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Somalia/Kenya: Somali citizens who live in Kenyan refugee camps, including information on employment, education, health services and identity documentation

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Dadaab Refugee Camp, Kenya

The United Nations High Commissioner for Refugees (UNHCR) reports that there were 497,184 Somali refugees registered in Kenya as of 19 September 2011 (UN 21 Sept. 2011). The vast majority of these refugees are located in the Dadaab complex of refugee camps, which, in September 2011, was populated with 444,419 refugees and was receiving an average of 1,100 new arrivals from Somalia per day (ibid.).

The Dadaab complex was established in the early 1990s with a capacity for 90,000 people (AI 8 Dec. 2010; Human Rights Watch 30 Mar. 2009, 27) distributed between three individual camps: Ifo, Dagahaley, and Hagadera (AI 8 Dec. 2010; *The East African* 20 Aug. 2011). The allocation of residential plots of land in the camps was suspended in 2008 due to a lack of space (UN 20 July 2011; Human Rights Watch 30 Mar. 2009, 28). However, in 2011, around 60,000 new arrivals spontaneously settled on the outskirts of the camps (UN 20 July 2011). In late July 2011, a new site was opened to accommodate some of the more recently arrived refugees (ibid. 29 July 2011).

At least 18 aid agencies and non-governmental organizations operate within the Dadaab camps (*The Guardian* 6 Sept. 2011, note 7; UN 26 July 2011), although one media report states that poor access to information means that new refugees may not be aware of the services offered by such organizations (ibid.). Refugees International, an independent refugee advocacy organization (n.d.), notes that refugees in the camps suffer from a "lack of basic assistance" and that the camps are operating "on an emergency basis" with water rations falling below basic UNHCR and internationally recognized humanitarian standards (29 Nov. 2010). The UNHCR reports that settlements on the outskirts of the camps suffer from overcrowding and "related health and sanitation issues" (20 July 2011). Amnesty International (AI) states that "[t]he camps' resources and infrastructure have been stretched beyond capacity and [that] the quality and quantity of essential services delivered [is] heavily compromised" (8 Dec. 2010).

Amnesty International reports that overcrowding within the camps has contributed to a lack of security and an increase in crime, including theft, sexual

abuse, and early and forced marriages (8 Dec. 2010). Limited options for shelter and an inadequate number of police officers have also been identified as factors contributing to an increase in sexual and gender-based violence (UN 6 Feb. 2009). CARE International reported that 75 incidents of sexual and gender-based violence were reported between January and June 2010, and that 358 incidents were reported during the same period in 2011 (UN 8 Sept. 2011). A representative of the International Rescue Committee, which operates a health facility in the Hagadera camp, told the UN that security is particularly poor in the unplanned settlements on the outskirts of the camps, and that women are particularly vulnerable to violence in these areas (ibid.).

Refugee status and rights

Somali asylum seekers arriving at Dadaab are usually granted refugee status on a *prima facie* basis (AI 8 Dec. 2010). The UN specifies that refugees originating from south-central Somalia are granted *prima facie* status on the basis of the existing conflict in the region, while asylum seekers from Somaliland and Puntland are required to show evidence of persecution as per international refugee law (UN 24 Jan. 2011). The UNHCR has noted, however, that it is "hugely difficult" to verify the identities and places of origin of asylum seekers (ibid.).

Although Kenya does not have an official policy requiring refugees to be confined to refugee camps, human rights organizations argue that a *de facto* encampment policy exists (AI 8 Dec. 2010; Human Rights Watch 30 Mar. 2009, 43; Refugees International 29 Nov. 2010). The Kenyan Department of Refugee Affairs (DRA) instructs all Somali asylum seekers to go to Dadaab and tells them they cannot stay in Nairobi without a "valid reason" (Kenya n.d.b). Additionally, refugees who live outside of the camps do not have the right to receive humanitarian assistance (AI 8 Dec. 2010; Human Rights Watch 30 Mar. 2009, 44), whether from the government or the UNHCR (ibid.).

Refugees are told they cannot leave Dadaab without applying for permission and obtaining a "movement pass" (Kenya n.d.c). According to the DRA, movement passes can be issued for medical reasons, to further education, or because of resettlement or humanitarian considerations (ibid.). However, Human Rights Watch states that the criteria for obtaining movement passes have been developed in an ad hoc manner over time and are not formalized in legislation or regulations (30 Mar. 2009, 45). Amnesty International reports that a "vetting committee," comprised of Kenyan government officials, screens requests and has the authority to restrict the issuance of movement passes on security grounds (8 Dec. 2010). Concerns that refugees do not return to the camps after receiving permission to leave has resulted in fewer movement passes being issued (AI 8 Dec. 2010).

Refugee documentation and registration

Human Rights Watch stated in March 2009 that the food ration cards distributed to refugees was the only evidence that a refugee had been registered with the UNHCR (30 Mar. 2009, 33). In January 2011, an article by the UN's Integrated Regional Information Networks (IRIN) indicated that in addition to ration cards, refugees received identification cards displaying their name, photo, place of origin, and fingerprint (24 Jan. 2011). The Kenyan DRA website indicates that it issues refugee identity cards to registered refugees over the age of 18 (Kenya n.d.d). The cards, valid for five years, are issued free of charge and

include a unique identification number for use by both the Government of Kenya and the UNHCR (ibid.). The cards also indicate whether the refugee lives in a camp or urban area, and have security features to prevent counterfeiting (ibid.). The cards are produced in Nairobi and transported to refugee camps for distribution to refugees (ibid.). Further information on the issuance of identification cards could not be obtained within the time constraints of this Response.

