities, international organisations, international financial institutions, regional organisations, regional coordination and partnership mechanisms, civil society partners, including faith-based organisations and academia, the private sector, media and the refugees themselves.

*New York Declaration for Refugees and Migrants. Resolution adopted by the General Assembly on 19 September 2016.*

79. As directed by the New York Declaration, UNHCR proposed a ‘Global Compact on Refugees’ (GCR) that was affirmed in December 2018.<sup>14</sup> While non-binding, it represents the political will and ambition of the international community as a whole for strengthened cooperation and solidarity with refugees and affected host countries. It includes the CRRF, adopted by the United Nations General Assembly in 2016, and further sets out a programme of action. The programme of action

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14 UN (2018) Global Compact on Refugees. September 2018.

is designed to facilitate the application of a comprehensive response in support of refugees and countries particularly affected by a large refugee movement, or a protracted refugee situation, through arrangements for burden- and responsibility-sharing and timely contributions in support of host countries.

80. The Kalobeyei Integrated Socio-Economic Development Plan in Turkana West (KISED) (see Box 2) is widely understood as piloting innovative approaches to supporting refugees and asylum seekers in Kenya, in line with NYD and CRRF (and more recently the GCR) commitments. The KISED plan was approved in December 2018 following an extended three year planning period. Therefore, it is important to recognise that the key features of KISED were emerging before the NYD and the CRRF. It should also be noted that the new approaches to working with refugees and asylum seekers have been introduced alongside the on-going planning process and have not been contingent on the formal approval of the KISED plan in 2018.

## **BOX 2 THE KALOBYEI INTEGRATED SOCIO-ECONOMIC DEVELOPMENT PLAN**

The basis for the KISED multi-sectoral and multi-stakeholder development programme. KISED aims to address the key challenges and capitalise on efforts made to reform the legal framework and policies; infrastructure, county financial and human resources, refugee inclusion in national service delivery systems; educated/skilled workforce; aid dependency and poverty levels; water availability and equitable distribution systems; credit access and financial inclusion of refugees; value addition; community engagements and ownership; and business environment for private sector investments.

**Overall goal of KISED:** Boost the local economy by enabling the environment and building skills/capabilities in order for refugees and host communities in Turkana West to increase their self-reliance, access inclusive national service systems and successfully function in their new market environment. This will directly contribute to transforming the humanitarian model of assistance for refugees towards development-oriented approaches that enhance the self-reliance of refugees and host communities.

**Strategic objectives of KISED:** (1) Create a conducive environment that attracts investment from the private sector and financial service providers to promote the local economy (2) Invest in basic socio-economic infrastructure, introduce sustainable models and strengthen capacities for an enhanced and inclusive national service delivery (3) Enhance innovative aid delivery and increase financial inclusion for refugees and host communities to increase self-reliance and reduce poverty (4) Increase access to higher and specialised education and promote and support market-driven skills and capabilities of refugees and host communities to take part in the local economy

The KISED P will implement the above strategic objectives through eight complementary and mutually-reinforcing components which are closely aligned to the County Integrated Development Plan (CIDP) sectors – health, education, WASH, protection, spatial planning, agriculture and livestock, energy and private sector and entrepreneurship. Each component has its own sectoral objectives, indicators and budgets that directly contribute to one or more of the above strategic objectives.

*Source: Kalobeyei Integrated Socio-Economic Development Plan in Turkana West (KISED P). Phase One: 2018-2022 Comprehensive Refugee and Host Community Plan in Turkana West, Kenya. 2018.*

81. Assistance for on-going humanitarian assistance, including food assistance, remained largely outside of the KISED P plan, and was mostly included as part of the UNHCR appeals (see Para 74). A conscious choice was made by UNHCR to use the KISED P plan to specify and highlight the needs for additional development assistance, above and beyond the on-going humanitarian programs. International protection work – which covers access to territory, registration, refugee status, advocacy for convention rights and non-refoulement – also remains outside of the KISED P plan.

82. It is important to note that the KISED P plan emerged over time with significant changes in the approach. The original development of KISED P concept (entitled the “Turkana Initiative”) predated the development of the CRRF and the objectives were aligned to the necessity to obtain land for the settlement of additional refugees and decongest the Kakuma refugee camp in 2015. From this original entry point the approach evolved significantly over time. The evolution in the KISED P approach is best evidenced in two drafts of the plan: (i) The Turkana Initiative: Kalobeyei Integrated Socio-Economic Development Program (KISED P). Draft Concept Note. October 2015, and (ii) Kalobeyei Integrated Social and Economic Development Plan (KISED P). Phase I: 2016-2020. Draft April 2016 (see Table 4), with the main changes including:

- **Change in objective** The primary goal progressed from the establishment of an integrated settlement of refugees and host community members in Kalobeyei to an area-based approach aligned with the CIDP goal of boosting the Turkana West local economy.
- **Change in leadership** While UNHCR maintained the “pen” on the KISED P draft, there has been progressively greater ownership by the County Government and increased consultation with a range of stakeholders.
- **Closer alignment to County Integrated Development Plan** A closer alignment has initially emerged of KISED P to the County Integrated



Development Plan (CIDP) goals, followed by the integration of refugees as part of the CIDP (see Box 5).

- **Increase in geographical scope** While the original concept note focussed explicitly on the development of Kalobeyei settlement, subsequent revisions included Kakuma camp and eventually the surrounding Turkana West sub-county within the plan. Consequently, the number of beneficiaries has increased from 60,000 to over 500,000.
- **Service delivery channels** The approach has evolved from sharing services by refugees and host communities to an explicit aim of integrating refugees within national service delivery systems.
- **Approach to self-reliance.** The increased self-reliance of refugees has been a consistent goal, although the emphasis has shifted from agricultural livelihoods to stimulating private sector investments and boosting the local economy in Turkana West as a whole.
- **Clarity of budget** While no budget was articulated in the earlier drafts, a budget aligned to the CIDP was included in the 2018 draft.
- Other elements of the new approach have remained more consistent. There has been a sustained (written) commitment to community participation in the planning process and a long-term (14 year) phased approach to implementation.<sup>15</sup>

83. It was noted during the course of the evaluation that different stakeholders had significantly different understandings of the KISED P plan. This was related to the stage at which they had engaged with the process and the absence of a clear communication strategy to keep partners updated. The main confusion was on whether the plan focussed on the Kalobeyei settlement or was an area-based development plan for Turkana West. This raised question on the appropriateness of continuing to use KISED P – with the reference to Kalobeyei – as a programme title as the terminology contributed to the confusion amongst stakeholders.

84. While there has been significant convergence in the approach across Kalobeyei settlement and Kakuma camp, Kalobeyei’s planners have retained a clearer commitment to self-reliance. This is witnessed in that Kalobeyei has differed from Kakuma in having designated market

15 The KISED P plan identifies four phases in implementation (1) Prep 2016/2017 (2) Phase I 2018-22 (3) Phase II 2022-27 (4) Phase III 2028-30. Phase II assumes protracted displacement and will focus on ensuring sustainable services provision and economic opportunities to prepare the refugees for eventual return, while Phase III assumes that the situation in South Sudan will eventually improve and create the right conditions for the return of refugees.

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areas, more extensive use of cash-based assistance (including support to food assistance and shelter construction) and greater promotion of subsistence agriculture.

**TABLE 4 EVOLUTION OF THE KISED P PLAN (2015 – 2018)**

	<b>The Turkana Initiative – KISED P Draft Concept Note (Draft October 2015)</b>	<b>Kalobeyei Integrated Social and Economic Development Program (Draft April 2016)</b>	<b>KISED P Plan in Turkana West (Final December 2018)</b>
<b>Overall goal</b>	Facilitate collaboration and coordination between the government, UN agencies, development actors, NGOs, private sector and civil society to build sustainable services and economic opportunities in Kalobeyei.	Contribute to improvement of the socio-economic conditions of the refugee and host communities in Kalobeyei and Kakuma; support the host community to take advantage of emerging economic opportunities in the County; and reduce dependence on humanitarian aid and prepare the refugees for durable solutions.	“To boost the local economy by enabling the environment and building skills/capabilities in order for refugees and host communities in Turkana West to increase their self-reliance, access government service systems and successfully function in their new market environment.”
<b>Leadership of planning</b>	UNHCR responsible for concept note	UNHCR responsible for drafting based on collaborative planning involving the County Government, humanitarian and development partner agencies, and the central Government of Kenya.  Leadership of KISED P being gradually taken over by the Turkana County Government.	UNHCR responsible for drafting.  “Co-led by the County Government, and UNHCR, in close coordination and collaboration with the Government of Kenya, World Bank, other UN agencies and international partners”.  County Government took formal ownership of the plan and it was publicly released in December 2018 in Nairobi by the Governor.
<b>Relationship to other Development Plans</b>	“Employed a Local Economic Development (LED) strategic planning process that ideally, will form a component of a broader strategic development plan”.	“Aligned with the CIDP and contributes towards key outcomes that the County has planned for Turkana West. However, as in the time of designing the CIDP, the plans for Kalobeyei development did not exist and the CIDP did not take into account the presence of refugees in Turkana.”	Refugees fully integrated as part of the Turkana CIDP II for 2018-22.  “KISED P aligned with the overall objectives” of the CIDP II for 2018-22.  According to some stakeholders the KISED P had effectively become the “Turkana West Chapter of the CIDP”.

	<b>The Turkana Initiative – KISED P Draft Concept Note (Draft October 2015)</b>	<b>Kalobeyei Integrated Social and Economic Development Program (Draft April 2016)</b>	<b>KISED P Plan in Turkana West (Final December 2018)</b>
<b>Accountability to affected populations</b>	“Include features to promote community participation and ownership. Refugee and host communities will play an increased role in prioritizing needs, in identifying service delivery and livelihoods interventions, and in monitoring the implementation of projects.”	“The participation of communities, both refugees and their hosts, in identifying, articulating, planning and effectively implementing projects.”	“Investments based on community-identified priorities ... to ensure that the interventions being supported are viable in the local context and refugee communities are consulted with regards ... their lives and choices”.
<b>Geographical scope</b>	The beneficiaries will be “refugees and host communities in the Kalobeyei settlement and its surroundings ... which will accommodate over 60,000 refugees and host communities”.	Kalobeyei settlement, Kakuma camp and host communities in the respective hosting wards. Estimated 200,000 refugees and some 100,000 locals.	Adopted an area based approach, including whole of Turkana West sub-county. Estimated 190,000 refugees and some 320,000 locals.
<b>Duration</b>	Interventions need to be designed in a phased manner which will respond to the most likely scenarios over the next 14 years.	Phase 1: 2016-2020 Phase 2: 2021-2025 Phase 3: 2026-2030	Phase 1: 2018-2022 Phase 2: 2023-2027 Phase 3: 2028-2030
<b>Access to basic services</b>	“KISED P aims to build integrated and sustainable services (including health, education, and water and sanitation) that do not discriminate against the refugees or the host communities. It is critical to build consensus as to what the concept of integrated services entails in the Turkana context.”	“Parallel service-delivery systems to be replaced or be in synergy with mainstream (central and/or county) provision by government systems ... this may however, mean that standards in some sectors may decline”	“Strengthen national service provision systems and capacities to support service delivery to refugee and host communities and... avoid proliferation of parallel systems.” Emphasis on cash transfers.
<b>Economic development and self-reliance</b>	Move towards self-reliance of refugees. “Building a commercially viable agricultural zone run by both refugees and host communities... and support the development of private sector and encourage entrepreneurship in the Kalobeyei area.”	“Support traditional and non-traditional livelihoods projects as well as other income-generating activities and skills training schemes.”	“Foster of private-public partnerships, stimulate private sector investments to inject money markets by reducing the cost to do business, and strengthening value chains to improve the business climate and boost the local economy in Turkana West.”

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	<b>The Turkana Initiative - KISED P Draft Concept Note (Draft October 2015)</b>	<b>Kalobeyei Integrated Social and Economic Development Program (Draft April 2016)</b>	<b>KISED P Plan in Turkana West (Final December 2018)</b>
<b>Budget</b>	Not specified	Not specified	USD 500 million budget over five years aligned to CIDP. "Recurring operation and maintenance costs are included in annual budgets of national service providers, so that the sustainability of infrastructure investments is guaranteed".

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## 2 FINDINGS

### 2.1 The KISED P Model

#### COHERENCE WITH STAKEHOLDER POLICIES AND PRIORITIES

##### SUMMARY FINDINGS

- There has been an interplay between simultaneous processes of change in the policy context and in the design of the KISED P.
- The New York Declaration and CRRF have provided a shared framework for progressing and harmonising the development of the KISED P strategic approach with the policies of Government, donor and UN agencies. In addition, other key stakeholder policy considerations have influenced the engagement of different stakeholder groups.
- For the GoK, security consideration and concerns of the potential competition for employment between refugees and nationals, have delayed the adoption of CRRF policy commitments.
- The degree of policy engagement by donors varies, influenced by capacity and scale. For donors the contribution of KISED P to the management of informal migration and reducing the costs of supporting protracted displacement are key policy concerns.
- The 2030 Agenda for Sustainable Development has spurred UN agencies and the World Bank to mainstream refugees as part of their development programmes.

85. This section discusses the degree of coherence of the KISED P plan with the policies and strategic priorities of key stakeholders including the Kenyan Government, UN agencies (including UNHCR), donors and the World Bank. It identifies both the stakeholder interests that KISED P capitalised on, as well as the potential tensions with other priorities and policy goals of the main stakeholders.

86. The period of the evaluation was characterised by significant change, both in the policy context and in the design of the KISED P. Therefore, the analysis takes account of the interplay between parallel processes of change, examining both the alignment of the KISED P to stakeholder policy goals and priorities, alongside the adaptation of policy frameworks to accommodate the evolving KISED P.

87. The overarching policy framework guiding the KISED P development over the evaluation period has been the New York Declaration and CRRF, with the more recent GCR assuming this role going forward. While the original paper predated the NYD/CRRF, subsequent drafts of the KISED P followed the adoption of the New York Declaration, integrated explicit references to CRRF commitments. The approved KISED P plan is highly coherent with the main elements of the CRRF. As seen in Section 1.3, the KISED P objectives are aligned with the primary goal of the CRRF to provide an alternative to encampment based on self-reliance. Strengthened access to education and livelihoods among refugees is not only intended to help them remain productive members of society, but to support eventual returns to countries of origin.<sup>16</sup> Furthermore KISED P acknowledged and promotes national leadership and the integration of refugees within government development plans, supported by broadening of partnerships – as outlined in the KISED P plan.

88. It is less clear to what extent the GCR, that was affirmed in December 2018,<sup>17</sup> has influenced the KISED P design. The programme of action is intended to define arrangements for burden- and responsibility-sharing and timely contributions in support of host countries. While the KISED P includes a budget broken down by different sources of finance, there is no discussion on the strategic approach towards burden- and responsibility-sharing. This is further discussed in Section 2.2.

### ***Kenyan policies***

89. The Government of Kenya (GoK) policy to refugees is framed by its long-standing agreement to core conventions and charters relating to the management and protection of refugees in country<sup>18</sup>. Nationally, refugees are subject to the 2006 Refugee Act, which was revised in 2012. Under Kenyan law, all refugees are required to live in and remain within one of two designated refugee camps – Kakuma and Dadaab – both located in isolated and marginalised areas. It is a criminal offence, punishable by a fine and/or imprisonment, for a refugee to reside outside a designated camp without permission. Since December 2012, the GoK has been attempting to relocate all refugees in Kenya to refugee camps though this was successfully challenged in the Supreme Court by NGOs and individual refugees.

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16 Although limited, available evidence shows that the propensity to return is greatest among those who have the necessary resources whereas vulnerable refugees often stay behind.

17 UN (2018) Global Compact on Refugees. September 2018.

18 Kenya has signed and ratified the 1951 United Nations Convention Relating to the Status of Refugees (1951 Convention) and the 1967 United Nations Protocol Relating to the Status of Refugees (1967 Protocol). Kenya has also signed and ratified the 1969 Organization of African Unity Convention Governing Specific Aspects of Refugee Problems in Africa (OAU Convention), 1981 African Charter on Human and People's Rights and the 1990 African Charter on the Rights and Welfare of the Child.

90. Efforts have been made to adapt the legal and policy environment towards Kenya's CRRF commitments. Kenya hosted the Inter-Governmental Authority on Development's (IGAD) Special Summit on the protection and durable solutions for Somali refugees and reintegration of returnees in Somalia, in March 2017. At this event all IGAD Member States adopted the Nairobi Declaration on Durable Solutions for Somali Refugees and Reintegration of returnees in Somalia.

91. In late 2017, Kenya joined others in becoming a CRRF pilot country where the Government of Kenya committed to:

- Enhance refugees' self-reliance and inclusion in Kenya, specifically by pledging to support the development of the Kalobeyei Integrated Settlement to benefit refugees and residents of Turkana County.
- Facilitate the legal status for refugees with legitimate claims to citizenship and/or residency in Kenya through marriage or parentage.
- Implement the "Guidelines on Admission of Non-Citizens to Institutions of Basic Education and Training in Kenya," which will facilitate school enrolment of refugees and other non-citizens in Kenyan schools.<sup>19</sup>

92. However, the long-standing encampment policy has been problematic to reconcile with elements of the CRRF framework.<sup>20</sup> To address this, the GoK has worked with UNHCR to develop a CRRF roadmap in line with its commitments in the IGAD Nairobi Action Plan and at the 2016 Leaders' Summit.<sup>21</sup> This roadmap is expected to focus on: (i) Maintaining the protection space for asylum seekers and refugees, (ii) Support for immediate and ongoing needs of refugees and host communities and (iii) Promoting regional cooperation and international responsibility-sharing in the realisation of durable solutions.<sup>22</sup> However, the adoption of the CRRF roadmap is currently stalled.<sup>23</sup> A revised Refugee Bill clarifying access to employment, land, education, and the integration of refugees into host communities and development plans, was endorsed

19 Summary Overview Document Leaders' Summit on Refugees. [https://refugeesmigrants.un.org/sites/default/files/public\\_summary\\_document\\_refugee\\_summit\\_final\\_11-11-2016.pdf](https://refugeesmigrants.un.org/sites/default/files/public_summary_document_refugee_summit_final_11-11-2016.pdf)

20 See section 2.3.2 for further details.

21 <https://www.unhcr.org/events/conferences/58526bb24/overview-leaders-summit-on-refugees.html>

22 EU (n.d) The European Union Emergency Trust Fund for Stability and Addressing the Root Causes of Irregular Migration and Displaced Persons in Africa. Action Fiche for the Implementation of the Horn of Africa Window.

23 KII 404.

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by the Parliament in 2017, but it has not yet been assented into law by the President.

93. Two main domestic policy concerns are associated by stakeholders with these delays. Firstly, domestic security concerns have contributed to delays in the approval of the CRRF roadmap and Refugee Bill.<sup>24</sup> A series of terrorist attacks by the Al-Shabaab with links to Somali refugees in Kenya, including the Westgate Mall attack in September 2013, the attack at Garissa University in April 2015 and most recently at the Dusit Hotel in Nairobi in January 2019,<sup>25</sup> have each had repercussions on the position of refugees. The linked issue of the potential closure of Dadaab refugee camp has also influenced the political will for inclusion.

94. Secondly, the focus of national development priorities, notably the Presidential Big Four Agenda<sup>26</sup>, concentrates on reducing poverty and inequality for Kenyans. Some national policy makers remained concerned that this does not easily link to the CRRF agenda to enhance employment and livelihood opportunities for refugees.<sup>27</sup> Specifically, if refugees were granted increased freedom of movement this was perceived as creating the risk of increased competition with Kenyan for jobs. In contrast, within the Turkana County Government, the presence of refugees was viewed as potentially expanding employment opportunities for the host community.

95. At the County level an extremely close alignment between KISED P and the County Integrated Development Plan (CIDP) evolved over time, promoting close policy alignment.<sup>28</sup> The CIDP II plan itself states that *"KISED P is fully aligned with the CIDP and is led by the County Government"* and includes extensive references to KISED P and the integration of refugees within the development plan. Stakeholder interviews clearly indicated that, from a County Government perspective, KISED P was valued for its potential to contribute to the CIDP goals by stimulating overall economic growth.<sup>29</sup> Furthermore, indirectly the alignment to the CIDP ensured that the KISED P was aligned to other relevant national and international development policy frameworks including the Ending Drought Emergencies Common Programming Framework, Kenya's Vision 2030, the African Agenda 2063, First 10-Year Goals, and the Sustainable Development Goals.

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24 KIIs 773, 434.

25 Mel Frykberg (2019) Kenya terror attack suspects traced to Dadaab refugee camp. African News Agency 04 February 2019.

26 <http://www.president.go.ke>

27 KII 390, 247.

28 Turkana County Government (n.d.) County Integrated Development Plan (CIDP) 2018-2022. Draft.

29 KII 169, 402.



96. The assumption remained for government stakeholders that refugees will ultimately return to countries of origin when conditions permit or find other durable solutions. Despite some initial reservations, government stakeholders at national and county levels confirmed that support to KISED P did not constitute tacit acceptance of the local integration of refugees with durable legal status. The KISED P approach was understood as an interim solution that would facilitate eventual returns. This is aligned with the GCR provision for other solutions that *“entail interim legal stay, including to facilitate the appropriate economic, social and cultural inclusion of refugees, and are provided without prejudice to eventual durable solutions that may become available”*.<sup>30</sup>

#### **Donor policies**

97. The NYD, CRRF and GCR has been widely endorsed by donor countries. Within this framework the KISED P approach is aligned with donor commitments to the NYD, CRRF and GCR. In some cases, these international policy commitments had been elaborated into donor agency policies and priorities. Some examples were encountered of where the CRRF and GCR commitments have been elaborated in donor policy statements at capital levels. For example, Sweden has a GCR strategy<sup>31</sup> and DFID issued a statement of support.<sup>32</sup> At the international level these commitments are actioned through broad multi-lateral support to the work of UNHCR.

98. However, the international commitments at the international level were unevenly translated into donor strategies and priorities for bilateral development assistance at the national level. For the many donors, support to refugees is still handled exclusively as part of humanitarian policy, and typically delivered through multilateral channels. For the US assistance is provided principally through the Bureau of Population, Refugees, and Migration, the Office of U.S. Foreign Disaster Assistance and Office of Food for Peace, rather than through USAID bilateral development assistance.<sup>33</sup>

99. In some cases, donors cited the issue of time lags associated with planning cycles as a hinderance to the timely integration of new priorities such as the CRRF into strategies. For example, while Denmark maintains a strong international commitment to the CRRF process this has not yet translated into modified objectives and activities of its Kenya

30 UN (2018) Global Compact on Refugees. September 2018.

31 SIDA contribution to Comprehensive Refugee Response Framework (CRRF). 29 August 2018.

32 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/765493/UN-global-compact.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/765493/UN-global-compact.pdf)

33 For example, the USAID Kenya Strategy 2014-2020 does not contain any references to refugees.

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programmes.<sup>34</sup> Long-term commitments for development funds are typically made through five-year cycles and lack flexibility. In addition, donor development strategies are aligned to Kenyan national priorities and programmes, which do not necessarily prioritize support to refugees. Furthermore, the priority setting process is aligned to supporting national ministries and has struggled to align with the KISED P area-based approach.<sup>35</sup>

100. All donors are necessarily selective in setting their strategy objectives. Smaller donors in particular need to focus resources on a small number of areas to achieve visibility and enhance impact. Among the EU donors only Germany, the Netherlands and the United Kingdom strategies reference support to refugees and migration management.<sup>36</sup> The Danish strategic priorities are to support implementing the constitution, green growth and employment and regional cooperation. Many EU donor strategies seek to transition from aid assistance to enhanced trade relations. Refugees and migration management are typically addressed through the EU institutions rather than at the bilateral level and these issues feature prominently in the EU 2018-2022 strategy for Kenya.

