



# ANNUAL REPORT AND FINANCIAL STATEMENTS 2016

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## Message from the Board Chair

It gives me much pleasure to share with you the Refugee Consortium of Kenya's (RCK) Annual Report for 2016.

Overall, 2016 was a challenging year for many in the refugee sector. The sector experienced serious challenges due to existing and emerging local, regional and international issues. The migration crisis in Europe dominated the international forced migration scene, and thus most of the humanitarian resources were directed to that area as actors sought to deal with the problem. To address that crisis, the United States President Barack Obama convened the United Nations Summit for Refugees and

Migrants during which numerous promises were made. However, the pledges had little effect on the crisis, and some in Europe sought to block entry to the continent while at the same time seeking the deportation of those seeking asylum. The European Union, for instance, approved a deal to deport a number of Afghan refugees from Europe.

Closer home, conflicts increased the displacement of people from their homes. The South Sudanese crisis that started in December 2013 worsened. At the end of 2016, 1.4 million South Sudanese had fled to neighbouring countries, adding to the 730,000 people displaced in 2015. In 2016, Ethiopia declared a state of emergency following numerous anti-government protests. Several protesters were arrested while others escaped to neighbouring countries, including Kenya, where they sought asylum.

The second quarter of the year was particularly challenging after Kenya announced its intention to close the Dadaab refugee camp by November 2016. The deadline was later moved to May 2017. The decision engendered serious concerns among refugees and those in the humanitarian sector. They were especially worried about the forced repatriation of refugees to the still troubled, insecure and unstable Somalia. RCK has been keen on monitoring the repatriation.

The challenges notwithstanding, there have been positive developments in the sector. The Refugees Bill was presented in the National Assembly for the second reading. The Bill received positive reviews and contributions from the public, state and non-state actors. It is RCK's hope that the Bill will be passed in 2017.

As we look forward to more positive developments in 2017, the Board acknowledges the immense work done by RCK staff in *"keeping hope alive"* for refugees and other forced migrants despite the difficult environment. To our donors and partners, thank you for your continued belief in us and support. We look forward to working and engaging with you in 2017.

A handwritten signature in blue ink, appearing to read "S. Kabue".

**Dr. Samuel Kabue**  
**Chairman**  
**Board of Directors**  
**Refugee Consortium of Kenya**

## Message from the Executive Director

As we celebrate the end of 2016, I am greatly proud of the work of the Refugee Consortium of Kenya (RCK) staff, interns and volunteers. Equally, RCK would not have accomplished much without the support of our donors and partners. Despite the difficult environment and numerous challenges experienced in 2016, RCK, with the support of its partners, was able to keep hope alive for the hundreds of thousands of refugees in Kenya.



Compared to 2015, 2016 saw an increase of about 20 percent in the number of forced migrants seeking RCK legal services. Many refugees and asylum seekers sought legal advice on their situation after the Government of Kenya's decision to close down the Dadaab refugee camp. Our continued protection monitoring along the migratory corridors ensured many refugees and asylum seekers received timely support.

The Refugees Bill had its second reading in Parliament in November 2016. RCK played an important role in taking the lead in reviewing the Refugees Act, 2006. This initiative was recognised by Parliamentarians during the second reading. The process is still going on, and we expect the Bill to sail through Parliament. More advocacy activities were seen during our third annual regional course on forced migration themed “**Policy and Practice in the search for ‘Durable Solutions’; Challenges and Opportunities**” which drew participation from policy makers, practitioners, responders, academicians, the United Nations (UN) and national government. The aim was to provide space to learn and exchange ideas on best practices, create networks and develop new approaches to addressing forced migrants’ protection in the region.

The Communication, Research and Monitoring Programme enhanced the organisation’s visibility through various social media interactions, and production of information, education and communication materials. These materials and interactions helped in maintaining RCK’s relationship with different stakeholders.

As we look back at 2016 and the achievements we made, I would like to sincerely thank our donors, partners, the RCK Board, the senior management team and staff for the support and commitment to our work and motto “**Keeping Hope Alive**”. I look forward to a fruitful 2017.

Ms. Eunice Ndonga- Githinji  
Executive Director  
Refugee Consortium of Kenya

# Programme Overview 2016

## Legal and Social Justice Programme

The Legal and Social Justice (LSJ) Programme seeks to ensure that refugees, asylum seekers and other forced migrants access justice. It does this via the provision of legal advice through legal aid clinic sessions, legal representation in courts of law and police stations, and provision of psychosocial support. These services are offered in the Dadaab refugee camp, Garissa town, Kakuma refugee camp, and Nairobi. Further, the services are offered along migratory corridors and border entry points by pro bono advocates, protection and detention monitors.

In the period under review, the Programme had a team of 14 in-house and 18 pro-bono lawyers. The Programme was also supported by a team of five psychosocial counsellors who were instrumental in ensuring forced migrants' and victims of torture's mental health needs were addressed.

### Access to Legal Aid

The LSJ Programme assisted 10,353 clients (4536 were new clients and 5817 were return clients) in the period under review. This represents a 25% increase from 2015. Many clients required services ranging from accessing child custody orders to accessing other durable solution options such as third country resettlement. Chart 1 below shows distribution of the clients by sex that attended the RCK legal aid clinic sessions. More women attended the sessions.

