



# REFUGEE CONSORTIUM OF KENYA

## 2020 ANNUAL REPORT



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## Message from the Chair of the Board



**T**ogether with all the board members, I wish to express our gratitude to the Refugee Consortium of Kenya (RCK) staff for rising against all odds, this past year, and adapting to the peculiar challenges presented by the Covid-19 pandemic. Although the full effect of the global crisis is yet to be assessed, what is more clear is that it has affected markets, world economies and disrupted humanitarian responses. It has led to project interruptions, job losses, financial cut-backs, and even complete shutdowns of operations within the humanitarian and development sectors.

Even so, we are delighted that the organization managed to establish a rapid operation plan that cautioned staff members, reinforced our governance system and guaranteed services to forced migrants and host communities. Technology was leveraged in an effort to work remotely with a number of meetings hosted virtually, through videoconferencing and teleconferencing, while executing our mandate. Inevitably, physical meetings and other stakeholder engagements were done in strict observance of the health protocols issued by the Ministry of Health.

Conflicts and displacements, compounded by the threat of desert locust invasion and the far-reaching climate change, necessitated tactical interventions to address refugees' plight. Targeted response programs were initiated and policy guidelines with practical recommendations developed. Equally, the board supported the entire staff, through the Executive Director, in establishing strategic and durable partnerships with increased donor funding, to effectively promote and protect the rights and dignity of forcibly displaced people.

The board is devoted to ensuring that the organization's strategic plan advances durable solutions for refugees and persons of concern. This is in line with the RCK's mission which the staff is committed to while developing and influencing policies such as the recent review of the Refugee Act, 2006. Certainly, the enabling environment would be lacking without the support of the government of Kenya, county assemblies, partners and donors.

Over and above, I commend my fellow Board Members and the Senior Management Team for strong and progressive leadership during the protracted "triple" crises. I am assertive that RCK will be able to endure the humanitarian and financial dilemma that the country, region and the world is grappling with.

As the year 2021 begins, I am more than ever drawn to our motto “keeping hope alive”. We remain optimistic and committed to fostering an environment where forced migrants and host communities access rights, protection and durable solutions. To this end, it is my privilege to share this 2020 RCK Annual Report which provides an in-depth analysis of the organization’s overall performance during the year. Thank you.

**Dr. Samuel Kabue,**

A handwritten signature in blue ink, appearing to read 'S. Kabue', is placed above the printed name.

***Chairman,***

***Board of Directors***

***Refugee Consortium of Kenya.***

## Message from the Executive Director



**I**n the face of the Covid-19 pandemic, a coordinated approach to curb its impact is crucial. I, particularly, appreciate the concerted effort displayed by the staff, partners and donors in ensuring dynamism, commitment and progression in programs delivery. The year 2020 exceedingly assessed our level of risk preparedness, and we are pleased to have responded effectively and survived the health and financial turbulence. The organization made significant progress in achieving the goals of our 2020

Annual Operational Plan, and assisting close to 7,208 refugees, asylum seekers and internally displaced persons.

More strategic interventions were required during the year due to the rising number of refugees and asylum seekers which amounted to 504,854 by 31st December, 2021. RCK responded to the situation by mobilizing resources, generating policies, engaging stakeholders, empowering and providing protection to safeguard the rights and dignity of forced migrants and host-communities. We remodeled our mode of operations to a hybrid of remote and physical working irrespective of the growing complex security and humanitarian crisis exacerbated by the Covid-19, desert locust invasion and floods. To ensure that we adhered to the containment measures and continuity of service delivery, RCK officers conducted legal and psychosocial interventions through tele-conferencing which was a more effective way to reach and offer the services to our beneficiaries.

The year witnessed a significant increase of 60% in Sexual Gender Based Violence cases. This was attributed to the negative effect of the pandemic on the socioeconomic aspects of communities. The frustrations occasioned by this impact often led to violence meted out on vulnerable persons in the community. RCK therefore, continued to implement programmes to end violence against women and girls in Nairobi and Garissa through strategic partnerships with stakeholders. These included partnerships with the National GBV Working Group hosted by the National Gender and Equality Commission (NGEC) in Nairobi as well as the Garissa County Gender Technical Working Group among others. The programmes provided survivors of gender based violence with access to justice, social assistance and economic empowerment.

In collaboration with other partners and stakeholders, RCK engaged in lobbying and advocacy initiatives towards the Refugees Bill, 2019. I am proud to highlight that



through the partnership with the Government, Members of Parliament supported revision of the Refugee's Act 2006 to create a more conducive environment for refugee and host communities. We are also happy that the Government of Kenya adopted the Kenya Comprehensive Refugee Response Framework and is committed to play its role in protection of refugees and host communities.

As we look forward to 2021, RCK will continue to advocate for and contribute to favorable policy development for forced migrants. A special thank you to all our donors and partners for their continued engagement with RCK as we look forward to better opportunities in 2021. Having said that, I am delighted to share with you this 2020 Annual Report detailing the challenges encountered and gains made. Let us continue keeping hope alive!

**Ms. Eunice Ndonga Githinji,**



*Executive Director,  
Refugee Consortium of Kenya.*

## Programme Highlights

**R**efugee Consortium of Kenya (RCK) was founded in 1998 and continues to be guided by its mission to safeguard and protect the rights and dignity of forced migrants and host-communities through provision of legal aid, psychosocial support, advocacy, capacity building and promotion of inclusive governance.

To achieve this, the organization maintains three programmes and one support department. These are Legal Aid and Psychosocial Support (LAPS); Advocacy, Policy Development and Governance (APDG); Research and Knowledge Management (RKM); and Institutional Support and Development (ISD). These programmes work together towards realizing the organization's vision where forced migrants and host communities access rights, justice, protection and durable solutions.

In 2020, 7,208 clients received legal and psychosocial assistance. This is a 37% reduction compared to the number of people who received similar assistance in 2019. The reduction in numbers is attributed to the effects of the Covid-19 pandemic, with the Government of Kenya, through the Ministry of Health imposing restrictions to curb the spread of the virus.

During the year, 79% of the clients were assisted on legal issues while 21% of them were assisted on psychosocial matters. Of the issues received from beneficiaries, 68% was on general legal information, 7% on sexual and gender based violence while 25% sought counselling services. Despite the challenges experienced in the year, RCK was able to evolve and continue to offer legal and psychosocial assistance to clients through virtual platforms such as teleconferencing and mobile phone engagements. This effectively contributed to the realization of access to justice for beneficiaries during a period with limitations in meetings and movements.

RCK intensified its advocacy efforts in 2020 with continuous engagement of Members of the National Assembly to review the Refugees Bill, 2019. Furthermore, RCK engaged various stakeholders in the review of the refugee law including The Leader of Majority in the National Assembly, legislators from the Departmental Committee on Administration and National Security, Justice and Legal Affairs Committee and legislators from refugee hosting constituencies.

In 2020, 1,366 persons were capacity built on various human rights matters in line with the organizational mandate. The participants were drawn from various spheres of the society including refugees, members of the host community, legislators, among others. Topical issues such as refugee rights and duties, prevention and response to gender based violence and alternative justice systems were discussed. On the World Refugee



Day 2020, RCK was featured in a prime time news feature that highlighted the plight of refugees in the context of Covid-19 pandemic. This, in addition to engagement of radio programs, social media presence and Information Communication and Education (IEC) materials resulted in a 100% increase in RCK message reach as compared with 2019.

## Legal Aid and Psychosocial Support Programme.

The Legal Aid and Psychosocial Support Programme provides free legal and psychosocial assistance to refugees, asylum seekers, IDPs, other forced migrants and host communities. Its objectives are:

1. To provide legal aid services to improve access to justice for forced migrants and host-communities; and
2. To provide psychosocial services to enhance psychological well-being of forced migrants and host-communities.

This report outlines the achievements, challenges and lessons learnt for the programme in 2020.

### A. Access to Legal Aid.

In 2020, the programme provided legal assistance to 5,719 persons of concern including forced migrants and members of the host communities. Ninety-two percent of the persons of concern were adults and eight percent were children. In terms of gender, 51% were female and 49% were male.

#### Persons receiving legal aid.

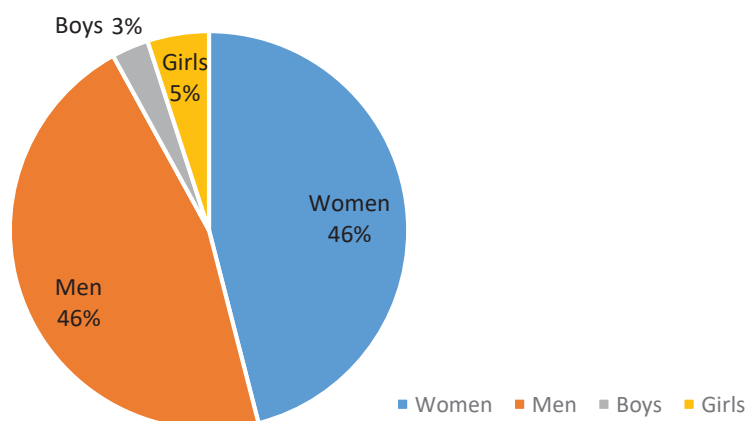
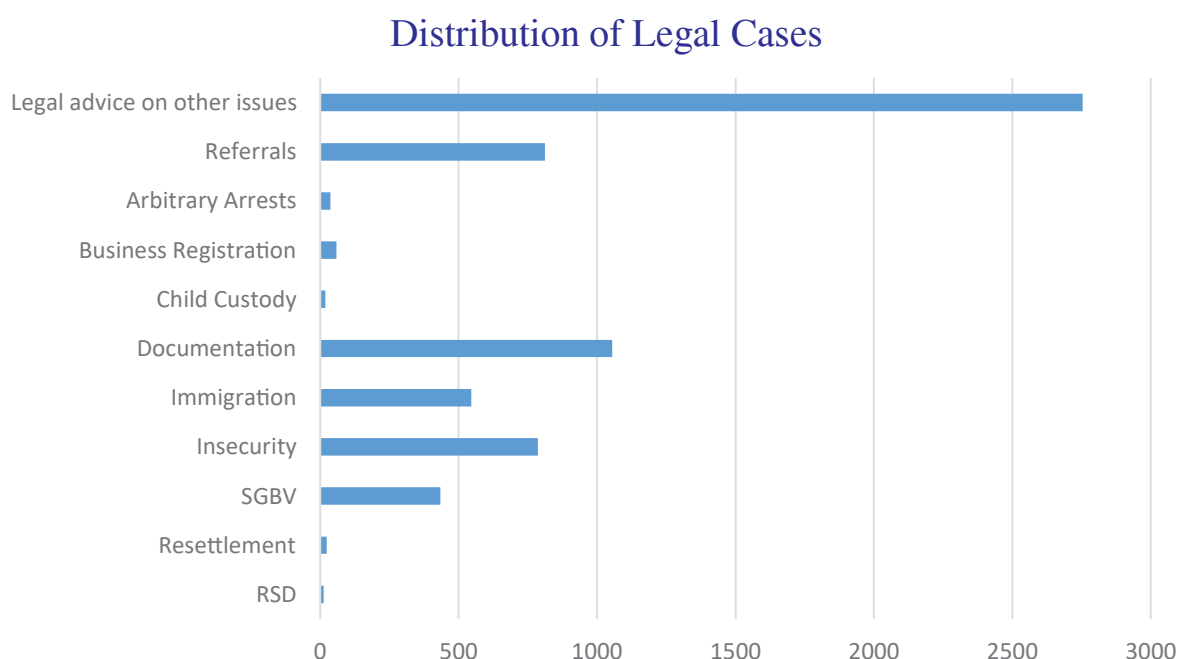