101. Donor interests in KISED P are arguably primarily driven by other domestic policy objectives and interests. For many European donors the management of informal migration is a dominant priority and support to KISED P is linked to this objective.<sup>37</sup> It could be argued that this objective is implicitly addressed through the maintenance of asylum space in Kenya, offered in return for development assistance to Turkana West.

102. Donors also expressed concerns over the continued large-scale humanitarian financing to protracted refugee crises was “unsustainable”. Humanitarian assistance has grown rapidly over the last 15 years, and within this the share of humanitarian assistance to protracted crises is increasing dramatically.<sup>38</sup> Therefore increased self-reliance was understood to offer the potential of reducing recurrent demands on humanitarian financing. This is implicitly understood by donors to be part of the KISED P model, but not made explicit as the KISED P plan does not include humanitarian financing costs.

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34 KII 264.

35 KII 147.

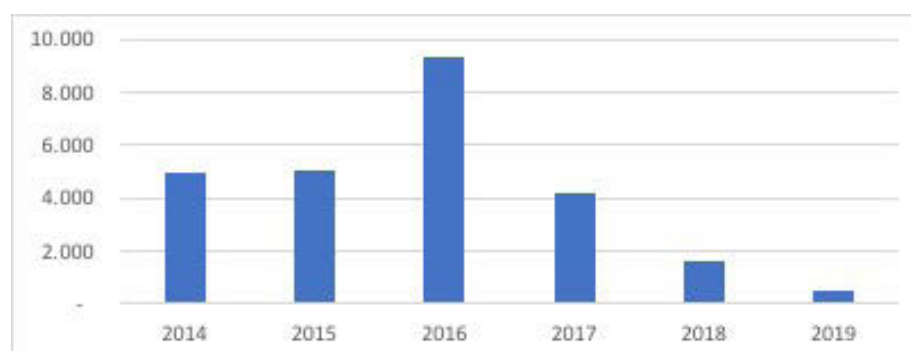
36 European Joint Cooperation Strategy with Kenya 2018-2022.

37 EU (n.d) The European Union Emergency Trust Fund for Stability and Addressing the Root Causes of Irregular Migration and Displaced Persons in Africa. Action Fiche for the Implementation of the Horn of Africa Window.

38 WBG (2017) Forcibly Displaced. Toward a Development Approach Supporting Refugees, the Internally Displaced, and their Hosts.

103. There is little, and decreasing, appetite amongst donors to support the resettlement of refugees both globally and specifically refugees granted asylum in Kenya (see Figure 2), which is considered as one of the mechanisms for burden- and responsibility-sharing under the GCR. Concomitantly the KISED P plan does not explicitly integrate resettlement within the strategy, leaving the main responsibility and hosting burden on Kenyan authorities.<sup>39</sup>

**FIGURE 2 NUMBER OF REFUGEES RESETTLED FROM THOSE GRANTED ASYLUM IN KENYA (2014 TO 31<sup>ST</sup> MAY 2019)**



Source: UNHCR <https://rsq.unhcr.org/en/#IB6A> (downloaded 25th June 2019)

#### **UN agency policies**

104. The older country strategies of UN agencies (including UNDP, UNICEF and FAO) make little or no direct reference to refugees in their objectives and priorities.<sup>40</sup> However, UN agencies (as well as the World Bank Group) have moved to increasingly include refugee and migration objectives within their development strategies. Perhaps more than the NYD, CRRRF or GCR, this has been driven by the desire to make progress on their poverty reduction goals. The 2030 Agenda for Sustainable Development includes the principle of “leaving no one behind” includes reference to targeting vulnerable groups including refugees. Consequently, many UN agencies<sup>41</sup> have increasingly incorporated, or mainstreamed, refugees within development policies and strategies, rather than seeing it exclusively as situations requiring humanitarian interventions.

39 While resettlement departure figures are not reflecting all resettlement spaces available a given year, resettlement submission figures from Kenya confirm a significant decrease in numbers between 2016 and 2017 and lower levels in 2018/2019 compared with pre-2016. Source: UNHCR <https://rsq.unhcr.org/en/#M6Uu>

40 UNDP Kenya 2017 Annual Report, UNICEF (2014) Kenya Country programme document 2014-2018 and FAO (2018) Country Programming Framework for Kenya 2018-2022.

41 See Section 2.2 for more detailed examples.

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105. Refugees were included in planning for Kenya's new UN Development Assistance Framework (UNDAF) for the period 2018-2022, having been largely ignored in the previous UNDAF planning cycle.<sup>42</sup> At the agency level, the WFP Country Strategic Plan for 2018-2023 includes extensive reference to refugees through-out document<sup>43</sup> and FAO has developed a joint regional strategy with UNHCR.<sup>44</sup> These new strategies have reinforced alignment with, and support to, the KISED P approach in Kenya.

106. Historically it was noted by interviewees that the specific origins of the Kalobeyei settlement lay in the search by UNHCR for additional land to "decongest" Kakuma in 2014.<sup>45</sup> Several interviewees highlighted the importance of understanding the initial development of Kalobeyei as contributing to the core UNHCR goal of "*Safeguarding access to territorial protection and asylum procedures*".<sup>46</sup> The pressure of reaching urgent agreement for the allocation of additional land was seen as an important driver of the negotiations, with an implicit agreement to provide significant developmental assistance to the host community in exchange for the continued acceptance of refugees and asylum seekers in Turkana County.

### DEVELOPING THE KISED P PLAN – DRIVERS AND BARRIERS

#### SUMMARY FINDINGS

- The KISED P plan builds on long-standing efforts to generate new approaches to protracted displacement and capitalizes on global and regional momentum and earlier lessons.
- UNHCR has played a key role in facilitating the KISED P plan, underpinned by progressive leadership, new staffing profiles, a supportive policy environment, with a willingness to pilot new approaches.
- KISED P would have benefitted from stronger engagement of key development partners in the core planning process from the outset, including the World Bank, UNDP and donors.
- National Government leadership in the planning process is critical but poorly developed. A high-level political dialogue between Government and donors to discuss policy reform alongside burden- and responsibility-sharing is missing.

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42 Office of the UN Resident Coordinator, Kenya (2018). United Nations Development Assistance Framework (UNDAF) 2018-22.

43 World Food Programme (2018) Kenya country strategic plan (2018-19). June 2018.

44 UNHCR & FAO (n.d.) A partnership for self-reliance and economic inclusion in displacement settings in Eastern Africa.

45 KII 260, 402 and referenced in UNHCR (2015) Turkana Initiative: Kalobeyei Integrated Socio-Economic Development Program (KISED P). Draft Concept Note. October 2015.

46 UNHCR (2018) Global Appeal 2018-2019.

- Devolution has created new opportunities to work with the County Government and the personal political leadership of the Governor has been instrumental in shaping the plan. However, significant human capacity constraints inhibit full leadership.
- Despite efforts, communities have been ineffectively engaged in the planning process. Government initiatives to include refugees in community consultations are seen as a best practice.
- There are significant programmatic, political and reputational risks associated with the KISED P approach. Work is only just starting on the systematic analysis of these risks and considering how they might be mitigated.

107. This subsection discusses the development of the KISED P plan (as outlined in Section 1.3). The principal partners driving the development of the KISED P strategic approach were UNHCR and the government, at both national and county levels, with analytical support from the World Bank Group.<sup>47</sup> The various drivers and barriers leading to the development and adoption of the KISED P plan are discussed below.

108. KISED P has built on the foundations of a long-standing global dialogue on how to design and implement more appropriate, effective, efficient and sustainable models for responding to the needs of refugees. There have been successive global initiatives towards improved policies and practices in situations of forced displacement. The Transitional Solutions Initiative<sup>48</sup>, dated from 2010, with the Solutions Alliance subsequently launched in 2014 (see Box 3). Furthermore, several programmatic initiatives including elements of the new approach have been piloted across the Horn of Africa.<sup>49</sup> Agreements from the World Humanitarian Summit<sup>50</sup> and the UN's "New Way of Working" approach, endorsed by the UN General Assembly further prepared the ground for the KISED P approach. Each of these initiatives helped to build political commitment amongst external actors and host countries for a new approach to assisting increasing numbers of displaced persons.

47 The role of a larger group of stakeholders in operational planning are discussed in Section 2.2.

48 UNDP (n.d.) Concept Note. Transitional Solutions Initiative. UNDP and UNHCR in collaboration with the World Bank.

49 See for example the catalogue of regional and national initiatives listed in: World Bank Group & UNHCR (2015) Eastern Africa. Horn of Africa Displacement Study: Forced Displacement and Mixed Migration in the Horn of Africa. 25 June 2015.

50 WHS (n.d.) Transcending humanitarian-development divides. Changing People's Lives: From Delivering Aid to Ending Need.

### BOX 3 THE SOLUTIONS ALLIANCE

The Solutions Alliance was established in Copenhagen in April 2014 as a coalition of humanitarian actors, development organisations, affected states, donor nations, academics, the private sector, civil society and other actors. The Solutions Alliance worked to promote and enable the transition for displaced persons away from dependency towards increased resilience, self-reliance and development. In particular, the Solutions Alliance aimed to: (i) support innovative solutions and concrete operations in selected displacement situations; (ii) help shape the global policy agenda, including the post-2015 development agenda and the New Deal process, to recognize displacement as a development challenge as well as a humanitarian and protection issue; and (iii) ensure that a diverse and growing group of partners form a vibrant network and maximize the impact of their individual efforts.

The Solutions Alliance pursued a global advocacy strategy that will support strategic planning by affected States to address the specific legal, economic, social and political issues relevant to achieving solutions.<sup>51</sup>

#### ***Effective facilitation by UNHCR***

109. The central role of UNHCR in facilitating the development of the KISED P plan was widely acknowledged by stakeholders.<sup>52</sup> There was clearly widespread agreement and appreciation for the role that UNHCR played in advocacy and facilitation, motivating other partners to support the KISED P process. Without this, along with key figures commitment and leadership in County Government, KISED P would not have come into existence.

110. One of the barriers that UNHCR had to overcome in becoming an advocate for change was internal resistance within UNHCR and a preference to continue with a “care and maintenance approach”. Moving forward with the KISED P plan required a major shift in organisational approach and individual mind-sets. While not a universal or a complete transformation, the evaluation found widespread support embedded within UNHCR staff for adopting a new approach to protracted displacement.

111. UNHCR internal leadership at global, country and field levels have been critical in moving to a developmental approach. Progress in KISED P was noted to be particularly sensitive to the UNHCR leadership at the Kakuma level. Importantly the new direction given by UNHCR managers was given credibility and weight by the momentum and mandate of international processes. The NYD called on UNHCR to “develop and

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51 Solutions Alliance (2016) Solutions Alliance Vision / Mission / Principles. 9-10 February 2016, Brussels.

52 KII 417, 390.

initiate” the comprehensive framework “for each situation involving large movements of refugees, (...) in close coordination with relevant States, including host countries, and involving other UN entities”. This was viewed as important in legitimising the approach in Kenya amongst UNHCR staff and reinforcing the position of individual leaders.

112. An example of the importance of leadership is the fact that during 2016 and 2017 UNHCR management attention became focused on managing the exposure of significant corruption in Kakuma camp and providing assistance to a new, large-scale influx of refugees from South Sudan. This both delayed the KISED P planning process and affected the operationalization as the Kalobeyei settlement became a *de facto* camp used to house new arrivals.<sup>53</sup> While there is the need for more thinking on how to integrate solutions processes in the early stages of displacement<sup>54</sup>, it appears that this decision was closely associated with the preferences of the UNHCR field leadership at the time to work in a traditional role. KISED P planning took on new energy when there was a change of leadership in the field office.

113. A related enabling factor for UNHCR has been their recruitment of staff with a wider range of backgrounds than is traditional in the agency, for instance more staff with development and private sector backgrounds were recruited to positions in Kenya as well as head-quarter level which has aided longer-term thinking and engagement with a wider range of partners. Organisationally a new Division of Resilience and Solutions was established in Geneva in 2017 to guide UNHCR’s efforts to operationalize the CRRF and apply the approach throughout operations. At field level dedicated staff have been appointed to support the rollout of the CRRF.

114. UNHCR has developed a number of progressive policies that supported and underpinned the development of KISED P. Examples include guidance on “Promoting Livelihoods and Self-reliance” (2011), “Operational Guidance on Refugee Protection and Solutions in Urban Areas” (2014), “Policy on Alternatives to Camps” (2014), “Policy on Cash-Based Interventions” (2016) and “Strengthening humanitarian-development cooperation in forced displacement situations” (2017).

115. Other changes in UNHCR corporate planning procedures have facilitated a shift towards the KISED P approach. In 2017, UNHCR launched a Multi-Year Multi-Partner (MYMP) approach to strategic planning for protection and solutions in 22 operations as one of many elements in the Grand Bargain commitments. This acknowledges that

53 This is also seen in the policy guidance. See for example UNHCR (2018) Policy on Emergency Preparedness and Response. July 2017.

54 IRC & ReDSS (n.d.) Early Solutions Planning in Displacement.



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emergencies are often long-term, that interventions must be supported by strategies that address legal, political, economic and social aspects of a specific situation and that engage a wider scope of partnerships. However, while MYMP plans have influenced strategy setting, they have not yet become operational tools.<sup>55</sup>

116. In addition, large elements of the new approach were already under development in Kenya prior to formalisation of the KISED P plan. The 2014 UNHCR Kenya Comprehensive Refugee Programme integrated new approaches across the education, health, shelter, livelihoods and food sectors that were later taken up within KISED P.<sup>56</sup> The lessons learnt from these experiences have informed the subsequent design of KISED P, and crucially increased the organisational comfort and commitment to this new approach.

### **Engagement of other development agencies**

117. While all stakeholders appreciated UNHCR's role as an advocate and facilitator, there were suggestions that the planning exercise would have benefited from stronger engagement of key development agencies in a leadership role, who have more established expertise in this area. UNHCR was solely responsible for the initial 2015 KISED P draft concept note. While partner participation progressively increased in subsequent iterations of the plan, supported through a series of workshops in Nairobi, Lodwar, Kakuma and Lokichoggio and an increasingly prominent role for the government, UNHCR continued to serve as the lead technical responsibility.

118. UNHCR have invested heavily in developing a strategic partnership with the World Bank to bring development expertise to this process. The World Bank has forged a strong partnership with UNHCR on working with refugees at global level. They have jointly authored a report with UNHCR on forcible displacement and new approaches, that was reportedly influential in changing internal World Bank attitudes and stimulating joint action.<sup>57</sup> The commitment and belief of senior personnel was identified as critical, with the President stating that *"At the World Bank Group, we believe the Comprehensive Refugee Response Framework is an opportunity for us to work together in new and critically more effective ways. For too long, forced displacement was considered a humanitarian concern, and not part of the development agenda. But we cannot achieve the*

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55 UNHCR (2018) Multi-year multi-partner strategies. Lessons learned report for the period April 2017-January 2018. May 2018.

56 UNHCR (2014) Kenya Comprehensive Refugee Programme 2014.

57 World Bank. 2017. Forcibly Displaced: Toward a Development Approach Supporting Refugees, the Internally Displaced, and Their Hosts. Washington, DC: World Bank.



*Sustainable Development Goals without addressing the situation of refugees, especially when nearly 90% live in the developing world.”<sup>58</sup>*

119. At the Kenya level the World Bank has played an important role in the strategic development of the KISED P plan, working closely with UNHCR from 2016 onward. The World Bank/UNHCR report “Yes in my backyard” carried out in 2015-16 provided robust evidence that the presence of refugees benefits the Turkana economy, that economic integration would be more effective than “decampment” and that developing Turkana would be of benefit to both refugees and host community and requires a more active role from the international community.<sup>59 60</sup> The fact that this report was authored by the World Bank Group was arguably as important as the analysis and it was viewed as a key milestone in the KISED P process. Furthermore, its research on the potential of the Kakuma marketplace has been pivotal in building confidence in the potential of an alternative approach to working in Turkana with refugees and host populations.

120. While this partnership has brought undoubted value to KISED P, the World Bank role is seen as additional to, rather than substituting for, other potential partnerships. While linkage to national government were strong, as the World Bank is not an implementing agency it does not have a field presence. This proved a constraint when the locus of the discussions moved to the county level.

121. The effective absence of UNDP in the KISED P planning process was repeatedly noted by stakeholders, despite the selection of Turkana as a pilot County by UNDP as a UN Delivering as One initiative. Given the mandate of UNDP to coordinate cross-sectoral UN support to the GoK on development assistance, this was an important gap. The reason for this could not be clearly ascertained, although personalities may have played a role.<sup>61</sup> It was also noticeable that there was no accountability framework in place requiring the engagement of UNDP. UNHCR argued that given the dearth of other organisations with the capacity to lead or co-lead this process in Turkana, they had no choice but to step forward and fill this gap.

122. The EU has been credited with advocating strongly for the finalisation of the earlier drafts of the KISED P plan. The underlying interest was to formalise a strategy and funding document to encourage and enable diversified donor support. However, donor participation in the process

58 Statement by Mr. Jim Yong Kim, President of the World Bank, at the opening session of UNHCR’s Executive Committee, 2 October 2017.

59 KII 430.

60 Sanghi et al (2016) “Yes” In My Backyard? The Economics of Refugees and Their Social Dynamics in Kakuma, Kenya.

61 Unfortunately UNDP were not available to be interviewed.

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of developing the detail of the KISED plan appears to have been rather superficial. From a donor perspective they claim that their comments on the KISED plan itself were only invited at a very late stage, with a very short time frame for response, that inhibited meaningful dialogue or changes. The reason for this was understood to be a combination of limited capacity for drafting the plan, alongside a pressing deadline driven by the overall CIDP timeline.<sup>62</sup>

123. One specific, but important, challenge in developing the KISED plan was the inconsistent use of terminology between different development agencies. For example, the UNHCR understanding of the scope of protection is substantially different than that of other UN agencies.<sup>63</sup> As the RDPP Baseline report states *“The use of different operational concepts such as, self-reliance, resilience, socio- economic development, integrated approach, sustainability does not help in the development of strategies and plans. There is a need for actors to agree on a uniform terminology which can then be the foundation for policy, planning, monitoring, adaptation, programme design and articulate more succinctly the Logframe”*.<sup>64</sup>

### **Barriers to national policy adaptation**

124. Government authorities at both national and local level have been central actors in moving the KISED planning process forward. The momentum created by the adoption of the New York Declaration and Nairobi Declaration, resulted in the GoK taking a number of steps to put their commitments to CRRF into practice. It explicitly committed to support the development of the Kalobeyi Integrated Settlement at the Leaders’ Summit on Refugees that immediately followed the New York Declaration. National government representatives played a central role in discussions in the early stages of KISED in 2015 when coordination meetings were held in Nairobi. Subsequently, the government leadership of KISED has largely been held by the political heads of the County Government, the Governor and his team.

125. At the national level, the traditional lead government agency for refugee affairs is the Refugee Affairs Secretariat (RAS), part of the Ministry of Interior and Coordination of National Government. This is the government body responsible for refugee management, including registration and refugee status determination and is also the government body in the lead for the development of Kenya’s CRRF roadmap. However, this body has limited convening powers at the inter-ministerial level. The fact that RAS is the main interlocuter for UNHCR at national level has proved a barrier to developing the KISED approach, given the

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62 KII 992, 793.

63 KII 843.

64 P. 83 EU Regional Development and Protection Programme – RDDP (2018) Baseline Report. RDDP Learning and Evaluation Trajectory. July 2018.

need to establish new relationships across a range of national ministries, such as the Ministry of Education. This has been partly mitigated by new partnerships, for example dialoguing with the Ministry of Education at policy level in partnership with UNICEF.

126. Critically, one of the continuing challenges for KISED P is to create an enabling policy environment for substantive progress towards self-reliance (see para 251). National Government has responsibility for setting relevant legislation and policies, including regarding refugee status, right to work and rights of movement. The evaluation highlights how competing domestic priorities have created barriers to these very policy reforms (see para 93) and KISED P has not yet succeeded in finding a way to reconcile these competing policy goals. Decisions on these issues are made at the highest levels, where UNHCR does not have established direct channels of communication. It was suggested that a high-level political dialogue between the Executive and ambassadors, simultaneously discussing national policy alongside arrangements for burden- and responsibility-sharing, would be an important and necessary complimentary channel.<sup>65</sup>

#### ***Opportunities from devolution***

127. Kenya's new constitution led to the establishment of County Governments in 2014 and the devolution of certain responsibilities to the County level (see Box 4). The process of devolution has enhanced the ability of UNHCR to facilitate an inter-ministerial, integrated approach, that would be far more challenging at a national level.

#### **BOX 4 DEVOLUTION IN KENYA**

Kenya's 2010 Constitution represented a fundamental shift in the country's policy and institutional framework, including the devolution of the country's governance structure.

County governments assumed responsibilities for delivering devolved services, including health, agriculture, urban services, and local infrastructure. Other devolved functions include county roads, county planning and development, management of village polytechnics, and county public works and services. Although mainstream education is under the national government, Early Childhood Development (ECD), adult education and nomadic education (mobile education resources for pastoralists) are devolved county functions.

<sup>65</sup> KII 977, 753.

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This financing is primarily provided through an unconditional transfer – called the ‘Equitable Share’ – of nationally collected revenues. The Constitution provides that counties receive a minimum of 15% of national revenues. The Equitable Share is then shared among the counties via a progressive formula that gives historically marginalized counties a larger per capita transfer than historically privileged counties. This formula further allows for extra financial resources to ASAL counties, of which Turkana is a major recipient. As the result of the Equitable Share Formula, historically marginalized counties like Turkana have significant discretionary budget resources. The Constitution grants limited revenue-raising powers to counties (the largest being property rates and single business permits), thus most counties remain highly transfer-dependent.

128. The County Governor is credited with being a leading force in the development of the approach that has evolved into KISEDIP.<sup>66</sup> He saw the potential opportunity of the large-scale investment into Turkana West to benefit the host community as well as refugees. He has subsequently worked closely with UNHCR and others to realise this.<sup>67</sup> A critical factor enabling the political leadership to take this position was a change in perception of refugees from vulnerable people requiring external assistance, to productive members of a broader community. This in turn was dependent on the analysis and evidence delivered by the World Bank (see para 115). The governor also recognised – based on experience – early on that the new South Sudanese displacement crisis could well last another 15-20 years and that this should be factored into the response instead of applying the traditional humanitarian approach.

129. The County Government has drafted a County Integrated Development Plan (CIDP) which guides government action, as well as all development and international assistance, across all the sub-counties of Turkana (see Box 5). The CIDP is viewed as credible plan, based on strong consultative processes<sup>68</sup> and provided a common reference framework for all development actors, to work with. Integrating the KISEDIP as part of the CIDP provided a critical opportunity to integrate refugees within a nationally owned development framework. However, as the approval of CIDP II was delayed, this led to delays in the KISEDIP planning process.<sup>69</sup>

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66 KII 313, 706, 715, 977, 507, 505, 713, 775, 430, 989.

67 KII 402.

68 Turkana County Government (n.d.) Evidence based planning and decision making for devolved counties. Experience from Turkana County.