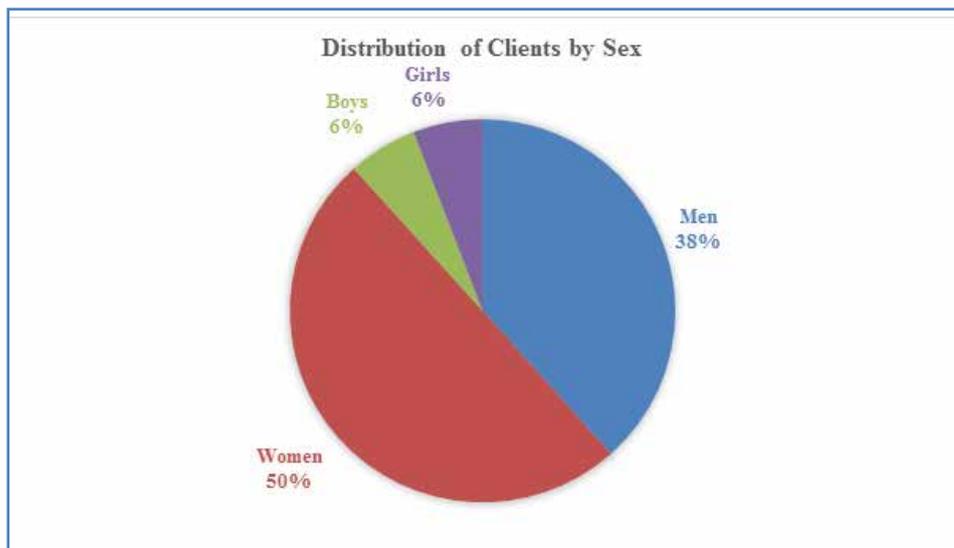
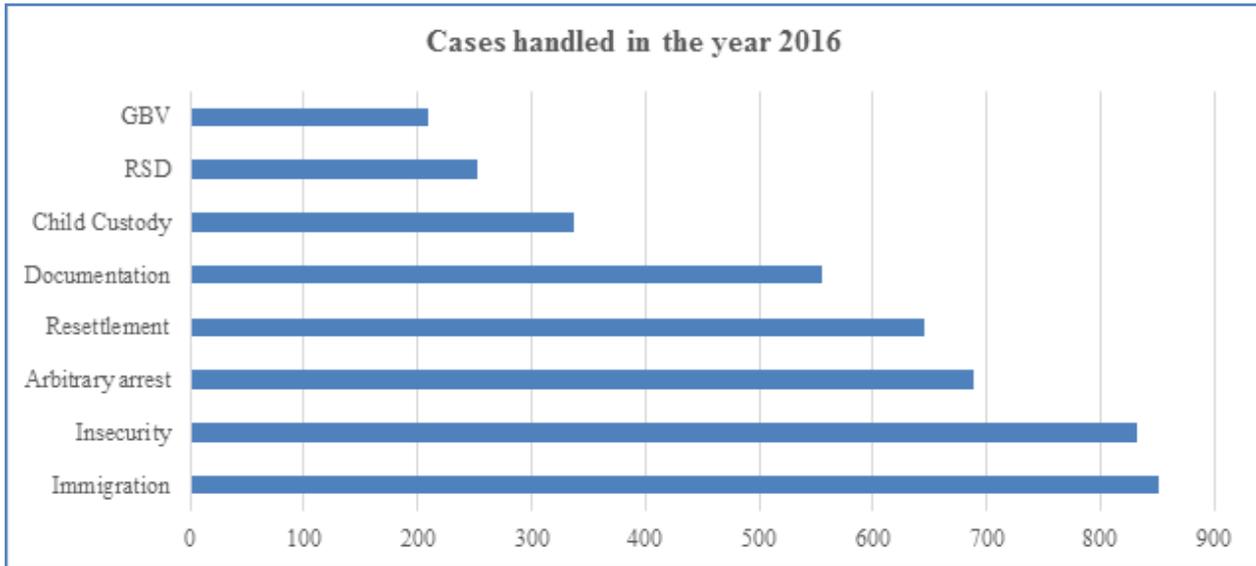


Chart 1: Distribution of clients served at the legal aid clinics

The issues addressed include documentation, Child Custody, resettlement, insecurity and social assistance, Gender Based Violence (GBV), Refugee Status Determination (RSD). The LSJ Programme identified cases for follow up, representation in court, interventions in highly sensitive cases or referral to other agencies or stakeholders. Graph 1 below shows all the cases handled by RCK in the year 2016.



Graph 1: Graphical representation of cases handled by RCK Legal Staff in 2016

The list below shows the number of cases concluded:

- 101 child custody and guardianship cases were concluded
- 800 asylum seekers and refugees charged with immigration related offences were released
- 566 asylum seekers and refugees arrested and detained by the police were released
- 10 asylum seekers and refugees were resettled in the United States of America through the assistance of the RCK
- 5 Gender Based Violence (GBV) cases were concluded, and two convictions recorded

Occasionally, the LSJ Programme received cases that are not within its mandate. Such cases were referred to other agencies for further assistance. In 2016, RCK referred 254 cases to the Refugee Affairs Secretariat (RAS) and UNHCR for Refugee Status Determination (RSD) interviews. Seven percent of the clients received positive feedback from RAS and UNHCR while the rest are still waiting for feedback. In addition, 670 resettlement cases were profiled and referred to partners for assistance. Nine percent of the cases received feedback on the progress of their resettlement status while the rest are awaiting feedback. The low rates demonstrate the slow pace and lengthy process that persons of concern have to go through before their cases are resolved.

## Community-based protection

### Pro-bono lawyers

The LSJ Programme has a pool of 23 pro-bono lawyers assisting refugees and asylum seekers in areas where RCK does not have a physical presence. In 2016, pro-bono lawyers handled 138 cases across the country. Out of these, 50 were custody cases. Forty-seven (47) cases, involving 97 PoCs with immigration related offences, were concluded and orders issued for the PoCs to be settled in Kakuma.

Ninety-two (92) custody cases were not concluded following lengthy court processes. The court process involves filing the petition before a hearing date is set. The date is often determined by a court's diary. Courts demand that custody cases, where a defendant's whereabouts are unknown, be advertised in a widely circulating newspaper for a duration of 30 days.

### Community-based counsellors

RCK worked with 20 community-based counsellors (CBC) in Nairobi, Dadaab, Kakuma and Garissa. CBCs are often refugees recruited and trained to identify vulnerable cases within their community. CBCs handled 822 cases, representing 19 percent of all cases handled by RCK. The CBCs offered basic counselling or referral services to clients seeking RCK specialized support. CBCs also did home visits for follow-up sessions.

CBCs concluded 96 percent of the cases they handled. Those in need of further counselling were referred to RCK. The organisation offered specialized counselling, legal advice or referral to other agencies. Clients were also advised on the status of their cases. Some cases were not concluded either due to clients stopping their sessions or because of interventions by traditional dispute resolution mechanisms.

### Protection/border/detention monitors

RCK worked with 67 protection/border/detention monitors in all four stations in 2016. It identified and handled 1,282 cases at detention centres and police stations. RCK resolved 20 percent of the cases it handled. The remaining cases were referred to RCK for specialized legal assistance.

## Access to psychosocial support

The number of clients seen by RCK psychosocial staff increased from 2,232 in 2015 to 3,479 in 2016, an increase of 55 percent. The rise is partly attributed to the growing anxiety engendered by the Government of Kenya's decision to close the Dadaab refugee camp. This rehashed traumatic experiences for refugees unwilling to return to their countries, a situation corroborated by the number of trauma related cases that RCK dealt with (see Graph 2). Chart 2 below shows the distribution of the clients based on Sex .