Chart 1: Distribution of clients receiving legal assistance by gender in 2020.

In total, RCK supported 6535 cases. This entailed but was not limited to: legal advice on various asylum and human rights issues, legal advice on business registration, how to navigate access to legal documentation for asylum seekers, legal representation in courts of law and police stations, child custody representation, and watching brief in sexual and gender-based violence (SGBV) cases. Cases brought by Persons of Concern (PoCs) that were beyond RCK's mandate such as provision of medical assistance, durable solutions such as resettlement among others, were referred to other organizations for non-legal assistance. They represented 12 % of the cases handled by RCK.



Graph 1: Nature of cases presented for legal aid in 2020.

As Graph 1 above illustrates, the cases of documentation, insecurity, and immigration were the most reported protection cases.<sup>1</sup>

## i. Immigration Related Cases.

Approximately, 546 forced migrants were charged with immigration-related offences, which save for RCK's intervention, would have resulted in refolement, or penalization to serve long prison sentences. RCK's intervention resulted in unconditional release of 76% of the persons of concern while 14% served short prison sentences or paid lenient fines.

Overall, there was a 24% decrease in the number of persons of concern who received legal aid in 2020 compared to those supported in 2019. The decline was caused by the COVID-19 pandemic restriction measures. These included movement restrictions, closure of courts<sup>2</sup>, prohibition of access to places of detention<sup>3</sup>, and temporary suspension of services such as registration, documentation, and representation as well as the scaling down of in person legal aid services. However, RCK still managed to achieve its targets by conducting legal aid through mobile phone platforms.

<sup>1</sup> The trend is similar to the data collected and analyzed by RCK in 2019, where the main issues reported to RCK are insecurity, immigration, and documentation. In 2020, documentation cases were higher than the previous year due to closure of registration & renewal services as a result of the COVID-19 pandemic.

<sup>2</sup> Directive by President of the Supreme Court and Chief Justice of Kenya on scaling down in courts to curb spread of coronavirus

<sup>3</sup> Circular to detention facilities by Ministry of Interior and National Coordination to curb spread of coronavirus in the detention centres.

RCK also supported PoCs to participate in virtual court proceedings. This was through the provision of airtime and smart phones to community workers and essential partners such as the police as well as supporting staff with laptops, smartphones, airtime and Personal Protective Equipment (PPEs)<sup>4</sup>.

## **B. Prevention and Response to Sexual and Gender Based Violence.**

### **i. Free Legal Counselling and Representation for SGBV Survivors.**

Measures to contain the COVID-19 pandemic resulted to increased cases of gender violence, and domestic violence in particular. To address the rising cases of SGBV, RCK quickly adapted to increasing response to and prevention of Sexual and Gender-Based Violence (SGBV) within the challenging circumstances. From April 2020 to June 2020, at the height of the pandemic wave, RCK recorded a total of 155 cases <sup>5</sup>of domestic violence compared to January to February where no cases of domestic violence were reported. RCK's work on SGBV prevention and response across the offices reached 817 (559 women, 217 girls, 21 men, and 20 boys) refugees and host community members who received legal counselling and psychosocial support on SGBV matters while 434 (220 women, 187 girls, 7 men, and 20 boys) survivors of SGBV were represented in courts and police stations. The cases represented were on defilement, attempted defilement, rape, attempted rape, gang rape, sodomy among others. Of the cases represented in courts and police stations, 72% of the cases are under investigation or ongoing in court while 18% were concluded with convictions. Sentences in the concluded cases ranged between 5 years to life imprisonment.

The court cases were not concluded due to delays occasioned by downscaling of court operations and closure of some courts due to the COVID-19 pandemic. This led to repeated adjournment of cases. Additionally, in Dadaab, criminal cases including SGBV cases have not been proceeding to full completion due to the lack of presence of the Office of the Director of Public Prosecution<sup>6</sup>. Nevertheless, on the upside the number of concluded cases is 13% higher than in 2019 as courts such as Garissa Law Courts expedited virtual hearings of SGBV cases during the pandemic upon advocacy by RCK through the Court Users' Committee.

<sup>4</sup> The PPEs included masks, sanitisers among other items.

<sup>5</sup> 500 other SGBV cases were reported as compared to 142 in the same period in 2019.

<sup>6</sup> RCK lobbied and continues to lobby for the deployment of the prosecutor with the judiciary and the ODDP offices.

## ii. Psychosocial Support for Survivors of SGBV

RCK ensured continuity of psychosocial support interventions to survivors of Sexual and Gender Based Violence during the Covid-19 pandemic period. Counselling was provided through face to face interactions and phone calls where face to face was not possible. A total of 817(559women, 217 girls, 20 boys and 21 men) clients who reported cases of SGBV were provided with individual counselling. Out of this number, 434(220 women, 187 girls, 21 men and 20 boys) were provided with pre- trial and post- trial counselling that was aimed at psychologically preparing them to give testimony in court as well as reintegrate into the community. This support was provided during all stages of the medical, police, and court processes. The survivors were, therefore, able to adequately prepare for the court proceedings and testify on their cases without fear or re-traumatisation. RCK additionally facilitated translators to be present in court to assist with translation services to ensure that parties to the cases were able to understand the proceedings. This in turn, prevented cases from being adjourned needlessly. In cases involving minors who were too traumatized to testify in person, RCK was able to apply for mothers or counsellors to act as intermediaries within the parameters of the Victim Protection Act resulting in the strengthening of the outcomes of the cases. RCK's expertise in offering pre and post-trial psycho-social counselling support was recognized by Milimani, Kibra, Makadara, and Garissa Law Courts with RCK receiving a certificate of appreciation from the Makadara Court Users' Committee.

### Justice, at last

On one weekend in March 2020, a teacher instructed \*Christine (not her real name), a minor, to visit his house in order to assist him in performing house chores. Once the minor started performing the chores, the teacher attacked and defiled her. After the incident, the minor managed to flee and recounted the ordeal to her 27 year old brother. The minor and her brother then reported the matter at the police station. The perpetrator was arrested before he could escape. The accused person took plea in the month of March 2020 before the COVID 19 pandemic broke out. RCK was watching brief for the minor in court. Due to this representation, the prosecution was able to secure witnesses to attend court on the set hearing dates and offer pre and post-trial counselling to facilitate expedition of the matter. The matter was set for hearing during the pandemic. RCK was also able to provide counselling sessions where the minor and the witnesses went through pre and post psychosocial counselling. Due to this intervention, the witnesses were able to offer coherent evidence in court which led to an expedited closure of the prosecution case within 6 months. The perpetrator was sentenced to serve 20 years' imprisonment in line with the provisions of the Sexual Offences Act. The minor and her brother were grateful for the support provided by RCK in conviction of the perpetrator.



Picture 1: Certificate of Appreciation presented to RCK by Makadara Law Courts

### iii. Partnerships with Stakeholders in the Campaign to End SGBV

Collaborative initiatives with partners in various capacities were instrumental in fast-tracking the finalization of SGBV cases. In Nairobi, RCK continued to work with the Gender Based Violence Theme Group within the UNHCR cluster as well as with the National GBV Working Group hosted by the National Gender and Equality Commission (NGEC). Cases were referred to RCK through the partnerships ensuring quick intervention. In Garissa, RCK partnered with the Garissa County Gender Technical Working Group and the Court Users' Committee to hold a judicial service week for SGBV cases whereby the court reserved one week for the exclusive priority hearing of SGBV cases. 23 cases were fast-tracked including one in which the accused was sentenced to 24 years' imprisonment for committing the offence of defilement.

RCK took its partnership with Kasarani and Garissa police stations a notch higher by strengthening capacity of Gender Desk officers by training them on case management, applicable laws as well as evidence collection which enhanced referral of cases. As the domestic violence 'pandemic within pandemic' raged during the 2020 COVID-19 lockdown and safe shelter space ran out, RCK offered non-food items support to Kasarani and Garissa police stations which expanded their Children Protection Unit(s) mandate to include the temporary accommodation of domestic violence survivors.



This has been hailed as a unique and innovative collaboration in support of survivors of gender violence in very challenging circumstances.