69 KIIs 992, 793.

### BOX 5 COUNTY INTEGRATED DEVELOPMENT PLAN II (CIDP) FOR TURKANA, 2018-2022

The second CIDP 2018-22 aspires to socially empower its population with equality and opportunities to live a healthy, peaceful and dignified life. The CIDP is focused on 10 departmental sectors: Agriculture, Pastoral Economy and Fisheries; Education, Sports and Social Protection; Finance and Economic Planning; Health and Sanitation; Infrastructure, Transport and Public Works; Lands, Energy, Housing and Urban Areas Development; Office of the Governor; Tourism, Culture and Natural Resources; Trade, Gender and Youth Affairs; Public Service and Disaster Management.

130. However, a major constraint to the full participation of the County Government in KISEDIP planning is related to human capacity constraints. Consequently, the participation of County Government in the development of KISEDIP has been limited to a small group of individuals. The RDDP Baseline Report in 2018 found departmental staff felt they had limited understanding and ownership of the initiative, and their responsibilities and options, something that was repeated to the evaluation.<sup>70 71</sup>

#### ***Limited community engagement***

131. Starting from the first draft KISEDIP plan there has been a strong commitment on paper to community involvement and empowerment as part of the planning process. A formal negotiation was conducted with the Kalobeyei community in 2015 and finalisation of an agreement detailing the provision of benefits to the host community in exchange for making land accessible for the development of Kalobeyei, with improved access to water at the heart of the community demands.<sup>72</sup> UNHCR made wide-ranging commitments to the Kalobeyei community under 13 thematic headings. While the agreement contained provision for follow-up of implementation, this has not been actioned. UNHCR argued that this agreement was superseded by the new agreement with the County Government.<sup>73</sup> However, the community perception is that this agreement still holds, with a common (and erroneous) understanding is that the agreement entails a 60:40 sharing of all resources between refugees and host communities.<sup>74</sup> A perceived failure to honour this agreement

70 p 64 EU Regional Development and Protection Programme – RDDP (2018) Baseline Report. RDDP Learning and Evaluation Trajectory. July 2018.

71 KIIs 390,169, 884, 489.

72 Terms of Engagement for Second Refugee Camp in Kalobeyei, Turkana West, February 2015.

73 KII 662.

74 Feedback provided through multiple FGDs.

## 2 FINDINGS

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was repeatedly referenced as a lasting point of contention between the community and UNHCR.<sup>75</sup>

132. Subsequent consultations were held with communities via community leaders, both elected and informal. For example, in 2018 UNHCR reported that it and its partners held 31 different forums to provide the leaders with an opportunity to have a discussion with various agencies regarding the quality of services provided during the month; and to provide the various implementing partners with a platform to provide leaders with feedback on their programmes, and to plan for subsequent meetings. A detailed programme of community consultations was organised in the last half of 2018, at both county and sub-county levels, prior to the KISED P launch.<sup>76</sup> Despite these efforts the FGDs indicated that many individual refugees felt unconsulted and community leaders had limited effectiveness in disseminating information and acting as a bridge to community consultation.

133. The government have taken an increasingly prominent role in community consultations and public participation is a key provision of the Constitution of Kenya.<sup>77</sup> In relation to the Turkana CIDP this involved seven sub-country level consultations and Budget Consultative Forums, led by sub-county administrators and ward administrators. Each forum involved an average of 20 participants including women, youth, elderly, people with disabilities and two further consultations targeting representatives of professionals, elected leaders and student leaders.<sup>78</sup> The County Government took the innovative decision to include refugees. These consultations were positively evaluated and referenced as a best practice.<sup>79</sup> Refugees have also been included in the public participation of the Water Bill, Refugee Bill, Agricultural Bill, Biashara Fund Bill. A similar approach has been promoted by the World Bank's DRDIP in three counties where facilitating partners will facilitate the community level processes of mobilisation and the formation of community level groups to identify priorities.<sup>80</sup>

### ***Planning overlaps and gaps***

134. A wide range of UNHCR NGO and UN agency partners and other stakeholders including donors were involved in developing other

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75 Feedback provided through multiple FGDs.

76 UNHCR (2018) Participatory consultations for KISED P five-year plan revision and alignment with CIDP II (2018-2022). Process & Consultations.

77 See also Government of Kenya (2018) Kenya Draft Policy on Public Participation. September 2018.

78 Turkana County Government (2017) Public Participation for reviewing and redrafting the CIDP.

79 Turkana County Government (2018) Evidence Based Planning and Decision Making for Devolved Counties: Experiences from Turkana County.

80 KII 307.

refugee-related policy and planning processes. These included the development of the Kenya Comprehensive Refugee Programme in 2015-18 and draft for 2019-20, the Kenya multi-year and multi-partner strategy for 2018-20 and the Regional Response Plan for South Sudan 2018-20. Stakeholders express frustration at the multiple initiatives and that their input was often called on multiple times.

135. There was a view that these initiatives, together with KISED P, could be more aligned and linked up within UNHCR, with the potential for reviewing and simplifying the number of – often overlapping – UNHCR led planning documents. However, there is clearly a need for additional plans to capture activities that do not appear in the KISED P plan. As a County Government owned plan, KISED P does not capture either activities at the national level (for example advocacy with Government on freedom of movement) or the interaction with humanitarian assistance.

***Risk identification and mitigation***

136. So far there has been limited attention to risk mitigation strategies as part of the planning process. The systematic analysis of risks by stakeholders is just starting. UNHCR maintains an Enterprise Risk Management tool which comprises a Strategic Risk Register (capturing the risks identified and owned by the High Commissioner) and a Corporate Risk Register (capturing risks owned at the country level). UNHCR is considering how to ensure that risk considerations are integrated into the detailed planning and monitoring/implementation procedures/practices of the different KISED P working groups.<sup>81</sup>

## 2.2 Architecture for Delivery

137. This section assesses progress in developing partnerships to support the delivery of the KISED P plan, including the division of roles and responsibilities of partners, the coordination and financing arrangements and the provisions for accountability, monitoring and evaluation.

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81 KII 720.

### PARTNER ROLES AND RESPONSIBILITIES

#### SUMMARY FINDINGS

- Under KISED P a range of development partners have become involved in implementation, while the roles of existing partners have also adapted.
- At the national level a strong relationship has been established with the Ministry of Education, building on an established relationship with UNICEF.
- County Government are strongly engaged and politically committed – but face significant capacity constraints and require capacity strengthening to fulfil key coordination and accountability functions.
- UNHCR has played critical roles in facilitating the entry of a range of stakeholders as KISED P partners which should enable a progressive withdrawal from direct implementation.
- The range of UN agencies responding to the needs of refugees and the local population in Turkana West has expanded and deepened, principally encouraged by UNHCR and supported by strategically designed donor financing.
- Established NGOs are seeking to realign themselves to support the rollout of the KISED P model. However, it is still too early to understand the progress, drivers and barriers to these changes.
- It is also still too early to analyse the effectiveness of initiatives designed to encourage private sector investment in Turkana West.

138. The KISED P approach is aligned with the CRRF commitment to ensuring the involvement of development actors from an early stage and developing a ‘whole-of-society’ approach to refugee responses (see Section 1.3). Consequently, under KISED P a wider range of partners have become involved in implementation, while the roles of existing partners have also adapted. Partnerships are evolving as KISED P progresses, promoted by a willingness to establish new and non-traditional partnerships (e.g. NGOs with the private sector, private sector with INGOs, World Bank with humanitarian agencies).

139. KISED P has succeeded in involving a wide range, and growing number, of partners in implementation. Their respective roles are summarised in Table 5 below.<sup>82</sup> Following the summary table the evolving roles of each group are discussed in more detail along with factors encouraging and constraining participation in KISED P.

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82 This table only analyses humanitarian and other agencies in so far as they support the developmental goals of KISED P, rather than on-going humanitarian assistance.



**TABLE 5 ROLES OF KISED P PARTNERS**

<b>Partner</b>	<b>Role</b>
National Government	<ul style="list-style-type: none"> <li>• Overall policy and coordination of refugee response across Kenya</li> <li>• Leads the national response to and protection of refugees</li> <li>• Lead non-devolved sectors – education</li> <li>• Disaster and crisis response, including drought management</li> <li>• Security</li> </ul>
County Government	<ul style="list-style-type: none"> <li>• Leadership, development and implementation of CIDP</li> <li>• Provision of services under devolved sectors</li> <li>• Balancing interests of all people living in Turkana across the county (six sub-counties) and within each sub-county (refugees and host communities)</li> <li>• Lead on development of potential new municipalities including one encompassing Kalobeyei and Kakuma</li> </ul>
UNHCR	<ul style="list-style-type: none"> <li>• Co-leadership, catalyst and facilitation of KISED P</li> <li>• Technical support to County Government in areas of coordination and accountability</li> <li>• Coordination of UN agencies in Turkana West support to refugees</li> <li>• Logistical support to KISED P</li> <li>• Assistance and protection mandate for refugees</li> </ul>
Other UN agencies	<ul style="list-style-type: none"> <li>• World Food Programme – support to ensure food security and support livelihoods via cash-based and in-kind support as well as small scale resilience work. Technical co-lead for KISED P Component 5.</li> <li>• UN Habitat – spatial planning of new settlement and support to municipality development and spatial planning elements. Technical lead for KISED P Component 5.</li> <li>• UNICEF – key player in education and water sectors.</li> <li>• FAO – agricultural livelihoods. Technical co-lead for KISED P Component 5.</li> <li>• ILO – employment and decent work</li> <li>• UN agencies are the technical leads for component 5 (UNHABITAT), component 6 (WFP/FAO) and</li> </ul>

## 2 FINDINGS

Partner	Role
Development organisations	<ul style="list-style-type: none"> <li>• World Bank Group</li> <li>– Running a number of large scale projects with Turkana County Government to support development of host community</li> <li>– Concessional financing to County Government to reduce the impact of refugees and migrants in Kenya (DRDIP)</li> <li>– IFC – Undertaking research on approaches to support the development of the private sector in Turkana West and Leading the Challenge Fund for Kakuma and Kalobeyei. IFC to take the technical lead for component 8 of KISED P</li> <li>• Development donors including EU Trust Fund, GIZ, Swiss Development Corporation, DFID supporting long-term approaches to development in Turkana</li> <li>• INGOs and NGOs providing relatively small scale development across sectors as both implementing and operational partners of KISED P with focus on both refugees and working in the host communities</li> </ul>
Humanitarian organisations	<ul style="list-style-type: none"> <li>• Humanitarian donors (e.g. ECHO) supporting the immediate needs of refugees on shorter timeframes</li> <li>• INGOs and NGOs implementing various projects and programmes mainly focused on refugees</li> </ul>
Private sector	<ul style="list-style-type: none"> <li>• Large business e.g. Safaricom providing telecom services on a commercial basis</li> <li>• Large business e.g. Equity Bank providing banking services on a commercial basis, but also with a financial inclusion focus</li> <li>• Large scale corporates providing support through their Corporate Social Responsibility arms to support development initiatives e.g. Microsoft in Education</li> <li>• Medium scale businesses exploring public and UN/NGO partnerships e.g. in energy and also investment opportunities for areas such as textiles and manufacturing</li> <li>• Small scale business – often run by refugees providing services in Turkana (e.g. retail, construction) and employment to some refugees</li> </ul>
Host communities	<ul style="list-style-type: none"> <li>• Provider of land for Kalobeyei settlement</li> <li>• Intended beneficiary of improved basic services and livelihood opportunities</li> </ul>
Refugees	<ul style="list-style-type: none"> <li>• Intended beneficiary of improved basic services and livelihood opportunities</li> </ul>

### Government

140. The **National Government** has a variety of relevant responsibilities with regard to KISED P implementation, including; leading non-

devolved sectors (including education and disaster and crisis response), refugee management and security and financing. The Refugee Affairs Secretariat, part of the Ministry of Interior and Coordination of National Government, has a well-established responsibility for refugee management and a close working relationship with UNHCR. To a large extent RAS continues to exercise similar responsibilities over the evaluation period, although KISED P may have influenced how it exercises these responsibilities (for example, increased flexibility in the issuance of movement permits). However, like other national ministries, the process of devolution has led to some adaptation, for example with increased local involvement in decisions on the hosting of refugees.

141. In other sectors, KISED P has led to greatly expanded relationships with a number of line ministries at national level for functions that have not been devolved. This includes the Ministry of Education, Science and Technology, Ministry of Health, the Ministry of Gender and the Ministry of Environment. There has also been collaboration with the National Bureau of Statistics to integrate refugees within national data surveys.

142. At the implementation level, KISED P has successfully built new partnerships with various drivers supporting the engagement of national ministries. In the case of education drivers of this process included national pride in the education system,<sup>83</sup> and a moral commitment to offering a fair chance in life to all children. Regional policy processes were also influential in creating peer pressure towards policy change. As a signatory to the IGAD Djibouti Declaration of 14 December 2017 GoK committed to ensure that refugees, as well as returnees and host community have access to quality education in a safe environment including to integrate refugees into national education policies, systems, programmes and plans. An effective tripartite relationship was formed with UNICEF to work with the Ministry of Education during the past five years to develop a new policy to formalise the inclusion of refugees in the national education system.<sup>84</sup>

143. The **County Government** had the lead responsibility for KISED P as it is integrated within the CIDP. The County Government are responsible for planning, coordination and accountability of its development plans – which KISED P is a part of – and has put much effort into building its own capacity e.g. in financial management and other areas with international support.<sup>85</sup> However, while there is political commitment, the County Government is a nascent structure, existing only since 2013.

83 KII 932, 992.

84 KIIs 499, also see UNHCR (2018) Two Years Progress Assessment of the CRRF Approach. September 2016-September 2018. Evaluation Service, December 2018. This new policy was expected to be launched in the near future.

85 KII 773.

## 2 FINDINGS

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In practice the responsibility for KISED P was delegated to the County Executive Committee Member for Finance and Economic Planning, with limited engagement of other Ministries. Until a point at which the County Government has the capacity to take full responsibility for these functions, UNHCR is providing secretariat staff to reinforce and support coordination, monitoring and evaluation functions.

144. Capacity limitations in County Government are also evident in terms of its capacity for service delivery and its capacity for delivery at sub-county is particularly limited, a point noted by many of the KISED P partners.<sup>86</sup> One approach to addressing these capacity shortfalls has been to look towards contracting out relevant areas of service provision, for example to NGOs or the private sector. County Government officials indicated a willingness – and in some cases a preference – for donor financing to go directly to implementing agencies including NGOs in order to bypass limitations of County Government capacity.<sup>87</sup>

### **UNHCR**

**145. UNHCR** remained very much at the heart of KISED P implementation and has played a range of roles. A key role was providing technical support to County Government in providing coordination and accountability. However, opinion was divided on UNHCR's comparative advantage in this area. Arguments in favour were mostly pragmatic given the absence of viable options, with few alternative development agencies present in Turkana UNHCR were seen to have filled a de facto gap. Arguments against included concerns that UNHCR did not possess the relevant skills and expertise. Additionally, as the boundary between KISED P and the CIDP blurred, the risk emerged of UNHCR holding an unmanageably wide-ranging responsibility for supporting the government across all sectors in Turkana West. Consequently, one stakeholder argued for a formal "stand-by" arrangement with agencies with the established development planning skill sets so that UNHCR could predictably call down development expertise from the outset, rather than having to build-up internal capacity.<sup>88</sup>

146. A second key role was the involvement of UNHCR in the implementation of development activities under KISED P – in addition to its traditional protection and assistance role in protracted situations.<sup>89</sup> The evaluation found a broad consensus had emerged over time against UNHCR leading implementation in this area based partly on

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86 KII 546, 989, 445.

87 KII 936.

88 KII 921.

89 UNHCR also retains responsibility for supporting government to endorse adapted right to work regulations.

accumulated experience.<sup>90</sup> The KISED P approach is bringing UNHCR into territory that is not familiar with and where it has limited expertise, for example building livelihoods, institutional capacity building and engagement with the private sector. Internal budget and funding mechanisms place additional constraints on UNHCR holding primary responsibility in this area. One donor argued that *“both in connection with the CRRF and in general it is critical that UNHCR continues to focus on its core mandate and not spread its operation to the wider development agenda”*.<sup>91</sup> Other agencies were understood to have comparative advantages with; technical expertise in many areas essential for the success of the KISED P, the ability to make long-term commitments and long-term partnerships with relevant line ministries to which UNHCR may not necessarily have access.

147. However, there was endorsement of UNHCR continuing to facilitate the entry of development agencies. UNHCR clearly does have an important strategic role and has the comparative advantage of knowing refugees, having an established field presence and understanding the legal frameworks that best enable refugee self-reliance. Based on this, UNHCR was building new bridges with development organisations and private or financial sector partners, by giving them ‘access’ to refugees and data.

148. A major grey area remains in whether UNHCR should support pilot activities to draw in other development actors or act as a “provider of last resort” to maintain the momentum of KISED P either before other agencies engage, or to provide bridging financing. In the case of KISED P, UNHCR has stepped into this role and drawing lessons on the pros and cons of this experience (for example the trade-off between taking timely action with quality and sustainability) would be useful in helping to define corporate policy going forward.

#### **Other agencies**

149. Under KISED P **the range of UN agencies** responding to the needs of refugees and the local population in Turkana West has expanded and deepened. A number of **UN agencies** have played a role in KISED P in line with their organisational mandates as laid out in the table above. Some UN agencies who previously did not play a role in the refugee response have established an active presence. For example, UN Habitat have been strongly engaged in working with refugees in Kenya for the first time. With support from UN Habitat, Kalobeyei was planned as a settlement rather than a camp. Permanent structures were constructed

90 See p ix. UNHCR (2018) Evaluation of UNHCR’s Livelihoods Strategies and Approaches 2014-2018. Global Report. December 2018.

91 See p5. Ministry of Foreign Affairs of Denmark (2017) Strategy for Denmark’s Cooperation with United Nations High Commissioner for Refugees (UNHCR) 2017-2021. October 2017.

## 2 FINDINGS

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according to Kenya urban codes, with the explicit intention to provide sustainable benefits. ILO have also become an active partner to UNHCR in working on refugee labour issues.

150. In other cases, the main UN agencies that already had an operational footprint in Turkana – including WFP, UNICEF and FAO – have become more engaged. At the agency level the result of the KISED P process has been to encourage greater attention on Turkana County in UN programming – and the inclusion of refugees as a target group. For example, UNICEF is currently managing a multi-million dollar grant with the purpose of bringing 300,000 children back to school, 80,000 of whom are in Turkana County. This grant will provide complimentary activities to KISED P. The presence on the ground has increased and UNICEF and FAO established sub-offices in Lodwar Town. For WFP, who already worked with UNHCR on supporting refugees, there has been increased investment on meeting the needs of the host population in the county.

151. Various drivers have been identified as important. The 2030 Agenda for Sustainable Development has provided a key driver for including refugees as a target group (see para 104). The participation of UN Agencies in KISED P has been facilitated by UNHCR's proactive engagement with them and advocacy for them to take on shared responsibility. UN Habitat credits UNHCR with bringing it into the process in Kenya.<sup>92</sup> However, some UN agencies reported being constrained in the speed with which they have been able to establish a base at county level due to their internal financial and planning timeframes.<sup>93</sup>

152. The thematic planning workshops organised from 2014 onwards served to bring on board the relevant stakeholders in each sector. However, this did not encourage the participation of agencies with cross-cutting responsibilities – such as the specialised agencies responsible for gender. A further specific issue is the fragmented responsibility for water within the UN system, meaning there was a gap in identifying a clear counterpart to government in the development of water infrastructure.

153. Stakeholders widely perceived a change in approach from a traditional protectiveness by UNHCR of their lead responsibility for refugees. The UNHCR MoUs with ILO, WFP and UNICEF were also referenced as encouraging the respective UN agencies to actively engage with KISED P. A mechanism seen as enhancing the predictability of multi-agency response were specific commitments and agreements within these MoU, such as a threshold of 5,000 refugees triggering WFP's participation

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92 KII 304.

93 For example, this was noted as a challenge for UNICEF.

in a refugee response; this type of agreement is of more value than a general commitment to work together.

154. The Resident Coordinator's Office has also been playing the lead role in bringing together the UN agencies into a more integrated, joined up way of working at the strategic level, culminating in the most recent UN Development Assistance Framework (UNDAF 2018-22) which includes UNHCR and refugee affairs in an inclusive manner.<sup>94</sup> UNHCR has also been effective in drawing in UN agencies that have not traditionally worked in Turkana.

155. The RCO has established an office in Turkana to facilitate the "Delivering as One" agenda, through UN support to the local government. The office will be the facilitator of a new Trust Fund being established to support the Turkana CIDP. The relationship of this to KISEDIP is unclear but based on discussions at least with County Government it seems likely this fund will focus more on other parts of Turkana County where KISEDIP investment is not taking place.<sup>95</sup> While on paper the initiatives are linked, in practice interactions between UNHCR and UNDP are limited and the reasons could not be clearly determined and it is too early days in the establishment of the RCO Turkana office and evolving KISEDIP coordination structures to judge engagement on current experience.

156. Strategic financing has also been an important enabler and incentive for UN agency engagement, with donors establishing a number of multi-agency projects in support of KISEDIP which has both encouraged their individual involvement, alongside encouraging inter-agency coordination, for example the two phases of the EU Trust Fund (EUTF) simultaneously supported several UN agencies. The planned Partnership for Sustainable Solutions engages ILO, UNHCR, World Bank, IFC and UNICEF. Conversely, several UN agencies had little or no engagement with KISEDIP due to overall limitations of in-country presence and capacity.

157. The **World Bank Group (WBG)** has built a strong partnership with UNHCR at headquarter and national levels. This is evidenced in joint missions in the lead up to program development in Kenya and analytical support provided in the early stages (see para 115). The World Bank role in financing is discussed above. The involvement of the World Bank in Kenya was partly driven by the realisation of the development potential of working with refugees in Turkana, based on personal visits facilitated

94 Office of the UN Resident Coordinator, Kenya (2018). United Nations Development Assistance Framework (UNDAF) 2018-22.

95 KII 402.



## 2 FINDINGS

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by UNHCR.<sup>96</sup> The importance of the WBGs involvement is that it works through government structures to enhance cost effectiveness, capacity building and sustainability. Factors which some stakeholders perceived to constrain the World Bank's participation included its relative lack of experience in refugees issues.

158. As part of this global partnership the World Bank and UNHCR are establishing a joint global data centre on displacement that will improve statistics on refugees, other displaced people and host communities. The new centre should enable a better-informed and more sustainable response to forced displacement, underpinning a coordinated humanitarian-development approach. It will build on UNHCR's role as the reference institution for refugee data, bringing in the World Bank group's analytical expertise and its experience in helping national governments to improve statistical capacity. While this centre is still under development, it has the potential to reinforce collaboration at the national level, including KISED P.<sup>97</sup>

159. In line with changes under KISED P, existing **INGO and NGO** partners are seeking to adapt their ways of working towards more inclusive and market-oriented solutions. The most evident change has been seeking to establish linkages with the private sector in both the provision of services and livelihood opportunities. Civil society partners are also moving from direct service provision to technical advisory and financial support to government. However, with implementation only starting there was little evidence on effectiveness in these adapted roles yet.

160. A number of factors emerged as encouraging this transition. There was a strong realisation of the need to work in different ways by the NGOs themselves and a willingness to try new ways and learn by doing. This was encouraged by the global momentum towards cash-based and market-based approaches and NGOs have been supported through capacity building to develop new ways of working e.g. cash based shelter solutions, market-oriented energy solutions. On the negative side, funding sources for NGOs, in particular through UN-partnership agreements, are still predominantly short-term, making it hard to plan and implement longer-term, sustained development actions.