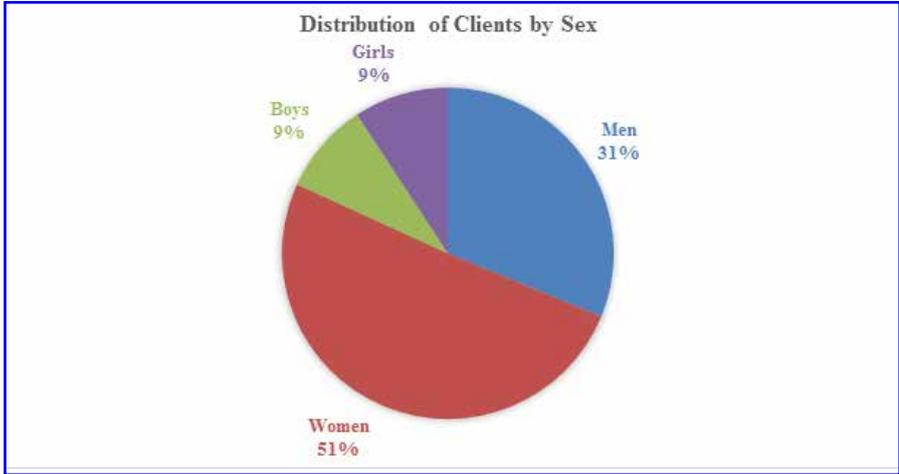
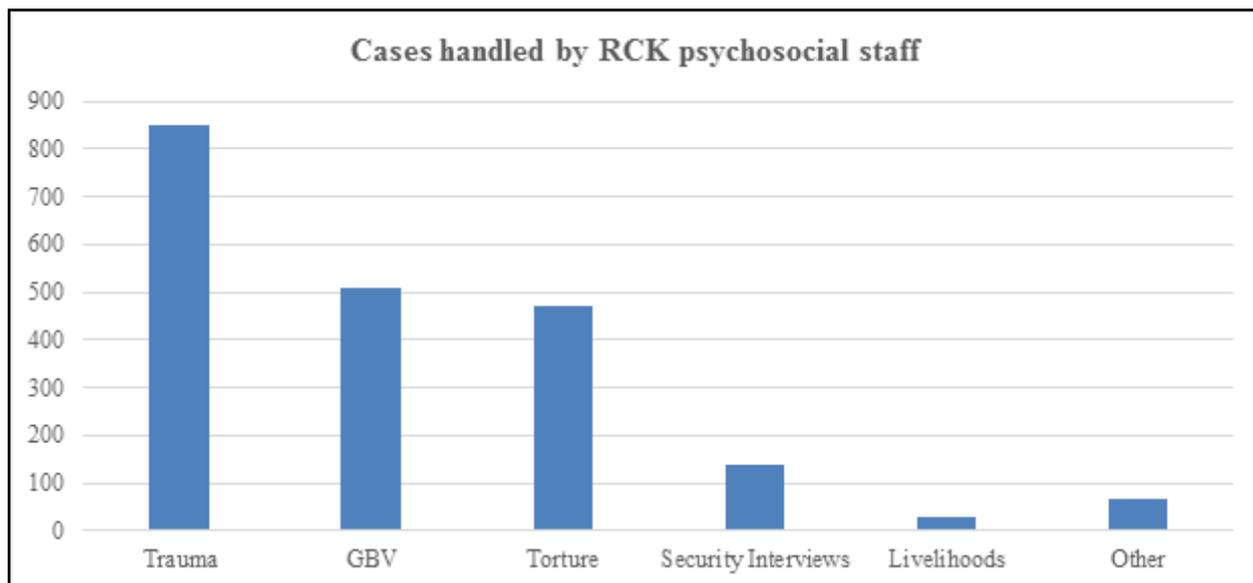


Chart 2: Distribution of clients attended to by RCK psychosocial staff



Graph 2 below shows the distribution of cases handled by psychosocial staff. The highest numbers of cases (41 percent) handled by RCK staff were trauma related. As indicated above, this was partly the consequence of the anticipated closure of Dadaab. 90 percent of the cases were concluded and the clients were able to adopt healthy coping mechanisms to their everyday challenges and struggles.



Graph 2: Cases handled by RCK psychosocial staff

## Challenges

- Police officers unable to produce refugees and asylum seekers in court when their matters were scheduled for hearing. In addition, failure of witnesses and doctors to appear in court for SGBV cases. This impeded the speedy conclusion of cases.
- The Kakuma law court was not in session from mid-May to mid-October 2016. This especially affected persons identified for resettlement given court decisions are vital in the resettlement process
- The small size of police vehicles in Kakuma meant they made frequent trips to and from the courts and the remand prison in Lodwar. This often resulted in PoCs failing to be produced in court on time.
- Minors engaging in 'consensual' sexual relationships caused serious challenges. It was especially problematic for boys as they faced punitive sentences for sexual activity they were unaware was criminal.

## Lessons learnt

- Conducting situational counselling (gestalt's approach) enables clients manage anxiety and expectations while at the same time enabling them to make informed decisions.
- Internal training provides a valuable opportunity for staff to discuss different psychological and emotional challenges that affect their performance at work and fosters good working relationships among them.



Picture 1: A group counselling session for women in Nairobi<sup>1</sup>

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<sup>1</sup> Consent was sought from the clients



# Advocacy and Policy Development Programme

The Advocacy and Policy Development (APD) Programme's main goal is to create an environment where forced migrants enjoy their rights and live in dignity. The Programme achieves this goal through legal and policy framework advocacy, knowledge enhancement for behavioural change, and human rights compliance monitoring. In 2016, the Programme focussed on the revision of the refugee law, work permits, training and sensitization sessions as well as monitoring of human rights compliance.

## Legal and policy framework advocacy

### Refugees Act, 2006 review

The Refugees Act, 2006 has been operational since 2007. This is the main legal instrument protecting people in need of asylum, and regulates their residence in Kenya. It spells out refugee rights and the standards of their treatment while in Kenya. Over the years, the presence of refugees in Kenya has been blamed for the rising cases of insecurity. Such issues mean the review of the law is critical to address national security and refugee interests.

A key outcome of the Programme, at the end of 2015, was the development of the Refugees Bill. The Bill was developed through a multi-stakeholder process including a taskforce<sup>2</sup> and the Kenya Parliamentary Human Rights Association (KEPHRA).<sup>3</sup> It contains provisions on an inclusive new refugee governance structure. It also secures the rights of the refugees while addressing national security interests. The gist of the Bill, should the National Assembly pass it, is the clear procedure for handling refugees facing security-related charges.

The Bill was debated in the National Assembly in 2016 following rigorous lobbying efforts, and after engaging members of the Departmental Committee on Administration and National Security (DCANS). RCK organised lobbying workshops and held several meetings with members of DCANS and other stakeholders to sensitize them on refugee matters. These efforts paid off when the Bill was passed after the second reading. The Bill is yet to become law although it is expected to pass given most members of the National Assembly support it.

### Naturalisation and access to work permits for refugees

RCK held sensitisation forums targeting refugee communities within Nairobi County, with the objective of raising awareness on the provisions of the law regarding the acquisition of Kenyan citizenship, registration, and access to work permits. The dialogue forums were informed by the provisions of the Constitution of Kenya, 2010, the Kenya Citizenship and Immigration Act, 2011 and the Refugees Act, 2006, which most refugees are not aware of. Through the forums and referrals by trained community monitors, 19 male refugees were identified for work permits, and 12 refugees (five female and seven male) were identified for citizenship applications. RCK will continue to offer them technical and legal assistance as their applications are processed. However, only three met the legal requirements and their files consequently sent to the Kenyan Immigration Department for further processing.

<sup>2</sup> Taskforce on the review of the Refugees Act, 2006 and development of the National Asylum Policy. It comprises the following organisations: Kituo Cha Sheria, Heshima Kenya, International Rescue Committee, Refugee Consortium of Kenya, Hias Refugee Trust, United Nations High Commissioner for Refugees, Refugee Affairs Secretariat and Danish Refugee Council.

<sup>3</sup> KEPHRA is a parliamentary caucus that advocates for the development of policies and laws that promote state capacity to enhance human rights in Kenya.