In Kakuma camp and Kalobeyei settlement, RCK further supported 7 survivors of SGBV through linking them with partners who provide livelihood support. RCK supported gender desks at the police station and police post within Kakuma camp and Kalobeyei settlement with Personal Protective Equipment's (PPE) to ensure that the police officers and survivors of violence were protected from COVID 19, thereby promoting increased access to justice for survivors during the pandemic.

RCK continued to work closely with Gender desks at the Dadaab police stations to ensure that survivors of Gender Based Violence were reporting cases in a safe and confidential environment. RCK through support from UNHCR recruited a female translators to provide translation services for survivors at the police station. Presence of translators ensured that survivors reported their cases in a language that could be understood and that documentation of cases was well done. This eliminated the language barrier between the police, survivors, and witnesses in SGBV cases and therefore contributed to access to justice for the survivors and other affected persons. In addition, RCK lobbied UNHCR to provide a desk top computer to the Hagadera police station Gender desk. This facilitated timely intake and documentation of witness statements, generation of charge sheets and contributed to timely collection of evidence.

#### **iv. Coordination and Collaboration with Gender Based Violence Recovery Centres to Ensure Holistic Support for Survivors.**

RCK continued coordinating the management and operation of the Garissa Gender-Based Violence Recovery Centre (GGBVRC)<sup>7</sup> in partnership with the Garissa County Referral Hospital. The centre continues to be a model for provision of holistic one stop-shop for medical, counselling, and legal support to survivors. The Garissa County Hospital staff offer medical support and RCK counsellors and lawyers offer free legal aid and counselling. Approximately 250 survivors of SGBV were attended to at the GGBVRC in 2020. RCK provided similar services in Nairobi in partnership with the Nairobi Women's Hospital (Kitengela and Adams Arcade Branches), where 22 survivors of SGBV were attended to at the hospital premises. RCK also expanded its counselling services to include psychiatric care through partnerships with Kamili Organization and the National Council of Churches of Kenya (NCCCK).

<sup>7</sup> RCK established a Gender Based Violence Recovery Centre in Garissa Township in 2014 which it operates in partnership with the Garissa County Referral Hospital.



Picture 2: RCK staff and the clinical team at the Garissa County Referral Hospital upon donation of a hand-wash tank. This was to assist the GGBVRC to adhere to health and sanitation protocols, when attending to survivors of SGBV during the pandemic.

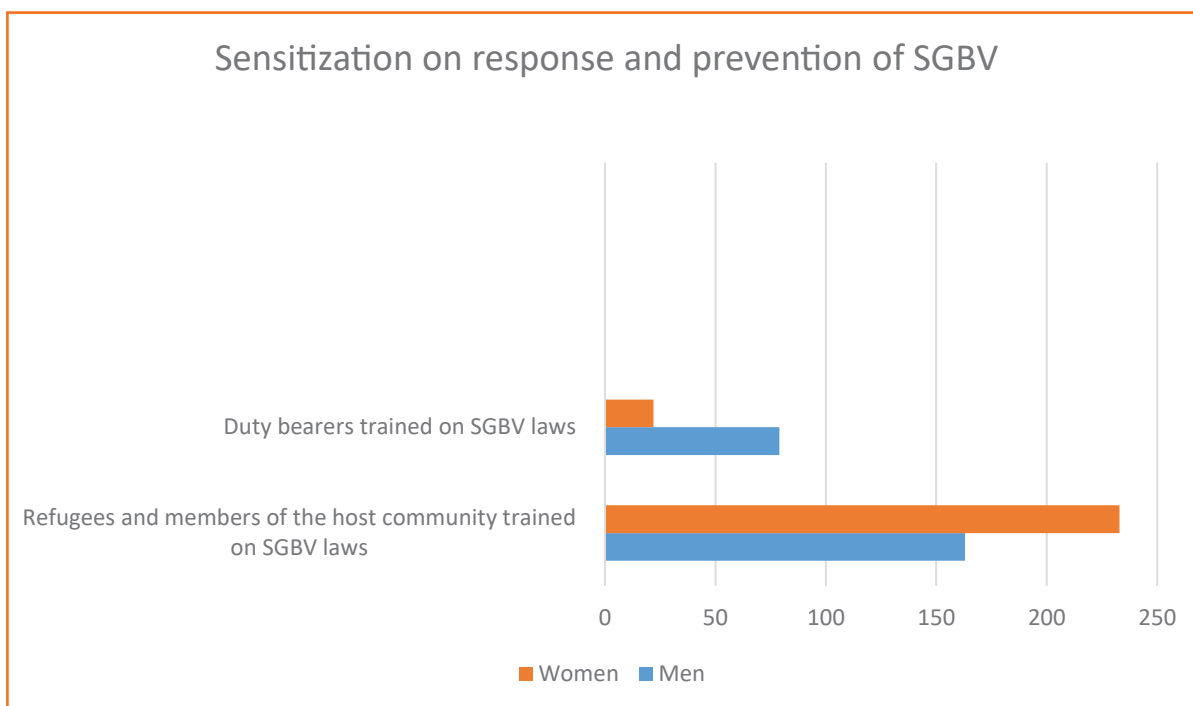


Picture 3: RCK staff presenting a desk top computer that was donated by UNHCR, to the Deputy OCS Hagadera Police station. This was to aid in the hearing of cases during the pandemic.

## v. Sensitization on prevention and response to gender based violence

Gender-Based violence refers to harmful acts directed at an individual based on their gender. It is rooted in gender inequality, the abuse of power and harmful norms<sup>8</sup>. RCK shared information with 396 (135 men, 140 women) community members and 71 (49 men, 22 women) duty bearers on legal provisions that protect women and girls against violence. RCK emphasized on the 72-hour rule to seek medical assistance for victims of sexual violence. The participants also received contact information on various institutions where they could receive assistance such as police stations, safe houses, hospitals, clinics, and children's offices. The 'do no harm' and confidentiality principles among others were also shared with the participants in addressing SGBV in the communities.

It was noted that there was significant change of opinion among participants towards prevention of sexual and gender-based violence. Post evaluation forms filled by duty bearers in the prevention and response to SGBV forums indicated an average score of 85%. It was an 18% increase in knowledge compared with the pre training evaluation.



Graph 2: Breakdown of the recipients of SGBV sensitization trainings

<sup>8</sup> UNHCR, 'Gender- based Violence'. Accessed through <https://www.unhcr.org/gender-based-violence.html>





Picture 4: Refugees and host community members during a community sensitization forum on prevention and response to SGBV.

## vi. Social Assistance and Economic Empowerment Support for Survivors.

As the COVID 19 pandemic raged, provision of social assistance and economic empowerment of survivors became more crucial than ever. RCK stepped in by providing social assistance in the form of food, rent, and dignity kits to 53 vulnerable women in Nairobi and Garissa. The social assistance mitigated the vulnerabilities that women and girls had been exposed to due to impact of the pandemic: This included the loss of jobs and other income-generating activities. It also mitigated the causes of cases of domestic violence among families due to stress occasioned by inability to cater for rent, food and other basic needs as a result of the pandemic. Additionally, RCK continued with strengthening the resilience of survivors of violence to economic shocks. This was through conducting entrepreneurship training where various topics were discussed: self-empowerment, business management, finance management among others. after the training, RCK disbursed business grants in the form of goods for a second group of 30 survivors of violence bringing the total number of women assisted since 2019 to 56. 93% of the supported women are running successful Micro and Small enterprises empowering them to break away from male dependence which often fuels SGBV.

## Back on Her Feet Again

Asha (name changed) is a single mother of 3 children who lives in Garissa county. She separated from her husband due to domestic violence. She was referred to the RCK office by community members who were aware of our free services. The RCK staff were able to provide psychosocial and legal services for Asha. A vulnerability social assessment was also conducted which qualified as a beneficiary in the RCK women economic empowerment programme. Earlier on in the previous year, June 2019, she was part of a group of women who attended a business skills development and agency training for five days. During the training, she learned the importance of agency empowerment in relation to entrepreneurship, how to overcome limiting beliefs, marketing skills, customer care, record keeping, financial planning and management. With a grant assistance from RCK, Asha's business needs of increasing her capital base were met. She was also able to utilise the economic empowerment skills gained earlier, to improve her business. Asha in a good month, makes a profit of Kshs 20,000 (approximately 200 USD). She stated, "I am very happy with RCK who supported me. I have been able to increase my stock, bought a fridge and have started selling gas; items which I had not thought about at the beginning. I am free now". She indicated that her children are in school and she is able to take care of their basic and household needs. Out of the money earned, Asha has also helped 3 other women from her community to purchase food as they were unable to do so, due to the pandemic. She said, 'RCK assisted me to get back on my feet. I will also help others to get back on their feet where I can.' Asha plans to grow her savings so that she can further increase her stock.

RCK continues to offer business mentorship and psychosocial support to the women who are currently progressing towards the expansion of their businesses. RCK continues to offer business mentorship and psychosocial support to the women who are currently progressing towards the expansion of their businesses.





Picture 5&6: 2020 cohort- Economic Empowerment beneficiaries at their respective business premises



Picture 7: Beneficiaries of the Entrepreneurship Training in a group photo with the RCK Director and Senior Programmes Officer in January 2020



## C. Child Custody

Child protection was a priority area for RCK in the course of the year. RCK assisted parents, especially women from single family headed households, to access custody and guardianship orders as they sought resettlement support from partners. The PoCs were able to obtain the court orders as a result of representation by RCK lawyers. A total of 15 custody and guardianship applications were filed in court. 12 of the custody and guardianship petitions were successfully concluded while the remaining 3 are ongoing in courts.

## D. Pro-Bono Lawyers and Protection/Detention Monitoring Scheme

The programme also recruited and retained 41 pro bono lawyers, protection, detention, and border monitors that ensured that persons of concern were able to access justice in areas that RCK does not have a physical presence. The pro bono lawyers and border monitors support RCK in improving access to territory by asylum seekers and refugees. This is done by constantly monitoring trends at the border entry points and intervening at the police station and courts of law to address cases of refolement and unlawful detention.



