

JRS Background Information



Refugees and asylum seekers in Nairobi, Kampala and Addis Ababa

1. „Urban refugees“ in eastern Africa

1.1 General situation and challenges

In sub-Saharan Africa, seven out of ten refugees still live in camps. Globally, however, it is estimated that half of the 10.5 million refugees and internally displaced persons (IDPs) of concern to the UN refugee agency (UNHCR) reside in urban areas. Several reasons account for this: a global move towards urbanisation; harsh living conditions, lack of space, medical facilities, adequate education and security in camps; tightening asylum policy and protracted refugee situations due to continuing conflict, as well as hopes of finding a sense of community, safety and economic independence. Seeking refuge in urban settings, however, presents many challenges.

Most asylum seekers reach the cities without means of survival, social networks or language skills; often they live in miserable conditions, sleeping on the floor or sharing small bare rooms in crowded, poor neighbourhoods. Many suffer from post-traumatic stress, depression and mental illness and have very limited access to adequate public health and education services. Some are afraid to register their presence or come forward for support because they are afraid of being deported or sent back to the camps. They are exposed to harassment, abuse and extortion by the police and their integration is further hampered by discrimination and xenophobic attitudes on the side of the local population (Pavanello, 2010).

Refugees and asylum seekers living in cities normally receive no or far less assistance than those residing in the camps. They are expected to be self-sufficient, but many have no source of income. Although they contribute to the local economy through informal employment, they have tremendous difficulties accessing formal employment. Little effort has been made to use their productive potential, further involve them in the urban economy and thus promote their integration. While sharing the same problems as poor nationals, they face additional challenges. In Nairobi, urban refugees often pay higher rents and some are charged more for public services and education than Kenyans (Pavanello, 2010).

The exact size of the urban refugee population in Nairobi, Kampala and Addis Ababa is not known. Unofficial estimates put the number of refugees in Nairobi at 100,000 while official figures suggest 46,000 (March 2010). Over 32,500 refugees are registered in Kampala (May 2010). In Addis Ababa, over 1,600 refugees are officially registered as living in the city (September 2009) but according to the Somali Community Centre around 300,000 undocumented Somali asylum seekers are living in the Ethiopian capital.

Most of the refugees seeking refuge in Nairobi and Kampala come from Somalia, Ethiopia and the Great Lakes region while those seeking refuge in Addis Ababa primarily come from Somalia, Sudan and Eritrea.

1.2 The UNHCR Global Policy and its implementation in Nairobi, Kampala and Addis Ababa

Prior to their flight, many of the asylum seekers and refugees lived and worked in urban centres. Thus, their confinement in a refugee camp, often located in semi-arid and rural areas, is impractical and provides no solution to their problems, hence prompting their move to urban areas. In response to this growing trend the UN refugee agency (UNHCR) adopted a global “Policy on

refugee protection and solutions in urban areas” in October 2009, recognising global urbanisation and the challenges of camp life that have led asylum seekers and refugees to migrate to urban areas. This policy also acknowledges the long-standing lack of attention to urban refugees and stresses the importance of addressing their needs as a means of expanding the protection space available to them. In addition, Nairobi has been selected as one of the pilot cities to serve as an example for the implementation of this policy.

One of the main challenges in translating this policy into successful operational practice is getting governments, including those of Kenya, Uganda and Ethiopia, to adopt and implement the recommendations it provides. UNHCR officials in Nairobi and Kampala have invited partner agencies and the governments to discuss ways of further implementing this policy. Actors are anxious to push for a positive impact of this policy, though how much further the policy will go depends on the much needed support from the host governments.

Ethiopia:

For the most part, Ethiopia still encourages the encampment of refugees. Ten refugee camps along its border with Somalia, Sudan and Eritrea accommodate the majority of refugees from these countries. Nevertheless, the government refugee agency, the Administration for Refugee and Returnee Affairs (ARRA) grants ‘urban refugee status’ in addition to granting general refugee status, for the small number of refugees who are allowed to stay in Addis Ababa. In Ethiopia, the government policy does not allow work permits for refugees and asylum seekers, posing serious challenges to their livelihoods and forcing many of them to move on to other countries. In reality, however, many are engaged in petty errands, informal employment and making of handicrafts to earn some money, which is tolerated by the authorities.

Kenya:

The Kenyan government enacted the Refugee Act in 2006. This Act does not formally distinguish between refugees residing in urban areas and those residing in camps. Since the early 1990s the government has in practice required refugees and asylum seekers to stay in designated areas, namely transit centres and refugee camps. However, there is no formal written policy prohibiting refugees and asylum seekers to reside in urban centers. In fact, in many circumstances the Kenyan government in agreement with UNHCR allows refugees and asylum seekers to reside outside the camps on the basis of pursuing advanced educational opportunities, seeking specialised medical assistance and better security. Still, most asylum seekers and refugees live in urban areas without legal protection, medical and social assistance. They often become victims of police harassment, extortion and illegal arrests and experience hostility from the local population. Their prospects of acquiring legitimate work permits are restricted by government legislation, policies and practice. In 2005, the government exercised its discretion under the Immigration Act to suspend the issuance of the ‘Class M’ work permits specifically for refugees which had earlier been allowed. In spite of this, refugees still work in the informal labour market in urban areas and as wage-earning workers in Kakuma and Dadaab refugee camps.