161. New NGO partners have established themselves in Turkana West who have been able to introduce innovative approaches and skills, for example health NGOs with experience of partnering with the NHIF and a number of market-based clean energy suppliers. Incentives have been important for drawing these new partners in – for example being directly

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96 KII 417.

97 See p.16 UNHCR (2018) Global Appeal 2018-2019.



encouraged by donors<sup>98</sup> or their inclusion as a UNHCR Implementing Partner.

162. A crucial partner identified in the KISED P approach is the **private sector**. This is a heterogenous group that includes a wide set of actors, playing different roles in support of KISED P.<sup>99</sup> This includes private sector initiatives that: provide humanitarian assistance; sell goods and services to refugees; provide access to finance; and create new employment opportunities. One evaluation finding is that all of these very different functions are often aggregated within a single discussion on the role of the private sector.

163. There is already a vibrant private sector in Kakuma with over 2,500 established business – mainly small-scale local businesses with more limited engagement by external private sector actors,<sup>100</sup> although there was less evidence on the number of businesses established in Kalobeyei. Increasing the scale and effectiveness of both these is a key aim of KISED P. Additional new economic opportunities are also foreseen by the County Government. A 2016 investment plan highlights Turkana’s potential strengths which include its: strategic location as a potential regional trading hub; potential of its livestock and fisheries for food production; scale of labour and youth (though many unskilled); potential green energy tapping into geothermal, wind, solar and bio-fuels; mining opportunities particularly oil but also various mineral resources; and infrastructure developments underway including the Lamu Port-South Sudan-Ethiopia Transport project (LAPSSET).<sup>101</sup>

164. Factors which have been identified as encouraging private sector participation in KISED P include; the identification of commercial opportunities for sales and business and the facilitation of access by development actors by subsidising start-up costs. NGOs have also enabled access to markets by new companies, for example by providing training in a range of language skills on how to use solar lamps and stoves and building awareness of their benefits at community level.

165. Conversely, there are very significant factors which have discouraged participation by the private sector include a lack of infrastructure

98 E.g. Swiss Contact are a specialised development NGO working with vocational training programmes, who were funded by the Swiss Government to enter into Kakuma.

99 An IFC global study provider an overview of private sector initiatives engaging with host and refugee communities developed a useful way of considering the wide range of ways the private sector, see IFC (2018) Private Sector Initiatives in the Refugee Space. Summary of IFC’s Stocktaking Study of Private Sector Initiatives. February 2018.

100 IFC (2018) Kakuma as a Marketplace. A consumer and market study of a refugee camp and town in northwest Kenya. April 2018.

101 Turkana County Investment Plan 2015-19.

## 2 FINDINGS

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(notably water and transport), insecurity on trans-boundary resources, limitations on refugees right to work, a land tenure system which is based on community ownership of land, poor energy supplies and the slow pace of partner agencies on the ground to respond to opportunities. There is also an unresolved tension between UNHCR's responsibility to ensure the confidentiality of refugee data and the demands of stakeholders to have timely access of relevant data to support development planning.<sup>102</sup> Concerns were also raised that refugees may return to their countries of origin and companies might lose out on unpaid loans.

166. The partnership established by UNHCR with IFC to establish a Challenge Fund for Kakuma and Kalobeyei is a core strategy for supporting the development of the private sector in Turkana West. The IFC Challenge Fund aims to support both refugees to build their own enterprises and also attract in external private sector businesses, medium size businesses to invest in the area. A key driver for IFC to come into the refugee arena through the evidence that emerged of the market opportunities in Turkana.<sup>103</sup> This study presents information for companies looking to enter the substantial, yet mostly untapped market, in Kakuma and IFC, at the time of data collection were undertaking further studies to guide their next steps.<sup>104</sup>

167. Finally, while donors are important funding partners for KISED, above and beyond this they also have tools of diplomacy, bilateral development cooperation, sector expertise, trade interests, access to core government ministries on policy and development and the potential to provide additional resources. These non-financial roles are important for KISED as it moves forward.

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102 The evaluation heard of private sector investors putting forward ideas for projects and requesting relevant data from UNHCR – for example on potential participants. However, time frames were too short for UNHCR to identify applicants and gain authorisation to share data.

103 Ibid.

104 KII 430.

## COORDINATION

### SUMMARY FINDINGS

- Significant progress has been made in establishing KISED P coordination structures, which have grown out of existing UNHCR operational coordination and the original KISED P planning workshops.
- The new implementation phase requires more regular, structured and strategic process of coordination and increased County Government leadership. UNHCR has recognised some of the needs of the next phase of coordination with its proposed new structure.
- Stakeholders perceive that the KISED P plan includes insufficient detail on how the complex processes of change envisioned in KISED P will occur and these need to be addressed in the coordination structures.
- The specific coordination challenges in KISED P include defining the evolving roles of partners, laying out the pathway towards changes in financing of services and inclusion of refugees and host communities in services and plans to build capacity of government to take on its increased leadership role.
- Further elaboration is needed to ensure efficient coordination with complementary development processes in Turkana and the need for a Nairobi based forum to complement Turkana based coordination.

168. KISED P is innovative as it brought together a wide range of different organisations that have not always worked together before. Partners include different parts of the government, UN agencies, international and national NGOs, private sector organisations, governmental and other types of funding partners, major development actors including the World Bank Group and refugee and host communities. These need careful coordination so that individual inputs combine effectively towards its shared goals.

169. KISED P coordination structures have grown out of the original KISED P planning workshops. By 2016 these had evolved into a series of thematic groups meeting more or less regularly in Turkana. At sub-county level there were more regular, often monthly operational meetings among partners, particularly implementing partners of UNHCR to exchange plans and information in Kakuma and including the County Government.

170. The coordination of KISED P is now moving into a new phase and a new structure for it has been proposed by UNHCR<sup>105</sup> and discussed with County Government and some partners in quarter one of 2019. This proposes a series of eight thematic working groups to be co-led by the

105 UNHCR (2018) Kalobeyei Integrated Socio-Economic Development Plan in Turkana West (KISED P). Phase One: 2018-22 Comprehensive Refugee and Host Community Plan in Turkana West, Kenya. 2018.

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relevant County Government County Executive and UN agency, supported by a KISEDIP secretariat to be provided by UNHCR ; the location of the Secretariat was unclear but seemed likely to be split between County Government and UNHCR with an expectation of moving towards County Government fully as capacity allowed.

171. The draft terms of reference for the groups shows an intention that these be more inclusive, involving donors as well as implementing partners, having an increased role for the government than some earlier forums had, and be more strategic moving beyond the information exchange which characterised some previous forums. This is consistent with a shift from the traditional model of UNHCR management of implementing partners towards a partnership approach where actors are included that have no contractual agreement with UNHCR. The shift at this time would seem to be linked to the launch of the KISEDIP plan as well as the new CIDP. Delays in the revision of the original five-year plan appear to have slowed down development in coordination structure<sup>106</sup>. The KISEDIP Steering Committee started in April 2019 following the local launch of the KISEDIP plan.

172. An annual timetable for the groups was being drawn up at the time of data gathering to ensure meetings were more predictable. It was expected by most implementing partners and government sub-county office that more operational, frequent meetings would continue in Kakuma to coordinate implementation of activities, with links to Lodwar level coordination.

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106 The Kalobeyei Integrated Social and Economic Development Program (KISEDIP) 2018-22 was still to be officially released at the time of the evaluation.

**TABLE 6 COORDINATION STRUCTURES WITH RELEVANCE FOR KISED P<sup>107</sup>**

Years	Coordination structures and focus	Location	Frequency of meeting /comment
2016-18	KISED P Thematic working groups. <sup>108</sup> Groups in areas of: <ul style="list-style-type: none"> <li>• Spatial planning and infrastructure</li> <li>• WASH</li> <li>• Livelihoods</li> <li>• Agriculture and livestock</li> </ul>	Lodwar mainly with some early meetings in Nairobi.  Operational meetings in Kakuma.	<ul style="list-style-type: none"> <li>• Monthly operational meetings in Kakuma/Kalobeyei increasingly involving sub-county Government as structures established.</li> <li>• More irregular meetings in Lodwar involving County Government usually.</li> </ul>
2017-18	County Integrated Development Plan consultations and planning	Turkana	<p>It is not clear what level of involvement if any KISED P partners had in this but there have been regular meetings between UNHCR and CG to align plans.</p> <p>Refugees included in CIDP consultation processes.</p>
2017-18	UNDAF	Nairobi	<p>UNHCR participation along with other UN agencies to include KISED P.</p> <p>Links to Delivering as One initiative and Resident Coordinators Office being established in Lodwar.</p>
Ongoing	Donor Coordination Group- refugee interest area	Nairobi	<p>Special interest group in refugees and migration. Co-chaired by USAID and Norway. Meets every two months. Mostly focussed on Dadaab but includes periodic discussion on KISED P.</p> <p>Other project-specific coordination structures e.g. for EU Trust Fund and DRDIP.</p>
2019	KISED P Proposed thematic working groups: <ul style="list-style-type: none"> <li>• Private sector and entrepreneurship</li> <li>• Sustainable energy solutions</li> <li>• Agricultural livelihoods/ Natural resource management</li> <li>• Spatial infrastructure development, shelter</li> <li>• Education</li> <li>• Protection</li> <li>• Health</li> <li>• WASH</li> </ul>	Lodwar	<ul style="list-style-type: none"> <li>• Quarterly-proposed</li> <li>• Draft terms of reference for the groups shows an intention that these be: <ul style="list-style-type: none"> <li>- more inclusive e.g. involving donors as well as implementing partners,</li> <li>- have increased role for the government than some earlier forums had</li> <li>- be more strategic moving beyond information exchange which characterised some previous for a</li> <li>- be more predictable – i.e. annual timetable produced.</li> </ul> </li> </ul>

107 The table reflects the situation at the time of evaluation data gathering March-April 2019. The evaluation is aware the situation was evolving at that point.

108 Groupings were somewhat fluid and evolved over time.

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173. In addition to the structure above, there are a number of refugee-related policy and planning processes with which KISED P partners have been involved. These include the development Kenya Comprehensive Refugee Programme in 2015-18 and draft for 2019-20, the Kenya multi-year and multi-partner strategy for 2018-20 and the Regional Response Plan for South Sudan 2018-20. In addition, partners are aware of the process to develop a roadmap for the implementation of the Comprehensive Refugee Framework being coordinated by RAS but currently stalled. Stakeholders express frustration at the multiple initiatives and that their input was often called on multiple times. There was a view that these initiatives, together with KISED P, could be more aligned and linked up within UNHCR.

174. There was overall support among the partners interviewed including donors, County Government, UN agencies and NGOs for a more regular, structured and strategic process of coordination and increased County Government leadership, albeit with some concerns about partners (especially donors) capacity to participate in this range of fora. However, a number of other coordination priorities and challenges were highlighted through the evaluation process, including; (i) coordination of change process, (ii) coordination with concurrent development initiatives, and (iii) national level coordination.

### ***Coordinating change processes***

175. The vision detailed in KISED P, reflecting the global expectation of closer humanitarian-development cooperation in the New York Declaration and Global Compact on Refugees, involves changes in many areas which are described in the table below. It is a complex process involving discussions on financing, roles, policy and practice change among others. Stakeholders perceive that the KISED P plan includes insufficient detail on how these change processes will occur and these need to be addressed in the coordination structures. Coordination functions will need to go beyond established models of the implementation of an agreed plan.

TABLE 7 KISED P CHANGE PROCESSES

Change area	Change
<b>Leadership of planning and implementation</b>	From international agency leadership of humanitarian assistance to government leadership and coordination of inclusive assistance and development
<b>Implementation context and approach</b>	From working in “known” contexts using tried and tested models and approaches to working in new context (i.e. refugee contexts for development agencies, private sector), in new ways (e.g. market-based approach for humanitarian agencies) and through a learning approach for all.
<b>Inclusion of host communities</b>	From meeting specific humanitarian needs of refugees to addressing needs within an area to benefit both refugees and host communities
<b>Need based assistance</b>	From blanket assistance based on refugee status to needs-based access to services.
<b>Method/mode for service provision</b>	From directly providing services to refugees to supporting sustainable, cash-based approaches to service provision which do, or potentially can, also benefit host communities.
<b>Providers of services and assistance</b>	From traditional providers of assistance and services (UN agencies, INGOs) to new partnerships with non-traditional actors developing new, sustainable models of service provision, livelihood, local economy and infrastructure development.
<b>Basis of refugee livelihoods</b>	From direct assistance through in-kind and cash-based interventions to self-reliance through livelihoods with safety net support for vulnerable people.

176. Given the scale of change from the current position to the envisioned destination, coordination of KISED P can be regarded as the structures and processes to keep a range of partners with diverse interests aligned and working towards the same vision over a sustained time period. This has a number of dimensions including guiding the transition in financing, transition in roles and to some extent facilitating the process and pace of transition. This involves structures and processes to:

- develop and revise a shared strategy informed by, and to inform, each stakeholder’s plans and clarify roles and responsibilities
- communicate between stakeholders

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- track and monitor progress including sharing of data
- deal collectively with challenges and change.

177. KISED P lacks a comprehensive communication strategy to guide information management and promote participation by key stakeholders,<sup>109</sup> something that has been recognised as being particularly important in programmes involving multiple partners and change process management.<sup>110</sup>

178. Arguably progress has gone furthest so far in education and Box 6 illustrates some of the factors needed to support such a transition in other sectors, which includes leadership by government with active international support, funding for coordination and the investment of time – the process has been underway for at least two years so far.

### BOX 6 COORDINATION IN THE EDUCATION SECTOR

The process was led by the Ministry of Education (MoE) at national level as education is not a devolved sector. The MoE set up a working group of about 25 people bringing together the relevant state agencies, including; the national council for nomadic people, curriculum teachers service commission, the Refugee Affairs Secretariat and Ministry of Foreign Affairs, and three UN agencies (UNICEF, UNESCO and UNHCR). The consultation process involved meetings and ministerial visits to Kakuma, Dadaab and Nairobi to build a collective understanding of the situation for refugee education and inform the draft policy development. In addition, there was a stakeholder forum in Nairobi involving civil society, refugees, national and county government.

Key factors which supported the policy formulation included:

- The process has been spear-headed by government with some senior people willing to input additional time and effort to move forward the process despite several hold-ups and false starts.
- Already there is attendance by some refugees in Kenyan schools.
- Schools run by NGOs for refugees already follow the Kenyan curriculum.
- Agreement on standards for schools and education – as government standards are generally higher than the level of service provision for refugees.
- UNHCR provided some secretariat support.
- There has been good cooperation between UN partners involved in the sector with UNICEF financially supporting the first six months of the process and UNHCR the remainder.

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109 KIIs 901, 911, 121.

110 UNHCR (2018) Multi-year Multi-partner strategies: Lessons learned report for the period April 2017-January 2018.



- GoK public commitments made in 2017 at the IGAD convened regional meeting in Djibouti on education in emergencies.
- Global agenda for education in emergencies encouraged partners to work in different ways towards a more inclusive and integrated approach with government.

The process has taken approximately 30 months. USD 200,000 has been required to cover the costs of high level missions to camps, to fund two writing workshops for 4-5 days, stakeholder consultations involving 150 people and a smaller group to incorporate feedback; and printing.

- The policy process is only the beginning of the process to support inclusion. Key next steps are:
- The finalisation of the policy through signing and launch at ministerial level (delayed with a change in minister).
- UNHCR working with the World Bank, UNESCO and MoE to make a five-year costed plan what this will look like to ensure full inclusion of refugees and raising of standards to comparable levels as Kenyan schools. The costing system will use a method established by the World Bank in other countries.
- Pilot an inclusive approach in a part of Turkana West to identify the full range of activities that are involved e.g. teacher training accreditation, change in governance and costs.
- Change in role if UNHCR implementing partners from running schools to support government with capacity building, infrastructure development and support as prioritised by the government. This means a more direct relationship with the government than previously held by some NGO and possible some different skills.
- Changing role for UNHCR to continue focus on protection of refugees in schools and to support equity issues e.g. to consider psychosocial support interventions for children if they are not able to access the same educational opportunities.
- Maintain and develop the linkage of the initiative to existing education coordination structures including the Education Donor Partner Coordination Group (education sector) chaired by DG of MoE. UNHCR has just started to attend these meetings as well as UNICEF. The initiative also links with the education in emergencies Working Group also chaired by ministry. UNHCR has advocated for the inclusion agenda in education to move from the emergencies' focused area into mainstream education coordination.

### ***Coordination with related development initiatives***

179. Stakeholders expressed concerns on how the range of initiatives involving Turkana West and refugees are best coordinated for greatest efficiency and effectiveness. This includes complementary initiatives for Turkana West of potential direct or indirect benefit to refugees, initiatives at the national level linked to global processes to take forward policy and planning to protect and support refugee inclusion and finally

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projects within KISEDIP which are complex and need specific coordination structures which are distinct from the Thematic Working Groups proposed by UNHCR.

180. There are significant complementary development programmes to support host and refugee communities in Turkana. These include:

- The World Bank financed North and North-eastern Development Initiative' (NEDI) for Kenya, specifically focusing on boosting shared prosperity. It is an investment of over USD 2 billion to benefit 10 counties in Kenya over four years. The initiative consists of six new backbone projects with a portfolio of about USD 1 billion: (i) Off-Grid Solar Access Project for Underserved Counties, (ii) Climate Smart Agriculture Project, (iii) Water and Sanitation Development Project, (iv) North Eastern Transport Improvement Project, (v) Development Response to Displacement Impacts Project, (vi) National Safety Net Program Additional Financing.
- The World Bank-financed Development Response to Displacement Impacts Projects in Horn of Africa (DRDIP) (2017-21). This USD 103 million loan provided by the World Bank and other donors provides support to three counties including Turkana as well a small grant to IGAD. It focuses on a community-driven approach to build conditions in counties impacted by refugee presence and aims to improve access to basic services, boost economic opportunities and boost environmental management. The setting up of the DRDIP initiatives was reported to have been protracted with limited project investments so far. USD 32million is allocated to Turkana West.
- The Dutch partnership for sustainable solutions – a USD 500 million initiative involving eight countries including Kenya over four years with a partnership between ILO, UNHCR, World Bank, IFC and UNICEF which aims to find market solutions for host and refugee communities including in Turkana West as well as other parts of Kenya and other countries. This remains in the planning phase.

181. These initiatives have their own coordination structures and work closely with County Government. The main players are aware of KISEDIP and vice versa, for example, UNHCR has a role on the steering committees of DRDIP and is a member of the partnership for sustainable solutions (see Box 7).

**BOX 7 DRDIP MONITORING ARRANGEMENTS**

DRDIP is establishing its own monitoring system which will be housed at national level and in the coordinating office in Lodwar. It also plans to build the capacity of County Government to undertake monitoring and considering current capacity and plans for its development are likely to be part of the consultancy being commissioned by the Bank which looks at governance and coordination systems and capacity. There is a plan to set up a Management Information System in the national unit. There is considerable scope for a linked-up monitoring, evaluation and learning process between DRDIP and KISEDIP facilitated potential through shared or connected coordination systems.

UNHCR has a role on the steering committees of DRDIP.

182. Additionally, there are a number of projects and funding streams directly within KISEDIP that are also developing their own coordination structures. Some of these are donor led such as the EU Trust Fund support for the Regional Development and Protection Programme support for Kalobeyei and now KISEDIP which has its own Steering Committee in Brussels and Nairobi co-led by the Government of the Netherlands (see Box 8). Another significant initiative is the new Challenge Fund led by ICF which is a key strategy for the stimulation of the development of the private sector in Turkana West. It is expected to have its own Steering Committee among at least its donors of DFID, Netherlands, EU, Danida and Switzerland but also a Management partner likely to be liaising directly with County Government, private sector and others.

### BOX 8 EU TRUST FUND

In 2015 in connection to the Valetta Agreement on migration the EU agreed the establishment of a EU Trust Fund (EUTF) for 26 countries equalling EUR 4 billion for 26 countries over five years to stabilise countries and ameliorate consequences of forced displacement and irregular migration.<sup>112</sup>

KISED P is funded under the EUTF support to the EU Regional Development and Protection Programme (RDPP) in the Horn of Africa, led by the Netherlands, which was launched in July 2015 to improve protection and enhance development prospects for refugees, IDPs and local communities.

The EUTF phase one decision in support of KISED P was for EUR 15 million to support (1) improved health standards for the population in Kalobeyei and surrounding areas; (2) increased food and nutrition security for host communities and refugees, as well as strengthened economic resilience and well-being; (3) increased school enrolment of children in Kalobeyei and surrounding communities according to educational standards; (4) improved child safety and well-being; and (5) increased social cohesion and reduced conflict over resources.<sup>113</sup>

EUTF phase two decision to allocate in 2019 EUR 17.8 million to three components in Kenya: (1) Build and strengthen ownership and capacity of the Government of Kenya at both national and county levels to enhance overall asylum management and support CRRF roll-out. (2) Provide a second phase of EUTF support towards the implementation of KISED P with a focus on sustainable livelihoods, social cohesion and access to markets and services for refugees and host communities. (3) Pilot initiatives in support of economic self-reliance of refugees and host communities in Garissa County.

The EUTF has its own Steering Committee in Brussels and Nairobi co-led by the Government of the Netherlands. Evaluation KII found good relations on the ground in Kenya between EUTF and UNHCR.

The EU Trust Fund for the Horn of Africa has its own Monitoring and Learning System initiative in 2017 which undertook a mid-term evaluation of KISED P in 2018. In addition, the Netherlands' Ministry of Foreign Affairs (MoFA) commissioned its own combined quantitative and qualitative evaluation of the RDPP which will take place over stages. The Baseline study for the evaluation was undertaken in 2018 and included Kenya as a country case studies with a focus on Turkana.

183. The evaluation found concern among partners about the multiplicity of initiatives in Turkana and concern about how they can be coordinated in the most complementary way. Stakeholders emphasised

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111 [https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/facsheet\\_eutf\\_long\\_online\\_publication\\_05-09-2019.pdf](https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/facsheet_eutf_long_online_publication_05-09-2019.pdf)

112 [https://ec.europa.eu/trustfundforafrica/region/horn-africa/kenya/regional-development-and-protection-programme-kenya-support-kalobeyei\\_en](https://ec.europa.eu/trustfundforafrica/region/horn-africa/kenya/regional-development-and-protection-programme-kenya-support-kalobeyei_en)

a wish for the coordination processes for this range of initiatives to be harmonised, simplified and to avoid duplication. An opportunity to move towards a more linked up or harmonised approach to coordination across the range of initiatives might be to build on the findings when they are available of the Danida supported, World Bank study on capacities to enable a county-government comprehensive refugee response and area-led coordination approach to initiatives in Turkana West.<sup>113</sup>

#### ***National level coordination***

184. There is also a strongly perceived gap on overall coordination at the national level. There is no established multi-agency forum where stakeholders are able to engage with National Government on CRRF related issues, including KISED P. Existing national coordination groups are limited to either one stakeholder group or only peripherally address KISED P. Consequently, there is no multi-stakeholder forum to discuss and address key national policy and regulatory issues.