Picture 8: Program manager, RCK Kakuma, meeting with an Officer Commanding Police Station during flight corridor monitoring mission along the Western Flight Corridor.

RCK conducts flight corridor monitoring missions to build capacity of government officials and sensitize government officials on refugee protection along the flight path. In the year, 2020, three flight corridor missions was conducted in Kapenguria, Kitale, Bungoma, Malaba, Busia, Kisumu, Migori, Kehancha and Eldoret. In these missions, RCK held meetings with immigration officials, judiciary, police, County Commissioner, Kenya Red Cross and Refugee Affairs Secretariat. This was in collaboration with the pro bono lawyers and detention monitors in the particular locations. Their efforts resulted in the resolution of 15% of the cases supported by RCK in the course of the year as per the statistics indicated in the legal clinic.

## **E. Access to Psychosocial Support**

RCK's psychosocial team supported 1,489 refugees and host community members in 2020. This was a 45% decrease in the number compared to persons assisted in 2019. This was attributed to the fact that the numbers reached in 2019 included numbers from Danish Refugee Council (DRC) which had been sub contracted by RCK in a one-year project, to provide psychosocial support to SGBV survivors in Ifo and Hagadera camps. The supported beneficiaries in the year 2020, comprised of 61% women, 15% girls, 20% men, and 2% boys. They received individual counselling and group counselling to support them deal with trauma and other psychological challenges. RCK provided psychosocial support to more women than men during the year and this was because women, more than men suffered intimate partner violence and other forms of violence during the Covid-19 pandemic. The women were also willing to seek help in order to address their challenges and find solutions to their issues. RCK counsellors worked hand in hand with a team of RCK community-based counsellors (CBCs) who assisted in identification and referral of cases by reaching out to vulnerable men and women in the community. 48% of the cases handled by RCK were referred by the CBCs. The CBCs conducted home visits for vulnerable persons and most at-risk population and provide first aid psychosocial support. They were also issued with smart phones providing a tele-counselling interface channel with persons of concern in the communities. This was useful during the pandemic to ensure that community persons continued to receive the necessary counselling support.

There were 1489 psychosocial cases presented to RCK for assistance with the highest being SGBV. Eighty-two percent of these cases were concluded and successfully closed after the clients receiving counselling, showed positive traumatic coping mechanisms.

## Beneficiaries of Psychosocial Support

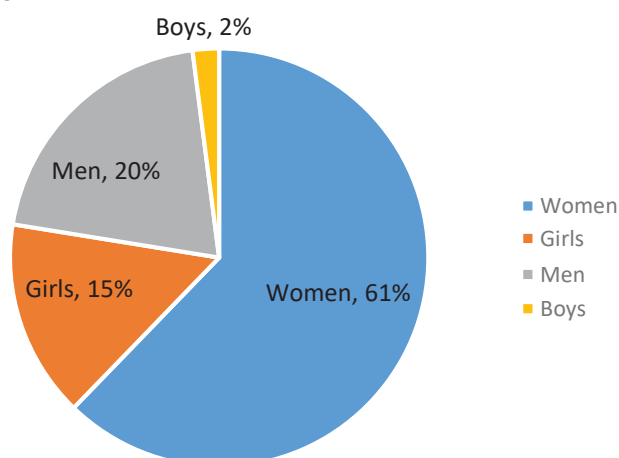


Chart 2: Distribution of clients receiving psychosocial support by gender in 2020.

Support was offered through one-on-one counselling, group therapies, and family therapies. Virtual monitoring sessions <sup>10</sup> indicated increase in self-reliance and resilience amongst the persons of concern who were assisted.

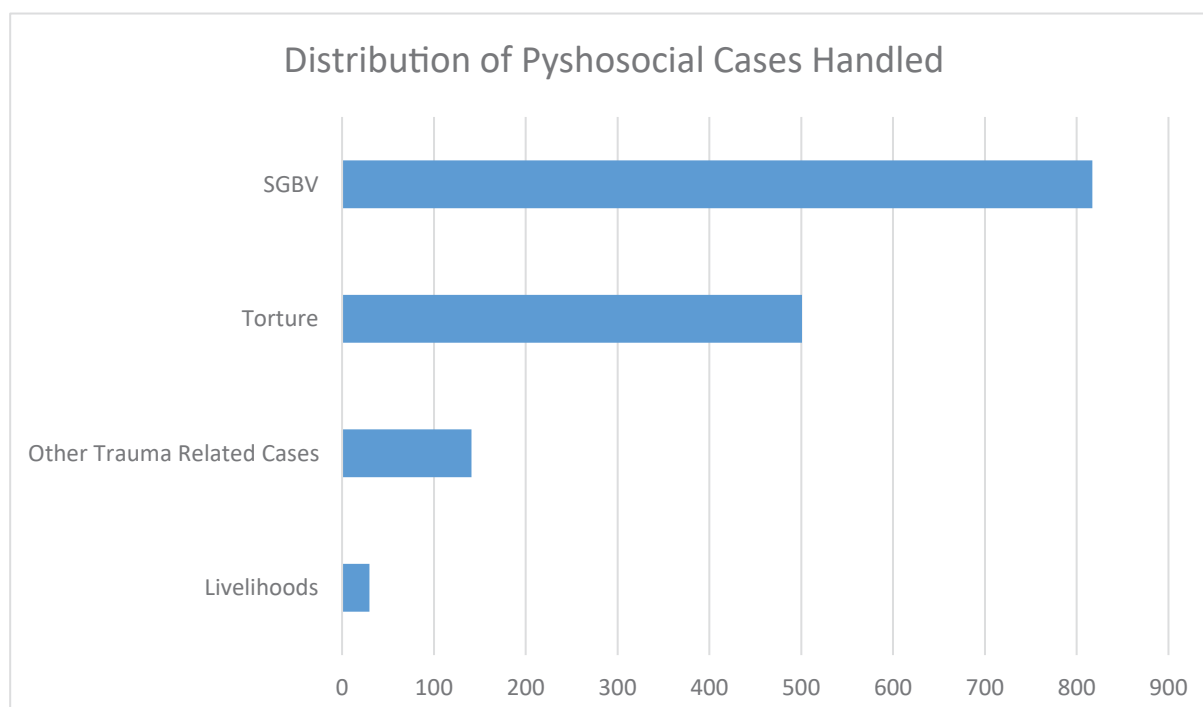


Chart 2: Distribution of clients receiving psychosocial support by gender in 2020.

<sup>10</sup> As indicated earlier in this report, due to the COVID 19 pandemic, some interventions were done virtually. This was in line with social distancing measures and other measures provided by the Ministry of Health.

## Victory is my destiny

Farhiyo\* not her real name, is a survivor of torture who demonstrated enhanced coping skills and ability to contribute effectively to the community after RCK support. Farhiyo, a single mother and an orphan approached RCK requesting for a livelihood opportunity to enable her meet her livelihood needs and to provide food for her small baby. She struggled with a sense of belonging, desire for personal independence, emotional instability, stigma and discrimination and lack of a strong support system. Farhiyo also bore physical scars of bullet wounds from her childhood trauma, where her adoptive parents who were government officials were killed in cold blood by militia groups. She underwent five counselling sessions that focused on trauma healing, building connections, positive thinking, self-esteem and awareness. This was to help her establish relationships for support and enhance coping mechanisms. She was also referred to the Refugee Affairs Secretariat for plot allocation in the Ifo refugee camp, as she was housed by a friend who was on the verge of chasing her away. While undergoing counseling, she applied for a position of a cleaner at a partner agency in the camp. She was successful in the recruitment process as she had become confident in her abilities. She is now able to provide for her 4yr old son and has since moved to her own compound where she shares the space with another friend. So far, RCK has conducted two follow up sessions to monitor her progress and she is doing well.



Picture 9: RCK counsellor facilitating a session during a Psycho Education Forum in Nairobi

## Challenges.

- ✓ **COVID-19 containment directives and restrictions:** The directives led to limited face to face counselling and legal aid. This resulted in some information lost in translation for beneficiaries who opted to use their relatives or siblings as interpreters. The restrictions also led to downscaling of court activities which also resulted in delays in access to justice.
- ✓ **Delay in posting of a prosecutor by the Office of the Director of Public Prosecutions (ODPP) in Dadaab Law Courts:** The absence of an officer of the ODPP resulted in unnecessary adjournments particularly of SGBV cases resulting in delayed justice for survivors in spite of the operationalization of the court. The numerous adjournments led to a sense of lost hope for the survivors and increased the risk of resorting to Maslaha as an alternative means of justice.
- ✓ **Poor access to tele-counselling by clients in hard to reach areas:** Technology offered a tele-counselling avenue. However, on the downside, it required access to tele-communications infrastructure thus clients in areas with limited telecommunications infrastructure were unreachable through the phone.

## Lessons Learnt and What Worked Well.

- ✓ Use of technology guaranteed continued delivery of services among beneficiaries during the COVID19 pandemic through enabling tele-counselling and access to virtual courts.
- ✓ Partnerships with governmental and non-governmental actors in the Court Users Committees, the National GBV Working Group, and the Garissa Gender Technical Working group are an effective coordination mechanism for expeditious resolution of cases.
- ✓ Social assistance and economic empowerment programs are crucial and sustainable solutions in cushioning vulnerable groups such as women survivors of violence particularly during periods of upheaval such as the COVID-19 pandemic.



### Recommendations.

- ✓ Working with ODPP, the court and police officers is an effective strategy of ensuring perpetrators who intimidate survivors are re-arrested and their bond cancelled. It is also a good strategy in preventing arbitrary arrests of asylum seekers and refugees in the migration corridor and charging them with illegal entry. Additionally, it facilitates expeditious access to justice for persons of concern, as the collaboration ensures that court cases are concluded in a timely manner and there is exchange of information required to expedite the cases.
- ✓ Investing in ICT infrastructure, capacity building community structures, and equipping staff and partners with PPE ensures continuance of access to services during the pandemic.

Having good collaboration with the Office of the ODPP is a crucial strategy in access to justice.