## Regional and international advocacy

### High Commission Dialogue on Protection Challenges 2016, held in Geneva on 8- 9 December 2016

RCK participated in the annual Dialogue on Protection Challenges organised by the High Commissioner for Refugees. The Dialogue sought to share good practices and lessons learned in promoting protection outcomes for children on the move; to call for coordinated action in advocating a more comprehensive approach to public policies directly affecting children on the move; to seek renewed commitment to principles governing protection and assistance to children on the move, including for renewed international solidarity in seeking solutions, and; to collate the information and recommendations from the Dialogue to inform the revision of relevant UNHCR policies and guidelines in 2017.

Participants concluded that there was need for good practices in different regions and include them in the national, regional and international laws so as to safeguard the best interests of children; that countries should legislate and operationalise laws to protect children on the move to host countries and also protect them when they get durable solutions; lobby for legislation and policies that will prevent family separation; ensure inclusion of children while developing legislations governing refugee children and adolescents in the world; lobby for legislation to eradicate statelessness of children, and; that countries should develop mechanisms for economically empowering children.

### World Humanitarian Summit held in Istanbul Turkey on 23-24 May 2016

RCK participated in the World Humanitarian Summit (WHS) convened by the former UN Secretary-General Ban Ki-moon. The Summit was attended by 9,000 people from around the world. The WHS sought to generate commitments to reduce suffering and deliver better service to people around the globe.<sup>4</sup>

The Summit generated more than 3,000 commitments to action and launched more than a dozen new partnerships and initiatives meant to turn the agenda for humanity into meaningful action to protect the world's most vulnerable people. RCK delivered a statement on behalf of Eastern Africa NGOs. The NGOs asked for, among other things, early warning mechanisms and action to prevent and mitigate conflict and election related violence; localisation of humanitarian aid; flexible and predictable funding, and; strengthening humanitarian coordination.

WHS drew commitments to enhance sustainable development for all, including displaced persons, and ensure that displaced communities access resources and support they need to live in safety and dignity regardless of context. This includes working towards a global agreement on responsibility-sharing for refugees to safeguard their rights, while also effectively and predictably supporting states affected by the movement of refugees.

### United Nations Summit on Refugees and Migrants held on 19th September 2016 at the UN Headquarters in New York

The UN General Assembly hosted a high-level summit to address large movements of refugees and migrants with the aim of bringing countries together to develop a more humane and coordinated approach. The Summit was attended by heads of state and governments, ministers, and leaders from the UN, civil society, private sector, international organisations and academia.<sup>5</sup>

<sup>4</sup> <https://www.worldhumanitariansummit.org/>.

<sup>5</sup> <http://refugeesmigrants.un.org/summit>.



It was the first time the General Assembly had called for a summit on large movements of refugees and migrants and was a historic opportunity to come up with a blueprint for a better international response. The Summit was a unique opportunity for creating a more responsible system for responding to large movements of refugees and migrants. On the day of the Summit, 193 Member States signed up one plan for addressing large movements of refugees and migrants called the New York Declaration.

## **Training and capacity enhancement sessions**

### **Training sessions**

Refugees and other forced migrants often meet with duty bearers who may not be aware of their rights. RCK enhances the capacity of these duty bearers through training sessions. In 2016, the APD team conducted 22 training sessions targeting various duty bearers. 775 people – police officer, immigration officers, administration officers, and judicial and other law enforcement officers – attended the training sessions.

The training sessions helped change the attitudes of the officers towards refugees. According to a pre- and post-training evaluation analysis, an average of 71% of participants positively changed their views on refugees. Participants demonstrated a better understanding of the types of forced migrations, the modalities of access to asylum in the country and the requisite policies, laws and practises in dealing with refugees and other forced migrants.

### **Annual regional course on force migration**

The annual regional course on forced migration is a platform that brings together various stakeholders in the forced migration sector to discuss ways of addressing the challenges therein. In 2016, RCK held the course at the Kenya School of Government in Nairobi. It attracted 65 participants from the region. Some of the topics covered were: durable solutions, national security and refugee protection, and displacement and development.

As a follow-up to the annual regional course, participants were requested to write letters to themselves highlighting the activities they would undertake as a result of attending the training. Two participants wrote to RCK on how they had used the information and knowledge on forced migration to enhance their work. One participant, a journalist, wrote a story on forced migration, while another participant from Tanzania, stated that in 2017 he would register new arrivals in Tanzania, distribute food and non- food items, among other activities.

### **Community sensitization forums**

Refugees and asylum seekers were sensitised on their rights in Kenya. A total of 67 community forums were held in Nairobi, Dadaab, Garissa and Kakuma. These sessions covered topics such as access to work permits, addressing sexual and gender based violence in the community, alternative dispute resolution, and peace-building. Some 4,476 people attended the sessions.

A youth group made of 30 young men in Kambioos camp in Dadaab was formed as a result of these forums. This group is made up of South Sudanese refugees who have been preaching peace in the camps. They used the information and knowledge gained, and peace-building techniques they learnt in the sessions to conduct door-to-door peace sensitisation activities. This in turn has improved the well-being of the residents of Kambioos as incidents of violence have reduced.



## Public lectures

The APD Programme conducted five public lectures at three universities in Nairobi. These included United States International University (USIU), University of Nairobi and Kenyatta University. The lectures were aimed at enhancing the knowledge of university students on current issues affecting refugees in Kenya and the region. At the end of the sessions, RCK received numerous applications from students wishing to work with RCK on refugee matters.

## Monitoring compliance with laws on forced migration

Monitoring compliance of forced displacement laws by duty bearers is core to the Programme. In 2016, RCK conducted a total of 20 monitoring missions through its various offices in Nairobi, Kakuma, Garissa and Dadaab. These covered the Isiolo-Laisamis-Marsabit-Moyale route, and Lodwar-Kitale-Swam-Bungoma-Malaba-Busia-Kisumu-Nakuru-Eldoret (two missions); Mwingi (one mission), and; 16 missions to the Nadapal border point. The monitoring mission along the Isiolo-Moyale route was especially timely as it was conducted at a time when the Government of Kenya announced its intention to close Dadaab refugee camp and repatriate Somali refugees.<sup>6</sup> The monitoring missions were instrumental in identifying challenges that hinder access to justice for forced migrants.

## Challenges

- The biggest challenge was the language barrier between asylum seekers and the police, as most asylum seekers and forced migrants found along the migration corridors often do not speak local or national languages. This makes it difficult to determine reasons for their presence in the country, and consequently resulting in inadequate access to protection mechanisms as is legally required. Another challenge was lack of requisite knowledge on forced migration issues among government officers particularly on refugee documentation leading to unnecessary arrests of asylum seekers and refugees.
- The RAS documents are not recognised by the Director of criminal Investigation (DCI) this leads to inability by the refugees to obtain certificates of good conduct from the DCI.
- The slow pace in the processing of RSD thus hindering the acquisition of work permits and naturalisation documents.
- Links between insecurity and refugees leading to xenophobic attitudes towards refugees in the country

## Lessons learnt

- Engagement with various legislative actors has provided useful insights into the lobbying process for the development of the Refugees Bill.
- Conducting continuous training for police officers along the border is critical as they are regularly transferred.
- It is important to continue advocacy work to ensure government departments (especially Immigration and the DCI) issue work permits and certificates of good conduct to refugees.

