

COUNTRY OPERATIONS PLAN

COUNTRY – KENYA

PLANNING YEAR – 2002

Executive Committee Summary

A) Context and Beneficiary Populations

Prior to 1991, Kenya hosted a relatively small population of urban refugees. The fall of the Siad Barre regime in Somalia and collapse of the Dergue in Ethiopia in 1991 led to a large-scale influx of refugees into Kenya and neighbouring countries. This resulted in the establishment of fifteen refugees camps to accommodate over 420,000 refugees who had arrived in the country by December 1992 and the opening of an autonomous UNHCR Office to provide refugees with international protection and assistance.

Today, UNHCR cares for 209,558 refugees living in two main camps in Kenya: Dadaab in the northeast (Garissa district) and Kakuma in the northwest, (Turkana district). In Dadaab, the majority of refugees are Somalis (126,151 people) and in Kakuma they are mainly Sudanese (70,722). The majority of the Somali refugees originate from Lower Juba, Middle Juba and Gedo regions while the Sudanese are mostly from Bahr el Ghazal, Eastern Equatoria, Central Equatoria, Western Equatoria, and Upper Nile.

There are also refugees from other different nationalities living in the camps such as Ethiopians (3,993), Ugandans (374), Congolese, (DRC 265), Rwandans (189), Eritreans (126), Burundians (118), and stateless persons (108). In addition to the camp population, there is also an urban refugee population of 8,336 from various nationalities. Generally, the Somali refugee population has a regular demographic and gender composition while in Kakuma there is a high percentage of men and youngsters. Somalis are nomadic and agro-pastoral peoples whereas Sudanese are predominantly farmers. The refugee camps are located in semi-arid areas with a hot and dry climate and without surface water. The meagre natural resources available in these areas can barely sustain the local nomadic population.

The Government of Kenya is signatory to international refugee legislation including the 1951 Convention, the 1967 Protocol and the 1969 OAU Convention relating to refugees which guide its' policy on refugee matters. Much as the Kenya Government's policy towards refugees can be regarded as open and generous, there are restrictions to freedom of movement and local integration which greatly hamper the self-development of the refugee population. The policy of the government requires that refugees reside solely in the designated camps with limited possibilities for agricultural activities, trade and employment.

Confinement of refugees to the camps, the very poor resource base in and around the camps, the limited access they have to the local and national socio-economic sectors, and the sometimes hostile interaction between refugees and the local population, constitute major constraints towards the attainment of any level of self-sufficiency.

In addition to the remoteness of the camps and the adverse climatic conditions in and around the camps, security remains a major challenge for the Government of Kenya and UNHCR in the delivery of assistance.

In the backdrop these indomitable challenges, Regional Peace initiatives for the Horn and Great Lakes Region have yielded limited tangible results, thereby further compounding the situation. In Somalia, despite the establishment of a Transitional National Government (TNG), the situation in areas of origin remains volatile and

Country Operations Plan

insecure. In fact the situation in Southern and Central Somalia can be best described as an anti-climax, because the expectations of both the international community and of the Somali people at the establishment of the transitional government are yet to be met. There are reports that the TNG is embattled with militia forces and some of its neighbours. For UNHCR, the prospects for the repatriation of Somali refugees remains quite remote as the security situation in the areas where they originate from is volatile and sometimes tense.

The situation in Sudan is not significantly different, as Southern Sudan continues to experience political and security problems resulting from the continued state of war between rebel forces and the Central Government. Asylum seekers from South Sudan continue to arrive Kakuma refugee camp. Since June 2000, there has been a steady influx of Sudanese refugees into Kenya at the rate of 750 persons a month.

Although there may be safe and stable areas in Southern Sudan, the sustainability of this situation is doubtful and the overall conditions are not conducive for voluntary repatriation. Progress in the Burundi and Lusaka peace accords is still awaited. Therefore, large-scale voluntary repatriation of the refugees from Kenya to their countries of origin is not feasible in the immediate future.

Given this political and security background, the goal of UNHCR Kenya is to provide, in close co-operation with the Government of Kenya, international protection and assistance to all refugees in the country. It is hoped that the Kenya Parliament would have enacted a National Refugee Legislation to provide a solid and focused legal framework for implementation of a refugee assistance programme in Kenya.

Presently, due to almost in-existent possibilities for local integration, lack of prospects for repatriation and limited opportunities for resettlement, the refugees in Kenya rely solely on UNHCR and the international community for protection and material assistance.

The environment surrounding the camps is fragile and affected by the long stay of refugees. Overexploitation of resources has led to environmental degradation. UNHCR will continue to address this issue by a comprehensive environmental management programme including organised firewood supply, promotion of energy saving cooking devices, environmental education and community based natural resources management.

