

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 July/August 2023 DRC's trained protection monitors carried out 686 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 September, our team conducted routine interviews with 496 refugees (43% females, 57% males) in Dadaab, Kakuma and Kalobeyei. The distribution across sites was 64% Dadaab, 25% Kakuma and 11% 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, girls and LGBTIQ+. 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. Again, inadequate shelter for newcomers leaves them vulnerable to various risks, including exposing particularly women and children, to increased risks of gender-based violence, exploitation, and abuse.

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.

Civil Status and Access to Justice: When navigating the process of acquiring legal documents or registration services, 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 including child marriage for dowry, transactional/survival sex exacerbating the overall humanitarian situation.

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.

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. *“The hard economic situations in the camps have compelled fathers to offer their younger daughters for marriage before completing their education. This has become their only source of livelihood since there are no other livelihood opportunities for them. At last, the married minors end up being subjected to a lot of SGBV incidents.”*

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

- Create specialized programs for improved accessibility, healthcare, financial support and gender-based violence (GBV) protection, while establishing clear referral pathways among humanitarian organizations, authorities and community leaders. Further, conduct awareness campaigns to reduce discrimination, particularly for LGBTQIA+ persons.
- Improve safety in areas with reported issues and develop a comprehensive GBV prevention and response programs addressing both physical and non-physical abuse, with a particular focus on women and girls.
- Implement child protection initiatives to reduce risks such as adolescent/child pregnancy, school dropout, child marriage and substance abuse, emphasizing education and awareness. Train community, family and religious leaders to respond to Unaccompanied and Separated Children (UASC).
- Simplify travel document processes for equal access. Promote conflict resolution, inclusivity and understanding while implementing economic empowerment programs for financial stability. Develop flexible strategies for different population movements and address the legal status for unregistered refugees and asylum-seekers.
- Increase access to clean and safe water sources and improve sanitation facilities to reduce overcrowding and enhance safety, particularly for women and girls. Promote hygiene education and awareness programs, especially targeting vulnerable groups like persons with disabilities and those with chronic illnesses. Address access challenges to WASH facilities, especially for women and girls, by improving infrastructure and security.
- Address overcrowding and the influx of new arrivals through camp planning and management improvements while enhancing security measures to protect against smuggling, trafficking and violence within the camp.

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