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<sup>6</sup> The decision was made through a press release on 6 May 2016 by the Permanent Secretary in the Ministry of Interior and Coordination of National Government. Later the CS in charge of the same ministry constituted a team to come up with a roadmap on repatriation and closure of the camp.



Picture 2: Participants in the third Annual Regional Course on Forced Migration held in Nairobi in August 2016



# Communication, Research and Monitoring Programme

The Programme seeks to create an enlightened society on refugees and forced migrants issues. Its strategic objective is to inform and empower targeted groups on forced displacement rights and duties. This is achieved through research and awareness-raising. The Programme also supports the organisation's visibility, information, communication and technology (ICT) tools and monitoring and evaluation of systems.

## Evidence-based programming

### Research

The Programme periodically undertakes research activities to understand the environment in which refugees live. The research activities contribute to the vision and mission of RCK by identifying the real issues that hinder access to justice for refugees and other forced migrants. They provide findings that are then used to programme and find solutions for persons of concern.

In the implementation period, RCK conducted three studies. The first one, funded by the Great Lakes Programme at the Danish Refugee Council (DRC), examined the economic contribution of refugees in Nairobi. This led to the production of a report titled *Myths and Truths: The Facts about refugee self-sufficiency and economic contribution in Nairobi*. Two other research studies – *Refugee Integration Intention Survey* and *Needs Assessment Report: Male Adolescent Refugees in Nairobi* – were conducted. They were funded by the Human Security Division of the Federal Department of Foreign Affairs of Switzerland (HSD), and the Bureau of Population for Refugee and Migrants (BPRM). The former study focused on access to naturalisation for urban refugees in Kenya while the latter was an assessment of the access to parental care for adolescent boys in Nairobi. Both studies have been concluded and the final reports will be shared in the first quarter of 2017.

The findings and recommendation of the studies were instrumental in shaping change. The myths and truths study findings resulted in internal programming on work permits which is currently being implemented by the APD team. In addition, an Inter-agency taskforce, which included UNHCR and RCK among other organisations, was formed to review the work permits of refugees in Nairobi. It also led to further research on the naturalization of refugees in Nairobi of which the results will be presented in 2017.

### Protection situation reports

In the period under review, the CRM team produced 10 protection situation reports. These reports highlighted the challenges that refugees faced in the aftermath of the government's order to shut down Dadaab refugee camp. It also provided concise information on the interventions offered by RCK. RCK has shared the protection monitoring reports with partners and donors. The findings are critical to the work of the partners and donors.



## Awareness raising

### Information, Education and Communication (IEC) Materials

The Programme produced IEC materials with the aim of sharing information about rights with refugees and other duty bearers. In the period under review, RCK distributed 4,799 materials. The table below shows a breakdown of the materials.

IEC Materials	Event	No. Distributed
T-shirts	Day of the African Child	250
T-shirt, caps, information booklets	World Refugee Day	600
Banners, notebooks, T-shirts, information booklets, research	Annual regional course on forced Migration	433
Information booklets, banners, T-shirts, brochures	Legal/ GBV awareness	1,773
Information booklets, brochures, T-shirts, calendars	Monitoring and trainings	1,743
<b>Total</b>		<b>4,799</b>

Table 1: IEC material distribution

The demand for these materials increased by nine percent in 2016, from 4,405 in 2015 to 4,799 in the year under review. Recipients of these materials provided feedback on their usefulness. Police officers were grateful that the 2016 calendars provided information about various documents that refugees and asylum seekers are entitled to. This, from the feedback received, enhanced knowledge among the police. Somali refugees were particularly grateful for the information on trauma counselling and healing as they pondered their future after the closure of Dadaab refugee camp.

### Public information and social media interaction

During the year, 11 radio shows were broadcast. The programmes were aired live on BBC, Star FM, Dadaab FM, Radio Jambo, Nation FM, Q FM, and Atanayeche FM (Kakuma). These programmes reach approximately 50,000 refugees, asylum seekers and members of the host community. They were used in raising awareness on the protection of forced migrants. During one of field monitoring visit in Garissa, a beneficiary said he listened to one of RCK radio shows and found it immensely useful. Two others wrote to RCK requesting to be considered for local integration after listening to a show aired on the World Refugee Day.

RCK presence was maintained on social media. Media monitoring reports were shared on email, Twitter and Facebook on a daily basis. The number of recipients of our reports increased during the year by 20 percent. Furthermore, the reports occasioned legal action after refugees were reported to have been arbitrarily arrested and detained.



However, appearance in print media was minimal during the year, with only two articles recorded. This is mainly because of the reduced funding in 2016. Granted, the information shared in the articles sparked interest from refugees some of whom applied for work and residence permits.

## Information technology

A year after hiring an Information Technology (IT) Officer, the Programme developed a functional intranet, an IT policy, and redeveloped the RCK website. The officer visited the Dadaab and Garissa stations to evaluate the IT position in the offices. Reports, indicating increased efficiency in IT utilisation within the organisation, were shared with the senior management team (SMT).

## Monitoring and evaluation

Eight monitoring and evaluation exercises were carried out in the Garissa, Dadaab, and Kakuma offices. The exercises focused on the financial and programme implementation. 40 refugees participated in the exercises, and gave feedback on the services received from RCK. All respondents were satisfied with the services offered but pleaded for further assistance in the coming year. Further monitoring was done via social platforms in response to client and partner inquiries and requests. The information gathered from the exercises has been used in improving our services, and approaches when dealing with issues on forced migration.

## Challenges

- Servicing of field office equipment is very difficult especially because there are no IT personnel in the offices. We have to rely on IT officers from partner organisations.
- Lack of stable or reliable Internet connection in field offices hampered the smooth operation of RCK activities, and management of the database thus decreasing efficiency in tracking change among the people served by RCK.
- The Programme could not procure enough IEC materials to meet demand from duty bearers and other stakeholders,
- Late disbursement of donor funds delayed the production of IEC materials meaning such materials could not have the anticipated impact during the implementation period.

## Lessons Learnt

- IEC material recipients respond well to visual materials than written information.
- Targeted audience recall more information in training sessions if that information is supplemented by IEC materials.