In the Busia Law Courts, a circular was issued by the Ministry of Interior and Coordination of National Government to the Inspector General National Police Service to avoid preferring charges related to unlawful presence, for immigrants. In the ODPP office in Busia, RCK successfully cited the above circular resulting in asylum seekers being discharged in court as opposed to incarceration. Furthermore, orders were made that detained asylum seekers would be presented before RAS and UNHCR for registration.

## Advocacy, Policy Development and Governance (APDG) Programme

The Advocacy, Policy Development and Governance Programme (APDG) contributes to the protection of forced migrants and the host community in Kenya through enhancing the policy and legal landscape; capacity building of stakeholders, duty bearers and rights holders and monitoring compliance to duty bearers. The programme achievements are provided below:

### A. Enhancing policy and legal landscape

#### i. Journey to review the Refugees Act, 2006.

RCK as an advocacy organization has been participating in the review of the Refugees Act, 2006. The Refugees Act, 2006 is the law in Kenya that provides the legal framework for the protection and management of refugees. However, the law requires to improve its provisions to adequately address socio- economic inclusion of refugees among other provisions.



RCK established and maintained a cordial working relationship with the Office of the Leader of Majority in the National Assembly, Members of Parliament from the Departmental Committee on Administration and National Security (DCANS), Justice and Legal Affairs Committee (JLAC), Members of Parliament from refugee-hosting constituencies among other members of the National Assembly. Through the relationship, RCK was able to advocate for provisions that enhance the protection space of refugees in Kenya in the proposed new legislation for refugee protection known as the Refugees Bill, 2019.

The DCANS is the departmental committee in the National Assembly charged with conducting public participation on the Refugees Bill and proposing amendments. In 2019, RCK held awareness sessions with refugees and Kenyans on the Refugees Bill and trained them on how to draft memoranda which they submitted before the DCANS. The memoranda were submitted in public hearings held by the DCANS in Nairobi, Dadaab refugee camp, Kakuma refugee camp, Mombasa, Eldoret and Nakuru. RCK individually and jointly with agencies, submitted memoranda proposing amendments to the law. Amendments included consideration for an stronger appeal process during refugee status appeal determinations among others. In 2020, DCANS shared its public participation report where it had considered and accepted 46 (74%) of the 62 proposals put forward by RCK and the Inter-Agency Committee on the Review of the Refugees Act <sup>11</sup> either unconditionally or with some variation. There still remain critical areas of concern to RCK that still need to be addressed in the Bill including recognition of refugee documentation and right to work.

RCK organized and participated in 19 lobbying meetings with stakeholders to champion for the review of the Refugees Bill, 2019. Notably, a positive outcome from the engagement was where 26 MPs supported the move to amend the refugee law in the National Assembly during the 2nd reading which was on 2nd July 2020.

The Refugees Bill was scheduled for committee of the whole house on 15th, 17th, 22nd and 24th September, 2020 in the National Assembly. The same did not proceed on all dates due to competing priorities of the Legislators and the same was unfortunately not concluded in 2020. RCK will continue to lobby MPs in 2021 to include the Refugees Bill for discussion in the Order Paper and attend parliament to support proposals to the law that seek to enhance the protection and social - inclusion of refugees.

<sup>11</sup> The Inter-Agency Committee on the Review of the Refugees Act is an interagency body that mandated to review the Refugees Act, 2006. The Committee is convened by the Refugee Affairs Secretariat (formerly Department of Refugee Affairs) which currently chairs it. It has representatives from the following agencies:



Picture 10: MP for Dadaab Hon. Dahir Mohamed (centre) Mr. Ahmed Abdi Technical Assistant to the MP (2nd from left) , RCK's Executive director, Eunice Ndonga Githinji (2nd from right), RCK's Senior Program officer Leila Muriithia Simiyu (Far right) and RCK's Program officer Lilian Obiye (far left) pose for a picture during a lobbying meeting to discuss provisions of the Refugees Bill, 2019.

## ii. Inclusive Governance: Working with the County Government of Turkana.

The Refugee Consortium of Kenya and the County Assembly of Turkana (CAT) signed a Letter of Agreement on 27th February, 2018 that provided the basis for the engagement with RCK. In the Letter of Agreement, RCK would support the County Assembly in legislative proposals review, promote refugees and citizen's participation in the policy making process and capacity building Members of the County Assembly on human rights legislation among others.

In February 2020, representatives from the CAT and RCK met to discuss progress of implementation of the letter of agreement. The CAT was represented by Vice Chair of the County Assembly Service Board; Director of Finance; Director of the Speaker; Director Legislative Services; Director Hansard, Research and ICT; and the Principal Finance Officer. RCK was represented by the Executive Director, The Senior Program Officer, Programme officer Advocacy Policy Development and Governance Program and Kakuma Office Programme Manager. CAT and RCK renewed their commitment to collaborate in ensuring that refugees and host communities are able to live in an environment that encompasses human rights and legal frameworks. RCK under the partnership, in 2020, developed a Public Finance Management Compliance Evaluation Tool. The tool was shared with the County Assembly of Turkana.

The Inter-Agency Committee on the Review of the Refugees Act is an interagency body that mandated to review the Refugees Act, 2006. The Committee is convened by the Refugee Affairs Secretariat (formerly Department of Refugee Affairs) which currently chairs it. It has representatives from the following agencies: United Nations High Commissioner for Refugees (UNHCR), Kituo Cha Sheria, International Rescue Committee (IRC), HIAS Kenya, Danish Refugee Council (DRC), RefuShe and the Refugee Consortium of Kenya (RCK)."

The tool sought to address gender equality in the County fiscal strategy paper and whether the county budget proposals were in line with the public finance management legal and policy provisions.

RCK at the request of the Speaker of the County Assembly of Turkana reviewed 24 county legislations. The proposed legislations were analysed against the functions of County Governments as provided under the 4th Schedule of the Constitution. RCK was also able to assess the legislations as per the principles of legislative drafting. An analysis was also done to ensure that there was no conflict between the proposed laws and national legislation. The legislations that were under review were among others, The Turkana County Equitable Development Bill 2020, Turkana County Urban Planning Bill 2020, Turkana County Minorities and Marginalized Groups Bill 2020 and the Turkana County Maternal, New Born and Child Health Bill 2020.



Picture 11: RCK's Executive Director addressing Members of the County Assembly of Turkana during a discussion on the progress of the Letter of Agreement. .

### iii. Implementing the Comprehensive Refugee Response Framework – CRRF

The CRRF lists several actions and commitments by states. These include, countries commit to enhance refugee self- reliance; ease pressure on host countries; enhance refugees' access to third country solutions; and support conditions in countries of origin for return in safety and dignity<sup>12</sup>. The CRRF is tailored to local circumstances and respective operational contexts. RCK is a member of the National Technical Working Group of the CRRF chaired by the Government. RCK represents national NGOs in is this technical working group. RCK participated in the development of the Kenyan CRRF policy document that was submitted to the Ministry of Interior and Coordination of National Government.

<sup>11</sup> UNHCR, Comprehensive Refugee Response Framework accessed trough <https://www.unhcr.org/comprehensive-refugee-response-framework-crrf.html>

In September 2020, RCK was invited by the Principal Secretary of Interior and Citizen Services to further critic the Kenyan CRRF document in preparation for its adoption. The Government of Kenya adopted the Kenya CRRF document in 2020 and committed to enhancing refugee self-reliance; play its role as a host country for refugees; expand access to third-country solutions; and support conditions in countries of origin for return of refugees in safety and dignity.

## **B. Capacity building of stakeholders, duty bearers and rights holders**

RCK acknowledges that community empowerment contributes to the process of enabling people increase control over their lives through awareness of their rights and obligations under the law. RCK organized and participated in community forums targeting refugees and host communities. Various topics were discussed such as sensitization and awareness forums on refugee law, human rights and prevention and response to violence against women and girls and conflict resolution mechanisms. RCK also worked strengthened networking and collaboration with duty bearers who are charged with the obligation of respecting, fulfilling, and protecting refugees and forced migrants. RCK organised forums with duty bearers to capacity building them on human rights issues with the aim of ensuring that the rights of forced migrants were upheld and that they were able to access justice

Principles that guide RCK capacity building engagements with the community and duty bearers include:

1. Participation- RCK encourages the community to participate in legislative and policy initiatives that will affect the enjoyment of their lives.
2. Accountability- RCK discloses the objective of each initiative to the participants in a transparent manner. RCK also shares on the obligations of the duty bearers and remedies where there is violation of human rights.
3. Non- discrimination- RCK engages all members of the community including men, women, persons living with disabilities, youth, elderly, administrative and religious person, community leaders among other persons.
4. Empowerment- Everyone who engages with RCK is encouraged to claim and exercise their rights.
5. Gender equality–RCK encourages gender equality where all persons have equal rights, responsibilities and opportunities.
6. Rights based approach- RCK supports individuals and communities to know their rights, participate in the development of policy and practices which affect their lives and to claim rights where necessary.



## i. Supporting Refugees in Kenya to access economic opportunities

Socio-economic rights provide protection for the dignity, freedom and well-being of individuals by guaranteeing state-supported entitlements to education, public health care, housing, a living wage, decent working conditions and other social goods<sup>13</sup>. Refugees in Kenya can access socio- economic rights such as engaging in decent working conditions as provided in the law.

RCK was able to capacity build 408 refugees (179 males, 229 females) on information about their rights including access to work permits, business documents, practices and procedures such as the importance of contracts/agreements and company registrations. An additional 16 refugees received legal and technical information on procedures for application of work permits as provided for in the Kenya Citizenship and Immigration Act.

### Dream comes true

A refugee approached RCK and sought assistance on registering a company to engage in courier services in Kenya. RCK provided legal and technical advice to the client explaining legal concepts for the client to understand. RCK was able to assist the client register a company and obtain a certificate of incorporation. The client was able to use the certificate of incorporation to open a bank account and obtain business requests and generate income. The client was grateful as he was able to realize his dream of operating a courier company and contribute to his self- reliance and realization of his socio economic rights. This is a testament of how advocacy programmes empower individuals.