Uganda:

Uganda has been acclaimed for being proactive in respecting the rights and freedoms of refugees and asylum seekers, as compared to Kenya. The Ugandan Constitution, the 2006 Refugee Act and the Citizenship and Immigration Control Act are the main legislative instruments used to regulate refugee affairs. However, as in Kenya, in the Ugandan Refugee Act, the emphasis is on encouraging refugees and asylum seekers to reside in camps, where they receive basic education, medical care and food rations. With insecurity rife, a lack of advanced medical and educational services and the lack of employment and other opportunities in camps, many chose to reside in urban areas. The government and UNHCR adopted a joint policy that promotes self-reliance of refugees outside the camps. This policy assumes that they are able to provide for themselves and therefore are not entitled to assistance in urban areas. Unfortunately, this assumption fails to take into account the obstacles this vulnerable population faces, such as language barriers, xenophobic attacks by locals and refugees from other countries and the high cost of living in urban areas. On a

positive note, there are work opportunities in urban areas that help refugees and asylum seekers sustain themselves and their families.

2. The JRS response and involvement

JRS started assisting urban refugees and asylum seekers in Eastern Africa in the early 1990s and still is one of the few organisations to assist them as they wait between six and 24 months for their refugee status determination. Unfortunately, during this time they receive little or no aid from other agencies.

In 1991, the organisation started to help refugees in Nairobi, responding to the needs of a huge influx of Somalis. Since then, JRS has offered wide-ranging support: food, financial assistance, education services, medical care, pastoral and psychosocial support, information, and non-food items; thus responding to the urgent unmet needs of newly arrived asylum seekers and most vulnerable refugees. Currently, these services are provided through five parishes of the Archdiocese of Nairobi, situated in lower income and slum areas.

“We give people temporary respite so that they may recover and regain their coping skills; we give them time and some security so that they may set their eyes on the future.”

Sr Nora Mc Carthy OSF,
JRS Uganda Director

In Nairobi, 15 to 25 people daily knock on the door of JRS for food or help to pay their rent. Where possible, asylum seekers are enrolled immediately; if not, their names are put on a waiting list. In 2009, over 458 metric tons of food were distributed in Nairobi. But persistent instability in the region makes it impossible to cater for all in need. Due to an unexpected arrival of more than 1,700 Congolese refugees in early 2009, the number of households assisted almost doubled from an original estimate of 250. New funds must be continually raised.

In 1997 and 1998, JRS started assisting refugees and asylum seekers in Addis Ababa and Kampala respectively, providing the same services as in Nairobi. In Addis Ababa, JRS also runs the city's only community centre for recognised urban refugees. Established in 1996 and frequented by more than 500 refugees, the centre is a place where children can play and adults socialise, attend language or computer lessons, take part in vocational training and workshops, and use the library and internet facilities. Local students are welcome to use the library, a move aimed at promoting the integration of the refugees.

“I see a real change in the refugees, from when they first enrol to when they complete the course, after one year. Many are frightened and suspicious at first but learning the language changes their lives: they make new friends, continue their education, find jobs.”

Joe Stevens Mande, JRS English teacher, Kampala

Another integration tool is language classes. In Kampala, JRS offers daily English language classes for refugees and asylum seekers from non-English speaking countries. Since its inception in 1998 the project in Kampala has supported more than 18,000 refugees and asylum seekers with material assistance, advocacy and English lessons. In 2009, JRS gave emergency assistance to over 11,600 people in the three capitals.

The underlying aim of JRS support is self-sufficiency. This is why temporary emergency relief is flanked by income-generating activities and education. Many refugees acquired skills like tailoring, carving or crocheting in their country of origin which, with an initial assistance such as training and small loans, can help them become economically independent. In 1993 JRS opened Mikono (Swahili for 'hands'), a craft shop in Nairobi where 60 refugees sell their products (www.jrs.net/jrs/mikono/). Over the years, many refugees have been able to meet their daily needs from the earnings they receive from the shop.

JRS also offers scholarships to 100 students for pre-school, secondary and tertiary education, as well as vocational training in Nairobi. In 2009, sixty percent of the refugee children in the Kenyan

capital have not been able to access education due to lack of school fees, uniforms or pre-school education.

“We see how the refugees’ hope is revived and their dignity restored. So many come back just to say thank you; this, and their perseverance, give us the strength to continue.”

Irene Waweru, JRS Project Director, Nairobi

In all three capitals, JRS advocates for the rights of refugees and asylum seekers. This includes informing refugees about procedures regarding the registration process, referring those in danger to other agencies, including UNHCR, for better protection, raising awareness of the rights of refugees, and advocating for particularly vulnerable groups, such as unaccompanied minors, persons with disabilities or survivors of sexual and gender-based violence.

3. Proposals to address these difficulties (to national and international actors)

The answer to the challenges urban refugees face lies in changing and developing government and institutional policies. To improve protection, livelihood opportunities and humanitarian assistance for urban refugees, the governments of Uganda, Kenya and Ethiopia need to develop legislation and policies that respect and promote refugee rights and freedoms. This includes:

- Implementing national refugee policies that make local integration more practical and accessible for urban refugees and asylum seekers.
- Granting unconditional rights and freedom as spelt out in national and international instruments to which they are signatories, such as the Universal Declaration of Human Rights, the 1951 Convention Relating to the Status of Refugees and the 1969 OAU Convention Governing Specific Aspects of Refugee Problems in Africa.
- Promoting self sufficiency for refugees and asylum seekers by allowing them work permits, freedom of movement, policies that favour work, educational, social assistance and medical opportunities for them and their families.
- Granting urban refugee status and documentation that curtails harassment, extortion and exploitation by authorities and host communities.
- Promoting the local integration of refugees and equipping them with the skills to be able to take advantage of other durable solutions such as voluntary return and resettlement in a third country.

4. References and recommended readings

There is generally little quantitative or qualitative information available on the situation of refugees and asylum seekers in urban settings and scant research into their situation has been done. However, the information listed here will help to gain a deeper understanding of their situation.

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