Since the establishment of the Dadaab and Kakuma camps in 1991, most of UNHCR's assistance has been aimed at refugee survival and physical wellbeing. In order to find ways to unlock the protracted nature of the refugee programme and to promote cost effectiveness as well as enhance the dignity and psychological well being of refugees, UNHCR Kenya will pursue in 2002, programmes that will;

- (i) *Enhance the refugees' self-reliance and self-management;*
- (ii) *Economically empower refugees, to the extent possible;*
- (iii) *Improve security and psychological well being in the camps;*
- (iv) *Seize opportunities to repatriate refugees to secure areas in their countries of origin;*

Thus, more emphasis will be given to income-generating activities, refugee employment, community development, education, vocational training, reproductive health, and reduction of sexual and gender based violence. UNHCR Kenya will seek to identify and promote durable solutions for refugees in Kenya through facilitation and promotion of voluntary repatriation where possible, and resettlement to third countries when appropriate.

Country Operations Plan

As the involvement of the Government in the management of refugees is still limited, UNHCR will continue to help Kenyan authorities to gain a better and wider understanding of its' responsibilities to refugees. In addition, the UNHCR mandate and international protection principles will be streamlined in order to improve the safety and security of the refugees.

B) Selected Programme Goals and Objectives

1) Camp based Refugees

Name of Beneficiary Population/Theme: Somali, Sudanese , Congolese, Rwandan, Eritrean, and Burundian Refugees	
Main Goals:	
<ol style="list-style-type: none"> 1. Ensure international protection and material assistance to all refugees. 2. Increase, to the extent possible, self-reliance and self-management opportunities. 3. Facilitate and promote repatriation if conditions are conducive. 4. Preserve minimum standards of living to ensure that refugees have access to essential services 5. Ensure resettlement for those meeting set criteria 	
Principal Objectives:	Related Outputs:
<ul style="list-style-type: none"> • Provide and maintain essential services for refugees. 	<ul style="list-style-type: none"> • Continuation of care and maintenance for refugees.
<ul style="list-style-type: none"> • Reduce the dependency of refugees on external assistance. 	<ul style="list-style-type: none"> • Implementation of self-reliance and refugee employment programmes. • Increase in the number of refugees accessing income-generating activities. • Increase in the number of refugees employed by the agencies (ratio 7 refugees for 3 nationals). • Opening of refugees to economic opportunities in discussing with the Government of Kenya to obtain freedom of movement.
<ul style="list-style-type: none"> • Repatriate refugees to secure areas in countries of origin and facilitate repatriation to other areas if refugees demand to return. • Resettle those meeting the criteria for this alternative durable solution. 	<ul style="list-style-type: none"> • Undertake sensitisation campaigns on voluntary repatriation • Repatriation of refugees willing to repatriate. • Monitoring of the progress of the Lusaka, Arusha, IGAD Peace accords • Implementation of objective and transparent criteria for resettlement. • Transfer resettlement activities to the camps. • Redeployment/recruitment of adequate personnel
<ul style="list-style-type: none"> • Raise the overall level of security in and around the refugee camps. 	<ul style="list-style-type: none"> • Increase in the number of police officers and accrued mobility of police. • Composition of multi-dimensional patrols groups.

Country Operations Plan

<ul style="list-style-type: none"> • Provide referral facilities and durable solutions to camp refugees when the requisite services are not available in the camp setting 	<ul style="list-style-type: none"> • Protection and care is provided in Nairobi pending durable solutions. • Refugees receive counselling, education, and training leading to a durable solution. • Refugees are screened and processed for resettlement.
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Name of Beneficiary Population/Theme: Ugandan Refugees	
Main Goals:	
<ol style="list-style-type: none"> 1. Differentiate mandate refugees from convention refugees among the Ugandan refugees. 2. Regularise the status of convention refugees. 3. Promote the naturalisation of pre-1985 Ugandan refugees, to the extent possible. 4. Promote and offer repatriation for those willing to return. 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • The status of convention refugees Is regularised 	<ul style="list-style-type: none"> • Exploration of possibilities for naturalisation with the government of Kenya.
<ul style="list-style-type: none"> • Repatriation of refugees to Uganda is facilitated and promoted. 	<ul style="list-style-type: none"> • Undertake sensitisation campaigns on voluntary repatriation • Registration of refugees • Repatriation of refugees willing to repatriate.

2) Urban Refugees

Name of Beneficiary Population/Theme: Urban Refugees from Somalia, Sudan, Ethiopia, Rwanda, Uganda and Burundi	
Main Goals:	
<ol style="list-style-type: none"> 1. Ensure international protection for urban refugees. 2. Promote durable solutions for urban refugees. 3. Discuss with the Government/NGO's to take over the assistance to urban refugees from UNHCR. 4. Relocate urban refugees to the camps, where applicable. 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • Essential services for refugees are maintained. • A durable solution for refugees referred to Nairobi is found. • Repatriation of refugees to secure areas in countries of origin is facilitated and promoted. • Resettlement of refugees who fulfil the criteria to third countries is facilitated. 	<ul style="list-style-type: none"> • Continuation of care and maintenance for refugees. • Protection and care is provided pending durable solutions. • Refugees receive counselling, education, and training leading to a durable solution. • Refugees are screened and processed for resettlement.