Picture 12: RCK staff facilitating a session on key elements of a contract and business related documentation to refugees from Nairobi.

<sup>12</sup> Dawood Ahmed and Elliot Bulmer, 'Social and Economic Rights', International IDEA Constitution-Building Primer 9, 2017, accessed through <https://www.idea.int/sites/default/files/publications/social-and-economic-rights-primer.pdf>

## ii. Displaced communities and their hosts are aware of the peaceful coexistence mechanisms

In the year 2020, 420 (202 males, 218 female) refugees and host community members received information on alternative justice systems (AJS). RCK shared this information through 11 community awareness forums organized in Dadaab, Kakuma, Kalobeyei, and Nairobi. This is a 50% reduction as compared to 2019. The reduced figure is attributable to the preventive measures against Covid 19 where people were advised to reduce human interaction and practice social distancing. To mitigate the spread of the virus, RCK organised forums with fewer community members. In the forums, the communities were made aware of the different peaceful means to resolve disputes including negotiation, mediation, arbitration, and traditional justice mechanisms. These are mechanisms that did not necessarily have to end up in a formal court process. Specifically, they received information on addressing resource-based conflicts, the need for peaceful co-existence, community cohesion, and the application of a human rights-based approach in conflict management and dispute resolutions.

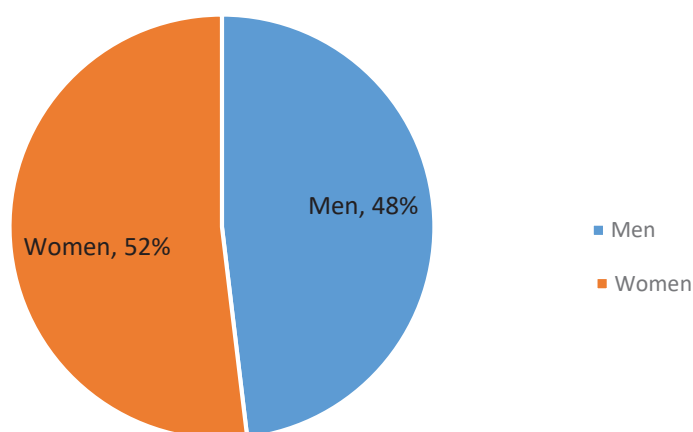


Chart 3: Distribution of refugees, IDPs and host community members who received information on alternative justice systems (AJS) and peaceful coexistence.

In these forums, it was emphasised that decisions made using AJS, should not be repugnant to justice and morality as per the Constitution of Kenya. The forums provided a platform for the participants to share the main causes of conflicts and propose viable solutions. One key resolution made by refugees was the inclusion of their leaders into the mainstream national government-backed community policing initiatives known as the Nyumba Kumi initiative.

In Nakuru, Rongai Sub County, RCK engaged the People First Impact Method (P-FIM) to raise awareness on peaceful coexistence. In P-FIM, 8 (5 male, 3 female) community representatives (from the IDP and host communities) known as P-FIM facilitators worked with the communities to address and mitigate against conflicts. This intervention enabled communities to identify conflict triggers and use existing structures within the community to resolve disputes. Some of the interventions were on family based conflicts, conflicts between parents and teachers among others. The interventions included telephone calls and short message services. 417 (222 men, 195 women) community members were reached through this intervention.



### iii. Conflict resolution in action

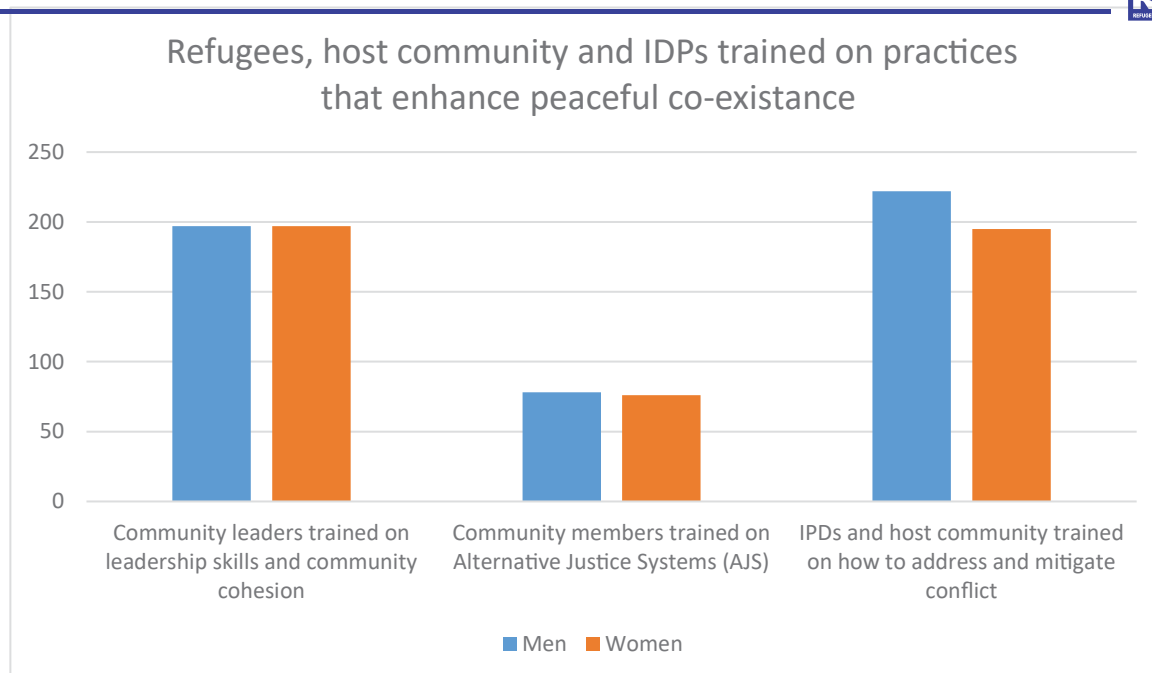
RCK as an organization that advocates for alternative justice systems and peaceful co-existence, was requested by the Government through RAS and the UNHCR on three occasions, to support communities in addressing conflict in Kitengela, Githurai and Kawangware. RCK successfully managed to resolve disputes among refugees in the community by engaging mediation.

#### Peace, love and unity

RCK specifically targeted Refugee Led Organizations (RLOs) in 2020 to participate in conflict resolution trainings. This is because they are among the first responders in resolving disputes in the community. L'afrikana, one of the RLOs that participated in the training was able to organize and train other members of the community on AJS. The organisation requested RCK to support them in co- facilitating a mediation session between 2 refugees in the community. The mediation session was successful as the parties were able to resolve the dispute.



Picture 13: RAS official answering a question from a refugee leader during a training organized by RCK on alternative justice systems.



Graph 4: Breakdown of the recipients of trainings on practices that enhance peaceful co-existence

## C. Regional and international advocacy

### i. International Covenant on Civil and Political Rights

The International Covenant on Civil and Political Rights (ICCPR) is an international human rights treaty providing a range of protection for civil and political rights such as freedom from discrimination and protection of foreigners in a country. RCK in 2020 responded to a list of queries raised by the Human Rights Committee that is charged with monitoring the implementation of the Covenant by states. The Committee requested for responses on the protection of refugees, review of the Refugees Bill among others.

RCK through its experience and work on the review of the Refugees Bill, was able to share comments on its provisions. RCK will continue to lobby for provisions of the Bill to consider due process in application of the law.

### ii. Universal periodic review- UPR

RCK in 2019 participated in advocacy and lobbying sessions with the Human Rights Council on refugee matters in Kenya. RCK was able to share updates on the refugees right to seek asylum, refugees access to basic services and education, right to work, freedom of movement, and sexual and gender based violence against refugee women, girls, and boys. During the 4th session of the Human Rights Council, in July 2020, the Government of Kenya accepted and supported six recommendations proposed by various states on refugees, building up on the work RCK had done in 2019. Among the recommendations accepted by Kenya included enactment of the Refugees Bill, 2019; inclusion of refugees into the education system; increase efforts to prevent and combat sexual and gender-based violence; and inclusion of refugees in all spheres of social, cultural and economic life.

## Challenges

- ✓ Response to the pandemic significantly hampered the Programme's ability to implement planned interventions such as face to face trainings and meetings. The Government directives on social distancing and temporary ban on public gatherings hindered RCK from conducting advocacy sessions and organising meetings. Later in the year, RCK was able to use technology to meet stakeholders and organised trainings with 15 people in line with Ministry of Health orders, which were eased.
- ✓ The National Assembly was forced to scale down its sittings in a bid to meet government protocols in addressing COVID-19. In addition, in four occasions, the Refugees Bill was included for Committee of the Whole House discussion, but the discussions did not proceed due to competing priorities by the legislators.

## Lesson learnt

- ✓ Refugee led organisations and refugee leaders are respected in the community. Their participation as mediators in conflict resolution contributes to increased ownership, involvement and resolution of the dispute by the involved parties

## Recommendation

- ✓ Continuous engagement with refugee led organisations and leaders on peace building is important in advancing peaceful co-existence in the community. It enhances community ownership and enables sustainability of conflict resolution actions.

## Research and Knowledge Management Programme

The Research and Knowledge Management (RKM) Programme is mandated to: produce and disseminate information on the rights and protection issues of PoCs to stakeholders (duty bearers, donors, other implementing agencies, host-communities and PoCs); conduct research and disseminate findings to inform evidence-based programming and advocacy for access to justice; adopt evidence-based good practices through reflection, learning, evaluation and documentation.

This was achieved through:

### **A. Research to inform design of programs and generation of publications to inform strategic interventions.**

RCK with the support of Asylum Access carried out a research study that sought to identify legal/ policy framework as well as operational challenges/ gaps that either enable or inhibit refugees' and asylum seeker's access to labour market in Kenya.