## **FINANCING**

### **SUMMARY FINDINGS**

- The first amalgamated, multi-partner and multi-year budget for KISED P was presented in December 2018 and continues to be a dynamic document with more detailed planning underway.
- Significant exclusions from the KISED P budget limit its utility to provide a comprehensive overview of financing needs, gaps and potential financial impact of the plan.
- There is not a collective funding and fund-raising plan for KISED P or means to track funding and gaps. The proposed Secretariat by UNHCR might fill this gap.
- The budget includes significant contributions from the GoK, but there are very different and unresolved assumptions on how costs should be proportioned with donors.
- There are some new sources of external support coming into Turkana West, notably through the World Bank and EU Trust Funds. However, the volume of additional financing falls far short of needs.
- Funding the development orientated elements of KISED P through UNHCR channels has significant comparative disadvantages.
- Funding KISED P through the new UNDP Multi-Party Trust Fund for Turkana offers significant potential advantages but requires robust monitoring and accountability.

113 WB (2018) Assessment of County and sub-county structures for Coordinating a Comprehensive Response to Refugees and Host Communities. Terms of Reference for a consultant.

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### ***KISED P Budget***

185. The revised KISED P Plan launched in December 2018 presented a projected budget for the plan of USD 500 million over five years which is closely linked the County's Integrated Development Programme. This is a welcome step forward as the first consolidated budget. Multiple financing streams from government, development partners and private sector are anticipated to be mobilized to finance KISED P's activities. The total five year budget rises from an annual budget of USD 51 million in 2018 to a high of USD 118 million in 2022 with just over 10% of this coming from the private sector and GoK/World Bank each with the remaining 80% from the international community.

186. Interviews indicate these are a balance between the scale of real need (which would be higher) with a calculated estimate based on consultations with relevant stakeholders of anticipated income but not guaranteed (which would be much lower). The degree of certainty, like any budget decreased with the time period i.e. year five income is less certain than year one.

187. Sectors are at different stages in their elaboration of financing plans but more detailed plans of costs and anticipated benefits including in financial terms will be needed soon. Each sector has been working to develop its plans and the KISED P plans are organised along eight thematic lines. These correlate to some extent with the 10 components of the CIDP. UNHCR played a facilitating role along with 41 partners to develop the workplan an overview of projects and their respective budgets by sector along with named implementors, responsible organisation and anticipated source of funding (whether international community, government or private sector). A good practice was identifying flagship projects that enable "quick wins" and would help sustain confidence and momentum of partners to participate.

188. Significant exclusions from the KISED P budget limit its utility to provide a comprehensive overview of financing needs, gaps and potential financial impact of the plan. These include:

- Sectors with more detailed planning indicate the need for at least a temporary upturn in funding to finance continued service provision and capacity building and other measures to enable transfer of service provision to government services and market solutions. These do not appear to be built into plans and KISED P budget.
- There is no estimate within the plan of the number of refugees which are expected to become self-reliant through the USD 500 million investment.
- The majority of humanitarian funding needs are not included. This means that the transfer from humanitarian assistance to self-reliance

is not portrayed in the plans i.e. as refugees or a proportion of them move from being supported through humanitarian assistance to being self-reliant.

- National level protection activities are not included within the budget, for example advocacy with GoK on freedom of movement.
- Some private sector investment is anticipated in all components except protection, although there is some ambiguity in the scale of anticipated funding which is discussed later in the report (para 146 onwards).

189. While closely aligned to the CIDP budget, the KISED P budget is not fully aligned as it includes additional elements of humanitarian assistance as well including elements of national sectors such as education. Consequently, it is difficult to know who fully “owns” the KISED P budget and feels the full responsibility to fund-raise for it.

#### ***Kenyan Government contributions***

190. The KISED P financial plan includes significant contributions from the Kenyan government into each of the eight KISED P sectors. Whilst there have been efforts to establish robust estimates of future funding there are a number of factors which will influence these contributions.

- Allocations from GoK depend on the robustness of County’s financial management, national economic performance and to some extent, political decisions. This highlights importance of synergies between national and County Government support to KISED P
- The first CIPD 2013-17 did not achieve the budgeted income due to not being found to meet revenue targets for locally generated revenue and this impacted on its implementation <sup>114</sup>
- Other factors may have a positive impact on the CIDP budget e.g. oil revenues, benefits from new infrastructure development particularly the road, and gazetting Kakuma/Kalabeyei as a municipality which unlocks additional financing from the central government
- Political pressures within the County tend towards allocation Government resources to other sub-Counties where this is much less donor interest due maybe to election pressures.

191. There are very different assumptions held by government and partners about who will bear refugee related costs – particularly in financing the provision of basic services to refugees such as education

114 Turkana County Government, Programme Based Budget Estimates, 2018-19.

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through government channels. This lack of explicit articulation of future financing arrangements – or even open discussion of this – emerged as a key finding of the evaluation. There is a lack of clarity as to whether the government is anticipated to take over all costs or there will be continued international financial assistance to Turkana West to cover the costs of refugees. While the concept of “responsibility sharing” is central to the GCR,<sup>115</sup> the practical expression of this in terms of financial support to hosting countries has yet to be fully clarified. Interviews suggested that donors are looking for stronger national policy commitments towards the CRRF goals and strengthened accountability frameworks around KISEDIP as a precondition to unlocking further financial support.<sup>116</sup>

192. There are interesting developments in the education sector that illustrate the implications for financing (see Box 9).

### BOX 9 RESPONSIBILITY AND BURDEN SHARING FOR EDUCATION

The education sector is moving towards full inclusion, take over by government of education services and changing roles of partners to build capacity and support the transfer process. In terms of financing the process to coordinate the planning of this transfer has cost approximately USD 200,000<sup>118</sup> so far, will require an additional project to cost out in detail the resources needed to transfer control, raise education standards and enable inclusion which the education sector is working on with the World Bank. Interviews indicate that there will be an increase in costs to support this process, to trial inclusion and then support its expansion across Turkana West. At the same time fees have been introduced for refugees already which generates some income and there is already significant funding by donors in education in Kenya which is anticipated to have potential to expand and take over some of the costs of education in Turkana replacing current humanitarian funding.

193. Potential support to the GoK comes through additional World Bank financing. As part of its commitments to address poverty of refugees and support countries hosting refugees the World Bank opened a funding sub-window of USD 1 billion under IDA18 specifically to support low-income countries (later widened to include countries including Kenya) to address poverty in areas where they are hosting

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115 Betts, A. (2018) *The Global Compact on Refugees: Towards a Theory of Change?* Oxford University.

116 OECD (2018) *Financing refugee-hosting contexts. An analysis of the DAC's contribution to burden- and responsibility-sharing in supporting refugees and their host communities.* December 2018 and OECD (2018) *Financing Refugee-Hosting Contexts. Highlights.* December 2018.

117 KII 993.



large numbers of refugees.<sup>118</sup> In Kenya under IDA17 the World Bank has developed a credit facility of USD 100 million to GoK for a programme of support to counties hosting large numbers of refugees in Kenya. However, while the component financing to support DRDIP work with host communities is proceeding, the GoK is reluctant to use credit facilities to finance refugee needs, and has yet to clarify the policy commitments to meet the needs of refugees, which are required as a condition to access the IDA18 sub-window financing.<sup>119</sup>

#### **External contributions**

194. External funding towards KISED P comes from a complex patchwork of sources. Table 8 shares some of the detail that the evaluation was able to discern. It illustrates the complexity of funding into Turkana with various funds contributing directly and indirectly towards investment in Turkana, but not always the “KISED P budget”. For example, World Bank support was never conceived as being directly to KISED P unlike EU funding. However, as KISED P is formulated as the “Turkana West chapter of the CIDP”, other programmes that are aligned to the CIDP can be seen as contributing to the achievement of KISED P.

195. A further challenge in identifying financing that goes towards KISED P is that donors and other stakeholders may fund at county or national level, and do not identify explicitly what proportion of their funding is for Turkana West. Indeed, until the KISED P workplans are finalised – which were still in draft form at time of evaluation data collection – clear budgets at the sub-county level are not available. UNHCR plans that the KISED P Secretariat, to be established in 2019, will track funding from a range of sources against the KISED P budget.

118 WBG (2017) Forcibly Displaced. Toward a Development Approach Supporting Refugees, the Internally Displaced, and Their Hosts.

119 See p3. Center for Global Development & International Rescue Committee (2018) Five Ways to Improve the World Bank Funding for Refugees and Hosts in Low-Income Countries and Why These Dedicated Resources Matter.

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**TABLE 8 EXTERNAL FINANCING SUPPORTING AND/OR RELEVANT TO KISEDIP<sup>120</sup>**

Funding	Amount towards Turkana	Beneficiaries	Comment: timing, connection with broader funds and agendas, other
<b>IFC Challenge fund for Kakuma</b>	USD 20 million over four years 2019-22	Kakuma and Kalobeyi hosts, refugees, investors	Funding from EU, Denmark, Switzerland, Netherlands, UK Preliminary studies underway Contracting of implementing agency out to tender
<b>World Bank Development Response to Displacement Projects (DRDIP)</b>	Approx. USD 32-50 million allocated to Turkana. USD 3 million grant to IGAD 2017-22	Focus on host communities	Agreed credit facility of USD 100 million and grant of USD 3 million to IGAD 2017-22. Facility split between Turkana and Garissa. Two years discussions to date. Expected to start implementation in 2019. Focus area of social economic and infrastructure services, environmental and NRM, livelihoods. Has a detailed results framework. Aims to complement NEDI. Monitoring structure being established.
<b>EU Regional Development Displacement and Protection Programme for Horn of Africa.</b>	EUR 12 million for two years from July 2019 <sup>121</sup>	Refugee focus	Second phase beginning from July 2019 – reduced scope Funding channelled through EU Trust Fund and other projects. First phase was EUR 15 million allocated to UNHCR, WFP, UNICEF and FAO (channelled via UNHCR). EUTF form part of funds launched to support the EU migration agenda launched in 2015 (Valetta agreement). Valetta Agreement established an EUYTF for 26 countries equalling EUR 4 billion for 26 countries over five years to stabilise countries and ameliorate consequences of forced displacement and irregular migration. Largest contributor is Germany. EUTF broader objectives include: (1) Greater economic and employment opportunities; (2) Strengthening resilience of communities and in particular the most vulnerable, as well as refugees and displaced people; (3) Improved migration management in countries of origin, transit and destination; (4) Improved governance and conflict prevention.

<sup>120</sup> Table 8 is based on data available to the evaluation during data collection in March-April 2019. The evaluation is aware the situation is evolving, and this is not 100% comprehensive.

<sup>121</sup> Part of a broader EU Trust Fund of EUR 17.8 million.

<sup>122</sup> UNHCR funding update for 2018, February 2019.

Funding	Amount towards Turkana	Beneficiaries	Comment: timing, connection with broader funds and agendas, other
<b>World Bank national support to Kenya</b>	USD 1.5 billion with USD 1 billion over five years going to the North East Development Initiative (NEDI) 2017-22	Host focus – indirectly refugee	NEDI supports the GoK and 10 most vulnerable counties including Turkana. This includes support to a) devolution b) transport development c) pastoral livelihoods, d) health systems e) secondary education f) urban programme. The initiative includes projects in (i) No-Grid Solar Access Project for Underserved Counties, (ii) Climate Smart Agriculture Project, (iii) Water and Sanitation Development Project, (iv) North Eastern Transport Improvement Project, (v) Development Response to Displacement Impacts Project, (vi) National Safety Net Program Additional Financing. DRDIP financed under NEDI
<b>New Partnerships for Solutions</b>	USD 500 million over four years – not clear allocation to Kenya. 2019-23	Refugee and host communities	Multi-donor initiative to find market solutions to refugee and host community concerns in eight countries including Kenya. So far in Kenya (which include the Netherlands, UNHCR, ILO, IFC, UNICEF) have a shared vision and are undertaking some studies to support the initiative. It is separate from but complementary to the IFC Challenge Fund and potentially beneficial to KISEDIP aims
<b>Delivering as One – Turkana Trust Fund</b>	Minimum USD 5 million Potential launch 2019	Host communities and refugee	In development. Likely focus areas reported to be health, food security and water.
<b>UNHCR</b>	Total USD 107.5 million (2018)	Principally refugees	Unearmarked 4%, Softly earmarked 29%, Earmarked 46%, Tightly earmarked 20% <sup>122</sup>
<b>WFP</b>	Unclear	Refugees and local community	In 2015, WFP introduced electronic cash transfers in the Kakuma Refugee Camps. The cash transfers replace part of the monthly food ration to refugees. The system delivers cash through mobile phones and refugees can buy food from authorised vendors in the local market. Since August 2015, WFP has injected over USD 1.7 million into the Kakuma economy.
<b>UNICEF</b>	Unclear	Refugees and local community	From 2015 UNICEF is currently managing a multi-million dollar grant with the purpose of bringing 300,000 children back to school, 80,000 of whom are in Turkana County. This grant provides complimentary activities to the proposed intervention in Turkana County as a whole, and in the sub-county of Turkana West.  With EDF funding, UNICEF is implementing the SHARE programme in Turkana County to improve the nutritional wellbeing of deprived children and women, targeting only the host community. Lessons learned from SHARE will be used in the implementation of the Kalobeyei settlement. Existing and future EDF funding also supports initiatives to improve resilience to drought (through NDMA and several NGOs) and to address land governance issues (through FAO), specially the relation between pastoralist and farming communities. End date unclear.

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Funding	Amount towards Turkana	Beneficiaries	Comment: timing, connection with broader funds and agendas, other
<b>Bilateral donors</b>			<p>Sida – keeps development and humanitarian programmes separate. Funding allocated by to KISED DP by Sida is from the humanitarian pot though Sweden’s development strategy “Strategy for Sweden’s development cooperation with Kenya for 2016-2020”. Sida has limited funding for Somalia and Kenya. SEK 18 million (SEK 13 million for Somalia and SEK 5 million for Kenya). In addition to UNHCR, Sida also funds Church of Sweden/LWF and NRC directly.</p> <p>Swiss – development and humanitarian funding now integrated. Swiss corporate approach to have a 10-year vision for country funding then broken down to smaller components. Currently support the Challenge Fund with a 48 month grant and open to continue. First phase support was for the initial assessments and contribution was CHF 350,000. Anticipated contribution is CHF 1 million per year.</p> <p>DFID – the Kenya Integrated Refugee and Host Community Support Programme (PAMOJA) project receives UK£ 84 million over three years; Have held discussions regarding inclusion of refugees in the Safety Nets Programme.</p> <p>GTZ – EUR 90 million up for national programmes including Turkana west, over 2017-22. Focus areas include health, livelihoods, agriculture, conflict management, energy, entrepreneurship.</p> <p>Netherlands – considers itself a relatively small player in relation to KISED DP and does not fund bilaterally. Co-chairs the donor working group focused on refugee issues. Most significant current funding is towards the Partnership for Sustainable Solutions which is a total of USD 500 million to eight countries from a range of donors. While the Netherlands keeps its humanitarian funding separate this initiative is seen as a nexus approach.</p>

196. The financing situation is clearly dynamic, with many new projects and programmes broadly orientated to support objectives coherent with KISED DP. It is notable that – other than the World Bank funding – there is relatively little “additional money” coming in. Given the expansion of the beneficiaries under an area-based approach to include an increasing number of the host community, this will result on the available funds being spread more thinly. To some extent the funding of new initiatives – such as the significant donor interest in funding new private sector initiatives – was being achieved by reallocating existing refugee related budgets.

197. One possible implication is that KISED DP would have to operate within a reality of limited resources through improvements in cost efficiency.<sup>123</sup> However, KISED DP lacks an analysis of the comparative cost efficiency and cost-effectiveness of the new approach. For example,

123 KII 687.

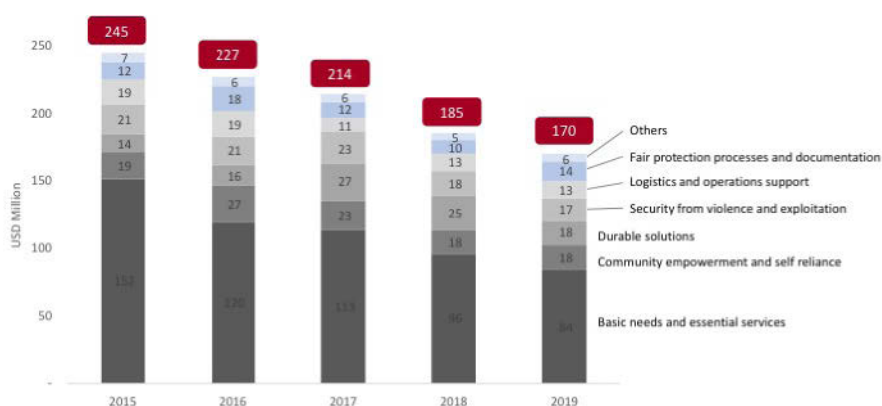
there was no analysis of the comparative costs of delivering services such as education through national systems rather than a humanitarian model.

198. Bilateral donors remain supportive to KISED P, funding through UNHCR and other KISED P partners. Bilateral funding is generally not tabled as specifically towards KISED P but are either complementary or address components of the KISED P plan. Government roles vary in relation to the funds with few of them going through government at national or county level, with donor funds generally going to specific projects with their own results framework and usually an independent monitoring and coordination structure.

199. Some changes in financing arrangement are evident. More donors have established long-term funding channels to support refugees in Turkana, both through accessing development funds (EU, Swiss Development Cooperation) or by developing multi-year humanitarian financing (e.g. DFID, Denmark). Donors are also working together to create larger multi-donor funds both for economies of scale (in terms of their own transaction costs) but also for greater impact, for example the EU Trust Fund arrangements. More specifically in relation to KISED P, the donors are willing to use funds flexibly to benefit refugees and host communities in pursuit of social cohesion along with development and overall inclusion aims.

200. UNHCR has made a significant contribution to KISED P through its own budget. There is not a separate UNHCR budget for KISED P from the UNHCR Kenya Operation but trends in its country-level funding are relevant (see Figure 3). Within this, it is notable that not only is the year on year total budget reducing, but the budget allocation to self-reliance has declined between 2016 and 2019.

**FIGURE 3 UNHCR KENYA OPERATION BUDGET (2015-19)**



Data source: Global Focus, UNHCR Operations Worldwide website, <http://reporting.unhcr.org/node/5738>

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201. Aspects of UNHCR's planning and financing structure and systems work against it financing KISED P. UNHCR encourages donors to make unearmarked contributions to increase its flexibility to respond to plan and also to respond to urgent humanitarian needs. Shortfalls in funding mean that humanitarian crises will usually take priority rather than long-term approaches such as KISED P. In addition, the centralised allocation system is actually a disincentive to fund-raising locally because it is reported by UNHCR country office staff that locally-generated funds generally lead to a reduction in central allocations.

202. Funding cycles also remain short-term, as UNHCR works on the basis of annual country operational plans, and correspondingly, it works on the basis of annual agreements with its partners, limiting longer-term development investments. It is obviously difficult to develop longer-term strategies or incentivize a shift to more sustainable solutions that require higher up-front investments under these conditions. However, UNHCR is developing its first two-year country operational plan this year and its multi-year, multi-programme strategy is encouraging a three-year approach.<sup>124</sup>

### ***KISED P pooled fund?***

203. One option for creating greater donor coherence in support of KISED P would be establishing a pooled fund arrangement. This could be a completely new fund aligned with the KISED P budget or linked to the Multi-Party Trust Fund (MPTF) being established to support the Delivering as One (DaO) agenda in Turkana, possibly as a window within this Fund to ensure that funds are targeted to Turkana West within the county.

204. An MPTF for Turkana with a focused KISED P window could unify contributions to the KISED P budget enabling a clearer picture of contributions, funding gaps and potential complementary initiatives within Turkana West and across the county. It could provide efficiencies by linking to the work carried out already to establish the MPTF in the establishment of a fund and potentially in reporting and monitoring costs, for example drawing on the expertise of the UN MPTF office in New York which operates more than 300 MPTF globally.

205. The Turkana MPTF Fund has taken two years so far to progress due to constitutional complexities which meant it must be signed off by the national government as well as County Government, with an anticipated start date of fund-raising in June 2019. A MPTF has a minimum budget of USD 5 million, but until the launch of the fund it is difficult to know the extent to which it will successfully attract contributions. The

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124 UNHCR (2018) The Solutions Capital Initiative. Realizing the Potential of Multi-Year, Multi-Partner Planning. November 2018.

RCO already anticipate that the Fund will include a humanitarian window of at least 10% to provide some flexibility to meet some humanitarian needs across Turkana. There is currently no planned connection to KISED P.

206. However, while pooled funds have potential advantages, it seems unlikely most donors would be willing to input to it until there is much more detailed budget, greater clarity of overview and clearer monitoring process. Even with that it is likely that donors will want to link their funds to specific outcome areas and possibly specific projects albeit jointly with other donors. Weak accountability systems at the county level were a further constraint, while general donor preferences are for more direct accountability to meet their own specific aims rather than common reporting. More specifically, the focus of the MPTF is Turkana wide which might dilute fund-raising efforts for any KISED P sub-window and given the early stage of the overall MPTF it may be too early to consider sub-windows at this point.

#### ***Private sector contributions***

207. The private sector is anticipated to be a key player in the KISED P approach. The summary of the KISED P budget and share of its financing to be taken by the private sector in the KISED P document shows an increasing proportion of funding being taken on in each sector (except protection by the private and sector and totalling just under USD 100 million over five years.<sup>125</sup>

208. However, the financing expectations of the private sector laid out in the more recent workplans are reduced. In the latest workplans private sector financing responsibilities are named as a source of funds only in access to energy and solar lighting where it is already active, increasing investment levels in agriculture, technology investment for planning, private education and ICT development in education.<sup>126</sup>

209. There is not at this stage an estimate of the indirect contribution of business in Turkana West to financing refugee and host community service development costs. For instance, there is no estimate of the funds the private sector is expected to generate in terms of tax revenue for the county or potential impact on refugee or host household ability to pay for services or be self-financing as a result of entrepreneurship or employment.

210. In addition to the anticipated funding from the private sector through investment, corporate donors play a small but growing role in support to humanitarian and development funding at the global level.

125 KISED P 2018 document – p. 25.

126 KISED P workplan drafts.



## 2 FINDINGS

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For example, they provided 2.6% of the contributions to UNHCR Kenya in 2018 and so indirectly supports KISED P.<sup>127</sup>

### ACCOUNTABILITY AND LEARNING

#### SUMMARY FINDINGS

- Robust monitoring and learning systems are critical functions to support a continual process of reflection and programme adjustment as KISED P evolves. Effective reporting is also required to maintain donor support and buy-in.
- However, the monitoring system for KISED P is at a very early stage of development and in need of significant investment.
- Key priorities for M&E development include a) the building of County Government capacity to track progress against CIDP objectives as well as b) more strategic level monitoring of KISED P against its goal and strategic objectives as well as process indicators of changes in relation to moves towards self-reliance and the buy-in of different stakeholders.
- There are a number of parallel initiatives being established to monitor different aspects of programme and different initiatives progress in Turkana West. Currently, these systems are not brought together.
- While a number of feedback mechanisms from refugees have been established, further improvements are required to establish an effective two-way communication mechanism.

211. Robust monitoring and learning systems are critical functions to support a continual process of reflection and programme adjustment as KISED P evolves. Effective reporting is also required to maintain donor support and buy-in. Donors report this includes its use for policy dialogue with host governments on inclusive protection regimes and the importance for their own procedures to be in line with their commitment to GCR at the global level and to KISED P at Kenya level.

212. The monitoring system for KISED P is still at an early stage of development. The KISED P document introduces briefly the plan to establish a monitoring system for KISED P which will be based on a risk-based management perspective and be headed by a monitoring and evaluation specialist. This will be housed partly in the KISED P Secretariat and also include funded capacity in the County Government. It is expected to begin in 2019.