# Institutional Support and Development Programme

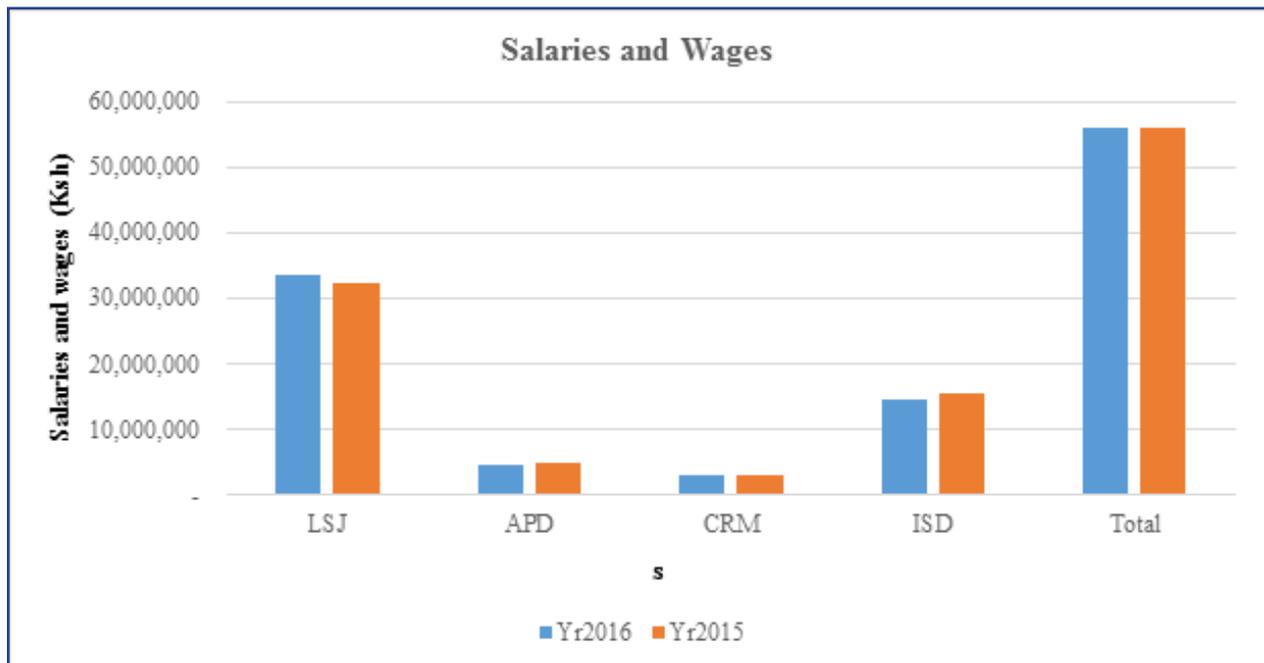
The Institutional Support and Development (ISD) programme exists to ensure a sustainable institution anchored in efficient and effective systems and a progressive culture. The Programme achieves this by enhancing the institutional capacity to effectively execute the RCK mandate and delivery of its mission. In the year under review, it took care of administrative, logistical, human resource and financial resources matters.

## **Administration and logistic support**

The ISD Programme is in charge of logistics, administration and human management of RCK resources. The Programme has 14 staff members, namely: Finance and Administration Officer, four accountants, HR assistant, Administration Assistant, and seven drivers. The Executive Director and all the managers, including camp support ISD team, are also members of the ISD Programme. ISD operated a fleet of nine vehicles, five of which were donated by UNHCR. The administration offices covered Nairobi Kilimani and Buruburu offices, Dadaab, Garissa and Kakuma. The Kakuma office operations increased due to the opening of Kalobeyei camp. RCK, with the support of UNHCR, put up an office in Kalobeyei. It is noteworthy that despite the government directive to close Dadaab camp, RCKs office activities and operations increased. The programme provided logistical and administrative support at an annual cost of KSh 142,238,201.

## **Staff capacity and wellbeing**

Being a service delivery NGO whose main objective is the protection of refugee rights, RCK recognises that its main asset is its human resource. Thus 45% of its 2016 expenditure went to staff who are mainly professionals, including lawyers and policy experts. RCK maintained the same number of staff in 2016 as 2015 although four new positions were created this year. These were: Assistant Programme Officer for Kakuma, and a driver, an Administration Officer, and Office Attendant in Garissa. The number of staff is about 60, with 52% of them female. The organisation maintained a competitive pay package and staff schemes including a medical cover with Resolution Health and a pension scheme with ICEA. Quarterly staff meetings were held during the year, providing employees with an opportunity to interact with each other to enhance team spirit.



Graph 3:Salaries and Wages per Programme

## Resources mobilisation, management and reporting

The overall expenditure for RCK was Ksh. 142.3 million in 2016 compared to Ksh 132.7 in 2015. The operating costs increased by 7% due to increased programme activity of 5% and direct related administration and staff of 2%. Most of organisation's expenditure goes to its personnel given that it is a service-oriented body. This is evidenced by increased activities carried out by its programmes, namely LSJ, CRM and APD. RCK spent Ksh. 41.3 million on project staff in 2016 compared to Ksh. 40.2 million in 2015.

RCK retained its seven long-term donors and attracted two new ones namely Norwegian Refugee Council (NRC) and UNDP-Amkeni Wakenya. Quarterly/monthly reports were submitted to donors as per signed contracts and agreements. The organisation recognises the support and partnership of the following partners from which it received funding in 2016:

1. United Nations Higher Commissioner for Refugees (UNHCR)
2. Danish Refugee Council (DRC)
3. Sigrid Rausing Trust
4. United Nations Voluntary Fund for Victims of Torture (UNVFVT)
5. International Rescue Committee (IRC)
6. Embassy of Switzerland
7. Embassy of Finland
8. American Friends Service Committee (AFSC)
9. United Nations Development Programme (UNDP)/Amkeni Wakenya



- 10. Norwegian Refugee Council (NRC)
- 11. Bureau for Population for Refugees and Migrants (BPRM)

