

Protection Monitoring in Kenya:

Garissa & Turkana Counties

(Dadaab, Kakuma & Kalobeyei)

PROTECTION MONITORING RISK AND TRENDS

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INTRODUCTION

About PMRT

The Protection Monitoring Risks and Trends (PMRT) by DRC Kenya gathers primary and secondary data from an indicative sample of at-risk communities in Kenya to provide a community-centric understanding of local protection dynamics, and an analysis of protection incidents and trends. In July-August, the focus was on areas in northwest and northeast Kenya (Dadaab, Kakuma & Kalobeyei) where rights violations and protection information gaps remain prevalent.

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Introduction

Protection monitoring during forced displacement is essential to safeguard fundamental rights enshrined in international human rights and refugee law instruments, regional treaties, and national legislation. By collecting, verifying and analysing information, it is possible to identify human rights violations and protection risks in order to inform advocacy strategies, design and implement programmes, and make quality interventions.

DRC pioneered protection risk and trends monitoring that is aimed at collecting, collating and triangulating protection trends to provide an overview of the protection environment. During October 2023 DRC's trained protection monitors carried out 378 interviews encompassing diverse range of roles within the camps, i.e., community structures and the general community members, as part of the ongoing study into protection concerns across northwest and northeast Kenya.

The geographical scope of the interviews encompasses areas of Dadaab, Kakuma and Kalobeyei.

The contextual analysis derived from these

interviews aims to provide an overview of the protection environment in these locations, as described by communities themselves, with particular considerations given to safety and security, gender-based violence, child protection, persons with disability, elderly, movement in/out of the camps and access to services.

Methodology

During October, our team conducted routine interviews with 378 refugees (59% females, 41% males) in Dadaab, Kakuma and Kalobeyei. The distribution across sites was 57% Dadaab, 30% Kakuma and 13% Kalobeyei Settlement. The disparities between the samples across camps was as a result of few monitors in Kakuma and Kalobeyei but in no ways affects the study results.

This information reflects harmonized methods and tools used to monitor protection trends, violations, their scale and their impact during September 2023. Key informants, representing diverse roles within the camps, were selected for this ongoing study on protection concerns in Dadaab, Kakuma and Kalobeyei.

Participants shared their experiences and observations from the community, addressing protection issues like legal safeguards, safety, gender-based violence (GBV), child protection, access to services, and movement within and beyond camps. This comprehensive approach informs future actions to enhance overall protection. Additionally, the PMRT report integrates data from DRC's Gender-Based Violence Incident Monitoring System (GVBIMS) and the Child Protection Information Management System Primero (CPIMS+).

KEY FINDINGS

Life, Safety and Security: The safety and security situation in the camps is a concern for the community, particularly for women. Men on the other hand perceive the situation as relatively calm, with occasional incidents, majorly perpetrated by armed thieves and gangs frequently targeting households, especially at night, leading to theft of valuables and food. The influx of new arrivals has also amplified security concerns, increasing struggles for limited resources like water and shelter. Lastly, inadequate shelter for newcomers leaves them vulnerable to various risks, including disease, and other forms of violence.

Liberty and Freedom of Movement: moving within the camps is generally possible for people living there, except in certain risky areas like bush zones. However, leaving the camp is restricted due to travel rules and difficulties in obtaining necessary travel documents. Notably, participants reported challenges linked to corruption in the process of obtaining travel documents, where bribes were seen as a means to expedite the process. The analysis of recent population movements highlights a steady influx of new arrivals and some people returning. Additionally, movement within the camp and to other camps occurs. Departures are driven by resettlement, voluntary repatriation, movement to other camps, and migration to different countries, showcasing diverse reasons for leaving the camp.

Civil Status and Access to Justice: people within the community encounter serious barriers. Corruption and a lack of accountability within the registration offices pose a significant challenge, perpetuating an environment of distrust and hindered progress.

Understanding legal rights and procedures proves to be another roadblock, leaving many individuals unaware of how to navigate the bureaucratic system effectively. Fear and distrust further deter individuals from seeking legal redress, driven by concerns related to personal safety and a lack of confidence in the justice system. Discrimination and bias by police officers also loom as formidable barriers, often resulting in unequal access to legal assistance. Lastly, reaching legal services is hampered by distance and accessibility issues.

Basic Economic and Social Needs. Inadequate Water, Sanitation, and Hygiene (WASH) facilities have become a significant concern, marked by long queues at limited water taps, leading to conflicts and endangering particularly vulnerable individuals, especially women, during late-hour water collection. Additionally, the lack of sufficient and hygienic latrines and bathrooms has contributed to the outbreak of diseases like cholera. The issue of hunger has intensified due to a reduction in food distribution, forcing families to engage in desperate measures to obtain sustenance, exacerbating the overall humanitarian situation.

Education and Livelihoods: Unequal gender inclusion in education prevails, with boys receiving preferential treatment in enrolment, transitions, and retentions due to entrenched cultural biases undervaluing girls' education. Forced and early marriages are pervasive, with economic hardship driving families to marry off young daughters, terminating their education, and making marriage their sole livelihood source. Moreover, the geographical distribution of schools poses challenges in accessing the learning institutions, leading to more children out of school.

On the front of livelihoods, a critical impediment is the dire lack of viable opportunities within the camps. This scarcity forces individuals into seeking alternative sources of income, perpetuating an ongoing cycle of economic struggle. The situation is dire enough that some resort to marrying off their young daughters prematurely as a means of livelihood, amplifying societal issues and limiting educational prospects for these girls.

Land and Property: The community grapples with a range of displacement-related concerns and insecurities in land tenure. Forced evictions and challenges in accessing or reclaiming property rights are prevalent issues, often triggering disputes and conflicts among the refugee population. Encroachments on land and demolitions further exacerbate tensions, escalating into fights within the community. Beyond the refugee population, the host communities add another layer of complexity, displaying hostility towards refugees over land matters. Instances of violence, particularly in bush areas where refugees collect firewood for resale, underline the severity of the situation, with hostile actions causing harm and disruptions in daily lives.

Non-discrimination and Equality: Discrimination is a pervasive issue within the monitored population, particularly impacting minority groups who face unequal treatment compared to the majority. The dynamics of discrimination extend beyond ethnicity and nationality, encompassing gender, age, and other protected characteristics. Notably, refugees as a collective entity also experience discrimination from host communities. Additionally, vulnerable individuals requiring special services, including persons with disabilities, chronic illnesses, the elderly, and women, encounter further marginalization and unequal treatment.

Recommendations

Based on overall findings, we make the following recommendations that should be seen as additional to existing Protection advocacy messages and calls:

Protection Actors

- Efforts should be made to simplify and streamline the process of obtaining travel documents and Implement comprehensive awareness campaigns to educate individuals in the camp about their rights, available services, and reporting mechanisms.
- Focus on improving security and accessibility, especially in areas like bushes where POCs collect essential items such as firewood.
- Efforts should be made to improve accessibility to vital facilities like distant hospitals, addressing the challenges posed by geographical distance.
- Implement conflict resolution programs and awareness campaigns to address conflicts arising from resource disputes.
- Prioritize and enforce measures to combat child labor and exploitation within the camps, ensuring that children are protected from harmful work practices and provided with opportunities for education and personal development.
- Actively involving and consulting persons with particular requirements in the planning and decision-making processes ensures that solutions are tailored to their unique needs, promoting inclusivity and improving their overall well-being.
- Establish user-friendly and accessible reporting mechanisms for incidents, disputes, and safety concerns.

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Contact: Brenna Gabriella-McElroy Carmody
Head of Programmes
brenna.carmody@drc.ngo