213. Currently there is no specific KISED P reporting beyond donor specific reports by UNHCR and other partners and UNHCR Kenya overall

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127 UNHCR, Funding Update 2018, February 2019.



country annual report<sup>128</sup>. This includes reporting against set indicators for persons of concern (see Box 10).

### BOX 10 UNHCR REPORTING INDICATORS

Examples by sector include:

- Health: mortality rates, measles vaccination coverage, under five infant mortality rate
- Nutrition: malnutrition and anaemia rates
- Shelter: percentage of population in adequate dwellings
- Energy: percentage population with access to sustainable energy
- Basic needs: percentage of households whose needs for basic domestic products are met; percentage of women with sanitary supplies
- WASH: average number of litres of potable water available per person per day; percentage of households with access to drop-hole latrine or drop-hold toilet
- Special needs: percentage of older persons of concern who receive services for their specific needs; of persons of concern with disabilities who receive services for their specific needs
- Education: percentage of children aged 3-5 years enrolled in early childhood education; % of primary school-aged children enrolled in primary education; percentage of secondary school-aged young people enrolled in secondary education
- Community empowerment and mobilisation: extent environmental risks associated with the operation are mitigated; percentage of active female participants in leadership/ management structures
- Self-reliance and livelihoods improved: percentage of persons of concern (18-59 years) with own business/self-employed for more than 12 months; percentage of youths aged 15-24 enrolled in certified livelihoods training
- Peaceful co-existence: extent local communities support continued presence of persons of concern.

214. The KISED P plan lays out a set of top line indicators for each of the eight sectors primarily drawing on those listed above which are already reported on by UNHCR or other agencies. Significantly the indicators for the private sector and entrepreneurship are the weakest in terms of their sufficiency to track progress towards KISED P's goal of boosting the local economy; instead, they focus on outputs. They are:

128 The team had access only to the annual reporting included in each year's COP.

## 2 FINDINGS

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- Number of refugees and host communities with specialized and marketable skills to successfully work in Turkana West/Turkana County
- Number of people having access to and using/benefiting from financial services (savings, credits, loans, remittances, etc)
- Number of jobs supported/no of firms attracted in Turkana West and value of private investments catalysed.

215. Given the goals of KISED P include boosting the local economy, increase self-reliance and transforming the humanitarian – development model in Turkana West, this is only a small part of monitoring the change. There are currently no indicators or process to track progress at the more strategic level e.g. against the strategic objectives. In interviews donors shared expectations of success criteria over the next five years which are at a more strategic level and included: <sup>129</sup>

- Progress in moving from humanitarian assistance towards self-reliance amongst refugees
- Indicators of support for the changes being promoted by KISED P at national and local level in government as well as among the communities
- Progress at policy level e.g. on refugee status, movement and work permits
- Progress in protection with more access to and improved quality of SGBV and child protection e.g. access to services, quality of service.

216. The CIDP lays out a relatively elaborate data collection, management and analysis process to provide data on progress. The County Government is well aware of the need to increase its capacity to monitor progress against the CIDP objectives and one of the “flagship projects” within the CIDP aims to build evidence-based decision-making in Turkana. The County Government is recruiting new staff to provide monitoring and evaluation capacity in each department and at the central level. However, these are new recruits, in need of training and there were questions raised in some interviews about the appropriateness of the people being appointed to these positions.<sup>130</sup>

217. UNHCR is supporting a consultant to be based in the County Government to support this system which will also support KISED P

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129 KIIs 546, 445, 989.

130 KII 927.

reporting. However, it is not clear what will be the pace of implementation and progress in establishing this system. The County Government had received capacity strengthening support from UNDP in 2017-18 to develop its monitoring and evaluation framework and capacity but did not feel that these had led to sustained improvements.

218. KISEDIP is characterised by a collective learning spirit as organisations try new ways of working. Donors have established their own reporting, learning and monitoring processes. The EU Trust Fund carried out mid-term review in 2018 and also in parallel, supported by the Netherlands the Regional Development and Protection Programme undertook the first of a series of learning reviews including Kenya and KISEDIP in particular. The baseline report of 2018 aimed to provide insight on the current socio-economic and protection status of, and the social cohesion amongst, the sampled refugee and host communities. In addition, it included an overview of the composition and progress of the project portfolio under the RDPP. Through case studies, KISEDIP was one, it considered the programme's relevance and adaptiveness, governance structures and coordination arrangements, and intended contributions to impact on host communities and refugees and sustainability considerations. This is the first in a series of reports to run alongside the programme.

219. The new World Bank supported initiative DRDIP is establishing its own monitoring system which will be housed at national level and in the coordinating office in Lodwar.<sup>131</sup> It also plans to build the capacity of County Government to undertake monitoring and considering current capacity and plans for its development are likely to be part of the consultancy being commissioned by the Bank in the near future which looks at governance and coordination systems and capacity. DRDIP has its own results framework and a monitoring and evaluation specialist at national and county coordinator level. There is a plan to set up a Management Information System in the national unit.

220. There is clearly a need for a more robust and joined up monitoring and learning system. This is widely recognised by all partners including UNHCR and County Government. There are multiple resources going into this area now so there is potential to bring these together. Indeed, given the urgency of strengthening M&E systems, a joined-up, multi-agency approach is a priority. The current plans in UNHCR to build its own and County Government's capacity in M&E can be linked up more closely with other inputs at this level, notably the World Bank DRDIP inputs. This will need to track strategic level change, process factors as

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131 World Bank (2017) Project Appraisal Document for a Development Response to Displacement Impacts Project (DRDIP) in the Horn of Africa. April 5, 2017 and KII 307.

well as operational implementation and changes experienced by communities.

### 2.3 Inclusion and equality of access

#### BASIC SERVICES

##### SUMMARY FINDINGS

- The KISED P seeks to transition refugees from basic services provided through parallel humanitarian systems, to providing services through Government systems and to improve basic service provision to the host community.
- There has been significant progress towards the inclusion of refugees in national services, so far mainly at the policy level for education and health.
- The transition has been heavily influenced by the comparative quality of government and humanitarian services. In some cases, the specific needs of refugees – such as the disproportionate levels of trauma and deprivation – justify continued assistance for refugees above national norms or through parallel services.
- Given the anticipated protracted relief needs of refugees, the opportunities to include refugees within targeted national social protection schemes is relevant.
- As an interim measure the host community have been afforded access to humanitarian services, but this risks adding to tensions when these are phased out. Limited progress has been made in expanding Government service provision across Turkana West.
- There is an emerging role for the private sector in service delivery for both refugees and host communities. Consideration needs to be given to vulnerability based targeted assistance.

221. This section reviews and assesses the factors that have contributed to progress towards improved and equitable delivery of basic services to refugees and the host community. The KISED P approach includes two major policy innovations. Firstly, transitioning refugees from basic services provided through parallel humanitarian systems to receiving services through Government systems. Secondly, it seeks to extend improved basic service provision to the host community.

##### ***Transitioning to Government services for refugees***

222. Various reasons underlie the decision to transition to government service delivery. Government services are more sustainable, sharing of services with the host community promotes social integration and cohesion, there is an assumption that government services are more cost-efficient, and this demonstrates the commitment of the Kenyan authorities to burden- and responsibility-sharing.

223. Progress towards inclusion of refugees in national systems of service provision, and the factors enabling and hindering this, differ by sector. These are summarised in Table 9. While some progress is evident in all areas, with the most significant progress in the education and health sectors. Table 9 identifies a range of sector specific drivers and barriers, a number of more general factors have driven overall progress in this transition.

224. Firstly, an underlying consideration concerns the relative standards of services to be provided through humanitarian and government channels. Differences in normative standards were not found to be a major barrier (see Box 11).

### **BOX 11 APPLYING HUMANITARIAN OR NATIONAL STANDARDS**

One question affecting the decision to include refugees under government services is the question of the appropriate standards to judge targets for the provision of education, health and water – as national and humanitarian standards differ. Most stakeholders agreed that given a goal of inclusion, the general principle should logically be to accept national standards. While a detailed comparative analysis of international, humanitarian and Kenya national standards was outside the scope of the evaluation, no specific evidence emerged that national normative standards were significantly lower than humanitarian ones, and in some cases may be higher. In any case, humanitarian standards are rarely absolute, and guidance acknowledges the need to contextualise the standards. For example, the Sphere standards specify that the key indicators and key actions should be adapted according to the context and phase of the response.<sup>133</sup>

In practice, for most sectors, the question is slightly abstract as both sets of standards are aspirational and above current levels of provision. For example, interviewees noted that basic service levels for Turkana county, whether for refugees or host communities, were generally well below normative standards and Global Acute Malnutrition (GAM) rates for the host population routinely exceed emergency thresholds<sup>134</sup> and health facilities and dispensaries at all levels understaffed and mostly do not meet MoH or WHO standards.<sup>135</sup>

132 Sphere Association. The Sphere Handbook: Humanitarian Charter and Minimum Standards in Humanitarian Response, fourth edition, Geneva, Switzerland, 2018.

133 Farhat et al. (2017) Evaluation of the Kenya Hunger Safety Net Programme Phase 2: Emergency payments deep dive study, Oxford Policy Management.

134 UNHCR 2018 Operations Plan.

## 2 FINDINGS

**TABLE 9 PROGRESS, ENABLERS AND INHIBITORS OF INCLUSION OF REFUGEES IN GOVERNMENT-LED SERVICE PROVISION**

Sector status	Enabling factors	Challenges
<p><b>Education</b> There is a well-advanced policy process confirming the eligibility of refugees' access to national schools. However, the policy has yet to be confirmed.</p> <p>Refugees schools follow the national curricula and have all schools have been registered as government schools.</p> <p>Responsibility for facilities, resources and staff remains off-budget.</p>	<p>Partnership with UNICEF – who have a well-established relationship with the Ministry of Education on policy development.</p> <p>Political commitment and interest on the side of the ministry buttressed by regional inter-governmental agreements.</p> <p>Support from implementing partners, including to on-going training of teachers.</p>	<p>Responsibility for facilities, resources and staff remains off-budget.<sup>135</sup></p> <p>Lack of clarity in the financial burden-share between Government and donors to on-going educational costs.</p> <p>National secondary schools require parental cash contributions – unclear how this will be financed by poor refugees.</p> <p>Challenge in bringing the quality of education in refugee schools up to national levels.</p>
<p><b>Health</b> Well advanced plan to integrate refugees into national health system (including both Government and private facilities) through payment of NHIF contributions on behalf of refugees. This approach has been piloted at national level with urban refugees. A progressive roll-out strategy is being developed for Kakuma and Kalobeyei.</p> <p>Health centres currently in Turkana West are being accredited by the NHIF (if they reach the appropriate standards).</p> <p>Two cholera outbreaks, in 2017 and particularly in early 2018, were viewed as a well-coordinated response jointly led by The Ministry of Health, UNHCR and other partners that not only limited the outbreak but also strengthened health partnerships in working simultaneously across both communities.<sup>136</sup></p>	<p>UNHCR has trialled supporting refugee health via payments for their NHIF. This has run successful in with refugees in Nairobi 23,000 refugees) and a study has been commissioned to explore it potential role out to Turkana<sup>137</sup>.</p> <p>Also drawn upon lessons from the World Bank supported NHIF scheme for the poor in Kenya.<sup>138</sup></p> <p>Coincides with government approaches to roll out and increase NHIF coverage of all Kenyans including in Turkana.</p> <p>Relatively high population densities in Kakuma and Kalobeyei an opportunity to provide cost-efficient health services.</p> <p>It is planned that financial support for refugees' insurance would later be targeted thus reducing the overall health bill for the health sector.</p>	<p>Since most health facilities in Turkana West are not expected to meet national standards, it may be necessary to temporarily lower standard classification from L4 to L3 to qualify.<sup>139</sup></p> <p>During the transition period there will be a period when parallel systems will need to be financed to maintain minimum standards.<sup>140</sup></p>

135 KII 499.

136 Ibid and KII 489.

137 KII 662.

138 UNHCR (2018) KISED Phase One: 2018-2022 Comprehensive Refugee and Host Community Plan in Turkana West, Kenya.

139 For example, a L4 hospital should have 16 GPs whereas Kakuma's L4 hospital only had six at the beginning of 2019.

140 KII 606.

Sector status	Enabling factors	Challenges
<p><b>Water</b> Presently separate (free) water provision to refugees and water provided on the basis of cost recovery to host communities through water user associations.</p> <p>In theory host community and refugees could be jointly served through local, commercially based, water associations. As with other services, charges to refugees for water use could be offset by cash or voucher transfers.</p>	<p>A new county water bill seeks to establish new and accountable management arrangements, facilitating progressive integration.</p>	<p>Mismanagement by the local water service providers preclude any immediate plan to harmonise water delivery systems.</p> <p>The high costs associated possible solutions for improved water supply to Kalobeyei (e.g. the dam) and a lack of consensus on the best technical solution.</p> <p>No clear lead counterpart to Government, with fragmented responsibility amongst partners.</p>
<p><b>Protection</b> KISEDIP partners continue to fund protection for refugees. Parallel complaints mechanisms exist for between communities and refugees and there is no plan to integrate and harmonise these.</p> <p>KISEDIP plan describes how protection will support systems and services in line with the national legal framework for the protection of refugees and host communities through a comprehensive approach. Focus areas include mainstreaming of an integrated protection framework for child protection, prevention of SGBV, facilitating access by to legal aid, quality assurance for refugee status determination processes led by RAS and strengthening communication and complaints mechanisms with communities to maintain the effectiveness, transparency and integrity of the programmes.</p>	<p>UNDP project to increase connection of refugees with legal system in Kenya.</p> <p>The KISEDIP protection component aims to also strengthen the capacity of national protection providers and support national authorities to provide specialised services to refugees and host communities in Turkana West.</p> <p>In Kalobeyei there has been a conscious effort to reinforce government protection services, rather than establishing parallel systems. Government safe houses are being constructed and rehabilitated rather than establishing NGO facilities.</p>	<p>The County Government has low protection capacity, one gender officer and one child protection officer for a population of around 250,000 in the entire county.<sup>141</sup></p> <p>One of the protection challenges has been combatting SGBV in a context where refugee women had relatively few livelihood prospects, Turkana women had little education,<sup>142</sup> and refugee women in Kalobeyei had to travel outside the camp to find firewood.</p> <p>Although UNHCR Kenya advocates the inclusion of refugees within national protection services, the evaluation found few examples of this in practice.</p> <p>Weaknesses in governance in relation to the rule of law and access to justice – such as corruption – may affect refugees more than host communities.</p>

141 KIIs 507, 916.

142 Alexander Betts, Naohiko Omata and Olivier Sterck (2018) Refugee Economies in Kenya. University of Oxford. In Kakuma, the study found that refugees have better education levels than the Turkana (8.2 years for Congolese, 6.6 years for South Sudanese, and 5.7 years for Somalis, compared to 2.7 years for the Turkana).

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Sector status	Enabling factors	Challenges
<p><b>Food assistance</b> The provision of food assistance to refugees through WFP “bamba chakula”, and to host communities, through the Hunger Safety Net Programme (HSNP) and other ad hoc distributions, remain quite separate.</p> <p>WFP supports food security programmes for Kenyans in Turkana,<sup>143</sup> but up to present these have been separate without an evident alignment with WFP’s refugee programme.<sup>144</sup></p>	<p>Transition from in-kind food assistance for refugees to vouchers, with a plan to transition to unconditional cash assistance. This bring the transfer modality in line with the Government led HSNP.</p> <p>There have been some discussions with Equity Bank about linking with HNSP, which is already sustaining large numbers households across the arid zones including Turkana, but there is not yet a concept for possible inclusion of refugees in HSNP.<sup>145</sup></p>	<p>Different approaches to targeting and levels of assistance present a potential challenge to harmonisation and inclusion.</p> <p>Government assistance is multi-sectoral, while assistance to refugees distributed by multiple agencies in line with their own (sectoral) mandates.</p>
<p><b>Energy</b> Lots of innovation observed with a variety of off-grid energy suppliers. These services are accessible to both refugees and host communities on a cash basis.</p> <p>Donors including GIZ have worked with implementing organisations particularly SNV to expand access to energy through partnerships with the private sector and through market-based solutions. The intervention does not subsidise energy costs but rathe reduces the costs for the private sector to extend its services to Turkana.</p> <p>Other key actors are USAID, the Smart Communities Coalition and ENDEV (Energising Development Initiative) to establish grids to generate energy.</p>	<p>SNV built awareness about clean energy and how to use new equipment in the languages of the refugee communities in effect contributing to building the market for the business and reducing its business risk.</p> <p>The businesses also employ refugees to be agents.</p> <p>Services are provided at cost – and are sustainable solutions.</p>	<p>The necessary level of subsidy is significantly higher than has been necessary in other locations in Kenya (50%).</p>

143 Daily Nation (2018) Turkana County signs Sh8bn food security deal with WFP. 30 April 2019.

144 KII 157

145 KIIs 271, 149



225. From a practical point of view the specific challenge in moving towards inclusion came where there are significant divergences between the standard of delivery between the current refugee provision and the current service provision to host communities. In some cases, provision to refugees was currently at significantly higher levels for refugees through the parallel delivery systems, for example access to water or protection services. In these cases, progress towards standardisation around government systems is problematic. In other cases, provision to refugees was worse than to the host community. For example, at the end of 2018 the classroom/pupil ratio for refugees was 1:134<sup>146</sup> and this compares to a national classroom/pupil ratio standard of 1:45. Both refugees and host communities have challenges in female enrolment.<sup>147</sup> In this case a process of transition is less likely to meet principled opposition.

226. A second factor to take into consideration is that the needs of refugees differ in some regards substantially from host populations.<sup>148</sup> Refugees fleeing from conflict have often experienced trauma, and include disproportionate numbers of disabled, women headed households and children<sup>149</sup>. The draft Refugee Bill commits to ensuring that age, gender, persons with disabilities and diversity are given due consideration.<sup>150</sup> Inevitably this will place additional pressure on services.<sup>151</sup> This can justify maintaining parallel delivery of services, to supplement government provision in areas such as protection. Consequently, NGO led protection services continued to support the most vulnerable cases, including child protection and SGBV survivors, alongside a strategy of gradually building-up government services.

227. Refugees in general are likely to suffer higher levels of deprivation, and new refugees in particular are highly reliant on external support and unlikely to be able to command support within the community. Consequently, this presents challenges in harmonising basic needs assistance with national social protection systems where transfer values are set on the assumption of meeting a partial gap in needs (see Box 12).

146 Ibid.

147 The primary net enrolment rate for girls in the host community is 50.8% compared to 67.5% for boys (<https://kicd.ac.ke/wp-content/uploads/2017/10/2014-Basic-Education-Statistical-Booklet.pdf>) while girls represent only 40% of all primary school enrolments in Kakuma camp (Rapid Assessment of Barriers to Education in Kakuma Refugee Camp, LWF, 2015).

148 European Parliamentary Research Service (2019) Briefing. The global compact on refugees. Strengthening international cooperation to ease the plight of refugees in the world. January 2019.

149 UNHCR Kenya (2018) Child Protection Strategy – Kakuma Refugee Camp Kenya. As of 23 July 2017, there were a total of 109,672 refugee children (below 18 years) registered in the operation with a total of 2,611 unaccompanied minors and 11,873 separated children (page 1).

150 Republic of Kenya (2016) The Refugees Bill. 24 June 2016. Para 52.

151 UNHCR (2018) Global Compact for Refugees.

## 2 FINDINGS

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This may not prohibit integrating welfare assistance within national social protection systems but may justify modifications. For example, the national delivery mechanisms may be used, but with differential levels of assistance provided.

### BOX 12 NATIONAL SOCIAL PROTECTION SYSTEMS

The GoK has made significant progress in the provision of social protection to tackle poverty and vulnerability nationally through four cash transfer programmes that comprise the National Safety Net Programme (NSNP). Elements include 1) Cash Transfers for Orphans and Vulnerable Children, 2) the Older Persons Cash Transfer, 3) the Cash Transfer for Persons with Severe Disability and 4) the Hunger and Safety Net Programme (HSNP).

Substantial efforts have been made to strengthen and harmonise the overall social protection system, including through the elaboration of the National Social Protection Policy in 2011 and the subsequent creation of the NSNP, the Social Protection Secretariat, and the Social Assistance Unit. This has also led to considerable advances in the underlying delivery systems, including for targeting, case management and payment.<sup>153</sup> The HSNP is a national unconditional cash transfer programme targeting poor households appeared to offer a potential exit strategy for refugee food assistance although coverage is relatively low; GoK is aiming at 2% coverage by 2030.<sup>154</sup> While HSNP has faced its own challenges in fulfilling its potential.<sup>155</sup>

#### ***Improved host community access***

228. As an area based approach, KISED P is designed to improve the access of host communities to basic services, in line with the access afforded to refugees. This has manifested itself initially through the sharing of humanitarian facilities and services in Kalobeyei and to some extent in Kakuma. KISED P model aims to capitalise on investments in physical infrastructure to benefit both refugees and host communities.

229. In the education sector 10% of places in the camp schools have been historically reserved for host community children. However, the low quality standards of schools in camps (both in terms of class size

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152 Farhat et al. (2017) Evaluation of the Kenya Hunger Safety Net Programme Phase 2: Emergency payments deep dive study, Oxford Policy Management.

153 KII 271.

154 Farhat et al. (2017) Evaluation of the Kenya Hunger Safety Net Programme Phase 2: Emergency payments deep dive study, Oxford Policy Management. The HSNP operated in four northern counties in Kenya: Mandera, Marsabit, Turkana, and Wajir. During 2017, HSNP routine payments covered around 27% of households in these counties, representing about 31% of the population or 2,013,707 people. When running at full scale it aimed to provide the poorest 100,000 households with regular, bi-monthly payments into a bank account.

and the resources) and location (with a relatively long distances between refugee schools and host communities) discourage the entry of Turkana children.<sup>155</sup> Since most of the facilities are located in the refugee settlement, access was problematic due to the distance. Kalobeyei refugee settlement is a seven km walk from the nearest large host village, let alone the wider Turkana West sub-county. The on-going establishment of Kakuma University campus will potentially expand tertiary educational opportunities to both host communities and refugees.

230. Health services are provided at camp facilities to the host community on the same terms as provision to refugees – largely without charge. The host community confirmed through the FGDs that the most significant and appreciated shared services was improved access to free health care. In the case of Kakuma the refugee presence is highly correlated with greater physical health for members of the host community.<sup>156</sup> Access and outreach has been extended by making the ambulance service available to support for pregnant women and serious medical cases.<sup>157</sup>

231. However, this policy creates the potential for future tensions. In most sectors the plans for inclusion in line with national systems involve an element of cost recovery (including health, education and water). For refugees these costs may be met through new poverty based transfers and subsidies. Equality of access for host communities will depend on the ability and willingness of GoK to extend the same benefits to host communities. This is foreseen in some sectors, for example the CIDP for 2018-2020 foresees extension NHIF coverage for its population, albeit only for Level 4-6 health facilities. As of March 2019, this process was still at a relatively early phase with 50% of the assessment being completed.<sup>158</sup>

232. The outreach leading up to the Terms of Engagement for Kalobeyei raised expectations among the host community on the construction of Government services and infrastructure in their immediate localities.<sup>159</sup> An underlying challenge in realising extending services to the host community is that the scope of the targeted beneficiary community has progressively expanding which has raised its own challenges (see Box 13).