In particular, the study sought to identify: the status of access to equitable labour market and labour rights for refugees and asylum seekers in Kenya; the opportunities that exist for civil society actors to participate in advancing access to the labour market in Kenya through legal empowerment, information dissemination and policy development or change. The respondents included refugees, government actors, private institutions and CSOs.

The findings of the report showed that refugees have the right to labour market access in Kenya. However, there are various legal and institutional barriers that would require to be addressed. These include information gaps by refugees on navigating through the market access frameworks, large need for legal assistance etc. RCK will continue to engage its advocacy efforts in collaboration with Asylum Access to develop strategies that would alleviate these barriers.

## **B. Knowledge products to enhance awareness on refugees and forced migration issues**

The programme reached an audience of over 1,000,000<sup>14</sup> forced migrants, duty bearers, Kenyans and development actors through information, education and communication (IEC) materials, radio shows, social media messages and other news work. The reach increased by 100% compared to 2019. This was as a result of a TV feature on NTV Kenya where the RCK Executive Director represented the organisation. The feature was aired on the World Refugee Day, during prime time hours; 7 pm and 9 pm. A repeat of the feature was also aired the following day at 1 pm. The programme produced and disseminated a total of 7,638 IEC materials, conducted 26 radio shows, published 248 media monitoring reports and posted over 100 messages on RCK's social media platforms. The messages were on prevention and response to SGBV especially during the pandemic, messages on government protocols related to the pandemic and how to access services during the pandemic.

RCK commemorated international celebrations such as International Women Day, FGM Zero Tolerance, DAC, World Refugee Day (WRD), 16 days of Activism, Human Rights Day by posting a total of 30 commemorative messages on its social media platform. These resulted in a 10 % increase in subscription compared to 2019. Despite the reduced activities due to the COVID-19 restrictions, RCK messages reach increased from 319,888 in 2019 to 364,830 as at December, 2019 which translated to 14 % increase in message reach. This was attributed to engagement of technology by communities due to the reduction in movement or congregation of persons.

Community members and partners indicated that the materials and information shared was relevant as they had applied it in different spheres of community interventions. The community also commended RCK for the radio sensitizations since they had reached more community members especially in areas that RCK was not physically present for instance the Bulas<sup>15</sup> in the outskirts of Garissa Town.

<sup>14</sup> This is an approximate number based on the average reach of each medium

<sup>15</sup> Residential areas in Garissa are called Bulas. The main Bulas are Bula Taqwa, Mzuri, Garissa yarey, Bula punda, Bula sheikh and Bula cadan

Police officers indicated that some of the IEC materials such as posters with information on SGBV were useful. The police officers had displayed the posters at the police stations which were reference materials as they interacted with survivors of SGBV. Additionally, there was demand for more information and materials to be disseminated to the community to increase awareness on different issues. This was evidenced by the 14% increase of interest in the information produced and shared by RCK.

### **C. Monitoring, Evaluation and Learning**

The RKM programme with support from the Senior Management Team and other staff conducted routine monitoring and evaluation of the projects supported by different partners. Physical M&E field visits planned for 2020 could not be conducted due to the COVID-19 pandemic which resulted in lockdowns and general restrictions on travelling. However, desk M&E review of projects were done. As a result of the COVID-19 restrictions, some activities under different projects were not done and after discussion with the different donors, some activities and funds were realigned to respond to the pandemic. For instance, monitoring missions were reconsidered and purchase of PPEs for communities and the staff was done. In addition, funds were realigned to purchase food or non-food items for vulnerable members of the community who were negatively impacted by the pandemic.

### **D. Information Technology**

At the onset of the COVID-19 pandemic, RCK staff were required to work from home. In order to facilitate seamless working from home, systems such as requisition, finance, leave applications needed to be accessed remotely. However, the office systems that were available could not support remote access. The programme, with the support of the Senior Management Team (SMT), sought funds from donors to setup a modern Client Management System, Install Video Conferencing solution in all the four offices in RCK, Setup an ERP system with Finance, Payroll, leave management, procurement and grants module. The systems' design and implementation began in 2020 but will be finalized in the first quarter of 2021. RCK also managed to procure 18 new laptops which helped reduce the number of downtimes experienced by the staff as result of laptop breakdowns. This in turn enabled ease of working remotely and also increased the organisations output during the pandemic.





Picture 14: Entrepreneurship training participants dressed in RCK Branded T-shirts as they took part in the 3-day training at Silver Springs Hotel Nairobi between 29th and 31st January 2020

### Challenges

- ✓ Insufficient Remote Access to the office systems: Due to the COVID-19 pandemic, staff were forced to work from home. A number of activities such as raising payments still required staff to physically access the office. For instance, as of the end of 2020, leave application management was still manual and inaccessible remotely.
- ✓ Distribution of IEC materials: Distribution of the IEC materials was not done as planned in the early part of the year with the onset of the pandemic. This was as a result of the COVID-19 restrictions. However, towards the second half of the year, as activities increased, the physical distribution resumed within the Ministry of Health protocols.
- ✓ M&E field visits: As a result of the pandemic, there were no physical M&E visits done in 2020. Monitoring was done remotely meaning that critical data that was traditionally collected from face-to-face interactions or forums was not done. However, the programme engaged technology and worked closely with staff to ensure that information was consistently being recorded.

### Lessons Learnt and recommendation

- ✓ Use of technology to access information and services is increasingly being engaged by refugees as well as partners. RCK should also increase use of technology in some of its interventions to reach more people.

Although use of TV as a communication medium is expensive, it reaches a wider and diverse audience that other mediums would ordinarily not reach.



## Institutional Support and Development

The Institutional Support and Development (ISD) programme ensures RCK's sustainability with enhanced staff capacity to deliver its mission and mandate to meet the needs of forced migrants and host communities. The ISD programme is a foothold of the organization anchoring on effective and efficient systems to support and facilitate implementation of programmes. The key areas of focus for the programme include; administration, human resource management, procurement, financial coordination, and internal governance.

### A. Resource mobilization and management

The year 2020 began on a positive note with increased funding and majority of staff from the preceding year retained. However, the onset of COVID-19 pandemic in March, 2020 adversely affected RCK with uncertainty and anxiety of staff and the working environment. The Presidential directive on measures to curb the spread of coronavirus, necessitated minimal to no physical contacts with refugees, host community and other persons of concern. The year posed one of the greatest challenges to the organization: The risk of the outbreak was not anticipated and no resources had been reserved to mitigate the impact prior to the planning period. The good relationship RCK maintained with its donors, enabled realignment of the budget lines to facilitate the organization's response to government protocols.

This included conducting a health premises audit, purchase of sanitation booths, PPEs among other items. This assisted RCK to adapt to the changing environment so as to continue providing the much needed support to refugees, asylum seekers, and host communities.

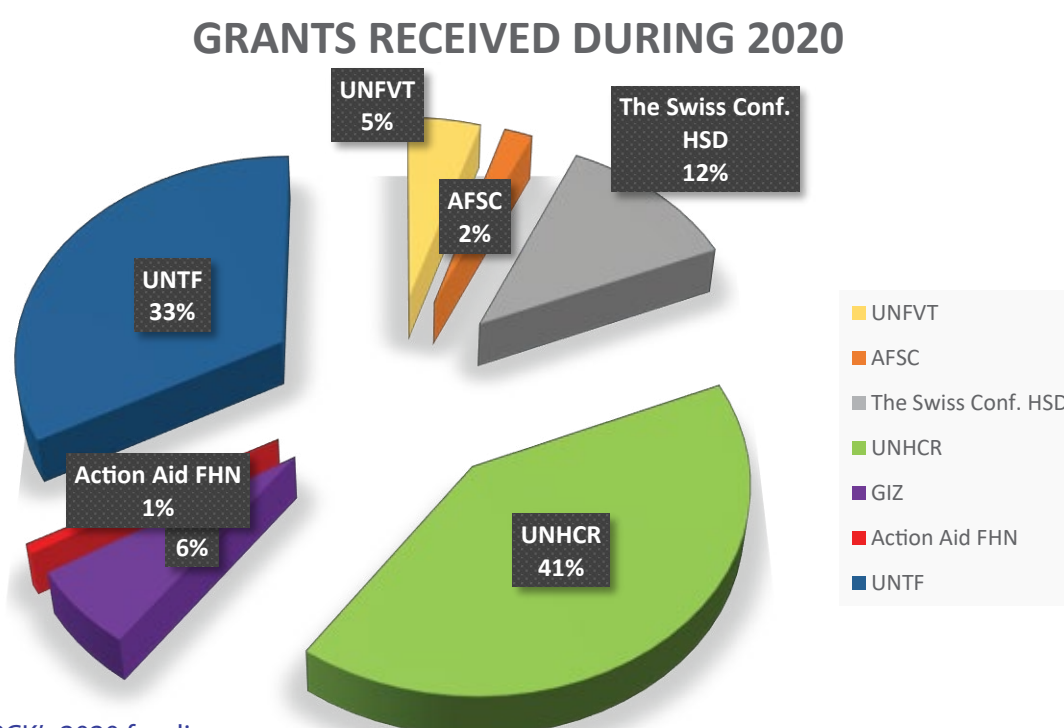


Chart 4: RCK's 2020 funding sources

During this period, RCK retained 7 donors with RCK's funding remaining the same in 2020 as compared to 2019. This is despite the general reduction in funding in the Kenyan refugee sector. The weakening of the Kenya Shilling against hard currencies provided more funds for project activities on conversion of the currency rates.