The Kenyan DRA indicates on its website that, as of 1 March 2011, it has officially taken, from the UNCHR, responsibility for the reception and registration of all asylum seekers in the country (n.d.a). However, separate UNHCR reports indicate that both entities continue to be involved in the process (UN 21 Sept. 2011; ibid. 3 Aug. 2011). The initial processing of new arrivals involves an interview, medical screening, distribution of wristbands, and provision of an initial assistance package; the refugees are then transferred to the Kenyan government for registration (ibid. 21 Sept. 2011). The registration process also involves taking the photograph and fingerprints of new arrivals (ibid. 26 July 2011; *The Guardian* 6 Sept. 2011, note 3). The practice of collecting fingerprints was introduced in 2007 to prevent duplicate registrations and to ensure Kenyan citizens do not register as Somali refugees (UN 24 Jan. 2011). *The Guardian* reported in September 2011 that the UNHCR introduced webcams to take identification photos in the camps in order to expedite the registration process (6 Sept. 2011, note 3).

Prior to September 2011, numerous sources reported a backlog in the registration process and long wait times for arriving refugees (UN 26 July 2011; ibid. 20 July 2011; Human Rights Watch 30 Mar. 2009, 26). The IRIN news service reported in July 2011 that the UNHCR typically attempted to register 1,000 new arrivals a day, but that the process was impeded by the DRA's limited capacity to process registrations (UN 26 July 2011). A Human Rights Watch report highlights a UNHCR "registration crisis" at Dadaab in the second half of 2008 that prevented "possibly thousands" of new refugees from being registered "for weeks and at times months" (30 Mar. 2009, 32-33). Without registration, the refugees did not have access to food rations or water and had trouble accessing health care (Human Rights Watch 30 Mar. 2009, 33). Refugee testimonials collected by Human Rights Watch also indicate that, as a result of the registration difficulties, numerous new arrivals may have given up attempting to be registered or may have returned to Mogadishu (ibid., 34). However, the UNHCR conducted a "comprehensive verification exercise of unregistered arrivals" in September 2011 to address a backlog in registrations (21 Sept. 2011). In doing so, it managed to reduce the waiting period from arrival to registration to less than 48 hours and the number of unregistered individuals from over 40,000 to 1,909 (UN 21 Sept. 2011).

Education

In September 2011, about 43,000 Somali children attended school, 28 percent of an estimated 156,000 children of school age (ibid. 5 Sept. 2011). There are reportedly nineteen primary and six secondary schools in Dadaab (Refugees International 29 Nov. 2010; UN 5 Sept. 2011), all of which are following the Kenyan education curriculum, as well as private and religious schools, adult literacy centres and vocational training centres (ibid.). However, the UN Population Fund has reported that there is only one secondary school in Dadaab and that competition for admission is intense (ibid. 4 Oct. 2011).

Sources identify a pressing need for more education resources and facilities (ibid. 18 Aug. 2011; ibid. 5 Sept. 2011; Refugees International 29 Nov. 2010). For example, the UNHCR notes that there is only one teacher per 100 students and that at least 75 new schools will need to be built to meet demand (5 Sept. 2011). The Canadian Broadcasting Corporation (CBC) reports that some 200 students graduate from high school each year, and approximately 20 scholarships are available to them to continue their education (27 July 2011).

Employment

Numerous sources affirm that the confinement of refugees to camps severely restricts their employment and economic opportunities (UN 18 Aug. 2011; AI 8 Dec. 2010; IARLJ 8 Sept. 2011, 15; UN 5 Apr. 2011; CBC 27 July 2011). Amnesty International argues further that "the dearth of livelihood opportunities causes [the refugees] hardship and increases their desperation" (8 Dec. 2010). The UN Entity for Gender Equality and the Empowerment of Women (UN Women) reports high unemployment among women, particularly among elderly women, due to illiteracy, confinement within the camps, the scarcity of job opportunities, and the lack of financial resources to start self-employment projects (5 Apr. 2011).

Media sources point out that there are informal economic opportunities and provide examples of entrepreneurship through self-employment within the camps, including tailoring (*Daily Monitor* 17 Sept. 2011) and shopkeeping (ibid.; UN 19 Sept. 2011). An IRIN news report states that "local trading centres are busy hubs for small business owners and truck drivers delivering trade goods, food and other humanitarian commodities" (ibid. 16 Sept. 2011). Some refugees also work for the UNHCR and other humanitarian organizations within the camps for an honorarium, what is known as "incentives" (AI 8 Dec. 2010), rather than wages (ibid.; CBC 27 July 2011). The incentive jobs reportedly pay refugee workers less than non-refugee aid workers (UN 18 Aug. 2011). Young women and girls are also engaging in prostitution in order to earn a living (UN 16 Sept. 2011; ibid. 4 Oct. 2011).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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Additional Sources Consulted

Oral sources: Attempts to contact representatives of Kenya's Department of Refugee Affairs, Immigration Department, and High Commission to Canada were unsuccessful. Representatives of the United Nations High Commissioner for Refugees were unable to provide information within the time constraints of this Response.

Internet sites, including: *allAfrica.com*; European Country of Origin Information Network; *The New York Times*; United Nations — Development Program, Office of the High Commissioner for Human Rights, Refworld; United States Department of State.

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