155 Mid-Term Review of the EU Trust Fund Regional Development and Protection Programme in Kenya: Support to the development of Kalobeyei, December 2018, Samuel Hall.

156 Vemuru, Varalakshmi; Oka, Rahul; Gengo, Rieti; Gettler, Lee (2016) Refugee Impacts on Turkana Hosts: A Social Impact Analysis for Kakuma Town and Refugee Camp, Turkana County, Kenya. World Bank

157 Host community FGDs, KII 121.

158 KII 489.

159 Host community FGD, KIIs 751, 773. In Kakuma health and education facilities were already being shared when KISED started though, similar to Kalobeyei, host communities see distance from facilities as a challenge.

### BOX 13 DEFINING THE HOST COMMUNITY

A central question relating to equity and inclusion is how the host community is defined. This is complex and depending on how it is interpreted has significant political and economic implications. UNHCR's global definition of host community is fairly broad, referring to the country of asylum and the local, regional and national governmental, social and economic structures within which refugees live.<sup>161</sup> The understanding of host community within KISED P process has evolved through learning from practical application of the new ways of working and the specific context where the concept of host community has been applied.

There has been a progressive expansion of the concept during the evolution of the KISED P plan. The initial 2015 concept note was almost entirely focussed on the Kalobeyei settlement itself. The subsequent 2016 revision of the KISED P plan defined the geographic scope of KISED P as including the two refugee hosting wards and three adjacent wards that cover the primary grazing land for the Kalobeyei host community, the water catchment area and the migratory route, with a combined host population of 100,000. The 2018 KISED P plan further increased the scope to cover the entire Turkana West sub-county with an estimated host population of 320,000. During the evaluation the County Government argued that in fact the host population should be seen as the entirety of Turkana County (with an estimated population of 855,000.<sup>162</sup> The supporting argument was that it was politically unsustainable to target a disproportionate level of resources under the CIDP to one specific sub-county.

Part of the argument may be seen as the ratio of host community to the 190,000 refugees being hosted. Increasing host numbers beyond a certain point will spread the resources too thinly to make a significant impact. It can also be argued that the community in the immediate vicinity of the camp bear a disproportionate cost and should therefore receive greater compensation. To some extent the definition of "host community" remains deliberately imprecise, with the idea of graduated benefits – greatest closest to camp but more widely dispersed for other interventions.

A further issue in relation to the definition of "host community" is that as the growth of Kakuma town has attracted economic migrants from across Kenya – are these communities – as well as indigenous Turkana – considered as host communities? Finally, should the principle of freedom of movement be accepted it would require a further re-examination of the definition of host community – logically to the concept of the "host nation".

The evolution of the concept is not only evident in Kenya but also at a global level. The New York Declaration emphasised the "burdens on host nations" whereas the CRRF and the GCR highlight the importance of ensuring that host communities that are directly impacted by the presence of refugees should have equitable access to basic services while still ensuring a more equitable and predictable sharing of the burden and responsibility for providing protection to refugees.

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160 UNHCR (2011) UNHCR-NGO Toolkit for Practical Cooperation on Resettlement. Community Outreach - Outreach to Host Communities: Definitions and FAQs.

161 Government of Kenya, 2009 Census.

233. The expectations of the local communities are high and largely unmet as there has been limited progress in extending basic services across Turkana West. UNHCR have made grants to host communities' infrastructure through LOKADO, who then work with local community representatives to select projects. Variable and relatively small amounts have been budgeted of approximately KSH 30 million per year (USD 300,000) dependent on available budget. More meaningful investment to expand access to services to host communities is foreseen as part of the DRDIP program in Turkana County.<sup>162</sup> The development context is also challenging as NGOs and other partners have to adapt service provision to low population densities and nomadic pastoral communities.

#### ***Innovations in service delivery***

234. The use of private-sector partnerships has emerged as an innovative approach to address capacity limitations within the public sector for service provision. To varying degrees the private sector has engaged in – or plans to do so – in the delivery of health, water, food, shelter, energy and education services. Access to market based services by vulnerable refugees and host community members is – or may be – assured through cash or voucher transfers.

235. The feedback from refugees in FGDs on cash-based solutions was generally positive where support was in place to buy the relevant services – for example shelter and food assistance. Increased choice and dignity were welcomed. Understandably, concerns were expressed where charges had been introduced for services in the absence of increased cash-based support. For example, the introduction of a cash contribution towards secondary school costs was reported to have increased protection risks, with reports of girl student engaging in survival sex.

236. Logically, as markets for services become the norm, this leads towards a discussion of integrated cash assistance for basic needs, rather than sector based support. This ties in with the national approach to social assistance, rather than UN world of sectorally defined and funded responsibilities.

237. There was a general consensus amongst agencies that a move is needed away from blanket distributions to targeting vulnerability, to make more effective use of limited resources. However, movement towards targeted assistance is happening slowly and remains highly sen-

162 Government of Kenya (2017) Kenya Development Response to Displacement Impact Project (DRDIP). Environmental and Social Management Framework (ESMF). February 2017.

sitive. A 2016 study<sup>163</sup> supported the continuation of blanket coverage of assistance in Kakuma Refugee Camp unless there were major changes in policy that would give refugees significantly greater freedom to establish livelihoods outside of the camp.<sup>164</sup> The World Bank was conducting a profiling study during early 2019 that could help better understand how a targeting approach could be applied.

238. Under this model equality of access will depend on using harmonised targeting criteria to target assistance to refugees and nationals alike, comparable to how the Kenya Hunger Safety Net Programme has been operating across northern Kenya.<sup>165</sup>

239. Various feedback and complaints systems for refugees have been established since KISEDPA began, driven initially by a need to address serious fraud issues. There are also government managed systems in place to enable accountability to communities in Turkana West. These various systems include:

- UNHCR mechanisms of suggestion boxes, community-based kiosks and phone/SMS based system to make a complaint or provide feedback and receive a response from UNHCR and a national hotline
- Consultation meetings (described in partner section) with community leaders from refugee and host communities
- Individual agency feedback and consultation systems including hotlines and helpdesks such as WFP systems during distributions and LWF community consultations including through community-based organisations they support and build.
- Government accountability system based on an ombudsman style process with a complaints and feedback box at its office and a committee which meets twice a year to review and respond to complaints.

240. However, evaluations of some of these have found UNHCR and partners systems' need to be strengthened.<sup>166</sup> Observations of the UNHCR led-system indicated a focus on corruption and fraud evolving

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163 Kimetrica (2016) Refugees Vulnerability Study. Kakuma, Kenya. May 2016.

164 Samuel Hall (2019) Mid-Term Review of the EU Trust Fund Regional Development and Protection Programme in Kenya: Support to the development of Kalobeyei Final Report – December 2018.

165 KIIs 271, Farhat et al. (2017) Evaluation of the Kenya Hunger Safety Net Programme Phase 2: Emergency payments deep dive study, Oxford Policy Management.

166 WFP, Evaluation of the effects and a cost benefit analysis of the GFD Cash Modality scale up (Cash Based Transfers for PRRO 200737) for refugees and host communities in Kenya August 2015-November 2017 Evaluation Report, published March 2018.

from its origins in the 2017 incidents and were not well adapted to responding to the range of refugees concerns. Refugees felt that some of the feedback mechanisms were not well designed. For example, the automated telephone answering system was disliked and the positioning of the feedback box next to the police station in Kalobeyei created distrust in how the information might be used. A common comment from communities to the evaluation in focus group discussions was the lack of feedback they received on their comments, complaints and own feedback. One challenge is the capacity required given that UNHCR received over 15,740 complaints during 2018, mostly about processes relating to third country resettlement or pending refugee status determination.<sup>167</sup> Overall, there appears to be some way to go before an effective two-way communication and accountability system is in place.<sup>168</sup>

## SELF RELIANCE

### SUMMARY FINDINGS

- KISED P is actively encouraging private sector investment to expand employment opportunities for both refugees and host populations. The remoteness and poorly developed infrastructure in Turkana are structural barriers to private sector investment.
- Legal restrictions largely restrict refugees to poorly regulated informal employment opportunities.
- Inadequate water supplies for irrigation and livestock are a major limitation to expanding agricultural livelihoods for refugees and host communities alike.
- A restrictive policy and legal environment was a major obstacle to the development of small-scale businesses and was exacerbated by the heightened vulnerability of refugees to rent seeking behaviour.
- Positive lessons on promoting self-reliance included the increased circulation of cash in the local economy through the use of cash transfers and the establishment of the IFC Challenge Fund.
- While some refugees may find jobs and others may be able to run small businesses, in the absence of greater freedoms for refugees, many more are expected to continue to struggle over long periods and require continued social assistance.

241. A major change introduced by KISED P is the goal to increase the self-reliance of refugees. Emerging lessons from Kalobeyei on the drivers, opportunities and constraints in progress towards self-reliance are presented below, organised under a discussion of expanded employ-

167 KIIs 916.

168 P. 72. EU Regional Development and Protection Programme – RDDP (2018) Baseline Report. RDDP Learning and Evaluation Trajectory. July 2018.



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ment and self-employment. Lessons on improving social cohesion through expanding access to livelihood opportunities amongst host communities are also drawn.

### **Employment**

242. KISED P is actively seeking to encourage increased private sector investment to create additional employment opportunities for both refugees and host populations. This is particularly relevant given that the academic literature concludes that the majority of people – both refugees and host community – prefer employment over self-employment, with only a minority possessing entrepreneurial ambition and skills.<sup>169</sup> KISED P seeks to expand a relatively vibrant private sector represented at several levels in Kakuma and Kalobeyei, by large commercial businesses (e.g. Safaricom, Equity Bank), medium scale businesses exploring public and UN/NGO partnerships (e.g. in energy), and small-scale business – often run by refugees – providing services and employment.

243. While still early in the process, stakeholders identified a number of drivers of private sector investment. Firstly, the increased circulation of money, following the shift to cash transfers has increased demand and local business opportunities. Secondly, development actors are facilitating business start-ups by subsidizing start-up costs through grants and loans. Thirdly, NGO partnerships are opening-up markets, for example by providing training in a range of language skills on how to use solar lamps and stoves and building awareness of their benefits.

244. There has been major investment in vocational training over a number of years – including the period preceding KISED P – for both refugees and some with host community. However, the NGOs providing training reported that the majority of trainees has struggled to find employment after training<sup>170</sup> with challenges including; languages, employment being dependent on family networks, a lack of start-up capital and restrictions on mobility to seek employment outside of camps.<sup>171</sup> Women were found to be significantly disadvantaged, especially in starting businesses or looking for work off the refugee camp.<sup>172</sup>

245. The hostile climate and remoteness of Turkana West negatively affect economic development.<sup>173</sup> The lack of private land titles under-

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169 Studies have found that the majority of successful businesses are owned by Somalis or Ethiopians, whereas South Sudanese have a preference for employment.

170 KIIs 430.

171 Swiss Contact, Labour Market Scan Report, 2017.

172 Ibid.

173 University of Oxford, Refugee Studies Centre & WFP (2018) Self-reliance in Kalobeyei? Socio-Economic Outcomes for refugees in North-West Kenya. July 2018.



mine guarantees of investment in buildings and agriculture development. Poor infrastructure means unreliable access to power and water, and high transport costs. Furthermore, the continued distribution of free products and services by humanitarian agencies undermines markets. Examples cited included the distribution of free solar lanterns undermining the establishment of commercial home solar energy suppliers. Some of these issues are clearly more feasible to mitigate than others.

246. The IFC Challenge Fund has been designed as a mechanism to subsidise and incentivise the increased engagement of the private sector in Turkana West.<sup>174</sup> However, IFC were keen to temper expectations from the first pilot phase which is only just starting and there are signs that donor expectations on employment creation associated with this initiative may not be realistic in terms of the pace of building refugee self-reliance.<sup>175</sup> An evaluation of an earlier African challenge fund in Africa produced disappointing results.<sup>176</sup>

247. Where formal employment opportunities do exist, refugees require a work permit. While there is legal recognition that allows refugees to work and/or operate a business in the country with a class M work permit, administrative requirements and challenges make it extremely difficult for them to obtain this permit. Without this, refugees can only be formally employed below the tax threshold. Refugees employed by NGOs are hired as “incentive workers”. In this arrangement, refugees work as volunteers and are paid incentives much lower than what would be paid to a Kenyan in the same position.<sup>177</sup> Consequently, many of the new formal employment opportunities are likely to predominantly benefit Kenyan nationals – although given the skill qualifications not necessarily the local Turkana community. For example, this precludes refugee teachers taking up positions with the Kenya Teachers Service Commission as schools are integrated under government control.

248. Some new opportunities are emerging within the current legal framework, for example working as commission agents for newly established solar power companies. However, jobs available to refugees are mostly in the informal sector, as casual employees of small-scale private business, often run by other refugees. This can make providing legal protection to the terms on which refugees access the workforce difficult to enforce. One analysis pointed argued that “*While seeking to*

174 EU (2018) Piloting Private Sector Solutions for Refugees and Host Communities in North-West Kenya.

175 KII 753, 989.

176 P. 69 AGRA (2015) Evaluation Management Unit (EMU) for the Africa Enterprise Challenge Fund. Final Report Mid-term Evaluation. August 2015.

177 IFC (2018) Kakuma as a Marketplace.

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*create economic opportunities for refugees, how will ... steps be taken to ensure that refugees are not exposed to exploitation? Refugees' right to work must be accompanied with rights at work."*<sup>178</sup>

### **Agricultural livelihoods**

249. Expanded agricultural livelihood opportunities are a key pillar of the Kalobeyei approach. The Kalobeyei settlement incorporates dedicated agricultural areas included for cultivation by both refugees and Turkana, with a range of projects supported by Government, UN, NGOs and the private sector. However, inadequate water supplies for irrigation and livestock are a major limitation to livelihoods for refugees and host communities alike as rain-fed agriculture in a semi-arid environment characterized by common crop failure and dry spells. A dam has been proposed to support irrigated agriculture. This is designed to irrigate 300 acres – supporting a balance of 300 refugee and 300 host HHs with half an acre of irrigated land each.<sup>179</sup> While not insignificant, this only equated to 5% of the refugees in Kalobeyei alone. Rainwater collection from roofs was used to support kitchen gardens in Kalobeyei. However, the “kitchen gardens” in Kalobeyei have a statistically significant correlation with higher food consumption rather than a significant cash income.<sup>180</sup>

250. Large livestock production is not an option for refugees, as competition for scarce grazing and water resources would conflict with the major host community livelihood. However, KISED P has facilitated and encouraged some investment in livestock production systems for host communities in Turkana West.

### **Small-scale business development**

251. Refugees and host communities across Turkana West engage in a wide variety of small-scale businesses. Kakuma has a vibrant informal economy. It has been estimated that Kakuma has more than 2,000 businesses, including 14 wholesalers and there are 10 major markets in Kakuma camp all of which developed prior to the adoption of the KISED P approach.<sup>181</sup> However, a restrictive policy and legal environment was noted to be a major obstacle to the development of these

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178 ICVA (2018) The World Bank and Refugees: An ICVA Briefing Paper. March 2018. p. 10.

179 No calculations were seen supporting the assumption that ½ acre of land could support a self-reliant HH in Kalobeyei.

180 University of Oxford, Refugee Studies Centre & WFP (2018) Self-reliance in Kalobeyei? Socio-Economic Outcomes for refugees in North-West Kenya. July 2018.

181 IFC (2018) Kakuma as a Marketplace.

businesses.<sup>182</sup> Heavy restrictions on freedom of movement<sup>183, 184</sup> were key challenges (see Box 14). There has been a significant improvement in recent years with the introduction of a new category of movement permits for businesses, which since 2019 can be issued in Kakuma rather than in Nairobi. However, FGDs reported that permits were still hard to access and provided opportunities for corruption.

#### BOX 14 FREEDOM OF MOVEMENT

The 2010 Constitution provides for the right to free movement and guarantees freedom to all to enter, remain and reside anywhere in the country. However, the encampment directive issued in 2014 prohibits registered refugees in the camps from travelling to other parts of Kenya. Any refugee planning to travel outside the camps have to request for a movement pass from the Refugee Affairs Secretariat. Mostly these are granted for medical appointments, education and on very limited instances, for business purposes. Movement restriction limits engagement of refugees in economic activities. Direct interaction with suppliers and movement of their goods is thus limited to proxy engagement through local links.

*UNHCR (2018) Two Years Progress Assessment of the CRRF Approach. September 2016 – September 2018. Evaluation Service, December 2018.*

252. Legal experts are examining ways that the existing 2006 Refugee Act might be interpreted in a way to allow more freedom of movement and access to IDs.<sup>185</sup> UNHCR has advocated with GoK at a national level to passing the legislative framework that is consistent with their CRRF commitments,<sup>186</sup> in cooperation with the Refugee Consortium of Kenya.

253. There have also been efforts to establish Huduma and Biashara centres<sup>187</sup> in Kakuma/Kalobeyei to provide a “one stop shop”, which

182 This is becoming more restrictive. During 2018 the government introduced a requirement for a KRA PIN to open a bank account, purchase assets or obtain a driving license.

183 Norwegian Refugee Council & International Human Rights Clinic (2018) Supporting Kakuma’s Refugees. The importance of Freedom of Movement. August 2018.

184 Norwegian Refugee Council & International Human Rights Clinic (2018) Supporting Kakuma’s Refugee Traders. The importance of Business Documentation in an Informal Economy. August 2018.

185 KII 434.

186 Samuel Hall (2019) Mid-Term Review of the EU Trust Fund Regional Development and Protection Programme in Kenya: Support to the development of Kalobeyei Final Report – December 2018.

187 The Huduma Kenya Programme was introduced in 2013 to give citizens access to a variety of public services and information, including ID applications, replacement of IDs and applications for social security, health insurance, tax registration and drivers’ licenses. Biashara centres provide business development services including business groups formation and registration, entrepreneurship trainings and business linkages.

## 2 FINDINGS

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would facilitate all business processes for both refugees and host community members, including the issue of necessary documents.<sup>188</sup>

254. Limited access to credit is widely understood as an additional constraint to establishing businesses. According to an IFC survey conducted in 2018, among Kakuma residents interested in starting a business, 99% of those in the town and 95% of those in the camp lacked the capital to do so.<sup>189</sup> Refugees face specific challenges in accessing formal banking and loans, which is one of a number of important obstacles to entrepreneurship and there is a tendency to rely on informal sources of credit,<sup>190</sup> including remittances from refugees resettled in third countries.<sup>191 192</sup> KISEDIP aims to promote access to and availability of tailored credit and financial services for refugees and host communities through various means, including increasing financial literacy and awareness about credit and banking services, support to cooperatives,<sup>193</sup> facilitating links with financial institutions and establishing a credit facility for entrepreneurs involved in renewable energy provision.

255. Equity opened a branch in Kakuma in 2010 and was in discussions at the time of the evaluation to open a sub-branch in Kalobeyei supervised by the branch in Kakuma.<sup>194</sup> Equity Bank was managing approximately 15,000 refugee accounts in their Kakuma branch<sup>195</sup> including refugees participating in the cash for shelter project, refugees in formal employment (e.g. with NGOs) and accounts held by merchants to support business needs.<sup>196</sup> Equity's loan book was KES 100 million of which 22% was loans for refugees. Nearly all of these were "micro-loans" with only a very small number of business loans since compliance requirements and risk largely rule out larger loans. In reality much of this lending is credit provided by NGOs and can't really be considered as

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188 Mike Eldon (2019) Turkana County is a study in how to treat refugees. Business Daily Ideas & Debate – Feb. 6, 2019.

189 See also p.46 University of Oxford, Refugee Studies Centre & WFP (2018) Self-reliance in Kalobeyei? Socio-Economic Outcomes for refugees in North-West Kenya. July 2018.

190 Alexander Betts, Naohiko Omata and Olivier Sterck (2018) Refugee Economies in Kenya. University of Oxford.

191 Refugee FGD.

192 Alexander Betts, Naohiko Omata and Olivier Sterck (2018) Refugee Economies in Kenya. University of Oxford.

193 One of the provisions in the 2015 Terms of Engagement for Kalobeyei is supporting cooperative and organised groups to implement feasible income generating activities.

194 KII 149.

195 As of March 2019.

196 Mastercard & Western Union (2018) Smart Communities Using digital technology to create sustainable refugee economies.

commercial lending.<sup>197</sup> Key constraints to increased provision of formal credit were lack of identity and tax registration, and lack of suitable collateral.

256. The starting point for refugees towards a process of self-reliance is attaining a legal identity, as this is a basic requirement in applying for the documents, permits and services listed above, as well as tax registration, driving license and phone SIM cards. There is a reported backlog of tens of thousands awaiting determination and the issue of an alien card,<sup>198</sup> and refugees in FGDs reported the wait extended to months or even years. UNHCR continues to assist RAS in this process, with the objective of achieving a full transfer of these responsibilities. Handover of responsibility for registration to RAS has been an unexpectedly prolonged process due to revision to systems and capacities, but more needs to be done if refugees are to have the ability to rapidly transition to self-reliance.

257. In the absence of a supportive legal framework a variety of informal and semi-legal arrangements have developed around movement passes, registering mobile phones, working without a work permit, accessing credit and obtaining permits that could allow refugees open and run businesses.<sup>199 200</sup> While these interim solutions have contributed to creating a relatively vibrant economy, they have also encouraged rent-seeking behaviour and increased unpredictability and opportunities for exploitation, including SGBV.<sup>201</sup> For example, rent-seeking behaviour was widely reported by FGDs and the UNHCR participatory assessment related to the issue of movement permits. Refugees noted that while issues of corruption affected all sections of the population, they were disproportionately vulnerable.<sup>202</sup>

258. Refugees generally reacted positively to projects offering increased livelihood opportunities.<sup>203</sup> However, progress towards self-reliance remains slow. Only 2.9% of HHs were found to earn more

197 KII 149, 430. Note that this isn't a bank loan since the funds are provided by the NGO, who then decides who can access funds in the account.

198 KII 901.

199 KII 430.

200 Farah Manji and Joanna de Berry (2019) Desk Review on Livelihoods and Self-Reliance for Refugees and Host Communities in Kenya. World Bank.

201 KII 453. Differences between business licenses and registration is not well understood. Business registration has to be done in Nairobi. Business in Kakuma physical premises all have business licenses which are issued locally, which should be health related. This increases risk for refugee-run businesses and encourages rent-seeking behaviour.

202 UNHCR (2019) Overview: Participatory Assessment. Findings & Recommendations. March 2019.

203 EU Regional Development and Protection Programme – RDDP (2018) Baseline Report. RDDP Learning and Evaluation Trajectory. July 2018.

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than the Kenyan minimum wage of KSH 10,000 per month.<sup>204</sup> Very few refugees reported income generating activities and overall the populations are considered a long way from self-reliance.<sup>205</sup> Consequently continuing social assistance will be required by a significant part of the refugee communities.

259. The original expectation was that the Kalobeyei “settlement” would provide a conducive environment for livelihood development. However, there was little evidence from FGDs that refugees with established businesses in Kakuma were interested in moving to Kalobeyei. The potential profits and growth potential in Kalobeyei are relatively small since there was a limited amount of money in circulation in the settlement and nearby host communities. There were more opportunities in Kakuma due to the higher population and foreign remittances coming in from resettled relatives. Nor was there irrigation water to support agricultural livelihood opportunities in Kalobeyei.

260. This factor underlay the unwillingness of refugees consulted in FGDs to consider moving from Kakuma to Kalobeyei, and the interest on many in Kalobeyei in moving to Kakuma (Table 10). A further driver of these preferences was the (mis)understanding that residence in Kalobeyei implied permanent settlement in Kenya, without options for resettlement, and perceived better service provision in Kakuma, especially for highly vulnerable groups.