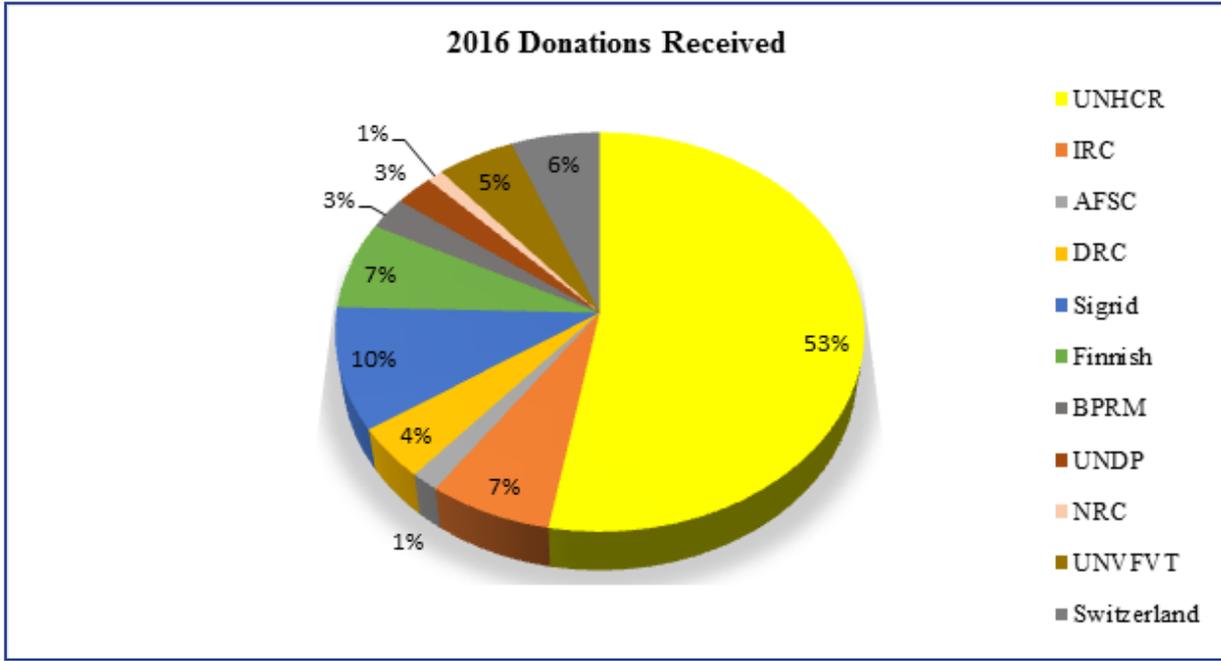
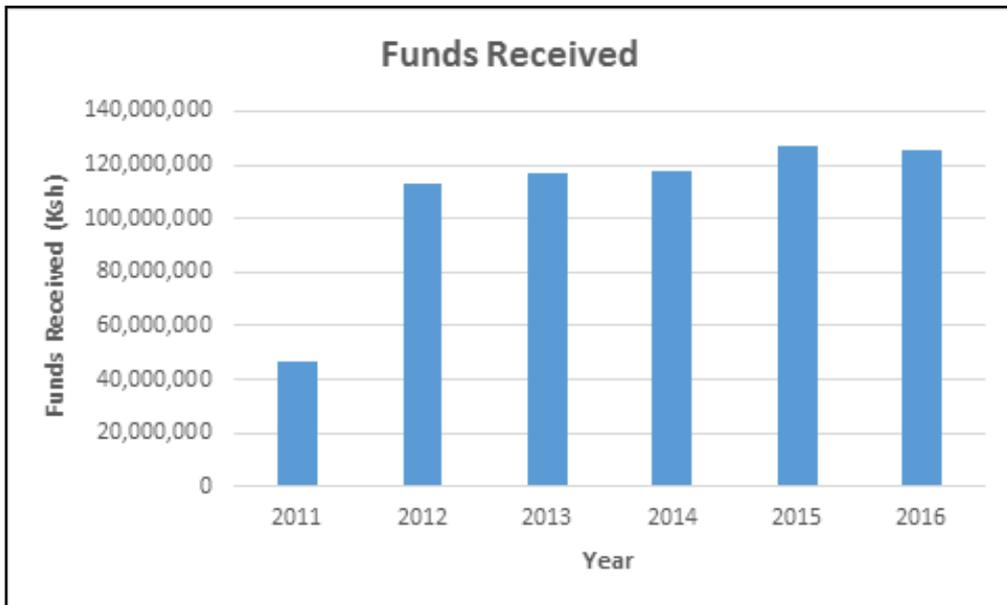


Chart 3: Graphical representation of Donations received in 2016

However, due to a reduction in funding for administrative costs and staff support, RCKs reserves reduced by Ksh 7.3 million. Graph 4 below reflects changes in RCK funding over the years.



Graph 4: Graphical representation of funds received since the year 2011



## Organisation oversight and policy reviews

Three Board and 12 Senior Management Team (SMT) meetings were held during the year. A meeting to develop the 2017-2022 Strategic Plan was planned. Unfortunately, this did not take off due to uncertainties in the refugee sector following the government directive to close the Dadaab camp. The senior management team met monthly and on an ad hoc basis. A mid-term risk analysis was done. RCK participated in several international meetings aimed at enhancing donor relations.

In 2016, the SMT comprised of:

- |                            |   |
|----------------------------|---|
| 1. Eunice Ndonga- Githinji | - Executive Director and Secretary to the Board |
| 2. Leila Muriithia Simiyu  | - Senior Programme Officer                      |
| 3. Antony Wesonga          | - Finance and Administration Officer            |
| 4. Fredrick Koome          | - Programme Officer – APD                       |
| 5. Andrew Maina            | - Programme Officer – CRM                       |
| 6. Betty Murithi           | - Programme Manager – Dadaab Camp               |
| 7. Joseph Akivaga          | - Programme Manager –Kakuma Camp                |
| 8. Millicent Oloo Kiragu   | - Assistant Programme Manager – Buruburu Office |
| 9. Ndindi Ng'ang'a         | - Assistant Programme Manager – Garissa Office  |

## Challenges

- Fluctuation in foreign exchange mainly due to the drop of the Sterling Pound after Brexit.
- The government's decision to close Dadaab camp affected staff morale and stability. In addition, partners in the refugee sector were uncertain on what direction to take given existing and emerging challenges in such an environment.
- Reduced value of assets owned by the organisation especially motor vehicles due to lack of donor assistance to acquire them.
- Reduced funding to support capacity building programmes meant that staff had limited opportunities to enhance their skills.

## Lessons Learnt

- Continuous review of policies enhances the organizations efficiency and effectiveness.



## The Year Ahead

RCK expects an increase in Ethiopian Oromos seeking asylum in Kenya in 2017. This follows a recent government crackdown on anti-government protesters of whom Oromos are a majority. Furthermore, drought will most likely force many Ethiopians, South Sudanese and Somali nationals into Kenya in search for food and water. These events may inflate the number of refugees and asylum seekers in the country by the end of the year.

Despite the above outlook, humanitarian services in East Africa are expected to be affected by major funding cuts. This is due to the continuing Syrian crisis that has seen donors reprioritise their humanitarian support from the region to Syria. Moreover, the new American Government has vowed to slash their overseas funding significantly in favour of higher military spending. This may further depress the level of funding available for the assistance of forced migrants in Kenya and the region.

Kenya will hold its General Election in 2017. The refugee situation in Kenya may be used to rally political support especially when it comes to national security. This may lead to a rise in xenophobia as Kenyan nationals may view refugees with suspicion.

In spite of the dim forecast for 2017, RCK remains hopeful that there will be continued support from our donors and partners to help keep hope alive for refugees.



## Financial Statements

(Extract from the RCK Financial Report for the year ended 31 December 2016 by PKF)



**STATEMENT OF MANAGEMENT BOARD'S RESPONSIBILITIES**

It is the responsibility of the management board to prepare financial statements for each financial year which give a true and fair view of the state of affairs of the organisation as at the end of the financial year and of its income and expenditure for that year. The management board is also required to ensure that the organisation maintains proper accounting records that disclose, with reasonable accuracy, the financial position of the organisation. The management board is responsible for safeguarding the assets of the organisation.

The management board accepts responsibility for the preparation and fair presentation of financial statements that are free from material misstatement whether due to fraud or error. The management board accepts responsibility for:

- i. Designing, implementing and maintaining such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error;
- ii. Selecting and applying appropriate accounting policies; and
- iii. Making accounting estimates and judgements that are reasonable in the circumstances;

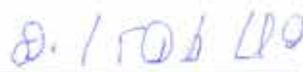
The management board is of the opinion that the financial statements give a true and fair view of the financial position of the organisation as at 31 December 2016 and of the organisation's financial performance and cash flows for the year then ended in accordance with International Financial Reporting Standards for Small and Medium-sized Entities and the requirements of the Non-Governmental Organisations Co-ordination Act, 1990.