Country Operations Plan

Name of Theme: Protection	
Main Goal:	
<ol style="list-style-type: none"> 1. Ensure a safe and dignified asylum for all Refugees, by preserving minimum standards of living and access to essential facilities. 2. Establish transparent and efficient systems and procedures for refugee status determination and resettlement 	
Principal Objectives	Related Outputs
<ul style="list-style-type: none"> • A National refugee legislation has been adopted and is being implemented. • A transparent mechanism for refugee status determination established and functioning. • Refugees regain progressively social and economic rights. • Improved conditions for voluntary repatriation created. 	<ul style="list-style-type: none"> • Approval of refugee bill in parliament. • Competent government institutions have been trained and are equipped to implement refugee legislation. • 5000 claims for individual recognition as refugees processed. • Refugees will have received ID cards. • Freedom of movement for refugees. • Refugees have increased access to resources and markets. • Bi-lateral and multi-lateral structures and legal instruments facilitating voluntary repatriation have been established.

Country/Management Issues

UNHCR's Role and the operational environment

UNHCR Kenya in co-operation with the Government of Kenya provides asylum and material assistance to the refugees from Somalia, Sudan, Ethiopia, Eritrea, Uganda, Democratic Republic of Congo, Rwanda, and Burundi by guaranteeing their legal protection and physical security, as well as actively seizing every opportunity for durable solutions. Due to the prevailing political and social conditions in the various countries of origin and the restrictive conditions of asylum, neither repatriation in large numbers, nor local integration are foreseen. UNHCR ensures resettlement opportunities for a limited number of refugees. It is therefore anticipated that a large number of refugees will still remain in the country and continue to be assisted by UNHCR during the year 2002.

In addition, due to the limited involvement of government in the management of refugee matters, UNHCR will remain actively involved in the refugee status determination process, promotion of refugee law, and registration and issuance of refugee identity cards and the operational management of the refugee programme.

UNHCR will monitor the various regional peace accords and contribute to the inclusion of humanitarian principles in these accords to the extent possible.

Security of refugee/returnee areas and camps

The Kenya Government continues to provide security to all areas in and around the refugee camps in Dadaab and Kakuma. In order to enhance its capacity, additional police officers will be recruited and deployed, communications equipment and vehicles will be purchased additional police posts will be constructed and patrol groups (that include refugees) will be mounted in the camps. Such improvements will safeguard the physical safety and security of the refugees, UNHCR and agency staff in the field.

Technical integrity

UNHCR Kenya will continue to benefit from the services of its resident technical expertise, the Regional Directorate for East and the Horn of Africa and relevant HQ services in the year 2002. Services of consultants to support various activities of the Kenyan programme will be utilised whenever the need arises. The Office will also ensure that gaps between implementing partners and the office will be minimised in order to reinforce the unity of purpose and to facilitate a smooth and effective implementation of the programme.

Emergency preparedness/contingency planning

UNHCR and more especially its field offices in Kakuma and Dadaab will continue to maintain updated contingency plans to respond to any emergency that may arise from an influx of refugees especially from Southern Sudan and Somalia, and to cater for any relocation of refugees from other parts of Kenya. In Dadaab it is expected that 10,000 new comers will be registered from Southern Somalia, while Kakuma expects 10,000 Sudanese by the end of 2002. The main elements of the contingency plans will be updated periodically.

Linkage with other country operations

UNHCR Kenya will continue to participate in regional policy meetings on Somali, Ethiopian, and Sudanese refugees and closely liaise with other Offices in the region providing assistance and protection to the same caseloads. Furthermore close working relationship and co-ordination with regard to repatriation matters will be enhanced. Such co-ordination will reinforce UNHCR's early warning and response capacity as well as assist in planning for eventual repatriation.

NGOs, PARinAC and capacity building

UNHCR Kenya will organise training for staff of implementing partners, national and international, as well as Government officials. Formal training on UNHCR policies on women and children, income generating activities and education, will be undertaken to build the NGOs' capacity in executing these programmes.

Concrete measures will be taken to consolidate the growing participation of refugees in community leadership and community based management, mainly through incentive arrangements. A series of affirmative actions will be instituted to encourage women to acquire skills and assume leadership and decision-making roles in their community affairs and to also encourage self-reliance through income generating activities. The active involvement of local NGOs in programme management and implementation will be enhanced as a cost sharing measure.

Inter-agency co-operation

UNHCR Kenya will continue to work closely with other United Nations Agencies, especially WFP, in the area of refugee food provision and UNICEF in the provision of water in and around the refugee camps. At the same time, UNHCR will continue to be involved in the UNDAF process and participate actively in the various activities. Ties with the USAID will continue to be strengthened especially in the area of food donated by the American Government to WFP. UNESCO-PEER will support the environmental education programme in the refugee camps through the education system. The consolidated effort to rationalise the Kenyan programme in order to avoid duplication of

Country Operations Plan

services by the various partners is expected to further improve cost-effectiveness and maximise results. UNHCR Kenya will also closely liaise with Operation Lifeline Sudan (OLS), the UN umbrella unit assisting internally displaced persons in South Sudan.

UNHCR will explore avenues to phase out assistance programmes to refugees in the urban areas that have been running for the last twenty years and facilitate the participation of other actors in assisting this group of beneficiaries to become self sufficient.