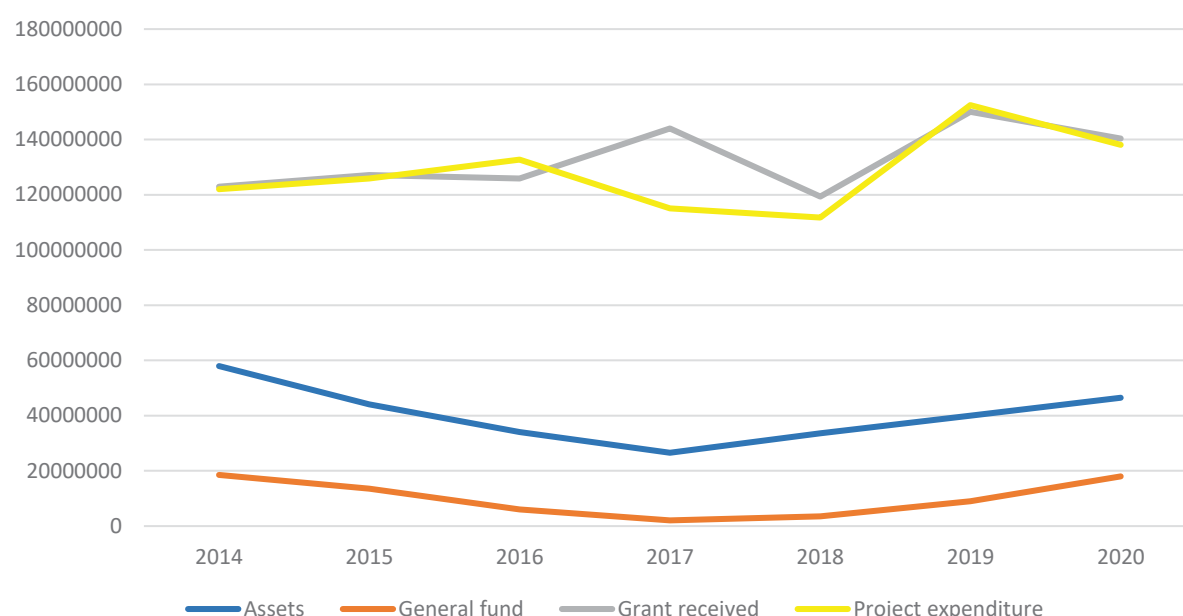
## B. Staff Capacity and Well being

The physical office activities were suspended temporarily in March 2020 at the onset of the pandemic in Kenya. A few staff proceeded on leave whilst other staff worked from home as the management reviewed the situation as well as followed Government directives and stakeholder's recommendations. The risk of reduced funding and probability of staff lay off remained high at this moment. However, the management with the support of the Board and staff responded proactively taking appropriate measures and recommendations on prescribed working arrangements. Standard operating protocols responding to COVID 19 were also developed for all RCK programmes and offices. This was to ensure that the staff were abreast of the requirements to facilitate a safe and healthy working environment. RCK needed to adapt quickly to continue supporting beneficiaries and provide support to staff in very challenging circumstances.

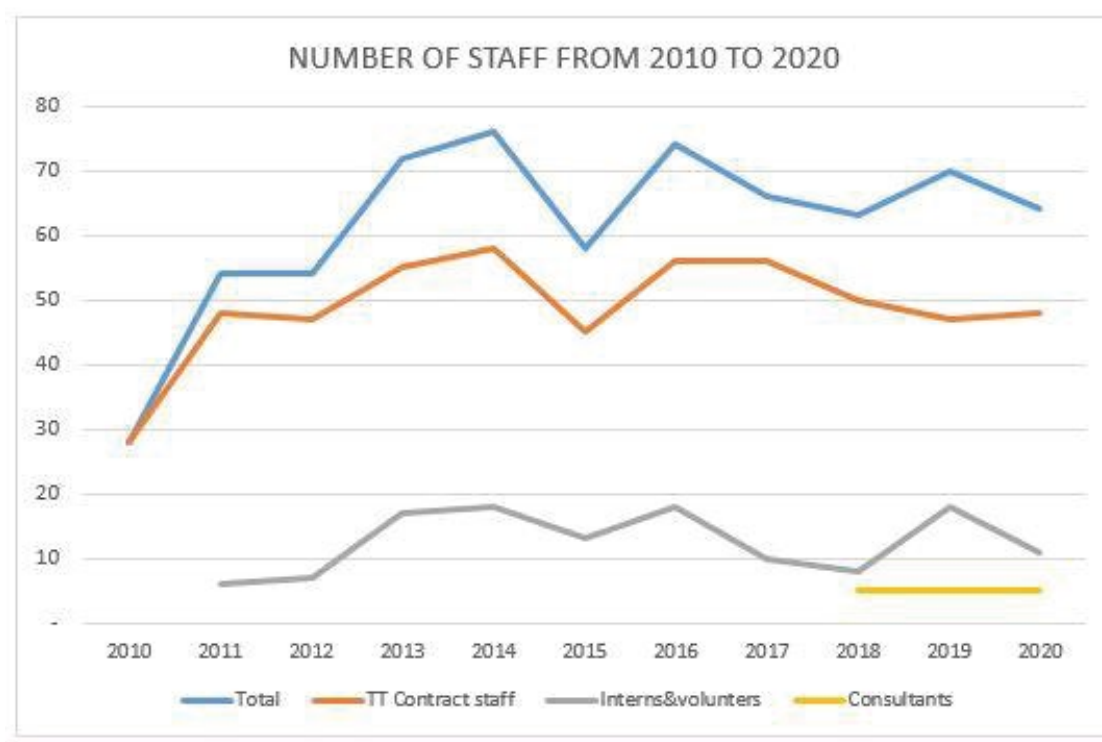
The table 1 below provides a summary of staff engaged in 2020. Whereas the number of staff on contract remained at the same level as at 2019, the number of interns reduced. This was as a result of most services being offered virtually.

It is worth noting that RCK is a service based organization whose core resource is the human capital. The organization engages lawyers, counsellors, and other professionals who offer services to asylum seekers, refugees, host community, and both county and national government.

2014 - 2020 PERFORMANCE TREND



Graph 5: RCK performance trend from 2014-2020.



Graph 6: The number of staff engaged from 2010 to 2020.

## STAFF ANALYSIS

Location	Male	Female	Total
<b>Dadaab</b>			
Contract	6	3	9
Intern	0	0	0
<b>Garissa</b>			<b>0</b>
Contract	3	5	8
Intern		2	2
<b>Kakuma</b>			<b>0</b>
Contract	7	8	15
Intern			0
<b>Nairobi</b>			<b>0</b>
Contract	7	9	16
Intern	1	8	9
Total	24	35	59
Percentage	41%	59%	100%

Table 1: Breakdown of staff per office

The ISD programme organized 4 staff debriefing sessions per office and 3 virtual meetings for board members whilst observing the COVID-19 protocols and regulations. The staff were able to debrief based on the secondary post-traumatic stress disorder occasioned by attending to clients during the pandemic. The RCK management also supported staff to manage stress that also emanated from new modalities of working including fear and stigma of contracting COVID-19, thereby managing to carry out most of the planned activities for 2020. The RCK board continued to provide oversight and governance over the management of the organization. Key priorities for the organization were determined by the board during a board retreat that was held in the course of the year.



Picture 15: Some of RCK Board Members and the Executive Director at the annual board retreat.

## **D. Administration and Logistics support**

The ISD programme is in charge of logistics, administration, human and financial resource management. The program was supported by 19 staff; Finance and Administration Officer, 4 Accountants, Human Resource assistant, Admin Assistant, 8 drivers and 4 office assistants. The Executive Director and all the managers support the ISD team in meeting its objectives. The administration of offices covered was in Nairobi where the RCK HQ is based, Dadaab refugee camp, Kakuma refugee camp, Kalobeyei and Garissa town.

During the onset of COVID-19, the management supported by ISD made recommendations on logistical support and working environment which necessitated reorganization of provision of logistics and office travel. The offices maintained few assets for operations which included: motor vehicles, laptops, furniture, generator, and office equipment.





Picture 16: RCK Staff during a team building and debriefing session.

## Year Ahead

Globally, the economic, health, and social effects of the COVID 19 pandemic continue. As a result, of these effects in donor countries, RCK anticipates a further reduction of donor funding in 2021, in the general Kenya refugee operations. This would call for concerted efforts by RCK to ensure that it remains sustainable and weathers the shocks occasioned by the continuous pandemic.

RCK also anticipates that the COVID 19 restrictions issued by the Ministry of Health will continue to affect the delivery of some of our services. However, despite the restrictions, RCK shall maintain the provision of holistic and timely services for the Persons of Concern while adhering to the health and safety guidelines. RCK will leverage technology and reach out to more persons of concern whose vulnerabilities may continue to increase as a result of the pandemic and other ongoing protection needs. These services shall include but will not be limited to; provision of legal advice, legal representation, psychosocial support, economic empowerment, capacity building for forced immigrants, and host communities among others. The services shall ensure that services of violence, victims of torture, children, persons with disabilities, and other vulnerable persons will receive the necessary assistance. Community workers such as the Community Based Counsellors, protection and detention monitors will be engaged to ensure community members' needs are adequately addressed by RCK.

RCK shall continue using a multi-stakeholder approach in networking with partners and the Gender Ministry in the National and County Governments in the implementation of activities that address Gender-Based Violence in communities.

RCK shall continue with its advocacy efforts to support government efforts in the implementation of the Comprehensive Refugee Response Framework, through the development of policies and legal frameworks. This shall be achieved at the national level, through continuous lobbying for the Refugee Bill 2019 to be passed into law, development of the regulations, and the national asylum policy on refugees and asylum seekers. At the County level, engagement with Turkana and Garissa County Governments will be done to enhance the legal and policy frameworks that promote access to economic inclusion and general human rights for forced migrants and host communities.

The GISDEP<sup>16</sup> and KISDEP<sup>17</sup> will be important platforms for RCK to engage with the government and partners, to support the socio-economic integration of refugees and host communities in Turkana and Garissa Counties. RCK will continue to liaise with IDPs and host communities in Rongai Sub County, Nakuru County to enhance peace-building efforts with a focus on mental health and psychosocial support.

These, among other interventions, will be crucial and particularly, in a pandemic context, to ensure that forced migrants and host communities access rights, justice, protection, and durable solutions.

<sup>16</sup> Garissa Integrated Social Economic Development Programme

<sup>17</sup> Kalobeyei Integrated Socio Economic Development Programme





# REFUGEE CONSORTIUM OF KENYA

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