In preparing these financial statements the management board has assessed the organisation's ability to continue as a going concern. Nothing has come to the attention of the directors to indicate that the organisation will not remain a going concern for at least the next twelve months from the date of this statement

The management board acknowledges that the independent audit of the financial statements does not relieve them of their responsibilities.

So far as each of the management board is aware, there is no relevant audit information which the auditor is unaware of, and each of the board members has taken all the steps that ought to have been taken in order to become aware of any relevant audit information and to establish that the auditor is aware of that information.

Approved by the management board on 5th May 2017 and signed on its behalf by:

  
\_\_\_\_\_  
CHAIRMAN

  
\_\_\_\_\_  
EXECUTIVE DIRECTOR

**REPORT OF THE INDEPENDENT AUDITOR  
TO THE MEMBERS OF REFUGEE CONSORTIUM OF KENYA (RCK)**

**Opinion**

We have audited the accompanying financial statements of Refugee Consortium of Kenya (RCK) set out on pages 9 to 20 which comprise the statement of financial position as at 31 December 2016, statement income and expenditure and general fund and statement of cash flows for the year then ended and a summary of significant accounting policies and other explanatory information.

In our opinion, the accompanying financial statements give a true and fair view of the financial position of Refugee Consortium of Kenya (RCK) as at 31 December 2016 and of its financial performance and cash flows for the year then ended in accordance with International Financial Reporting Standard for Small and Medium-sized Entities and the requirements of the Non-Governmental Organisations Co-ordination Act, 1990.

**Basis for opinion**

We conducted our audit in accordance with International Standards on Auditing (ISAs). Our responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of our report. We are independent of the organisation in accordance with the International Ethics Standards Board for Accountants, Code of Ethics for Professional Accountants (IESBA Code) together with the ethical requirements that are relevant to our audit of the financial statements in Kenya, and we have fulfilled our other ethical responsibilities in accordance with these requirements and the IESBA Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

**Other information**

The management board is responsible for the other information. The other information comprises the report of the management board, statement of management board's responsibilities and appendices but does not include the financial statements and our auditor's report thereon.

Our opinion on the financial statements does not cover the other information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

**Management board responsibility for the financial statements**

The management board is responsible for the preparation of financial statements that give a true and fair view in accordance with International Financial Reporting Standard for Small and Medium-sized Entities and the requirements of the Non-Governmental Organisations Co-ordination Act, 1990 and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

**REPORT OF THE INDEPENDENT AUDITOR  
TO THE MEMBERS OF REFUGEE CONSORTIUM OF KENYA (RCK) (CONTINUED)**

**The management board's responsibility for the financial statements (continued)**

In preparing the financial statements, the management board is responsible for assessing the organisation's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the management board either intends to liquidate the organisation or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the organisation's financial reporting process.

**Auditor's responsibilities for the audit of the financial statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with International Standards on Auditing will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with International Standards on Auditing, we exercise professional judgement and maintain professional skepticism throughout the audit. We also:

- i. Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- ii. Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the organisation's internal control.
- iii. Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the management board.
- iv. Conclude on the appropriateness of management board's use of the going concern basis of accounting and based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the organisation's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the organisation to cease to continue as a going concern.
- v. Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.



**REPORT OF THE INDEPENDENT AUDITOR  
TO THE MEMBERS OF REFUGEE CONSORTIUM OF KENYA (RCK) (CONTINUED)**

**Auditor's responsibilities for the audit of the financial statements (continued)**

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

The engagement partner responsible for the audit resulting in this report of the independent auditor is CPA Patrick Kuria - P/No. 2045.

*PKF Kenya*  
Certified Public Accountants  
NAIROBI

*May* 18, 2017  
267/17

Refugee Consortium of Kenya (RCK)  
Annual report and financial statements  
For the year ended 31 December 2016

**STATEMENT OF FINANCIAL POSITION**

	Notes	2016 Shs	2015 Shs
<b>ASSETS</b>			
<b>Non-current assets</b>			
Equipment and vehicles	10	<u>9,265,150</u>	<u>13,639,060</u>
<b>Current assets</b>			
Receivables	11	6,112,007	2,708,385
Cash and cash equivalents	12	<u>18,705,475</u>	<u>27,733,874</u>
		<u>24,817,482</u>	<u>30,442,259</u>
<b>Total assets</b>		<u><u>34,082,632</u></u>	<u><u>44,081,319</u></u>
<b>FUNDS</b>			
General fund		<u>6,026,214</u>	<u>13,528,073</u>
<b>Non-current liabilities</b>			
Asset grants - deferred income	13	<u>7,712,650</u>	<u>8,539,060</u>
<b>Current liabilities</b>			
Payables	14	3,091,960	2,021,888
Unexpended grants	15	<u>17,251,808</u>	<u>19,992,298</u>
		<u>20,343,768</u>	<u>22,014,186</u>
<b>Total funds and liabilities</b>		<u><u>34,082,632</u></u>	<u><u>44,081,319</u></u>

The financial statements on pages 9 to 20 were approved and authorised for issue by the management board on 5th May 2017 and were signed on its behalf by:

D. I. O. O. L. I. O.  
CHAIRMAN

Matthew  
EXECUTIVE DIRECTOR

The notes on pages 12 to 20 form an integral part of these financial statements.

Report of the independent auditor - page 6 to 8.

Refugee Consortium of Kenya (RCK)  
Annual report and financial statements  
For the year ended 31 December 2016

**STATEMENT OF CASH FLOWS**

	Notes	2016 Shs	2015 Shs
(Deficit) for the year		(7,501,859)	(5,300,321)
<b>Adjustments for non-cash income and expenses:</b>			
- Depreciation on equipment and vehicles	10	2,507,405	4,121,778
- Asset grant transferred to income		(1,989,905)	(2,421,778)
- (Loss) on disposal of property and equipment		50,000	-
<b>Changes in working capital:</b>			
- (Increase)/decrease in receivables		(3,403,622)	9,935,133
- (Increase)/decrease in payables		1,070,072	(5,629,862)
- (Decrease) in unexpended grants		(2,740,490)	(2,273,754)
Net cash (used in)/from operations		<u>(12,008,399)</u>	<u>(1,568,804)</u>
<b>Cash flow from investing activities</b>			
Asset grant received		1,387,748	1,536,620
Purchase of equipment	10	(1,387,748)	(8,336,620)
Proceeds from disposal of property and equipment		2,980,000	-
Net cash from/(used in) investing activities		<u>2,980,000</u>	<u>(6,800,000)</u>
(Decrease) in cash and cash equivalents		<u>(9,028,399)</u>	<u>(8,368,804)</u>
<b>Movement in cash and cash equivalents</b>			
At start of year		27,733,874	36,102,678
(Decrease)		<u>(9,028,399)</u>	<u>(8,368,804)</u>
At end of year	12	<u>18,705,475</u>	<u>27,733,874</u>

The notes on pages 12 to 20 form an integral part of these financial statements.

Report of the independent auditor - page 6 to 8.