**TABLE 10 PREFERENCES OF REFUGEES FOR CAMP OR SETTLEMENT**

Current residence of Refugees	N=	Prefer to live in Kakuma		Prefer to live in Kalobeyei	
		Total	Female	Total	Female
Kakuma camp	25	100%	100%	0%	0%
Kalobeyei settlement	47	47%	33%	53%	67%

Source: Evaluation FGDs.

261. The evaluation also considered the extent to which KISED linked to other durable solutions of voluntary return and resettlement. In terms of return there is some consideration in the narrative of the plan in how the livelihood training could be suited on return to countries of

204 See p.1 Kimetrica (2016) Refugee Household Vulnerability Study: Kakuma Refugee Camp.

205 Betts, A. et al (2018), Self-Reliance in Kalobeyei? Socio-Economic Outcomes for Refugees in North-West Kenya.

origin. The FGDs found a widespread interest in resettlement or return to country of origin, with a resistance to a widespread misunderstanding that settlement in Kalobeyei implied permanent settlement in Kenya, with no chance of being considered for resettlement overseas. In practical terms resettlement has become a very limited option targeted to the most vulnerable cases.

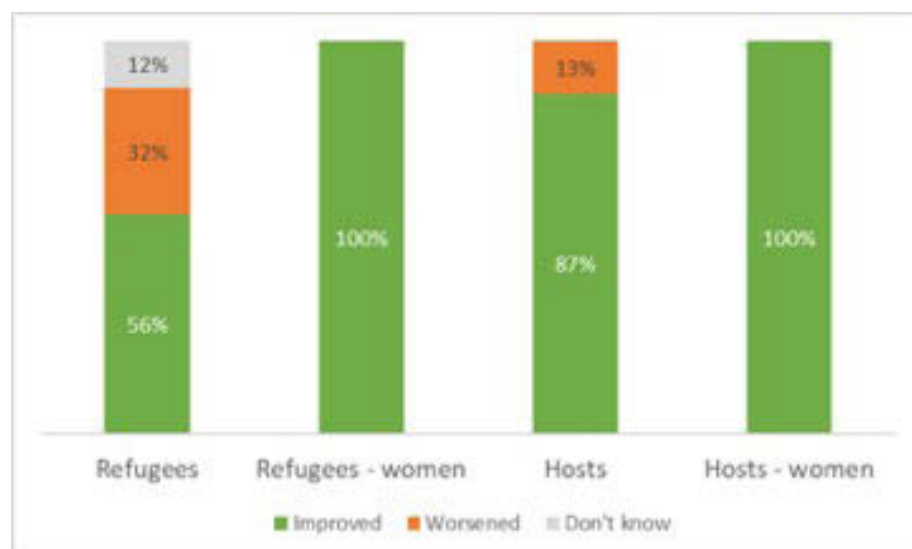
## SOCIAL COHESION

### SUMMARY FINDINGS

- The implementation of the KISED model, supported by other initiatives, is supporting improved social cohesion between refugees and the host communities.
- The socio-economic integration of refugees and host communities is occurring through the medium of shared services and markets, and without physical integration of the communities within the same settlements
- However, pronounced differential access to services, in particular water, remained an important potential source of tension.

262. Peaceful co-existence is a core goal of KISED. Refugee and host community FGD consistently cited progress since KISED started, even though protection incidents continued to occur. Overall, both hosts and refugees consulted in FGDs perceived that relationships were improving (Figure 4), with women especially positive. On the side of refugees, concerns over social cohesion were mainly related to insecurity. The openness of Kalobeyei was perceived as less secure than the closed camp environment in Kakuma.

**FIGURE 4 PERCEPTIONS OF CHANGES IN SOCIAL COHESION**



Source: Evaluation FGDs.



## 2 FINDINGS

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263. This improvement was attributed to a variety of factors including better access to health centres and schools by host communities, increased opportunities for refugees and host communities to interact. FGDs with host communities and refugees confirmed that they were happy about sharing services, while at the same time noting that the resulting increased interaction have contributed to peaceful co-existence. Recent research has shown that close links between refugees and host communities contribute to better relations between the groups.<sup>206</sup>

264. Peace committees, which were set up and have been supported by NGO partners, were noted to be effective. Youth is the largest population group with over 50,000 aged 15-24 representing almost 30% of the entire refugee population of Kakuma and Kalobeyei. Feedback during FGD with refugee and host community youths highlighted the successful role that organised sports activities had played.

265. Difference in access to services has been a periodic source of tension between host communities and refugees over the years.<sup>207</sup> There is some resentment that the refugees receive regular cash transfers or in-kind food rations while relatively few inhabitants of Turkana County receive cash transfers from HSNP.<sup>208</sup> Water was viewed as the main potential source of conflict between refugees and host communities. In early 2019 the longest distance refugees had to walk to safe water was 200 metres compared to an average of some five kilometres for host communities.<sup>209</sup>

266. Host community members confirmed through FGDs that they felt that their livelihood opportunities had improved due to the presence of refugees. Many have opened shops in Kalobeyei and others are profiting from the sale of fuelwood, charcoal and livestock to refugees.<sup>210</sup> Some have found employment as security guards or health workers. NGOs have provided vocational training and helped to initiate income-generation projects such as bakeries. This had further contributed to improved relations.

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206 Sanghi, Apurva; Onder, Harun; Vemuru, Varalakshmi. 2016. Yes in my backyard? The economics of refugees and their social dynamics in Kakuma, Kenya (English). Washington, D.C.: World Bank Group.

207 Ekuru Aukot (2003) "It Is Better to Be a Refugee Than a Turkana in Kakuma": Revisiting the Relationship between Hosts and Refugees in Kenya. Canada's Journal on Refugees

208 Alexander Betts et al. (2018) Self-Reliance in Kalobeyei? Socio-Economic Outcomes for refugees in North-West Kenya. University of Oxford & WFP

209 KIIs 121.

210 Alexander Betts, Naohiko Omata and Olivier Sterck (2018) Refugee Economies in Kenya. University of Oxford.



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### 3 CONCLUSIONS AND RECOMMENDATIONS

267. This chapter draws a number of overarching conclusions. Recommendations are proposed to KISED P stakeholders and are directly linked to the preceding conclusions.

#### *Consensus on the need for change*

268. There is an overwhelming consensus across all stakeholder groups behind the need to adopt alternative approaches to responding to the protracted needs of refugees. The evaluation confirmed a strong interest amongst all stakeholders in seeking the new and innovative ways of responding to the needs of refugees and asylum seekers. Clearly this is long-term endeavour and there have been successive global initiatives towards improved policies and practices in situations of forced displacement.

269. The NYD/CRRF built on these earlier initiatives to articulate a framework for action. At the heart of this is an agreement on a move away from encampment approaches, to hosting refugees in ways that both increase opportunities for refugees to work and for the host communities and nation to benefit from the presence of refugees.

270. The NYD/CRRF and the Nairobi Declaration have provided the context for KISED P. However, the GCR that followed has so far had little additional impact, at least partly explained by the fact that this was only affirmed in December 2018. While the origins of KISED P grew out of the search for more land for refugees and political support for maintaining the asylum space in Kenya, KISED P has increasingly aligned to the CRRF policy objectives and strategies, adapted to the Kenyan context.

#### *The scope of KISED P*

271. The development of the KISED P plan has been a multi-year process. Over time the aims and activities included under KISED P have changed substantially, with the plan only approved in December 2018. The changing nature of the plan, alongside its recent finalisation, complicated the evaluation process and impact on the ability to draw clear conclusions. Improved communication on the KISED P plan would help the different stakeholders, including refugees and the host communities, to stay abreast of developments.

272. One of the key achievements has been the systematic inclusion of refugees in the Kenyan owned CIDP planning process. It has become

### 3 CONCLUSIONS AND RECOMMENDATIONS

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increasingly hard to differentiate KISED P from (a geographical section of) the CIDP plan. This has supported a progressive transition in the primary responsibility for refugees falling on the Kenyan authorities, rather than the international humanitarian community. It has also reoriented the response and included refugees as a developmental priority.

273. However, the CIDP has struggled to accommodate aspects of the overall approach that fall outside of the scope of a local development plan. This includes the large continuing humanitarian part of the refugee response, aspects of international protection and private sector involvement, and non-devolved sectors such as education and health. It is also worth highlighting that the NYD commitments to promoting durable solutions, encompassing repatriation and reintegration are weakly linked to the KISED P design.

274. The KISED P has tried to span this divide, but in consequence has a somewhat ambiguous relationship to both the CIDP and a comprehensive, CRRF inspired, approach, with the KISED P plan falling somewhere between the two. It is not strictly aligned to the CIDP scope as it contains some additional elements – potentially impacting on the degree of local ownership. Nor does it present the totality of the CRRF related objectives and activities, leading to an incomplete understanding of the strategy and needs. The interplay between the continuing humanitarian assistance and the new development assistance is also lost to view. Greater clarity on the plan is therefore needed and it may be necessary to accept that these differing purposes may not be accommodated within a single document.

#### 275. **Recommendation 1: Review and revise the KISED P planning process and documents**

- Move to fully align the scope of the KISED P plan within the Turkana CIDP by removing activities that are additional to the responsibilities of the County Government. The rationale for this change is to clarify and promote the full ownership and accountability of the County Government on development matters pertaining to refugee hosting areas.
- Supplement the CIDP/KISED P document with a document summarising the overall strategy and response including CIDP/KISED P development plan, the sectors supported at national level, the UNHCR led humanitarian and emergency response and other relevant international protection elements, and (if possible) elements of the private sector response. This comprehensive document should include an analysis of the interrelationships between these different elements.
- Future plans should include strengthened community engagement in the planning process, enhanced analysis of the links to durable

solutions and complementary pathways and a risk analysis and mitigation plan.

- Develop a comprehensive communication strategy to communicate the overall approach to partners at all level, including refugee and host communities and Nairobi based stakeholders and update them on a regular basis. An overall objective would be to seek broadened and sustainable stakeholder engagement and mobilization of support.

#### ***National policy commitments***

276. There has been political support from the GoK to the NYD/CRRF and GCR at the global level. The GoK has committed to becoming a CRRF pilot country and pledged to support the development of the Kalobeyei integrated settlement, with the specific goals of enhancing refugees' self-reliance and inclusion in Kenya. At the national level, sector ministries have also been willing to integrate refugees within policies for non-devolved services such as education and health.

277. However, there has also been ambivalence in implementation. The CRRF roadmap and the new Refugee Act and the Refugee Education Act have all stalled, with strict conditions remaining in place on refugee mobility and work permits. Policy reforms are needed to fully realise the CRRF ambitions of allowing refugees to live among host communities, gaining access to education and labour markets, and becoming self-reliant.

278. As noted earlier, KISED P needs to find a way to reconcile competing domestic policy goals – such as maintaining security and prioritising local employment creation – with the CRRF agenda. The best solution to this appears to rest in a very high-level political dialogue between Kenya and donors. This may require a negotiation, simultaneously discussing national policy reform alongside arrangements for burden- and responsibility-sharing

#### **279. Recommendation 2: Initiate a high-level political dialogue in Kenya between the GoK and donors**

- Initiate a political dialogue at the highest possible level between donors (preferably at the Ambassadorial level) and the National Government (preferably within the Office of the president) to focus on the collective response to refugees in Turkana. The agenda for this dialogue would include (1) discussion on the various legal and bureaucratic restrictions on the rights of refugees to work, (2) mechanisms for responsibility- and burden-sharing arrangements in Kenya, and (3) opportunities for solutions, such as through voluntary repatriation and resettlement, building on the four interdependent

### 3 CONCLUSIONS AND RECOMMENDATIONS

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and interlinked objectives of the GCR and comprehensive refugee responses.

#### **County Government leadership**

280. The County Government has provided exceptional leadership and political commitment to KISED P and this has been essential to the whole KISED P process. Much has depended on the personal leadership of the County Governor, who recognised the development potential of hosting refugees. This position and argument was reinforced through strong evidence, delivered from credible sources, in convincing decision makers to adopt new approaches. The World Bank/UNHCR report “Yes in my backyard” and the IFC study on “Kakuma as a Marketplace” are prominent examples.

281. The County Government has extended political support towards providing interim solutions for the protracted stay of refugees. This required significant political courage, given the risk that this could lead to the *de facto* permanent integration of refugees within Kenya. The challenge is to build on this high-level political support by strengthening the ownership of the process across the County Government. Strengthened capacities for coordination and accountability have been identified as clear priorities for reinforced government capacity.

282. KISED P has brought together a wide range of different organisations that have not always worked together before and these need careful coordination under government leadership. While the new coordination structures proposed by UNHCR are welcomed, the analysis highlights the complexity of coordinating a process of change, and the heavy demands that this places on those tasked with leadership.

283. Accountability and learning systems are critical elements in the success of the programme. KISED P is innovative and new and the approach needs constant modification, informed by learning. Results from the innovative approach need to be demonstrated to ensure continued support and investment by donors. The impact at level of host community needs to be demonstrated and communicated to ensure continued political and material support.

284. As an interim solution the plan to reinforce the County Government capacity through the establishment of a secretariat supported by UNHCR appears appropriate. However, the scale of this task is significant, and the approach would benefit from drawing in additional resources. There is a danger of an over-reliance on UNHCR and over stretching their ability to support government capacity. The planned secretariat can be linked up more closely with other planned activities in support of County Government functions. For example, there is the potential to bring the current plans in UNHCR to build its own and County Government’s capacity in M&E together with the World

Bank DRDIP inputs and the UN RCO support. Bringing these initiatives together into a consolidated secretariat would also contribute to enhanced coordination of development initiatives in Turkana West.

**285. Recommendation 3: Strengthen the capacity of the County Government to coordinate, monitor and report against the KISED P results.**

- Development partners, including UNHCR, the World Bank (DRDIP) and UNDP should pool resources to support the establishment and operation of the proposed Secretariat housed within the County Government.

***Development agency partnerships***

286. UNHCR has played a critical role as an advocate and facilitator of the KISED P process. Without this, along with key figures commitment and leadership in County Government, KISED P would not have come into existence. This has been underpinned by progressive leadership, new staffing profiles, a supportive policy environment, with a willingness to pilot new approaches. However, some limitations of UNHCR corporate systems and processes are still evident in supporting new approaches, including the incomplete application of multi-year planning frameworks and disincentives to local fund raising. Therefore, continued attention to deepen and continue internal corporate change processes is warranted.

287. While UNHCR played a leading role in initiating a process of change, it is appropriate that over time progressively greater responsibility for funding for refugees should be taken on by other development actors as part of the SDG agenda and commitments. Given the scope of the development ambition in the KISED P approach, enabling new and expanded partnerships is central to the success of KISED P. KISED P needs to capitalise appropriately on the comparative advantages of the full range of development agencies to support KISED P.

288. KISED P, and the CRRF related processes, have had significant success in reorienting the collective attitude of stakeholders towards the refugee response in Kenya. A core change has been the pro-active integration of refugees within the development plans of a broad spectrum of stakeholders, many of whom previously saw refugees as principally a humanitarian responsibility. UNHCR has also played a key role in encouraging a wide array of development partners to work in support of KISED P – including a close partnership with World Bank Group, a range of UN agencies and NGOs – by “opening up” the refugee space.

289. However, while KISED P partnerships in support of KISED P have expanded, some notable gaps remain – in particular the choice of UNDP not to engage substantively. This points to the need to increase the accountability of key development partners for supporting protracted

### 3 CONCLUSIONS AND RECOMMENDATIONS

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refugee responses. HQ level MOUs were an important factor in promoting the engagement of partner agencies in responding to refugee needs but need to be specific and enforceable.

#### 290. **Recommendation 4: Strengthen support to KISED P by technical development agencies**

- Review and improve the specificity of UNHCR MoU with other development partners (including UNDP) to reinforce the predictability of the participation of other agencies in CRRF settings. This may include establishing formal stand-by arrangements to assist in areas such as development planning, coordination and monitoring.

#### ***Access to national services***

291. KISED P is aligned with the CRRF goal of allowing refugees to benefit from national services. Credible pathways have been established to integrate refugees within government systems of service provision in sectors such as education and health. This rests on the willingness of National Government ministries to work towards include refugees within national delivery in areas including education and health. Progress is so far largely at the policy level and has yet to be implemented.

292. Fears on the implications on the possible decline in standard of services provided by Government compared to those provided by humanitarian actors have not always been well founded. However, weaknesses of government delivery systems in specific sectors require a phased transition plan. In some sectors, such as household water, management of national systems will have to be improved prior to the inclusion of refugees. Furthermore, as the specific needs of refugees differ from the host population, the continuation of some parallel services, including protection, are justified.

293. While there is a strong rationale for including refugees in national systems, further analysis would be desirable. For example, there is no evidence on the comparative cost-effectiveness of providing services through national and humanitarian systems. There is also little evidence on impacts on access by vulnerable groups, including women.

294. Most government services involve charges or an element of cost recovery, including education and health. A related innovative strand of the KISED P approach is piloting private sector partnerships in service provision as a solution to public sector capacity constraints and improved prospects of sustainability. The corollary is that refugees will need to pay for services that were previously supplied for free. The best way of meeting this is through the adapted integration of refugees within national social protection systems – something that is yet to be explored under KISED P. This approach also increases the comparability of assistance provided to refugees and their hosts and moves refugees from

blanket assistance provided to all refugees, to a needs-based targeting strategy.

**295. Recommendation 5: Explore the inclusion of refugees within national social protection mechanisms**

- Review the relevance and feasibility of incorporating refugees within national social protection mechanisms. This may require examination and discussion of whether the targeting criteria applied to refugees, and the levels of assistance provided, should vary from those used for host communities.
- Analyse the comparative cost-effectiveness of delivery of basic services through Government and humanitarian delivery channels.

***Moving towards self-reliance***

296. KISED P has given impetus to the creation of livelihood opportunities in Turkana West and some important lessons have emerged. The partnership with the IFC has been particularly important in both understanding the contextual opportunities and with the creation of the Challenge Fund. However, the success in encouraging business development remain to be tested. The shift towards cash assistance has been an important complement. Cash assistance not only fits with the new models of service delivery discussed above, but it also injected resources into the community that create expanded business opportunities.

297. Overall, progress towards creating livelihood opportunities has been very challenging. Turkana is a particularly challenging environment for business and entrepreneurship given its remoteness, limited resources, poor communications and weak internal market. Decades of development assistance have done little to transform the situation. Furthermore, the significant legal constraints, including issues of identity, freedom of movement, financial inclusion, land ownership and work permits compound the situation.

298. The shift to self-reliance also raises new protection challenges in terms of the risk of exploitation and poor quality work, particularly in the informal sector that is likely to dominate the employment opportunities open to refugees.

299. It would clearly have been preferable to develop refugee self-reliance in an environment with suitable land and water resources – and is a lesson for future consideration. The reality appears to be that developing livelihoods in this context will be expensive and slow and expectations on the rate of employment creation need to be pragmatic, with the consequent need for continuing flows of social assistance.



### 3 CONCLUSIONS AND RECOMMENDATIONS

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300. In the current situation there are two main options for accelerating progress in employment creation. Firstly, as discussed earlier in the section, negotiation is needed with the Government on establishing a more supportive policy and legal environment for refugees. Secondly, investment in infrastructure could improve livelihoods opportunities.

301. As repeatedly highlighted large-scale investment in water supply is an important pathway to self-reliance. While true, this is clearly an expensive option and requires close analysis of the costs and benefits – financial, economic, environmental and social – if a convincing case is to be made to donors. Here the evaluation found that KISED P required the strong participation of a much more experienced development actor to conduct a rigorous and robust economic analysis, rather than the lighter analyses typically conducted to support humanitarian intervention.

#### 302. **Recommendation 6: Strengthen pathways to self-reliance**

- Develop an evidenced and shared view of scenarios of the rate at which self-reliance may be developed and an estimate of the requirement for continued direct assistance.
- Undertake a robust cost-benefit analysis of the proposed dam to support agriculture livelihoods in Kalobeyei.
- Explore the possibility of piloting alternative approaches that may facilitate improved prospects of self-reliance for refugees. For example, this might include the controlled settlement of limited numbers of refugees in other areas of Turkana or other counties.

#### ***Social cohesion***

303. KISED P has helped to improve community cohesion in Kakuma and Kalobeyei. The changes introduced through KISED P are encouraging significant improvements in these relationships, especially when compared to historical events. It is apparent that a bargain underpins this improvement – with an expectation by the host community that KISED P will bring development benefits and at the least more equitable access between the groups. This carries a significant risk if KISED P fails to deliver significant benefits to the host community.

304. There is little evident appetite for physical integration of refugees and host communities as envisaged in the “new town” approach of the planned settlement in Kalobeyei. The sharing of services and markets generates sufficient interaction between the two groups.

#### ***Financing shortfalls***

305. The precise budget needs of KISED P are still being defined. While a KISED P budget now exists the scope of this is ambiguous and more detailed planning is underway. However, the developmental costs



included under KISED P are additional to the continuing humanitarian needs. At least in the short term the total costs are therefore considerably higher.

306. The means to track funding and gaps is also lacking, although the proposed Secretariat by UNHCR could usefully fill this gap. KISED P was supported by a range of some new and more appropriate sources of financing including contributions from multi-year and development budgets. However, it is apparent that there is so far very limited additional investment by either Government or donors and funding is far short of the budget requirements.

307. Underlying this situation is the near absence of dialogue on burden- and responsibility-sharing. There is a dangerous assumption by donors that inclusion of refugees in national systems equated to a willingness on the side of the Government to assume full financial responsibility, despite the NYD commitment to shared international responsibilities borne equitably. The GCR and programme of action that followed the NYD/CRRF has so far had little observable impact on clarifying arrangements for burden- and responsibility-sharing – as was its intent.

308. On its part the GoK has been willing to utilise the World Bank IDA-17 funds in support of the host communities but unwilling to use new IDA18 funds to support refugees.

309. A collective fund-raising plan for KISED P is required, accompanied by the means to track funding and gaps. The proposed Secretariat by UNHCR could address this gap. In addition, the potential of funding KISED P through the new UNDP Multi-Party Trust Fund for Turkana could be explored.

310. **Recommendation 7: Strengthen fund raising strategies**

- Develop a collective fund-raising plan for KISED P and means to track funding and gaps (KISED P/CIDP Secretariat).
- Explore the potential and appetite for funding KISED P through the new UNDP Multi-Party Trust Fund for Turkana.
- Consider including refugees as target group as part of the education budget support provide to GoK (donors)
- At global level the GCR stakeholders should clarify the principles and mechanisms for responsibility- and burden-sharing arrangements.

### 3 CONCLUSIONS AND RECOMMENDATIONS

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#### *Closing conclusion*

311. KISED P is still in the early stages and so conclusions are necessarily preliminary. However, it is clear that KISED P represents a serious and promising attempt to support a protracted refugee crisis in a new and more appropriate manner. The Kenyan Government, at both national and county levels, has provided leadership and refugees are now being included in national development plans. While other actors, with UNHCR to the fore, are fundamentally adapting their approach.

312. Moving forward the evaluation identifies both challenges and opportunities. Overall KISED P holds the potential for providing a good example of how to implement the CRRF. In order to realise this potential continued commitment and support will be required by all agencies and levels of government.



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# **JOINT EVALUATION OF THE INTEGRATED SOLUTIONS MODEL IN AND AROUND KALOBYEI, TURKANA, KENYA**

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